

**CITY OF PALATKA
PLANNING BOARD AGENDA
November 3, 2015**



Call to Order

1. Roll Call

2. Approval of September 1 and October 6, 2015 meeting minutes.

3. Appeal procedures and ex-parte communication

4. OLD BUSINESS:

- (a) Request for a conditional use to locate an alcohol serving establishment within 300 feet of an another alcohol serving establishment, located at **3810 Crill Ave.** (tabled from October 6, 2015 meeting)

Owner: EPF Investments, LLC

Applicant: George H. Ashby, Jr.

- (b) Evaluation and Appraisal Report (EAR), Comprehensive Plan (discussion item)

5. NEW BUSINESS:

- (a) Request for conditional use permit to allow food pantry in a (pending) PBG-1 zoning district, located at **521 & 523 S. 13th St.**

Owner: City of Palatka

Applicant: Heart of Putnam Food Pantry, Jared Dollar

- (b) Administrative request to amend Zoning Code Chapter 94, Article III, Division 3 (Supplementary District Regulations) to allow City Manager to consider appeals for waiver or modifications to exterior building standards on major city thoroughfares.

Owner: City of Palatka

Applicant: Terry Suggs, City Manager

7. Other Business:

8. ADJOURNMENT

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, AT THE EXPENSE OF THE APPELLANT. F.S. 286.0105

FOR ADDITIONAL INFORMATION OR FOR PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING PLEASE CONTACT THE CITY BUILDING AND ZONING DEPARTMENT AT 329-0103, AT LEAST 24 HOURS IN ADVANCE WHEN REQUESTING DISABILITY ACCOMMODATIONS.

Attachment A

CITY OF PALATKA
PLANNING BOARD MINUTES (draft)
September 1, 2015



Call to Order: Members present: Chairman Daniel Sheffield, Vice-Chairman Joe Pickens, George DeLoach, Charles Douglas, Anthony Harwell, Joseph Petrucci, Earl Wallace, and Tammy Williams. Members absent: None.

Motion made by Mr. Petrucci and seconded by Vice-Chairman Pickens to approve July 7, 2015 meeting minutes with minor corrections. The motion carried unanimously.

The Chairman then explained appeal procedures and ex-parte communication rules.

OLD BUSINESS:

Case 15-29 A request to rezone from R-1AA (Single-Family Residential) to M1 (Light Industrial), located at **161 Comfort Rd.** (tabled from August 4, 2015).
Owner: Pumpcrete America

Mr. Crowe explained that there is a zoning conflict with this property as the Comprehensive Plan's Future Land Use Map classifies the property as industrial, but the zoning for the property is single-family residential. The Comprehensive Plan always prevails, so this effort is a housekeeping measure to make the zoning conform with the Plan and to the existing land use pattern. He stated that this does not create an isolated zoning district, as there is (County) industrial zoning to the north and to the west. He recommended approval.

Motion made by Vice-Chairman Pickens and seconded by Mr. Harwell to approve the request as recommended. All present voted affirmative and the motion carried unanimously.

NEW BUSINESS:

Case 15-33 EAR (Evaluation Appraisal Report) of the Comprehensive Plan: approval of major issues.

Chairman Sheffield explained that the Comprehensive Plan is a road map for the City of Palatka. This item is quite detailed and complex and will be reviewed in sections. Chairman Sheffield said that the Board would discuss this broadly at meetings, but not get into specifics since the document is so large. Each member can provide detailed suggestions directly to Mr. Crowe, who will be happy to receive comments or meet with board members individually. He said no action would be taken today but it will be reviewed again in November.

Mr. Crowe said this was the first step in updating the City's Comprehensive Plan, and the EAR was the state-mandated process for doing so. He listed the EAR sections: Introduction, Community-Wide Assessment, Evaluation of Major Issues, Special Topics, and Recommended Plan Amendments. The Major Issues section formed the basis of new directions in the Plan. The draft EAR focuses on historic preservation, economic development, transportation, trails and parks, and annexation & municipal boundaries. Tonight's presentation focused on Future Land Use, Housing, Public Facilities, Conservation,

and Intergovernmental Coordination; and November's presentation would include Traffic Circulation, Recreation and Open Space, and Capital Improvements. He then went over a number of specific policy changes pertaining to erosion control, drainage, sewer hook-ups, upland/river conservation buffers, and water supply planning.

Mr. Crowe explained that in 2011 public workshops were held and there were five major issues cited:

- 1) Historic Preservation,
- 2) Economic Development
- 3) Transportation Level of service
- 4) Trails and Parks, and
- 5) Annexations/Municipal boundaries

These major issues basically provide the spine or framework for updating the Comprehensive Plan.

These issues with the public input were translated into recommended changes to specific elements. The EAR was largely complete, but state legislative changes in 2011 pushed back the EAR completion date to 2016. Staff re-started the process by getting approval from the City Commission to move forward with the EAR process.

Mr. Crowe then reviewed suggested recommendations received through public input at the workshops.

Issue 1 (Historic Preservation):

The draft EAR recommends that the City develop and adopt a separate Historic Preservation Element into the Comprehensive Plan with its own goals, objectives, and policies (GOPs). The GOPs pertaining to historic preservation, which are currently in the Future Land Use Element, should be relocated to this new element. The policy calling for CLG designation should be revised to maintain such designation, which the City received in 2014. Policies should be added that call for periodic historic surveys, enable historic tax exemptions, and pursue infrastructure improvements in historic districts. Mr. Crowe added that this issue would be taken to the Historic Preservation Board for their input.

Issue 2 (Economic Development):

Mr. Crowe went over some of the key issues under this element, including:

- continued application of downtown overlay design standards;
- partnering with private entities to leverage Tax Increment Funds
- Continue public-private partnership for cultural entertainment and dining-related development projects
- Institute a vacant properties registration program for downtown that spurs adaptive re-use and economic development
- Continue use of grant and other funds to utilize Price-Martin Center as performing arts and community event venue.
- Nurture cultural and arts programs.
- Support mural program.
- Support arts events
- Inventory art facilities and programs.
- Continue allowing nonprofit art organizations to lease city buildings for nominal fee.

- Interface with state and regional tourism agencies to develop and promote a clearer identity for the City.
- Continue Tree City strategies and utilize tree mitigation funds to implement public tree planting program
- Train staff in sustainable urban canopy management
- Market industrial park.
- Assist in preparing and marketing shovel-ready sites.
- Implement Airport Master Plan including marketing and grants.
- Improve airport appearance through strategic landscaping.
- Consider alternative management and financing options for golf course as regional recreational amenity.
- Implement golf course master plan including improving playability and appearance.
- Seek funding for replacement of City's aging water and sewer lines.
- Consider establishing a regional stormwater facility, coordinated with park system, to bank stormwater credits for urban core.
- Work with SJRSC/FLOARTS to establish downtown presence and specific projects such as art galleries and business incubator.
- Coordinate with public, quasi-public, and non-profit groups on economic development, including UNF Small Business Development Center.
- Work with regional commuter rail systems to "sync" operations with Amtrak.
- Work to convert train station to manned status.
- Support water taxis for eco-tourism and transit.
- Support and promote fishing tournaments.
- Recommend to state parks to prohibit automobiles during times of peak pedestrian/bicycle activities.
- Consider City economic development staffer.
- Institute brownfields or enterprise zone tax exemptions for property improvements.

Mr. Crowe said he would be happy to meet with each Board member and welcomed their suggestions of how to improve Palatka.

Case 15-34 Administrative request to amend Planning Code Article II and Zoning Code Article II, Division 2; transferring Zoning Board of Appeals duties to the Planning Board.

Mr. Crowe said that this change would sunset the Zoning Board of Appeals (ZBA). The ZBA is infrequently utilized as an appeals body for variances to the Floods Code, Sign Code, and Zoning Code. Variances allow alternative approaches to the literal interpretation of code standards such as building setbacks, sign size and location, cell tower height, and flood control standards, for example, as long as criteria are met that prevent the granting of special privilege and approving of self-created hardships. As the Local Planning Agency for the City, the Planning Board is the official "keeper" of the Zoning Code, which typically is the source of variance requests. The practice of one board setting rules and another board considering variances from those rules lends itself to inconsistent application and practice. The ZBA rarely meets (nine times in the last five years) and achieving quorum has historically been difficult, probably because of the infrequency of meetings and lack of habit. The Planning Board meets almost every month of the year and as a result gains experience from a wide array of code requests, experience which can be applied to the occasional variance request. He concluded that a smaller City like Palatka does not need more than one land use citizen board.

Chairman Sheffield said that the variance process sounds a lot like the conditional use process. Mr. Crowe agreed, noting that both processes allow for a level of departure from code standards. Chairman Sheffield said that the Board was then already considering variances in this manner.

Vice-Chairman Pickens said that variance requests were much less complicated than conditional uses, usually dealing with reduced building setbacks.

Allegra Kitchens, 1027 S. 12th St., spoke in opposition of the request stating that she does not believe that it would be good for the citizens. She said both boards are needed and that all the power should not be held by one body and that as a citizen she wants that extra board to go to. She said the Planning Board has a lot on their plate and should not be burdened further.

Mr. Petrucci asked about the ZBA's current composition. Mr. Crowe responded that there are now just four of seven members left – one died, a second resigned, and a third was elected to the City Commission. Mr. Petrucci asked if the ZBA members were informed of this pending action, and Mr. Crowe responded that yes, they had been notified through correspondence. Chairman Sheffield said that the ZBA members had the opportunity to participate in the process.

Vice-Chairman Pickens said his opinion was that more government was not better government, and that it was hard to get lay people to make difficult and complicated decisions, particularly when their board meets infrequently. He added that it is good for the left hand to know what the right hand is doing, and one board can have more of a consistent approach.

Motion made by Vice-Chairman Pickens and seconded by Mr. DeLoach to eliminate the Zoning Board of Appeals and transfer responsibilities to absorb the responsibilities of the Zoning Board of Appeals.

Mr. Harwell asked if the ZBA was needed in the future, how would they be reconstituted. Mr. Crowe answered that the code would have to be changed again.

Mr. Wallace said he believed that this would make for better efficiency in government.

Chairman Sheffield called for the vote: all present voted affirmative, and the motion carried.

At the Chairman's request, Mr. Holmes described a proposed notice procedures policy which was designed to eliminate any confusion about advertising and notice requirements. This stemmed from a conditional use case (alcohol sales associated with proposed riverfront restaurant) from last February's meeting where the case numbers were not differentiated. At the meeting time Mr. Holmes determined this was a scrivener's error, but later re-evaluated this opinion after determining that the actual application was submitted later. Mr. Holmes said he was not assessing blame on anyone, but trying to ensure that proper notice was provided and that all the information in the form of a complete application was available in the file for the public to review. He was asking the Board for a recommendation to the City Commission.

Allegra Kitchens, 1027 S. 12th St., said that she had sued the Planning Board over this notice issue, but had not had the time to review the policy, nor had her attorney. She asked that the Board not take any action on it at this time until she and her attorney could review the policy.

Chairman Sheffield asked Mr. Holmes if this was a time sensitive matter. Mr. Holmes replied that it was not, and the Board could take it up at their next meeting. He added that Ms. Kitchens through her attorney had requested that the conditional use case in question be repealed by the City Commission, which he and the City Commission agreed to. Mr. Holmes added that Ms. Kitchens and her attorney also wanted an injunction against the City that required that City staff follow notice and other procedures. He did not believe that an injunction was necessary, but a policy could eliminate any possible gray areas.

Chairman Sheffield asked Mr. Crowe if he had any objections. Mr. Crowe replied that no, he did not.

Mr. Harwell asked if an applicant could bring in additional information after the time of application sufficiency. Mr. Holmes replied that if it was new or expanded information that went beyond the scope of the notice, they could not, but if it was information that supplemented the application's intent, that was fine.

Mr. Petrucci asked if the case that was set aside would have to be considered all over again, and Mr. Holmes replied in the affirmative.

Motion by Vice-Chairman Pickens to recommend approval of the policy as recommended by City Attorney, seconded by Mr. DeLoach. The vote was seven yeas and one nay (Chairman Sheffield), and the motion was approved.

Mr. Crowe told the Board that any errors made were in the interests of helping applicants and giving them the benefit of a doubt. The City was not treated in a special manner. He said that in the future Staff would carefully follow procedures. Mr. Wallace said he did not appreciate any indication that the case was snuck in the back door.

OTHER BUSINESS - none

ADJOURNMENT – the meeting was adjourned at 5:09 PM.

Attachment B

CITY OF PALATKA
PLANNING BOARD MINUTES (draft)
October 6, 2015



Meeting called to order by Acting Chairman Joseph Petrucci, who volunteered for the duty (Chairman Sheffield and Vice-Chairman Pickens both had excused absences).

Members Present: George DeLoach, Anthony Harwell, Joseph Petrucci, Earl Wallace, and Tammie Williams. Members absent: Chairman Daniel Sheffield, Vice Chairman Joseph Pickens, and Charles Douglas, Jr. Also present: City Attorney Don Holmes, Planning Director Thad Crowe and Recording Secretary Pam Sprouse.

Motion made by Mr. DeLoach and seconded by Ms. Williams to approve the minutes of the August 4, 2015 meeting, and the motion carried unanimously.

Appeal procedures and ex-parte communication reminders were read by Chairman Petrucci.

OLD BUSINESS: None

NEW BUSINESS:

- (a) A request for a conditional use to locate an alcohol serving establishment within 300 feet of another alcohol serving establishment located at **3810 Crill Ave.**

Owner: EPF Investments, LLC

Applicant: George H. Ashby, Jr.

Mr. Crowe explained that the applicant requested this item be tabled until the November meeting.

Motion made by Mr. DeLoach and seconded by Ms. Williams to table this request until the November 3, 2015 meeting, and the motion carried unanimously.

- (b) Administrative request to amend the Palatka Zoning Code Sec. 94-149, 94-153, 94-161, 94-162 allowing produce truck sales and food trucks under certain conditions and restrictions in downtown, public, and commercial zoning districts.

Produce Trucks

Mr. Crowe explained that in a recent commission meeting the City Commission was approached by the Heart of Putnam Food Pantry to allow produce trucks at the American Red Cross location (521 S. 13th St.) but the single-family residential zoning did not allow for this kind of activity. The City Commission directed Staff to look into developing an ordinance that would allow for this. As part of a comprehensive approach Staff looked into a number of ways to combat the food desert effect occurring in parts of the City including produce trucks, food trucks, food pantries, and produce stands in conjunction with convenience stores (farmers markets are already allowed in the downtown zoning districts by conditional use, it is just that no one at this point has tackled this).

Mr. Crowe said the first item was produce trucks, which were intended to transport fresh produce from area farms directly to consumers in areas where such goods are not readily available. These trucks are already operating in Northeast Florida, usually on a weekly basis to designated locations

such as elderly housing, institutional settings and neighborhoods that lack stores that sell fresh produce. The proposed definition described produce trucks as “box or semi-tractor trailer trucks utilized to deliver and dispense fresh produce or cottage foods to approved locations within the City.” He reviewed the recommended standards:

1. Allowable sales items include of locally produced fresh produce and cottage foods.
2. Dispensation is allowed from box or tractor-trailer trucks, or goods may be placed on a system of orderly-arranged tables outside such trucks.
3. Produce trucks are limited to parking lots or other paved areas.
4. Property owner must provide written permission for the activity.
5. Trucks shall not block driveways, emergency access lanes, sidewalks, or streets.
6. Trucks shall not utilize required minimum parking, but may utilize excess parking, or may utilize minimum parking outside hours of operation associated with the owner/user of the parking area.
7. Hours of operation are limited to daylight hours.
8. Produce trucks are allowed in the following zoning districts: DB (Downtown Business), DR (Downtown Riverfront), PBG-1 (Public Buildings and Grounds), and C-2 (Intensive Commercial), and are also allowed in all City-owned parking lots with the written approval of the City Manager.
9. Produce trucks must be parked at least 150 feet from a residentially-zoned property.
10. Produce truck locations must be kept neat and clean at all times. Any solid waste must be removed immediately after an event.
11. Produce truck programs must be run by a 501-C3 nonprofit organization, and must hold and display all required local, state, or federal licenses required for such a use.

Mr. Crowe explained that Zoning Code text amendments have two criteria, one being need and justification and the other being compliance with the Comprehensive Plan. In regard to the need issue, he said while produce truck programs are not recognized and allowed in the Zoning Code, such programs can serve an important need in the community by reducing the food desert effect that is now experienced by many local residents. He added that this action is not in conflict with the goals, objectives, and policies of the Comprehensive Plan or other city ordinances and recommended approval of the amendment with the proposed standards.

Mr. Crowe added that Staff is proposing a change to what was in the packet, namely the elimination of the requirement that produce be grown locally (in Northeast Florida). His discussions with the Farm-to-Family staff convinced him that at different times of the year it will be necessary to bring in produce from out of the region and even the state to maintain the program.

Chairman Petrucci asked why the limitation to non-profits. Mr. Crowe stated that because food assistance to the needy is a quasi-public activity helping residents, supported by the City. Staff believes this is a laudable program but would not want to see it go beyond what it is as a charitable endeavor and turn into essentially a retail store operating out of a truck. He added that there were plenty of opportunities for different non-profits to participate in a program like this, including churches.

Mr. Holmes initiated discussion regarding parking and possible conflicts with required parking in public parking lots of such places as rental facilities. Mr. Crowe responded that facility rental events and produce truck events could not occur simultaneously with business or operation times that would claim the bulk of the parking – this was a scheduling and not an ordinance issue. He said that the event planning would be reviewed on a case-by-case basis by the Building & Zoning Department.

Mr. DeLoach stated that he has seen the same type of operation by the high school and middle school F.F.A.'s, (Future Farmers of America) where they grow their own garden and it has been an excellent program.

Mr. Harwell stated that he had issue with restricting the activity for non-profits as it prohibits the small guy who wants to start his own produce business. He said the program would still hurt other produce companies that are out there. Mr. Crowe explained that this is not intended to be a business prototype, but rather a charitable outreach operation.

Allegra Kitchens, 1027 S 12th St. spoke in support of the request and the idea of using local produce whenever possible, understanding the seasonal issue. She added stating that while non-profits may make money, they do not use it to their own benefit, but put it back into helping people. She said she did not believe that this use would be in competition with a produce stand. This is basically a food give away and it is not every day, twenty-four-seven. She agreed that public property should be limited to non-profits and not private businesses.

Mr. Holmes asked if there should be a limitation as to the number of days per week, per site. Mr. Harwell suggested that if consideration was going to be given to limiting the number of days of operation per site, which would limit the permanency and number of locations concerns - then maybe removing the limitation of non-profits should be considered as well. Mr. Crowe stated that the proposed amendment allows this use on a pretty broad range and if the Board wanted to restrict the use more it could remove the allowance of the operation in commercial zoning, limiting it to public and institutional type property. This would lessen the potential competition with businesses and general proliferation of the use.

Chairman Petrucci asked what the process would be for someone to bring a produce truck. Mr. Crowe explained that the applicant would have to get a business license with the City. At that time, Staff would go over the rules and require a sketch plan (showing location of the truck on the property, parking, any tables to be use used etc.) for review to ensure that the standards were met. Discussion continued regarding additionally requiring liability insurance naming City of Palatka as additional insured.

Motion made by Mr. DeLoach, seconded by Mr. Wallace, to recommend approval of the amendment as presented by to allow produce sales trucks with the additional conditions of a limitation of no more than two event days per week and also for the applicant to provide liability insurance naming City of Palatka as additional insured. Chairman Petrucci asked if the motion included limiting the produce to locally grown only. Mr. Crowe answered yes, and said that it would be very limiting to only include the surrounding area farms. Mr. DeLoach and Mr. Wallace agreed to remove this provision as part of their motion. Mr. Harwell re-stated that he was against not allowing private vendors. The vote was 4 yeas and 1 nay (Mr. Harwell) and the motion carried.

Food Trucks

Mr. Crowe provided the definition of a food truck as “a readily moveable, licensed, motorized wheeled vehicle, containing a mobile food unit or a towed wheeled vehicle, designed and equipped to serve food, which is temporarily stored on a privately-owned lot or public-right-of-way where food items are sold to the general public.” Food trucks are currently not an allowable activity in the Zoning Code, and occur only in the context of approved Special Events such as Main Street downtown street parties. Food trucks are becoming increasingly popular in towns and cities throughout the country creating spark, activity, and business revitalization as well as healthy eating

opportunities. He recommended approval with the following recommended conditions and safeguard:

1. Uses must be located on private property, except that in the Downtown Overlay Zone, food trucks shall be allowed in right-of-way parking areas, excluding St. Johns Avenue frontage, and only on spaces adjacent to undeveloped lots or parking lots. Food trucks must be at least 200 feet from a residentially-zoned property.
2. Property owner's written permission is required.
3. Required state and local permits and business licenses must be maintained and displayed.
4. Uses are limited to a self-contained truck/trailer.
5. Vehicles must be located at least 200 feet from the main entrance to any eating establishment (including other food truck), unless the owner of the establishment provides a letter of no objection.
6. Signage is limited those signs that are painted on or attached to the truck.
7. Hours of operation are limited to 6 a.m. to 10 p.m.
8. Available parking is required: in the C-2 and PBG-1 zoning districts, food trucks shall only occupy and utilize excess parking (above and beyond minimum parking requirements for existing uses), and in the downtown zoning districts food trucks shall have available public parking in the immediate vicinity (within 500 feet).
9. Vehicles must be maintained in a clean and orderly manner, litter and debris must be removed quickly.
10. Lidded trash can is required, no unscreened plastic bags or loose objects allowed.
11. Vendor must remove waste or trash at the end of each day or as needed to maintain the health and safety of the public. Liquid waste or grease shall be disposed of at an approved location and not placed in such places as storm drains or onto any sidewalk, street or other public space.
12. Due to temporary nature of use, public bathroom facilities and parking are not required, however nearby toilet facilities are required for employees. An agreement with a nearby property owner (within 500 feet) to provide bathroom facilities for food truck workers is required.
13. Up to four outdoor tables seating sixteen customers are allowed, which shall be maintained in an orderly appearance and not block pedestrian movement along sidewalks. Outdoor seating shall require bathroom facilities for customers.
14. Operators must hold and display all required local, state, or federal licenses required for such a use.
15. Proof of insurance shall be required. For operation on public property, insurance is required naming the business owner as insured and naming the city as additional insured with regard to coverage for claims for personal injury, death, and property damage in the amount of \$500,000.00 per person and \$1,000,000.00 per accident for personal injury/death and \$300,000.00 for property damage.

Discussion ensued regarding condition item # 12; requirement for available restroom facilities. Mr. Crowe stated that it would require anyone working the food truck to have access to a restroom facility.

Motion made by Mr. Harwell to recommend approval of the requested amendment submitted by Staff to define and allow food trucks as recommended. The motion passed unanimously.

- (c) Administrative request to amend the Palatka Zoning Code Sec. 94-2 to add definition of "food pantry" and "charitable institutions," and to allow such uses in the PBG-1 (Public Buildings and Grounds) and C-2 (Commercial Intensive) zoning districts as a conditional use.

Mr. Crowe explained that Staff considers a food pantry to be a quasi-public use, as they are utilized by the public and serve an important community need. This use is not currently recognized in the City's Zoning Code. The use is appropriate in public and intensive commercial zoning districts, but only as a conditional use so that impacts and compatibility can be considered on a case-by-case basis. He proposed to define charitable institutions as "charitable entities that distributes at no or low cost non-perishable food, and can also distribute basic hygiene products, household supplies, and limited clothing." He added that this change adds a logical allowable use to the PBG-1 and C2 zoning categories. Food pantries are not recognized in the Zoning Code, but serve an important need in the community, particularly in this time of economic distress when residents are in need of assistance for basic food needs. Mr. Crowe advised that this action is not in conflict with the goals, objectives, and policies of the Comprehensive Plan or other city ordinances. He recommended approving the definition of food pantry, as presented and amending Zoning Code Section 94-149(e) and Section 94-153(c) to allow food pantries as a conditional use in the C-2 and PBG-1 zoning districts.

Discussion took place regarding charitable institutions and Mr. Holmes suggested that the definition should be specified, suggesting defining them as a non-profit with a 501 C-3 designation or one that qualifies under the rules of the Internal Revenue Service as an organization whom contributions are deductible.

Chairman Petrucci asked if churches would be allowed to have a food pantry regardless of zoning. Mr. Crowe stated that one must distinguish those activities associated with churches that are customary and incidental. It is customary for most churches do charitable giveaways of canned goods, for example, and that is considered a customary and minor use and must stay at that level, not morphing into a food serving establishment. It is also appropriate for a church to have an occasional lunch or dinner for members and guests, but when that becomes a regular and reoccurring event that brings a lot of people and overwhelms the activities of the main use, then it is going beyond accessory and incidental activity. When the occasional and incidental function becomes more of a primary activity, then zoning constraints come into the picture. He explained there is a difference between food pantry/closets where the merchandise is given to the recipient to take with them and a feeding program where the food is generally prepared and consumed on property.

Chairman Petrucci shared that he remembered his church as a youth having a food pantry and giving food away. Mr. Holmes stated that the definition should be expounded upon. Discussion continued regarding the many customary types of food donated to food pantries, mainly pre-packaged type items to include can goods, frozen foods, meats, cheese, breads and cakes.

Jared Dollar, 113 Vintage Ln. (Satsuma), was present representing Heart of Putnam and explained that a lot of the donated food for distribution that are non-perishable items such as fresh fruit, vegetables, and cheese, however, none of it is prepared or cooked on-site.

Sandra Bayless, 151 Peniel Church Rd, said that in addition to can and dried goods, they get frozen meats which are considered perishable.

Mr. Holmes stated that if the intent is to distinguish between a food pantry and a feeding program, a line will have to be drawn somewhere.

Motion made by Mr. DeLoach to approve, seconded by Ms. Williams to approve the request as recommended except to replace non-perishable food with language regarding food not prepared on

site and that is consumed off premise. The vote was 4 yeas and 1 nay (Mr. Harwell) and the motion carried.

- (d) Administrative request to amend the Future Land Use Map (FLUM) from RL (Residential Low) to PB (Public Buildings); and to rezone from R-1A (Single-Family Residential) to PBG-1 (Public Buildings and Grounds) located at 521 & 523 S. 13th St.

Mr. Crowe said the property currently has residential zoning and land use designations, despite its public ownership (City) and current institutional functions (the building is occupied by the Bridge Club, Chess Club, and American Red Cross.). Staff believes the proposed public zoning and FLUM are appropriate designations. He said that at a recent City Commission meeting, representatives from the Heart of Putnam Food Pantry proposed to take over the Red Cross lease, hence requiring these zoning text and map changes. A companion amendment adds the food pantry use as a conditional use in the PBG-1 and C-2 zoning districts. He said that the Heart of Putnam Food Pantry planned to apply for conditional use approval, and that this item would be heard at the November Planning Board meeting. Conditional use approval would be contingent on final City Commission review and approval of the Zoning Code changes described above. The request does not conflict with the Comprehensive Plan and is located within a transitional zoning area between the more intense railroad industrial area and the residential Palatka Heights. Less intensive public and quasi-public uses are appropriate in such areas. He recommended approval of the request and asked that the land use and zoning be considered as two separate actions.

Mr. Sam Willis, 1309 Crill Ave. stated that he lives within 150 feet of the subject property. He said he opposed the rezoning and he represented several neighborhood property owners that were also against the rezoning and land use amendment, including Mr. Randy Matthews who owned the storage facilities nearby. He said they did not want to see the residential designation changed, citing that the S. 13th St. and Crill Ave. intersection was already a dangerous intersection, with three to four accidents per year. He stated that they believed that this amendment and additional traffic would have the potential to negatively affect the quality of life for them.

Allegra Kitchens, said that that Crill and S. 13th St. is a dangerous intersection with high activity, but noted that the proposed use would not be any more intensive than what operates there now. She stated that she was in support of the rezoning and land use amendment as it would be more appropriate for the current uses that are there and have been there in the past.

Mr. Jared Dollar, with the Heart of Putnam Food Pantry, said that this is a rezoning and land use consideration only and that the specific pantry use will come up for discussion at next month's meeting.

Mr. Harwell stated that he did not agree with Staff, that this is a quiet residential area and a good quality area and is in favor of keeping the designations the way they are. He said he is a believer in the "if it isn't broken don't fix it" argument.

Motion made by Mr. Harwell to recommend denial of the request to amend the Future Land Use Map from RL (Residential Low) to PB (Public Buildings) and rezone from R-1A (Single-Family Residential) to PBG-1 (Public Buildings and Grounds) for 521 & 523 S. 13th St. The motion died for a lack of a second.

Motion made by Mr. DeLoach and seconded by Mr. Wallace to recommend approval for amending the Future Land Use Map from RL (Residential Low) to PB (Public Buildings) and to rezone from

R-1A (Single-Family Residential) to PBG-1 (Public Buildings and Grounds) for 521 & 523 S. 13th St. The vote was 4 yeas and 1 nay (Mr. Harwell) and the motion carried.

- (e) Administrative request to amend the Palatka Municipal Code Sec. 70-31 revising restrictions applicable to mobile food vendors and push carts operating on public sidewalks in downtown zoning districts.

Mr. Crowe expressed that Staff has withdrawn this request, as it is not governed by the Board and will go forward to the City Commission. No action was taken.

- (f) Administrative request to Annex, amend the Future Land Use map from County UR (Urban Reserve) to City RL (Residential Low-density) and rezone from County R-2 (Residential, Mixed) to City R-1A (Single-family Residential)
Located at - **202 Florida Dr.**

Mr. Crowe explained that the property owner was desirous to connect to City utilities and is contiguous to the city limits. He reviewed the criteria for annexation, Future Land Use map amendments and rezoning and advised that such criteria were met. He recommended approval of the changes.

Motion made by Mr. DeLoach and seconded by Mr. Wallace to recommend approval for annexation. The motion carried unanimously.

Motion made by Mr. Wallace, seconded by Mr. DeLoach to recommend approval to amend the future land use map from RL to PB. The motion carried unanimously.

Motion made by Mr. DeLoach and Mr. Wallace to rezone from R-1 to PBG-1. The motion carried unanimously.

With no further business the meeting was adjourned at 6:40.

Attachment C

Request for a Conditional Use Permit for Alcohol Sales within 300 feet of Similar Establishment

3810 Crill Ave

Applicant: George Ashby, Jr.

STAFF REPORT

DATE: October 28, 2015

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

Conditional Use allowing an establishment selling alcohol within 300 feet of a similar establishment. Public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet). Application was tabled at Applicant's request from the October 6, 2015 meeting.

APPLICATION BACKGROUND

This request is for alcohol sales in a now-vacant convenience store/full-service gas station. The property owner has proposed to establish a convenience store on the site of a former full-service gas station.

Chapter 10 of the Municipal Code regulates alcoholic beverages. Section 10-3 of this chapter provides specific distance/separation requirements, including a 300-foot separation between establishments licensed to sell alcohol and other alcohol establishments, churches, and schools. The subject property is within 300 feet of another establishment that sells alcohol (Walgreens). Section 94-3 of the Zoning Code governs Conditional Uses, and provides the authority for granting such uses to the Planning Board, although the decision can be appealed to the City Commission by an "aggrieved" person.

The table below shows site and surrounding uses and land use/zoning designations. The property is located on the north side of Crill Ave., approximately 600 feet east of State Road 19.

Table 1: Site and Surrounding Land Uses

	Actual Use	Future Land Use Map	Zoning
Site	Vacant convenience store/gas station	COM (Commercial)	C-2 (Intensive Commercial)
North	Undeveloped property	COM (Commercial)	C-2 (Intensive Commercial)
East	Child care center	COM (Commercial)	R-3 (Multi-Family Residential)
South	Office building, single-family residence	Putnam Co. UR (Urban Reserve)	C-2 (Commercial, General, Light)
West	Office building	Putnam Co. UR (Urban Service)	C-4 (Commercial, Intensive)

PROJECT ANALYSIS

Criteria for consideration include the following (*italicized*) as well as the general finding that the conditional use will not adversely affect the public interest.

a. Compliance with all applicable elements of the comprehensive plan.

The application complies with applicable elements of the Comprehensive Plan and its implementing elements including the Zoning Code. Several relevant plan policies are included in the following section. Future Land Use Element Policy A.1.9.3 describes the COM Future Land Use Map (FLUM) category as follows:

“Land designated for commercial use is intended for activities that are predominantly associated with the sale, rental, and distribution of products or the performance of service. Commercial land use includes offices, retail, lodging, restaurants, services, commercial parks, shopping centers, or other similar business activities. Public/Institutional uses and recreational uses are allowed within the commercial land use category. Residential uses are allowed within Downtown zoning districts, at an overall density of 20 units per acre and are subject to additional project density, design and locational standards set forth in these zoning districts. The intensity of commercial use, as measured by impervious surface, should not exceed 70 percent of the parcel and a floor area ratio of 1.5, except that a floor area ratio of up to 4.0 is allowed in downtown zoning districts. Intensity may be further limited by intensity standards of the Zoning Code. Land Development Regulations shall provide requirements for buffering commercial land uses (i.e., sight access, noise) from adjacent land uses of lesser density or intensity of use.”

Retail uses are referenced in this policy, and off-premises alcohol sales in conjunction with convenience stores customarily occur.

b. Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

c. Off-street parking and loading areas, where required, with particular attention to the items mentioned in subsection (4)b of this section and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.



As Figure 3 indicates, the site is mostly occupied by the building, gas pumps covered by a canopy, and a large paved area. There are four striped parking spaces and one handicap parking space along the west property line. The Property Appraiser lists the existing building size as 704 square feet, which under the parking standards (one space for each 200 non-storage square feet) would require four parking spaces. In addition, there is paved area on the eastern part of the site available for parking. Staff is recommending that parking be restriped to include at least one handicapped and three other regular spaces.

Figure 3: Property Closeup

Another issue is the state of the pavement, which is cracked and un-level in places, creating the potential for trip hazards as well as an unsightly appearance. Staff recommends that the pavement be repaired to a generally smooth surface to result in a neat appearance and safe pedestrian and vehicle travel.

d. Refuse and service areas, with particular reference to the items mentioned in subsections (4)b and c of this section.

The former use had an unscreened dumpster, which has been removed. Any future dumpster or solid waste containers will be required to comply with the dumpster screening, with plantings, opaque fencing, or masonry walls on three sides with a height that is between six and eight feet) to effectively screen the dumpster from public view. The dumpster gate should not face the street.

e. Utilities, with reference to location, availability and compatibility.

The property is appropriately served by utilities.

f. Screening and buffering, with reference to type, dimensions and character.

The property does not comply with screening and buffering standards of the Landscape Code, which in this case would require a Type C buffer to the east, north, and west, and street frontage buffer along Crill Ave. A Type A has two options, a five-foot wide buffer with a hedge and a six-eight foot tall stockade fence or masonry wall, or a ten-foot wide buffer with a hedge and two understory trees per 100 linear feet. A street frontage buffer has two options, an 8-foot wide buffer with a hedge and one shade tree per 100 linear feet or a 5-feet wide buffer with a hedge and two shade trees per 100 linear feet. Shade trees are also required in terminal islands that end parking rows. The site now has grassy buffers and partial hedges on the west and north side (and a portion of the east buffer), which can be supplemented and rejuvenated. There are several shade trees along the rear/north property line. The most glaring lack of green space is in the front of the property, where just 30 feet of the 172-foot frontage is green space, and the remainder is concrete. In keeping with the Board's policy of working toward some level of incremental landscape code compliance to accomplish the intent of conditional uses ("promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare"), Staff has discussed with the applicant the importance of sprucing up the frontage, which would attract customers and improve corridor appearance. Planting requirements in the rear and sides are less important as they are somewhat hidden and don't benefit the public. In the interest of achieving that balance between strict code conformance and encouraging new businesses, Staff proposed to slightly enlarge the green space in the eastern frontage of the site through pavement removal. This will also move the driveway over from the light pole, which is now immediately adjacent to the driveway and that creates a potential crash hazard to vehicles. The principal pole sign for the business is located within this southeast landscape area, set back around 18 feet from the sidewalk/front property line. Staff & the Applicant agreed that a shade tree should not be placed in front of the sign, but in an existing or created green space 10 feet behind that sign. A preferable alternative would be to relocate the sign 13 feet toward the road, which would also move the tree closer to the road, and provide for much better visibility for the sign. A second shade tree should be planted in the west buffer between 5 to 10 feet in from the sidewalk. The City has trees available from its Tree Mitigation Fund that provide public benefit like these will.

Staff recommends that the Board consider the following measures to work toward meeting Code, beautifying the site, and improving the image of the Crill Ave. corridor:

- Removal of pavement in an area west and north of the existing sign driveway (currently approximately 55 feet in width) down to a 40-foot driveway width adjacent to the right of way to allow for an expanded southeast landscape island.
- Optional - within southeast landscape island, relocate sign to within five feet of right-of-way line (inner sidewalk edge).
- The City shall provide two shade trees and install one 10 feet to rear of sign, and the other in the southwest landscape area, close to the sidewalk.
- Install and maintain landscape area around base of sign with concentrated shrubs or flowering plants that exceeds the square footage of the sign (Sign Code Section 62-14).



Figure 4: Sign and Lightpole Locations

g. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effects, and compatibility and harmony with properties in the district.

There is an existing pole sign on the eastern side of the property. Staff recommends limiting other signage to wall signs, window signage not to exceed 25% of windows, and not more than two banners on the property.

h. Required yards and other open space.

See f. above.

i. General compatibility with adjacent properties and other property in the district.

Given the commercial nature of the area, Staff does not believe there will be a compatibility problem in this case.

j. Any special requirements set out in the schedule of district regulations for the particular use involved.

There are no special requirements for this use in regard to the C-2 zoning district.

k. The recommendation and any special requirements of the historic preservation board for uses within the HD zoning district.

Not applicable.

Impact on Public Interest

The Comprehensive Plan and Zoning Code compel the City to work toward tree preservation and planting. Landscape Code improvements will greatly accomplish this goal.

STAFF RECOMMENDATION

As demonstrated in this report, Staff believes that this request for alcohol sales (beer and wine) meets applicable conditional use criteria if the following recommendations are met.

- Removal of pavement in an area west and north of the existing sign driveway (currently approximately 55 feet in width) down to a 40-foot driveway width adjacent to the right of way to allow for an expanded southeast landscape island.
- Optional - within southeast landscape island, relocate sign to within five feet of right-of-way line (inner sidewalk edge).
- The City shall provide two shade trees and install one 10 feet to rear of sign, and the other in the southwest landscape area, close to the sidewalk.
- Install and maintain landscape area around base of sign with concentrated shrubs or flowering plants that exceeds the square footage of the sign (Sign Code Section 62-14).
- Repair pavement shall be repaired to result in a generally smooth surface.
- Landscape improvements to be made within six months of approval, with signed agreement by both parties. Tree type to be determined by mutual consent, with shade trees planted 10 feet away from power lines, and understory trees under or near power lines.
- Dumpsters or solid waste containers shall be located in the rear of the property and shall be properly screened on three sides with a six to eight foot high stockade fence, masonry wall, or hedge. Gate shall not face Crill Ave.
- Limit new signage to wall signs, window signage not to exceed 25% of windows, and not more than two banners on the property.
- Any new exterior lighting shall be hooded and downcast to reduce glare, and if practicable the under-canopy lighting shall be recessed or otherwise hooded to reduce glare.
- Any other applicable standards of the Municipal Code shall be met.

ATTACHMENT: APPLICANT’S NARRATIVE

STATEMENT NARRATIVE
Application for Conditional Use
3810 Crill Avenue

The subject property, applying for conditional use, is in compliance with all applicable elements of the comprehensive plan to the best of our knowledge.

There are no proposed structures for the location. Existing ingress and egress to the facility has worked well in the past, regarding traffic flow, control, and safety to pedestrians.

There are no known extraordinary conditions, pertaining to the subject property, that effect any off-street parking and/or loading areas. There is adequate space for refuse and/or service areas.

The layout of the existing facility has worked well for many years, in regard to existing signage and exterior lighting. We are not aware of any compatibility issues relating to adjacent properties or nearby businesses.

In summary, the subject property has been well received from the general public in prior years, and there is no information to suggest otherwise for the future.

Attachment D

Request to Amend Comprehensive Plan

Evaluation and Appraisal Report
Applicant: Building & Zoning Dept.

STAFF MEMO

DATE: October 27, 2015

TO: Chairman and Planning Board Members

FROM: Thad Crowe, AICP
Planning Director

Staff requests that this item be tabled to the December meeting, based on the lack of progress made on this effort due to limited resources and the high volume of work.

Attachment E

Request for a Conditional Use for a Food Pantry

521 S. 13th St.

Applicant – Heart of Putnam Food Pantry

STAFF REPORT

DATE: October 28, 2015

TO: Chairman and Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

Conditional Use allowing food pantry in office building located at an existing multi-tenant (two-unit) office building located at the southeast corner of Crill Ave. and S. 13th St. Public notice included newspaper advertisement, property posting, and letters to nearby property owners (within 150 feet).

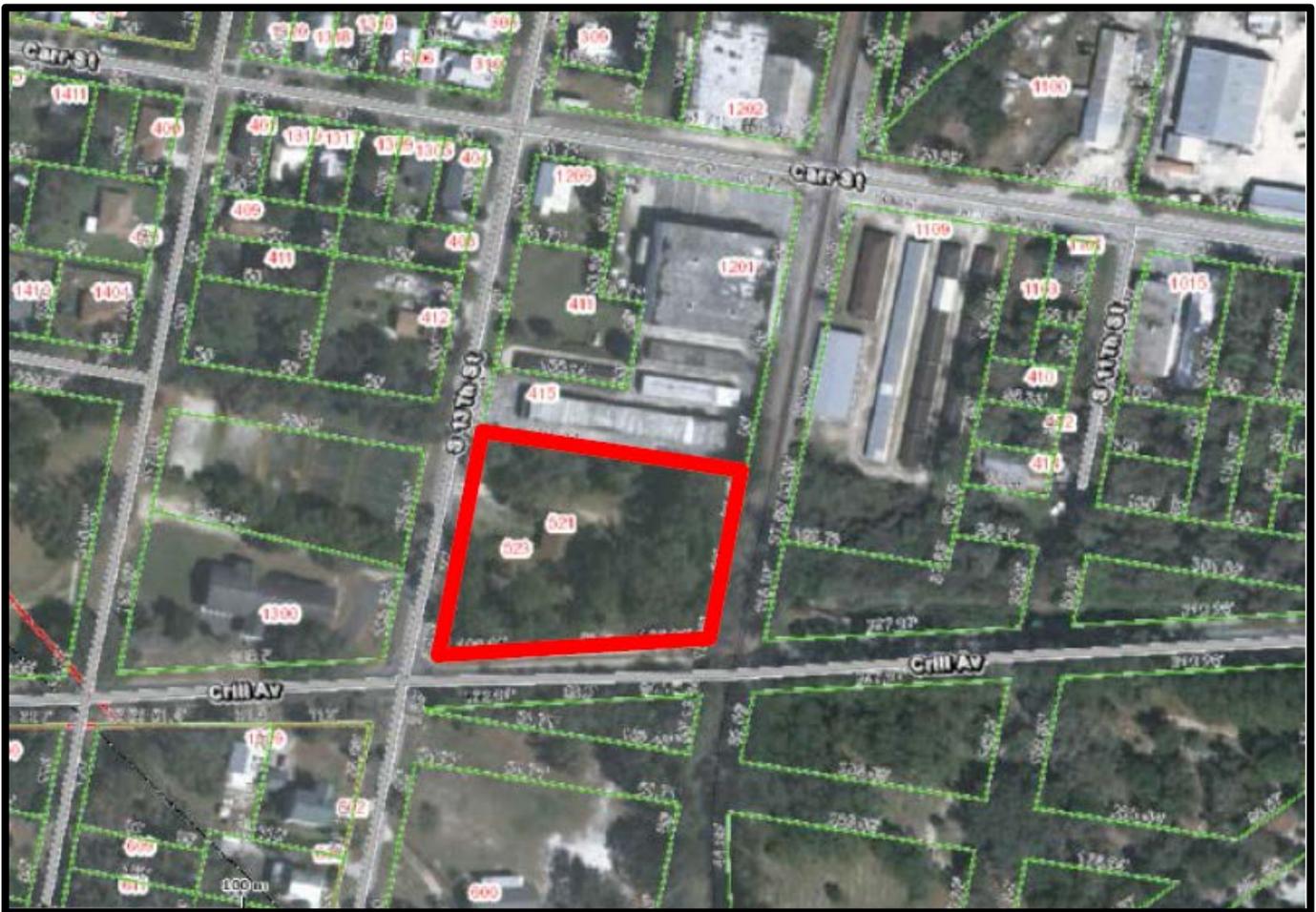


Figure 1: Property Location

APPLICATION BACKGROUND

The request is for a food pantry to be operated by the Heart of Putnam Food Pantry, a nonprofit charitable organization. The Pantry was formerly located at 820 Reid Street and plans to move into 521, currently occupied by the American Red Cross (the other unit, 523, is occupied by the Bridge Club and the Chess Club). The building is owned by the City and leased to these uses.

A related amendment to change the Future Land Use Map and zoning designation respectively from RL (Residential Low) and R-1A to PB and PBG-1 (Public Buildings and Grounds) has been approved on first reading by the City Commission, and is scheduled for adoption at the Commission’s November 12 meeting.

PROJECT ANALYSIS

Per Section 94-200(c)(3) the Planning Board shall review such an application to ensure *protection* of the public health, safety, and general welfare. In addition to normal concerns of the planning board in considering conditional use requests, particular attention shall be given to traffic flow and control, auto and pedestrian safety, and the effect which such use and activity will have on surrounding uses, particularly where the adjoining use is residential.

The property is in a transitional land use area between the residential Palatka Heights neighborhood and the railroad industrial area southwest of the downtown. Table 1 shows the land use characteristics of the site and adjacent properties, as does Figure 1.

Table 1: Site and Vicinity Land Use

	Actual Use	Future Land Use	Zoning
Site	Office Building	(RL) Residential Low	R-1A (Residential Single-Family)
East (across CSX RR)	Undeveloped	(RH) Residential High	R-3 (Residential Multi-Family)
South (across Crill Ave.)	Womans’ Club	(RL) Residential Low	R-1A (Residential Single-Family)
West (across S. 13 th St)	Masonic Hall, City tennis & basketball courts	(RL) Residential Low	R-1A (Residential Single-Family)
North	Warehouse storage	(COM) Commercial	C-2 (Intensive Commercial)

a. Compliance with all applicable elements of the comprehensive plan.

The application does not conflict with the goals, objectives, and policies of the comprehensive plan, the first of the eleven criteria. In fact the following Future Land Use Element objective and policy support the application, the third bullet under Objective A.1.8 below, interpreted to mean that this quasi-public service provides a central and accessible location for city and county residents. The property is pending rezoning and FLUM amendment to public buildings categories, and the Plan lays the groundwork for public and institutional uses in the policy below.

Objective A.1.8

Upon Plan adoption, The City shall establish a program that provides the means for innovative development planning. The end goals of the program are to provide:

- *Flexibility and efficiency in site design to reduce infrastructure costs, improve interior circulation patterns, and promote open space;*

- *Development that is adapted to natural features in the landscape such as wetlands, vegetation and habitat, and which avoids the disruption of natural drainage patterns; and*
- *A mix of land use to promote convenience in the location of related uses and to reduce travel congestion and costs.*

Policy A.1.9.3

Land Development Regulations adopted, to implement this Plan shall be based on the following land use standards:

A. Land Use Districts

5. Public Buildings (12 acres)

Lands designated in this category of use include a broad variety of public and quasi-public activities such as schools, churches, government buildings, hospitals, colleges and ancillary uses including student residences, administrative offices, and sports facilities, and similar uses. The intensity of development in this land use category, as measured by impervious surface, shall not exceed 65 percent. Floor area ratios shall not exceed 1.0, and intensity may be further limited by intensity standards of the Zoning Code.

b. Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Access to the site by vehicles, bicycles, and pedestrians is generally good, as described below.

Pedestrians. The area is fairly well-served by sidewalks, which is important as some clients will be on foot. Crill Ave. has a sidewalk on the north side of the road which connects to downtown, continuing through the underpass, stopping on the block between S. 13th and S. 14th Streets, and then continuing again westward to SR 19. A sidewalk also begins on the south side of Crill Ave. and continues westward. S. 13th St. has sidewalks on both sides of the street.

Bicycles. These sections of Crill Ave. and S. 13th St. do not have a designated on-street bicycle lane, and bicyclists usually utilize the sidewalk.

Vehicles. A vicinity resident (living on the south side of Crill Ave.) testified at Planning Board and City Commission public hearings on related items that the intersection of Crill Ave. & S. 13th St. was dangerous, due to high traffic levels and visibility issues caused by the elevation change of the underpass. City Commissioner Norwood requested a traffic study be performed, which has been done to the extent of Staff's expertise as a planner (not a transportation planner). Staff may provide additional traffic-related information at the public hearing.

Crill Ave. is SR 20, a busy state road. While the property is located along Crill Ave. the driveway & building accesses are oriented to S. 13th St. The driveway is located almost 300 feet away from Crill Ave., which well exceeds the Zoning Code's 50-foot minimum [Sec. 94-261(s)(3)]. The driveway is also located more than 80 feet from the driveway to the north (Matthews storage facility), also exceeding the Zoning Code minimum of 40 feet. Crill Ave. is a busy road, carrying the traffic of SR 20. The latest traffic counts (2014) indicated that 13,712 vehicle trips occurred in a typical 24-hour period. This averages out to 571 trips per hour, but these numbers rise during the AM peak hour (7:30 to 8:30) to 885 and up to 1,041 during the PM peak hour (4:45 to 5:45). So 17 cars pass by this location on Crill Ave. each minute during the busiest time of the day, in the late afternoon.

S. 13th St. is a minor collector road, utilized mostly by motorists travelling between Reid St./St. Johns Ave. and Crill Ave. Staff observed traffic during the morning and afternoon rush hour, with a typical count of 100 cars for each hour. Generally the PM peak hour constitutes 10% of total daily traffic, so it is likely that the road carries around 1,000 vehicles per day, averaging 42 trips per hour. Around 40% of the peak hour trips (and probably also the daily trips) traveled south on S. 13th St and turned right onto Crill Ave., 36% drove

eastbound on Crill Ave. and turned left onto S. 13th St., 9% traveled through northbound on S. 13th St., and 7% traveled eastbound on Crill Ave. and turned right on S. 13th St.

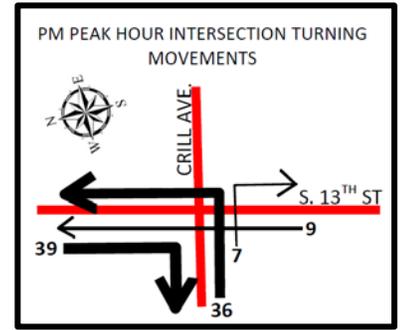


Figure 2: Intersection Analysis



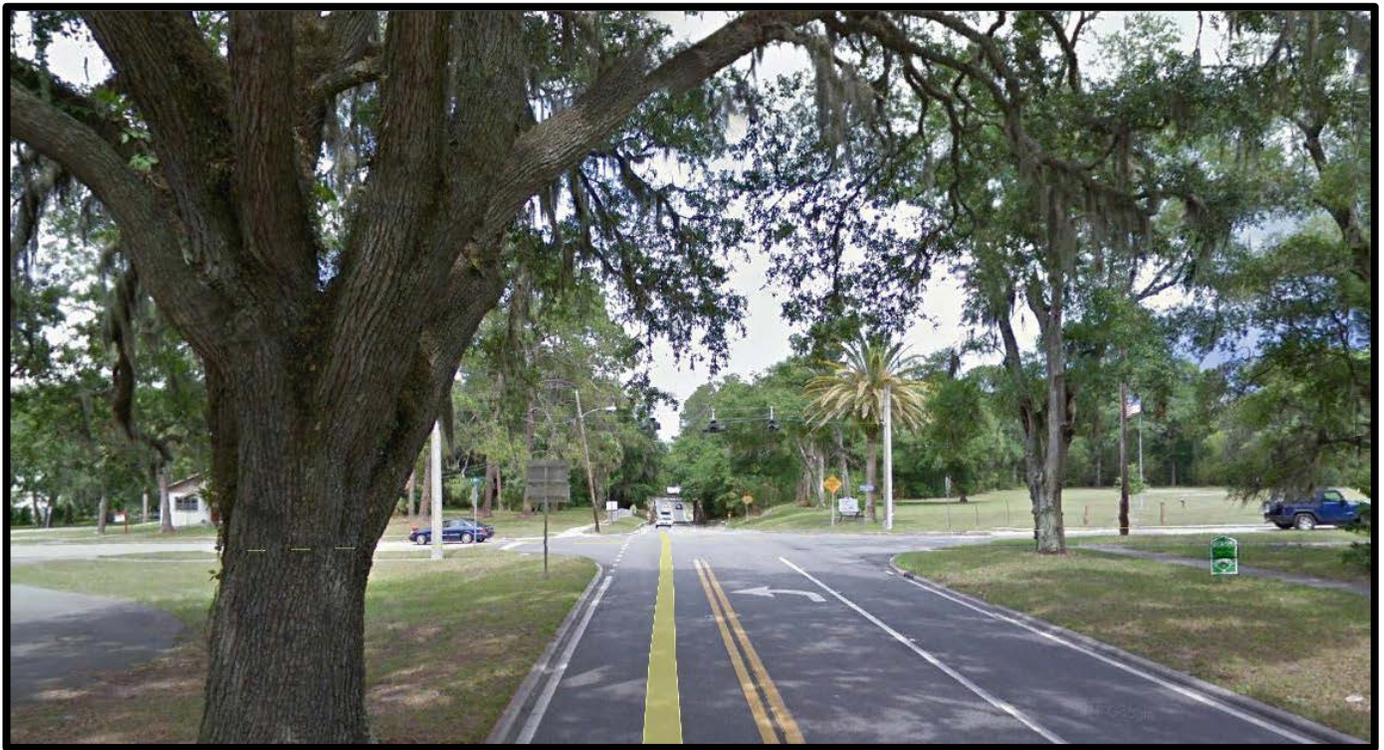


Figure 4: S. 13th St/Crill intersection from the west (looking toward the underpass). Other than the tree on the left, there are no major obstructions of the intersections, visible from several blocks to the west.



Figure 5: taken from the intersection, looking eastbound along Crill, toward underpass. Clear field of vision through the underpass.



Figure 6: taken from the intersection, looking westbound along Crill. Tree (also seen in Fig. 3) presents a minor obstruction.



Figure 7: taken from the intersection, looking westbound along Crill. Clear field of vision.

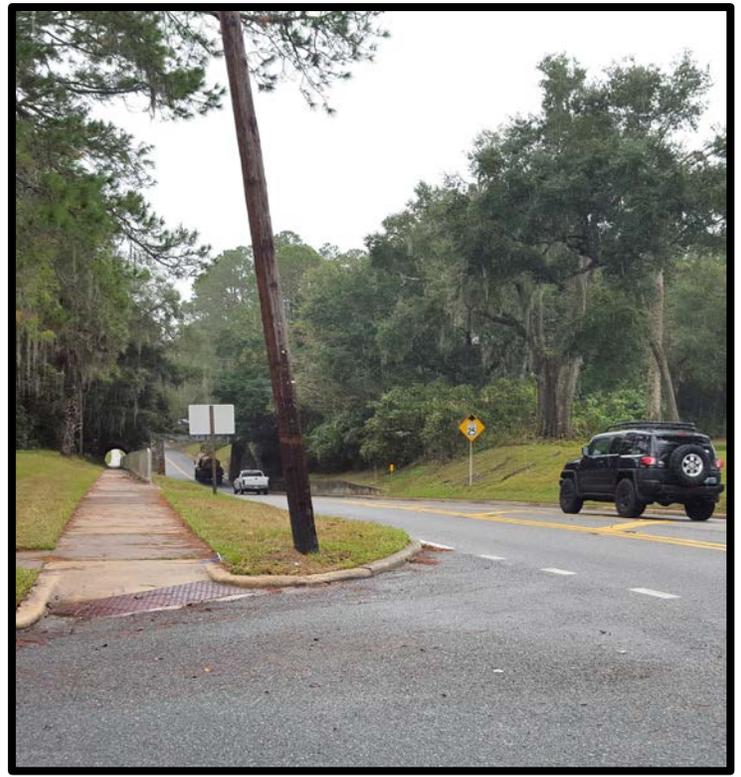


Figure 8: taken from the intersection, looking eastbound along Crill. Clear field of vision through underpass.

Figures 2-7 show that with the exception of the tree located approximately 100 feet west of the intersection, there is a clear field of vision in all directions from this intersection. The tree blocks one car-length, with that obstruction being around five car-lengths back from the intersection, so the ability to see around it and past it is not lost.

According to FDOT certified crash data, there have been two crashes with injuries reported within the last three years of certified data (2011-2013), both angle collisions at the intersection. The PPD reported three crashes during the last three years, which is different from the FDOT timeframe. No information is available on the cause of those accidents. This frequency is in keeping with similar intersections along Crill Ave., as shown in Table 2 below.

Table 2: Crill Ave. Intersection Crashes, 2011-2013 FDOT Certified

Intersecting Road	Number of Crashes
Moseley Ave.	6
S. 19 th St.	1
S. 18 th St.	0
S. 17 th St	1
S. 15 th St.	0
S. 14 th St.	2
S. 13 th St.	2
Osceola St.	1
S. 9 th St.	1

c. *Off-street parking and loading areas, where required, with particular attention to the items mentioned in subsection (4)b of this section and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.*

Staff comment: the site does not meet code, served by a bumpy and unpaved driveway and dirt/grass parking area (there are just two paved handicap spaces). Upon consultation with the City's project manager, Staff has proposed a cooperative effort between the City and Applicant to expand the small paved parking area to provide for seven parking spaces, one of those being a handicap space.

d. *Refuse and service areas, with particular reference to the items mentioned in subsections (4)b and c of this section.*

Staff comment: the building currently utilizes a single roll-out cart. A screened refuse area must be provided in the rear of the building.

e. *Utilities, with reference to location, availability and compatibility.*

Staff comment: The property is appropriately served by utilities.

f. *Screening and buffering, with reference to type, dimensions and character.*

Staff comment: As Figure 1 indicates, there are 14 mature trees along Crill Ave. and S. 13th St. No additional landscaping is required except for the planting of shrubs between the parking area and S. 13th St., which City Staff and the Applicant will install cooperatively.

g. *Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effects, and compatibility and harmony with properties in the district.*

Staff comment: No new signage is proposed, and any additional signage will be only as allowed by the Sign and Zoning Codes.

h. *Required yards and other open space.*

Staff comment: the property has ample open space, with the building and parking area taking up just 16% of the site, much of which is wooded.

i. *General compatibility with adjacent properties and other property in the district.*

Staff comment: The Comprehensive Plan and Municipal Code generally view compatibility in light of nonresidential uses impacting residential uses. In this case, there are no immediately adjacent residences. The food pantry use is compatible with the neighborhood, particularly since nearby residents are served. Impacts are limited since the use will only operate 4.5 hours, three days a week.

j. *Any special requirements set out in the schedule of district regulations for the particular use involved.*

Staff comment: There are no conditional use special requirements for food pantries.



Figure 9: proposed parking improvements (lot in upper part of site would remain grass parking)

k. *The recommendation and any special requirements of the historic preservation board for uses within the HD zoning district.*

Staff comment: Not applicable.

Impact on Public Interest

Palatka struggles with high poverty and unemployment. The latest data indicates that almost 45% of persons in the City are below the poverty level, compared with 16.3% statewide. The median household income of \$19,883 is less than half of the state median household income of \$46,956. The 14% unemployment rate almost triples the 5.6% Florida rate. These factors create a need for providing food for the poor and hungry that is filled by this food pantry. This location provides excellent access for most City residents whether they are driving, walking, or bicycling. The relatively small number of clients and infrequent operation will limit traffic and other impacts to the neighborhood.

Conclusion

The above analysis demonstrates that the application is mostly in keeping with the criteria, at least in Staff's opinion with the conditions of approval shown below.

STAFF RECOMMENDATION

Staff recommends approval of a conditional use permit for a food pantry with the conditions listed below.

1. Approval is valid only with the approval of the Zoning Code text change to allow food pantries by conditional use in PBG-1 zoning, and the rezoning of this property to PBG-1 zoning by the City Commission, scheduled for November 12.
2. Food pantry operation limited to three days during the week, between 9 AM to 2 PM. Days shall be Monday, Tuesday, and Friday, except that alternative days may be assigned when one of those days falls upon a federal holiday. Staff may approve change of days of operation upon written request when such change does not result in conflicts with other uses of property (Bridge Club, Chess Club). Staff may also approve change of hours of operation, not to exceed the allowable 5 hours per day, upon written request except that such approval shall not include workday hours past 4 PM and before 9 AM.
3. Expansion of paved parking lot to include seven spaces, one of those being a handicap space.
4. Installation of shrubs between parking area and S. 13th St. to help to screen parking area.
5. City Staff to investigate removal of off-site sign (along north side of Crill Ave., east of S. 13th St.) and large tree in right-of-way (along north side of Crill Ave. west of S. 13th St.) to improve visibility.

ATTACHMENT: APPLICANT JUSTIFICATION

Attachment F

Request to Amend Zoning Code
(Amend Appeals Process for Building Exterior Standards for Major City Thoroughfares)
Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: October 28, 2015
TO: Chairman and Planning Board Members
FROM: Thad Crowe, AICP
Planning Director

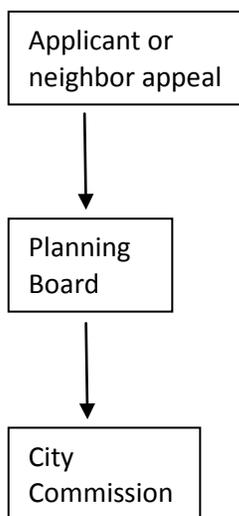
APPLICATION REQUEST

Amend appeal process for building exterior standards for major thoroughfares, found in the Supplementary District Regulations of the Zoning Code (Division 3).

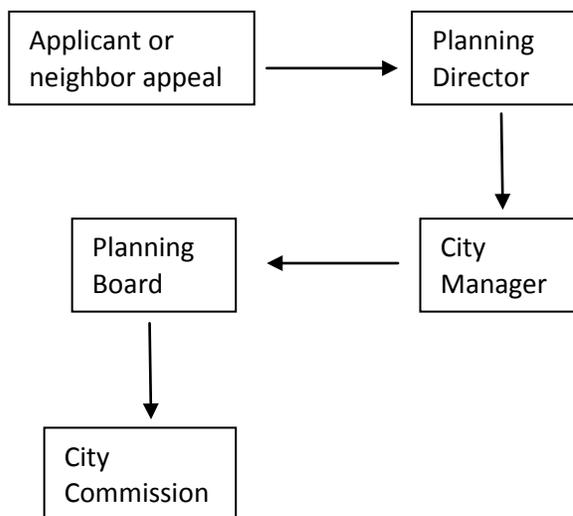
APPLICATION BACKGROUND

In February, 2014 the Planning Board recommended approval of a set of exterior buildings standards for the City's main commercial corridors, which exhibit symptoms and direct signs of blight including barren paved areas, decrepit chain link fences, overly large and excessive signage, and building features such as blank walls and unfinished metal exteriors. The ordinance was approved by the (prior) City Commission on April 24, 2014. The City Manager at a recent meeting proposed to Commissioners to amend the ordinance, changing the appeals process. In the current ordinance, appeals go to the Planning Board. The proposed changes would provide an appeal process to the Planning Director. An applicant could then appeal the Director's denial (and an affected party could appeal the Director's approval) to the City Manager, with a subsequent applicant appeal of denial or affected party appeal to the Planning Board. The chart lays out the process.

Current Appeal Process



Proposed Appeal Process



The Commission approved the ordinance on first reading at their October 22, 2015 meeting, and the ordinance is schedule for adoption at their November 12, 2015 meeting.

PROJECT ANALYSIS

Per Section 94-38(f)(2) of the Zoning Code, the Planning Board must study and consider proposed zoning text amendments in relation to the following criteria (if applicable), shown in underlined text (staff response follows each criterion).

The planning board shall consider and

study: a. The need and justification for

the change.

Staff comments: the City Commission supported this amendment as noted in the minutes excerpt below:

“Commissioner Norwood said this amendment will help to speed the process up and makes the City more efficient in the permitting and appeals process. Commissioner Campbell concurred. Mayor Hill said they are looking for opportunities to bring additional businesses in, and don’t want to put up barriers while increasing standards. This affords citizens an opportunity to move forward in business endeavors.”

b. The relationship of the proposed amendment to the purposes and objectives of the city's comprehensive planning program and to the comprehensive plan, with appropriate consideration as to whether the proposed change will further the purposes of this chapter and other city ordinances, regulations and actions designed to implement the comprehensive plan.

Staff comments: the following Comprehensive Plan or Community Redevelopment Area Plan policies (shown in *italics*) are applicable to this amendment. This amendment is in keeping with the goals, objectives, and policies of both plans. In regard to the objective and policy listed below, the amendment is in line with working to achieve a reasonable balance between regulation and property rights.

FUTURE LAND USE ELEMENT

Objective A.1.11 187201(15)(b)1, 2, 3

The City shall protect private property rights and recognize the existence of private interest in land use.

Policy A.1.11.1

The City will regulate the use of land only for valid public purposes in a reasonable manner, in accordance with due process.

RECOMMENDATION

Staff proposes no recommendation but in this case is just presenting information. The Planning Board should determine criteria compliance based on information provided.