

This instrument prepared by:
Debbie Banks
201 North 2nd Street
Palatka, Florida 32177

ORDINANCE NO. 09 - 58

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE FUTURE LAND USE MAP AND FUTURE LAND USE ELEMENT OF THE ADOPTED COMPREHENSIVE PLAN BE AMENDED WITH RESPECT TO ONE PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE) IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 26 EAST FROM COUNTY URBAN RESERVE TO CITY INDUSTRIAL, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3187, Florida Statutes, as amended, provides for the amendment of an adopted comprehensive plan, and

WHEREAS, Section 163.3187, Florida Statutes, as amended, provides that any local government comprehensive plan amendments directly related to proposed small scale development activities may be approved without regard to statutory limits on the frequency of consideration of amendments to the local comprehensive plan, and

WHEREAS, Section 163.3187, Florida Statutes, as amended, provides that a local government may amend its adopted comprehensive plan to change the land uses of up to 80 acres by small scale amendments annually, and

WHEREAS, the Planning Board conducted a public hearing on November 3, 2009, and recommended approval of this amendment to the City Commission, and

WHEREAS, the City Commission conducted a public hearing on this amendment on December 10, 2009,

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF PALATKA, FLORIDA:

Section 1. Adopted Small Scale Amendment

That the Future Land Use Element and Future Land Use Map of the adopted comprehensive plan of the City of Palatka is hereby amended to provide that the land uses of the parcel of land listed in Table 1 below shall be changed as designated and that the Future Land Use Map shall be amended to show the changes in land use.

TABLE 1
ADOPTED SMALL SCALE AMENDMENTS

<u>Property Tax Number</u>	<u>Acreage</u>	<u>Current Land Use</u>	<u>Amended Land Use</u>
09-10-26-0000-0010-0021	2.75	County Urban Reserve	City Industrial

DESCRIPTION OF PROPERTY:

(Diocese of St. Augustine Sale to Putnam County)

THE PORTION OF THE FOLLOWING DESCRIBED LANDS LYING NORTH OF THE ST. JOHNS AVENUE EXTENSION WITHIN THE LANDS CONVEYED BY THAT WARRANTY DEED BY RALPH H. OLIVER, JR., AND RACHEL C. OLIVER, HUSBAND AND WIFE, GRANTOR, AND JOHN J. SNYDER, AS BISHOP OF THE DIOCESE OF ST. AUGUSTINE, DATED NOVEMBER 3, 1986, AND RECORDED AT

THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUTNAM COUNTY, FLORIDA, EXCEPTING THEREFROM THAT PART LYING WITHIN THE SEABOARD COASTLINE RAILROAD RIGHT OF WAY. AND FURTHER EXCEPTING THEREFROM AN EASEMENT OVER A PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 9 AND OVER A PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 10 SOUTH, RANGE 26 EAST, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS BEING 66.00 FEET WIDE AND LYING NORTHERLY OF AND ADJACENT TO THE FOLLOWING DESCRIBED LINE:

FOR A POINT OF BEGINNING OF SAID LINE BEING DESCRIBED, COMMENCE AT THE NORTHEASTERLY CORNER OF FOXWOOD AS RECORDED IN MAP BOOK 6, PAGE 19 OF THE PUBLIC RECORDS OF SAID COUNTY, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE OF ZEAGLER DRIVE; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID FOXWOOD AND ITS WESTERLY PROJECTION TO THE EASTERLY LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 9 AND THE POINT OF TERMINUS OF SAID LINE BEING DESCRIBED.

All references are to the records of Putnam County, Florida. Containing 2.75 acres more or less.

Section 3. Effect on the Comprehensive Plan

The remaining portions of said adopted comprehensive plan of the City of Palatka, Florida, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 4. Severability

Should any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portion.

Section 5. Effective date

This Ordinance shall become effective thirty-one (31) days after its final passage by the City Commission of the City of Palatka, Florida.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 10th day of December, 2009.

CITY OF PALATKA

By:

Karl H. Flagg

Its Mayor

ATTEST:

Betsy J. Degeper

City Clerk

Approved as to form and correctness

[Signature]

City Attorney