

TERRILL L. HILL
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

RUFUS J. BOROM
COMMISSIONER

JUSTIN R. CAMPBELL
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



CITY of Palatka FLORIDA

Regular meeting 2nd and 4th Thursdays each month at 6:00 p.m.

TERRY K. SUGGS
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
FINANCE DIRECTOR

JAMES A. GRIFFITH
INTERIM CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT.

DONALD E. HOLMES
CITY ATTORNEY

AGENDA CITY OF PALATKA November 12, 2015

CALL TO ORDER:

- a. Invocation
- b. Pledge of Allegiance
- c. Roll Call

APPROVAL OF MINUTES – 10/22/15

1. PUBLIC RECOGNITION/PRESENTATIONS

- a. **PROCLAMATION** - National Hospice & Palliative Care Month – Nov. 2015 – Haven Hospice
- b. **VETERAN RECOGNITIONS:** City of Palatka Employee Veterans of Armed Forces
- c. **STUDENT OF THE MONTH – November, 2015** – Mayor Hill & Commissioner Campbell

Caitlyn Mayberry	Browning-Pearce Elementary (October)
Elle Herrington	Browning-Pearce Elementary (November)
Lillian Devergara	C. L. Overturf, Jr. 6 th Grade Center
Caleb Moore	Children's Reading Center Charter School
Jared Halliday	E. H. Miller School
Ruby Doran	James A. Long Elementary School
Daija Shaw	Jenkins Middle School
Bradley Sorrows	Kelley Smith Elementary School
Everett Youngblood	Mellon Elementary School
Savannah Fleming	Moseley Elementary School
Eron Carter	Palatka High School
Haylie MacGibbon	Peniel Baptist Academy
Michael Smith	Putnam Academy of Arts & Sciences
Cade Hansford	Putnam EDGE High School

2. PUBLIC COMMENTS – (limited to 3 minutes – no action will be taken on topics of discussion)

3. CONSENT AGENDA

- *a. **Adopt Resolution No. 2015-11-78** amending the FY 2014-15 Budget through 9/30/2015
- *b. **Adopt Resolution No. 2015-11-79** supporting and authorizing submission of an application for the Florida State Surgeon General Healthy Weight Community Champion Recognition
- *c. **Reappoint LaSandra Williams and Butch Puryear to the Palatka Code Enforcement Board** for three year terms to expire September, 2018
- *d. **Appoint Christopher Hollister to the Palatka Code Enforcement Board** as member with architectural experience for a three-year term to expire September, 2018
- *e. **Appoint C. Edward Killebrew to the Palatka Planning Board** for a 3-year term to expire Dec., 2018.
- *f. **Grant permission to exceed allowable noise levels and closure of Memorial Drive for Special Events Permit #15-43** – Palatka High School Gospel Ensemble's "A Christmas Joyful Holy Night," to be held on December 5, 2015 from 4:00 p.m. until 9:00 p.m. – Jennifer Wright-Purifoy, Agent
- *g. **Adopt 2015 City Commission Holiday Regular Meeting Schedule** (November – December, 2015)

- * 4. **RESOLUTION** authorizing execution of the Third Amendment to the Professional Services Agreement between American Traffic Solutions (ATS) and City of Palatka dated 11/16/09 for Palatka's Red Light Camera Program – Adopt

201 N. 2ND STREET • PALATKA, FLORIDA 32177

PHONE: (386) 329-0100

www.palatka-fl.gov

FAX: (386) 329-0106

AGENDA - CITY OF PALATKA
November 12, 2015
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- * 5. **RESOLUTION** adopting and creating policy, direction, procedure and criteria relating to the City of Palatka Fire Service Protection Administrative Hardship Deferment – Adopt

PUBLIC HEARINGS

- * 6. **PUBLIC HEARING** - 521 S. 13th Street – Planning Board recommendation to AMEND THE Comprehensive Plan Future Land Use Map (FLUM) Designation from RL (Residential Low) to PB (Public Buildings & Grounds) and rezone from R-1A (Single-Family Residential) to PBG-1 (Public Buildings & Grounds – City of Palatka Owner/Applicant
 - *a. **FUTURE LAND USE MAP AMENDMENT ORDINANCE** – Adopt
 - *b. **REZONING ORDINANCE** – 2nd Reading, Adopt
- * 7. **ORDINANCE** - Planning Board Recommendation to amend Zoning Code Sec. 94-2, 94-149 and 94-153 to define “food pantries” to be allowed by conditional use permit in C-2 (Intensive Commercial) and PBG-1 (Public Buildings & Grounds) zoning districts – 2nd Reading, Adopt
- * 8. **ORDINANCE** - Planning Board Recommendation to amend Zoning Code Sec. 94-2, 94-149, 94-153, 94-161, 94-162 and 94-207 to define “food trucks,” allow such uses in C-2 (Intensive Commercial), DB (Downtown Business) DR (Downtown Riverfront) and PBG-1 (Public Buildings & Grounds) zoning districts, and establish supplementary zoning standards for such uses – 2nd Reading, Adopt
- * 9. **ORDINANCE** - Planning Board Recommendation to amend Zoning Code Sec. 94-2, 94-149, 94-153, 94-161, 94-162 and 94-208 to define “produce trucks,” allow such uses in C-2 (Intensive Commercial), DB (Downtown Business) DR (Downtown Riverfront) and PBG-1 (Public Buildings & Grounds) zoning districts and establish supplementary zoning standards for such uses – 2nd Reading, Adopt
- * 10. **ORDINANCE** - Planning Board recommendation to amend Municipal Zoning Code Sec. 94-204, Supplemental District Regulations, to allow the City Manager to hear appeals for waiver or modifications to Exterior Building Standards on Major City Thoroughfares – 2nd Reading, Adopt

11. **COMMISSION DISCUSSIONS**

12. **CITY MANAGER & ADMINISTRATIVE REPORTS**

13. **COMMISSIONER COMMENTS**

14. **ADJOURN**

*Attachment **Separate Cover

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. FS 286.105

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY CLERK'S OFFICE AT 329-0100 AT LEAST 24 HOURS IN ADVANCE TO REQUEST ACCOMMODATIONS.

Upcoming Events:

Nov. 19 – 20 – FLC Legislative Agenda Conference
Nov. 26 – 27 – City offices closed to observe Thanksgiving
Dec. 24 – 25 – City offices closed to observe Christmas
Jan. 1, 2016 – City offices closed to observe New Year's Day
Jan. 18 - City Offices closed to observe ML King Jr. Day

Board Openings:

Planning Board – 1 Vacancy (at large)
Board of Zoning Appeals – 3 vacancies (at-large)
General Empl. Pension Board – 1 Commission Appointee
Putnam Co. Better Place Plan Oversight Committee Rep

CITY OF PALATKA



Proclamation

WHEREAS, hospice and palliative care empowers people facing a serious or life-limiting illness to live as fully as possible, surrounded and supported by family and loved ones; and

WHEREAS, through pain management and symptom control, caregiver training and assistance, and emotional and spiritual support, allowing patients to live fully and make more meaningful moments until the end, surrounded and supported by the faces of loved ones, friends, and committed caregivers; and

WHEREAS, every year more than 1.5 to 1.6 million Americans living with life-limiting illnesses, and their families, received care from the nation's hospice programs in communities throughout the United States; and

WHEREAS, Haven Hospice believes that everyone deserves comfort, care and compassion; and

WHEREAS, Haven Hospice had the honor and privilege to provide direct care to 5,717 individuals facing a life-limiting illness throughout its 18-county service area in 2014. During that time, Haven provided counseling and grief support services to 7,880 individuals and families in the communities it serves.

NOW, THEREFORE, I, Terrill L. Hill, Mayor of the City of Palatka, Florida, together with the members of the Palatka City Commission, do hereby endorse and proclaim November 2015 as

NATIONAL HOSPICE AND PALLIATIVE CARE MONTH

in the City of Palatka, and encourage citizens to increase their understanding and awareness of care at the end of life and to observe this month with appropriate activities and programs.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the City of Palatka, Florida on this 12th day of November, in the Year of Our Lord Two Thousand Fifteen.

Commissioners:
Mary Lawson Brown
Rufus Borom
Justin Campbell
James Norwood, Jr.

PALATKA CITY COMMISSION

By: Terrill L. Hill, Mayor



TERRILL L. HILL
MAYOR - COMMISSIONER

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DONALD E. HOLMES
CITY ATTORNEY

The Palatka City Commission wishes to salute its Employee Veterans of Armed Forces:

Airport:

John Youell US Air Force
Robert White US Army

Fire Department:

Austin Davis U.S. Army
Kenneth Sugden U.S. Navy

Police Department:

Sgt. Cornell Brown US Army
Cpl. Todd Bryant US Navy
Shirley Edwards US Army
Ofc. Juston Hale US Army
Sgt. Brian Hawkins US Marine Corps
Det. Demetrious Johnson US Naval Reserve
Det. David Lazo US Navy
Sgt. Scott Reinhold US Army

Parks & Maintenance:

Timothy Brooks US Army

Streets & Utilities Maint:

Gordon Brown US Army
Daniel Gibbs US Army
Raymond Hirniak US Air Force
Johnny Lewis US Army
William Neely US Army

Water Treatment Plant:

Melvin Register US Air Force &
Army National Guard

Waste Water Trmt Plant:

Ron Asbury US Air Force
Brian McCann US Army

The Palatka City Commission, Staff and citizens are grateful for your service to our Country, for protecting our borders and preserving our freedoms! We salute all veterans for sacrificing their freedoms and putting their lives at risk to protect ours.

Sweet Land of Liberty – Let Freedom Ring



CITY COMMISSION AGENDA ITEM

SUBJECT:

Adopt Resolution No. 2015-11-78 amending the FY 2014-15 Budget through 9/30/2015

SUMMARY:

The City budget is governed by Chapter 166.241 and 200.065, Florida Statutes. These Statutes provide that the total budget at the fund level, once approved, cannot be exceeded unless a supplemental budget appropriation is enacted by the City Commission.

The Finance Department is requesting the attached budget amendments due to final year end budget corrections for grant, project and other various lines.

RECOMMENDED ACTION:

Staff recommends adoption of the Resolution amending the FY 2014-15 Budget for amendments through September 2015 in order to be in compliance with Florida Statutes.

ATTACHMENTS:

Description	Type
▫ Budget Amendment Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Reynolds, Matt	Approved	11/5/2015 - 5:38 PM
City Clerk	Driggers, Betsy	Approved	11/6/2015 - 9:25 AM
City Manager	Suggs, Terry	Approved	11/6/2015 - 12:32 PM
Finance	Reynolds, Matt	Approved	11/6/2015 - 2:36 PM
City Clerk	Driggers, Betsy	Approved	11/6/2015 - 2:38 PM

RESOLUTION No. 2015-xx-xx

**A RESOLUTION OF THE CITY OF PALATKA, FLORIDA,
AMENDING THE FY 2014-2015 BUDGET**

WHEREAS, the City of Palatka deems it reasonable and necessary to amend the FY 2014-2015 budget.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Palatka, Florida:

1. That the revenues of the City of Palatka General Fund Budget for the Fiscal Year 2014-2015 are amended as follows:

REVENUES:		Last	Recommended	As
<i>Revenue Number</i>	<i>Description</i>	Approved	Amendments	Amended
001-00-331-2-5503	USDA POLICE VEHICLES	\$ 40,900	\$ (40,900)	\$ -
001-00-383-0-1000	CAPITAL LEASE PROCEEDS-POLICE CARS	\$ 313,213	\$ 75,787	\$ 389,000
TOTAL REVENUES AMENDED:		\$ 354,113	\$ 34,887	\$ 389,000

2. That the expenditures of the City of Palatka General Fund Budget for the Fiscal Year 2014-2015 are amended as follows:

EXPENDITURES:		Last	Recommended	As
<i>Expenditure Number</i>	<i>Description</i>	Approved	Amendments	Amended
001-07-521-6-6400	CAPITAL OUTLAY	\$ -	\$ 29,919	\$ 29,919
001-07-521-6-6401	VEHICLE PURCHASES	\$ 313,213	\$ 12,359	\$ 325,572
001-07-521-6-6402	VEHICLE PURCHASES (USDA GRANT)	\$ 40,900	\$ (40,900)	\$ -
001-20-512-6-6400	CAPITAL OUTLAY	\$ 4,200	\$ 25,654	\$ 29,854
001-21-512-3-4620	EQUIPMENT MAINTENANCE	\$ 19,200	\$ (18,558)	\$ 642
001-21-512-6-6400	CAPITAL OUTLAY	\$ -	\$ 18,558	\$ 18,558
001-82-581-9-9900	GENERAL CONTINGENCY	\$ 50,494	\$ 7,855	\$ 58,349
TOTAL EXPENDITURES AMENDED:		\$ 428,007	\$ 34,887	\$ 462,894

3. That the revenues of the City of Palatka Airport Fund Budget for the Fiscal Year 2014-2015 are amended as follows:

REVENUES:		Last	Recommended	As
<i>Revenue Number</i>	<i>Description</i>	Approved	Amendments	Amended
005-00-389-2-8103	FAA NORTH APRON/TAXIWAY D 23-2013	\$ -	\$ 217,678	\$ 217,678
005-00-389-3-8902	FDOT GRANT AQS81 SOUTH DRAINAGE	\$ -	\$ 90,180	\$ 90,180
005-00-389-3-8904	FDOT REDI HANGARS	\$ 752,462	\$ 743,099	\$ 1,495,561
005-00-389-3-8905	NORTH APRON EXPANSION	\$ 170,775	\$ (170,775)	\$ -
TOTAL REVENUES AMENDED:		\$ 923,237	\$ 880,182	\$ 1,803,419

4. That the expenditures of the City of Palatka Airport Fund Budget for the Fiscal Year 2014-2015 are amended as follows:

EXPENDITURES:		Last	Recommended	As
<i>Expenditure Number</i>	<i>Description</i>	Approved	Amendments	Amended
005-05-542-6-6292	SOUTH AIRPORT DRAINAGE AQS81	\$ -	\$ 89,840	\$ 89,840
005-05-542-6-6293	NORTH APRON EXPANSION	\$ -	\$ 261,450	\$ 261,450
005-05-542-6-6294	FDOT REDI HANGARS	\$ 752,462	\$ 743,099	\$ 1,495,561
005-05-542-6-6295	GENERAL AVIATION PROJECT	\$ 189,750	\$ (189,750)	\$ -
005-05-542-9-9900	CONTINGENCY/RESERVE	\$ (136,402)	\$ (24,457)	\$ (160,859)
TOTAL EXPENDITURES AMENDED:		\$ 805,810	\$ 880,182	\$ 1,685,992

5. That the revenues of the City of Palatka Sanitation Fund Budget for the Fiscal Year 2014-2015 are amended as follows:

REVENUES:		Last	Recommended	As
<i>Revenue Number</i>	<i>Description</i>	Approved	Amendments	Amended
043-00-384-1-0000	DEBT PROCEEDS	\$ -	\$ 289,257	\$ 289,257
TOTAL REVENUES AMENDED:		\$ -	\$ 289,257	\$ 289,257

6. That the expenditures of the City of Palatka Sanitation Fund Budget for the Fiscal Year 2014-2015 are amended as follows:

EXPENDITURES:		Last	Recommended	As
<i>Expenditure Number</i>	<i>Description</i>	Approved	Amendments	Amended
043-10-534-6-6400	CAPTIAL OUTLAY	\$ 261,091	\$ 28,166	\$ 289,257
043-10-534-9-9900	CONTINGENCY/RESERVE	\$ 344,003	\$ 261,091	\$ 605,094
TOTAL EXPENDITURES AMENDED:		\$ 605,094	\$ 289,257	\$ 894,351

7. That the revenues of the City of Palatka Better Place Fund Budget for the Fiscal Year 2014-2015 are amended as follows:

REVENUES:		Last	Recommended	As
<i>Revenue Number</i>	<i>Description</i>	Approved	Amendments	Amended
101-00-301-0-1007	BETTER PLACE BALANCE FORWARD	\$ 60,650	\$ (325,286)	\$ (264,636)
101-00-331-7-7000	FWC BOAT RAMP IMPROVEMENTS-FED	\$ -	\$ 685,641	\$ 685,641
101-00-331-7-7001	WATER TAXI TERMINAL FACILITY	\$ 259,700	\$ (259,700)	\$ -
101-00-334-1-3004	FEMA ST JOHNS 18TH-16TH & OAK	\$ 97,852	\$ 195,705	\$ 293,557
101-00-334-1-3005	FEMA 1785-43-R	\$ 92,599	\$ 241,522	\$ 334,121
101-00-334-3-8000	GP ENVIRONMENTAL CENTER	\$ 681,962	\$ 51,325	\$ 733,287
101-00-334-4-9000	FDOT AQ605 RIVERBOAT REFURBISH	\$ 150,000	\$ 126,335	\$ 276,335
101-00-334-7-7002	FLORIDA HUMANITIES-BARTRAM TRAIL	\$ -	\$ 7,982	\$ 7,982
101-00-337-7-0001	PUTNAM COUNTY-DOCKS	\$ 175,000	\$ (35,000)	\$ 140,000
TOTAL REVENUES AMENDED:		\$ 1,517,763	\$ 688,524	\$ 2,206,287

8. That the expenditures of the City of Palatka Better Place Fund Budget for the Fiscal Year 2014-2015 are amended as follows:

EXPENDITURES:		Last	Recommended	As
<i>Expenditure Number</i>	<i>Description</i>	Approved	Amendments	Amended
101-18-519-8-6350	RIVERBOAT REFURBISHMENT-100%	\$ 100,000	\$ 92,296	\$ 192,296
101-18-519-8-6351	BOAT RAMP PARKING IMPROVEMENTS	\$ 400,000	\$ 734,635	\$ 1,134,635
101-18-519-8-6352	WATER TAXI TERMINAL FACILITY	\$ 259,700	\$ (255,900)	\$ 3,800
101-18-519-8-8121	FEMA ST JOHNS 18TH TO 16TH AND OAK	\$ 130,470	\$ 70,007	\$ 200,477
101-18-519-8-8122	FEMA 1785-43-R	\$ 123,465	\$ 80,100	\$ 203,565
101-83-581-9-9907	BETTER PLACE RESERVE	\$ -	\$ (32,614)	\$ (32,614)
TOTAL EXPENDITURES AMENDED:		\$ 1,013,635	\$ 688,524	\$ 1,702,159

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida this 12th day of November, 2015.

CITY OF PALATKA

By: Its MAYOR

ATTEST:

CITY CLERK

**APPROVED AS TO FORM
AND CORRECTNESS:**

CITY ATTORNEY



CITY COMMISSION AGENDA ITEM

SUBJECT:

Adopt Resolution No. 2015-11-79 supporting and authorizing submission of an application for the Florida State Surgeon General Healthy Weight Community Champion Recognition highlighting Palatka's efforts to make our community healthier

SUMMARY:

The City of Palatka has partnered with Mary Garcia, Executive Director, Putnam County Health Department, to develop and submit an application to the State Surgeon General for recognition as a "Healthy Weight Community Champion 2016" based upon the City's efforts to promote a healthier community. The application highlights the policies implemented by the City of Palatka to promote an increase in physical activity and healthy diet. The application deadline is November 13th and must be accompanied by the adopted resolution that follows this Summary.

RECOMMENDED ACTION:

Adopt a resolution supporting the goals and best practices for healthy communities, and authorizing the Mayor's submission of a Florida State Surgeon General Healthy Weight Community Champion Application for Recognition.

ATTACHMENTS:

Description	Type
▫ Resolution	Resolution
▫ Application	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Driggers, Betsy	Approved	11/3/2015 - 5:15 PM
City Clerk	Driggers, Betsy	Approved	11/3/2015 - 5:15 PM
City Manager	Suggs, Terry	Approved	11/5/2015 - 10:31 AM
Finance	Reynolds, Matt	Approved	11/5/2015 - 5:37 PM
City Clerk	Driggers, Betsy	Approved	11/6/2015 - 9:30 AM

RESOLUTION No. 2015-11-

**A RESOLUTION OF THE CITY OF PALATKA, FLORIDA,
SUPPORTING THE HEALTHIEST WEIGHT FLORIDA
INITIATIVE PROGRAM AND AUTHORIZING SUBMITTAL
OF 2016 HEALTHY WEIGHT COMMUNITY CHAMPION
RECOGNITION APPLICATION TO THE FLORIDA
DEPARTMENT OF HEALTH**

WHEREAS, the City of Palatka supports policies that focus on healthy weight, health and wellness, and healthier lifestyles in all communities; and

WHEREAS, the Florida Department of Health has launched a healthy weight campaign known as "Healthiest Weight Florida", a public-private collaboration to help Florida's children and adults make informed, consistent choices about healthy eating and active living; this program has been embraced by individuals and businesses in many cities, counties, and communities; and

WHEREAS, the State Surgeon General has launched the 2016 Healthy Weight Community Champion Recognition Program that will recognize local governments and active municipalities (cities, towns and villages) and 67 counties that implement policies to help people become more physically active and improve nutrition; Best practice policies implemented by communities will be recognized on January 4, 2016; and

WHEREAS, poor nutritional choices and a lack of physical activity are linked to overweight and obesity which increase the risk of diabetes, cancer, heart disease, liver disease, hypertension and other health conditions; and

WHEREAS, The City of Palatka public officials and staff believe there are important, long-term community benefits to be gained by encouraging healthy lifestyles, including a decrease in overweight and obesity in Florida's adults and children and the associated negative health related impacts; and

WHEREAS, community partners can work together to ensure that there are safe places for residents to be active, such as in parks, ball fields, pools, gyms, and recreation centers; and

WHEREAS, access to healthy foods has a direct impact on the overall health of our community and planning for fresh food, open space, sidewalks, and parks should be a priority.

NOW, THEREFORE, be it resolved by the Palatka City Commission as follows:

1. That the Mayor is hereby authorized to execute and submit an application for the Florida State Surgeon General's Healthy Weight Community Champion Recognition to the Florida Department of Health; and
2. That the Palatka City Commission hereby encourages and challenges all local governments, businesses, students, parents and all residents to participate in the Healthy Weight Florida campaign to foster healthy weight and improve overall health, improve job and school performance and decrease work and school absenteeism.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida on this 12th day of November, 2015.

CITY OF PALATKA

By: _____
Its **MAYOR**

ATTEST:

CITY CLERK

APPROVED AS TO FORM AND CONTENT:

CITY ATTORNEY

Florida State Surgeon General
Healthy Weight Community Champion
Recognition Submission Form
2016



Background & Purpose

Obesity rates in the U.S. have increased dramatically over the last 30 years, and obesity is now epidemic in the United States. In Florida, only 36% of adults are at a healthy weight. Additionally, 6 out of 10 children born today will be obese by the time they graduate from high school. For this reason, Florida's State Surgeon General, John Armstrong, MD, FACS, has declared healthy weight as a top priority.

Florida's county and municipal governments play an important role in decreasing the prevalence of unhealthy weight in their jurisdictions. Local governments can implement a variety of policies that have been shown to increase physical activity levels and improve nutrition. These "best practice" policies are reflected in this submission form. These best practices also align with the [State Health Improvement Plan](#). By implementing policies like the ones recommended in the submission form, local governments promote community environments where the healthy choice is the easier choice.

Acknowledging that many jurisdictions have already made progress in these types of policy changes the Department of Health created the *Healthy Weight Community Champion Recognition Program* to highlight communities for their important efforts. As Healthy Weight Community Champions, local governments will be able to share their progress and lessons learned while implementing best practice policies.

Eligibility

Florida's active municipalities (cities, towns and villages) and counties are eligible to submit this application to highlight new efforts being made to make the community healthier. Submissions must be made by a municipal or county official. Unincorporated areas may submit under the sponsorship of the county in which they are located.

Timeline

September 17, 2015: Submission Window Opens

November 13, 2015: Submission Window Closes

January 4, 2016: Best Practices Posted and Communities Recognized

How to Submit

- 1) Download this form.
- 2) Complete the contact information below.
 - a. For each component of the four sections, check "Yes," "No" to indicate whether or not your jurisdiction has implemented the policy suggestion and provide a brief explanation of your policy, program or project. (The four sections are: Physical Activity; Nutrition; Leadership and Innovation; and Other Awards, Recognitions, & Designations)
- 3) Once the submission form is complete, save it with your jurisdiction name in the title (e.g., Marion_County_Submission.doc; City_of_Clearwater_Submission). Upload it to an email.
- 4) Please upload your resolution or proclamation signed by the authorized elected official.
- 5) Email the submission form to healthiestweight@flhealth.gov on or before **November 13, 2015**.

SUBMISSION FORM

Please complete the information below. If you have any questions about the application or the submission process, email us at healthiestweight@flhealth.gov.

Jurisdiction Name: City of Palatka

Jurisdiction Level: County City Unincorporated Area

Returning Applicant: Yes No

IMPORTANT: If your municipality was recognized in 2015 and you would like to renew your recognition, please only include improvements or new activities from the past year in this submission form. If you would like to request a copy of your submission form from last year, email healthiestweight@flhealth.gov.

Contact Name: Terry Suggs

Contact Title: City Manager

Contact Email: tsuggs@palatka-fl.gov

Contact Phone: 386 329 0100ext. 230

Contact Mailing Address: 201 North Second Street Palatka FL 32177

Date Resolution or Proclamation Adopted: November 12, 2015

I certify that I am able to make this submission on behalf of my jurisdiction.

Questions regarding the submission?
Email healthiestweight@flhealth.gov

Physical Activity	Yes	No
<p>1. Does your jurisdiction require bike facilities (e.g., bike boulevards, bike lanes, bike ways, multi-use paths) to be built for all <i>new</i> and <i>redeveloped</i> roadway and park projects? <u>Provide a brief description or enter N/A for “No action at this time.”</u></p> <ul style="list-style-type: none"> • While we do not require bike facilities, we make every effort to plan for the installation/construction of the facilities when it is physically and fiscally possible. 	x	
<p>2. Has your jurisdiction adopted a Complete Streets approach to support walking and biking infrastructure or incorporated design specifications into your rules and standards that make streets safe for users of all abilities and ages? <u>Provide a brief description or enter N/A for “No action at this time.”</u></p> <ul style="list-style-type: none"> • The City Commission in 2011 approved its Evaluation and Appraisal Report (EAR) of the Comprehensive Plan, which included a commitment to the complete streets program. The Plan is now being updated to incorporate specific elements of this program. • There are also several groups within our city that bring those needs to the attention of the commission and the planning board. This year we opened the Urban Trail in Palatka that is used by both pedestrians and cyclists. There is a Bicycle and Pedestrian System Plan for Putnam County. • The City of Palatka Community Redevelopment Agency is in the process of developing a streetscape masterplan that incorporates complete streets best practices for three blighted areas downtown. 	x	
<p>3. Does your jurisdiction prioritize the support and maintenance of a network of walking trails or routes (e.g., establish a program to identify and fill connection gaps and make repairs in the system of sidewalks)? <u>Provide a brief description or enter N/A for “No action at this time.”</u></p> <ul style="list-style-type: none"> • The City’s Public Works Department monitors the City’s sidewalk system and repairs damaged sidewalks when needed. • The City is in the process of building a sidewalk database that will identify gaps and assign priorities for future sidewalk segments. • The City’s Subdivision Regulations require sidewalks on both sides of the street for new residential subdivisions. • The City of Palatka inaugurated the newly completed Palatka Urban Trail on April 1, 2015 by hosting its first “Walk with the Mayor” in support of the American Heart Association’s National Walking Day. Over 75 citizens joined Mayor Hill on the 2 mile walk that was sponsored by the City of Palatka, the Putnam County Blueways and Trails CSO and the Florida Department of Health in Putnam County. • The City of Palatka in collaboration with Putnam County has increased efforts to promote a healthy and active lifestyle. Putnam County has a trails development program – which will link Putnam County to five surrounding counties and associated multi-purpose trails (paths). Some of the trail connectors include the Lake City to St. Augustine Rail Trail, River to Sea Loop, East Coast Greenway, First Coast Connector, and Coast to Coast Connector – as well as routes within the county. This work is supported by County Commission appointed Trails Council, Trail Working Group, Putnam Blueways and Trails CSO, and Bartram Trail in Putnam County organization. To-date, 22 miles of paved multi-purpose trails have been completed with 6 miles to be constructed in 2015, and another 8.5 miles planned in the near future. 	x	
<p>4. Does your jurisdiction support and maintain bicycling routes that are connected and lead to destinations such as markets, commercial uses and residences (e.g., a program to identify potholes and other hazards and repave bike lanes when necessary)? <u>Provide a brief description or enter N/A for “No action at this time.”</u></p> <ul style="list-style-type: none"> • The City in partnership with the County is pursuing urban trail development to provide these linkages. Maintenance of existing and future linkages is done 	x	

<p>by both agencies.</p> <ul style="list-style-type: none"> The Palatka Main Street, Inc. and the Putnam Blueways & Trails have co-hosted the Palatka Bicycle Festival for three years. We are beginning our planning for the festival scheduled for April 9-10, 2016. A map of bicycling routes was published in 2014 with support from the County, Chamber of Commerce, Putnam Blueways and Trails CSO, and local businesses. 		
<p>5. Does your jurisdiction maintain a system of parks (e.g., a program to repair, maintain, and upgrade existing parks)? If so, what percentage provides active facilities like ball fields, exercise equipment and playgrounds? <u>Provide a brief description or enter N/A for “No action at this time.”</u></p> <ul style="list-style-type: none"> The City of Palatka maintains 39.96 acres of park land. The total budget for FY 15-16 is \$307,951. The City proactively budgets for preventative maintenance, upgrades and repairs. Approximately 50% of the budget is for active recreation facilities. The City also works with multiple community groups (i.e. Palatka Pride, Boys to Men, Keep Putnam Beautiful, etc.) on community work days to clean and repair the parks. 	x	
<p>6. Does your jurisdiction incorporate zoning and building standards to allow mixed land use where appropriate? <u>Provide a brief description or enter N/A for “No action at this time.”</u></p> <ul style="list-style-type: none"> Palatka has several zoning districts, in the downtown and vicinity, which allow for a mix of residential and non-residential uses. The Planned Unit Development zoning district can also be used citywide for mixed-use projects. 	x	
<p>7. Does your jurisdiction enhance access to public transportation (e.g., bus stops and stations, van pool services) within reasonable walking distance (1/2 mile radius from most residential areas? (In a rural context, this includes park and ride facilities, van pool and car pool activities.) <u>Provide a brief description or enter N/A for “No action at this time.”</u></p> <ul style="list-style-type: none"> Ride Solutions, Putnam County’s rural transportation provider, provides multiple routes with established bus stops throughout the City. They operate a flex route system that allows buses to deviate from the route to pick up residents in remote areas. 	x	
<p>8. Has your jurisdiction adopted street design standards that slow traffic (e.g., road diets, narrow road lanes, central islands, roundabouts, speed bumps, lower speed limits, sidewalks and bus stops separated from traffic) and improve safety, to enable residents to be physically active? <u>Provide a brief description or enter N/A for “No action at this time.”</u></p> <ul style="list-style-type: none"> The City has not formally adopted traffic calming standards. However, all recent capital projects have utilized traffic calming best practices to promote minimize vehicular, pedestrian and cycle traffic conflicts and to slow vehicular traffic. 		x
<p>9. Has your jurisdiction adopted strategies to enhance personal safety (e.g., neighborhood crime watch, people-scale street lights) in areas where people are or could be physically active? <u>Provide a brief description or enter N/A for “No action at this time.”</u></p> <ul style="list-style-type: none"> Yes, local law enforcement has encouraged the development of Neighborhood Crime Watch initiatives. A new addition to our trail was also installed in the “North Historic District” of Palatka, where there had not been many improvements to infrastructure in some time. 	x	

<p>10. Other: Has your jurisdiction implemented any other policy that promotes or supports physical activity? Provide a brief description or enter N/A for “No action at this time.”</p> <ul style="list-style-type: none"> • This year we opened the Urban Trail in Palatka that is used by both pedestrians and cyclists. • On June 20th 60-70 community members and citizens participated in the Palatka Pride Initiative to Clean-Up the Urban Walking Trail. • There is a Bicycle and Pedestrian System Plan for Putnam County. • A City Recreation Task Force was recently established to increase active recreation activities for all age groups within the City limits. 	x	
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Nutrition	Yes	No
<p>1. Does your jurisdiction provide incentives (e.g., expedited permit fees or tax breaks) to food retailers in underserved areas to carry healthy, affordable food items? Provide a brief description or enter N/A for “No action at this time.”</p> <ul style="list-style-type: none"> • The City is in the process of amending the Zoning Code to allow for farm-to-family produce trucks, which will transport fresh produce from area farms to food desert neighborhoods. The City Commission is scheduled to review and vote on this zoning ordinance on November 12th that would allow the Hastings-based Farm to Family Outreach Program to set up at the Price Martin Center and any other city-owned properties zoned downtown business, downtown riverfront, public buildings and grounds with permission from the city manager. The Farm to Family Outreach Program is a 501 ©3 non –profit organization. It is WIC EBT approved. • Other zoning changes underway will allow food trucks and produce stands at convenience stores, and will allow food pantries to locate in certain public and commercial zoning districts in order to allow a local food pantry to locate in a centrally-located city-owned building accessible by car, foot and bicycle via two main City thoroughfares. 		x
<p>2. Does your jurisdiction provide incentive programs to attract supermarkets and grocery stores to underserved neighborhoods (e.g., brownfield redevelopment or other loans or grants to cover start-up and investment costs, economic development programs, supportive zoning)? Provide a brief description or enter N/A for “No action at this time.”</p>		NA
<p>3. Does your jurisdiction allow zoning for mobile produce cart vending (selling only whole, uncut fresh fruits and vegetables) or sidewalk produce vendors? This does not include restaurant type food trucks. Provide a brief description or enter N/A for “No action at this time.”</p> <ul style="list-style-type: none"> • City staff will soon be proposing an ordinance change to allow for mobile pushcart vending in the downtown area. 	x	
<p>4. Does your jurisdiction encourage community garden initiatives (e.g., grants providing vacant lots or other public lands for use by public or private organizations, supportive zoning)? Provide a brief description or enter N/A for “No action at this time.”</p> <ul style="list-style-type: none"> • In collaboration with the local Ag Center and the UF-IFAS program there are 2 community gardens in schools and one at the Edgar Johnson Senior Center. The Senior Center is part of the Putnam County Parks and Recreation department. 	x	
<p>5. Does your jurisdiction locate public transportation stops, trails, greenways or sidewalks that connect residents to opportunities to</p>	x	

<p>purchase healthy food (including retailers, farmers markets and community gardens) easily and affordably? <u>Provide a brief description or enter N/A for “No action at this time.”</u></p> <ul style="list-style-type: none"> • Bus stops are conveniently located throughout the City that allow citizens to make round trips to local grocery stores and community gardens. 		
<p>6. Does your jurisdiction provide equitable access to farmers markets by locating farmers markets in low-income/low-access areas, or by implementing federal food assistance programs (e.g. SNAP/EBT)? <u>Provide a brief description or enter N/A for “No action at this time.”</u></p> <ul style="list-style-type: none"> • Grocery Stores in the City of Palatka provide SNAP-EBT and access to affordable fresh produce. We also encourage the sale of locally grown produce. 	x	
<p>7. Does your jurisdiction promote farmers markets, farm/produce stands, mobile markets, and community gardens as venues for healthy foods? <u>Provide a brief description or enter N/A for “No action at this time.”</u></p> <ul style="list-style-type: none"> • The City of Palatka has promoted a farmers market at the courthouse for many years. There are produce stands across the county promoting the sale of local produce and honey. • The City of Palatka is actively working to allow produce trucks to sell fresh food within the city. • The City of Palatka sponsors three community gardens located on City property throughout the core of the City and convenient to neighborhoods. 	x	
<p>8. Does your jurisdiction provide healthy food and beverage options at government office vending machines or at concession stands located at parks and/or recreational facilities? <u>Provide a brief description or enter N/A for “No action at this time.”</u></p>		NA
<p>9. Does your jurisdiction provide healthy food and beverage options at city/county-sponsored events? <u>Provide a brief description or enter N/A for “No action at this time.”</u></p> <ul style="list-style-type: none"> • We provide water as an option at all city sponsored events. For those with food we always provide sugar-free options and fruit for dessert selections. 	x	
<p>10. Has your jurisdiction adopted strategies that limit fast-food restaurant density? <u>Provide a brief description or enter N/A for “No action at this time.”</u> N/A</p>		NA
<p>11. Does your jurisdiction promote and support breastfeeding in public places? <u>Provide a brief description or enter N/A for “No action at this time.”</u></p> <ul style="list-style-type: none"> • The Florida Department of Health in Putnam County promotes an active breast feeding, peer counseling program for all WIC clients. Classes are also available for all moms who give birth at the local hospital Putnam Community Medical Center. 	x	
<p>12. Has your jurisdiction implemented any other policy that promotes or supports healthy nutrition? <u>Provide a brief description or enter N/A for “No action at this time.”</u></p> <ul style="list-style-type: none"> • The City of Palatka has adopted Wellness programs and policies for its employees and family members. 	x	

Leadership and Innovation: Does your jurisdiction participate in any of the following?	Yes	No
School Health Advisory Committee (SHAC)	x	
Community Health Improvement Plan (check with your county health department)	x	
Mobilizing Action through Planning Partnerships (MAPP)	x	
Mayor's Fitness Challenge		x
Has your jurisdiction participated in any other health planning related to increased physical activity and improved nutrition? Please list them below and provide a brief description. <ul style="list-style-type: none"> The City of Palatka has organized "Walks with the Mayor" to promote the Palatka Urban Trail Please see attached summary of Downtown Palatka Riverfront Revitalization Program. Through all the improvements underway and/or being contemplated, the City is currently laying the groundwork to encourage an ongoing Farmers Market at the Riverfront Park 		

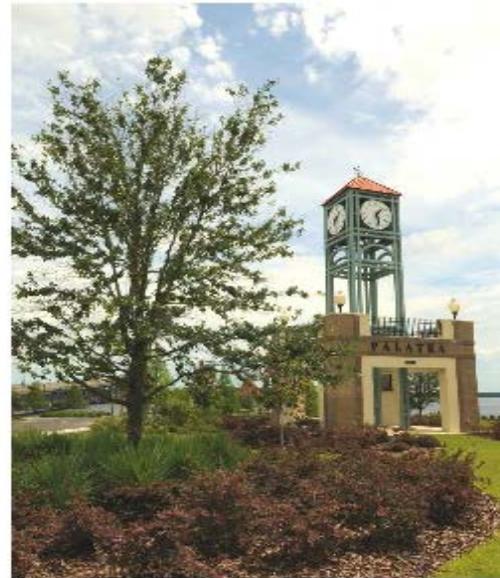
Other Awards, Recognitions & Designations: Does the jurisdiction have any of the following?	Yes	No
Walk Friendly Community Designation		x
Bicycle Friendly Community Designation		x
American Planning Association Award		x
Healthy School District Award	x	
Healthier US Schools Challenge Healthier US Schools Challenge (HUSSC) is a voluntary program which recognizes excellence in nutrition and physical activity. In February and March of 2014, FDACS/UF IFAS Extension Farm to School Partnership assisted the Putnam County Food Service Department in gathering nutrition education, physical education, and physical activity information needed to assess the level of achievement that Putnam County Schools could apply. Three schools were awarded the HUSSC at a board meeting SY2015 Ochwilla Gold, Interlachen Elementary and Melrose received the silver level.		
AARP Age-Friendly Community		x
EPA's Building Healthy Communities for Active Aging Award		x
LEED Certified Buildings or Neighborhoods		x
Alliance for Healthy Cities Recognition Award		x
STAR Community for Sustainability Rating		x
Gold Medal for Excellence in Parks		x
Has your jurisdiction received any other award, recognition, or designation related to increased physical activity and improved nutrition? Please list them in this section with a brief description. National Foundation for Governor's Fitness Council This year Moseley Elementary was one of only three schools in the State of Florida to be awarded a grant by the National Foundation for Governor's Fitness Councils to build the Live Positively Fitness Center, a state-of-the-art fitness center, at the School, which opened	x	

<p>on October 13. Jake Steinfield, founder of “Body By Jake,” was present for this celebration. The grant and Center’s primary purpose is to teach students and parents the importance of a healthy lifestyle.</p>		
<p>In order to provide you with opportunities to expand your support of healthy weight in your community, please choose one policy or program to work on in the next year. It can be one from the list above or it can be something of your choosing. The Healthiest Weight Florida Team will provide technical assistance and work with you in order to achieve this goal over the next year.</p> <ul style="list-style-type: none"> • Mayor’s Fitness Challenge 2016 • DEO Economic Development Grant Opportunity for the Riverfront Park Improvements and FRDAP/Boating Improvement Grants to encourage recreational use of parks and waterways. Putnam County has the first established “Blueway” in addition to its “Greenways and Trails” system and has an active paddling program sponsored by the local Blueways & Trails Association. 		

Thank you for completing this submission form for the Healthy Weight Community Champion Recognition Program!

To submit your form, save it with your jurisdiction name in the title (e.g., Marion_County_Submission.doc; City_of_Clearwater_Submission) and email it with your proclamation or resolution to healthiestweight@flhealth.gov on or before **November 13, 2015**.

**City of Palatka
2016 Healthy Weight Community Champion
Application**



**CITY OF PALATKA DOWNTOWN RIVERFRONT
REVITALIZATION PROGRAM- PHASE 1**

November, 2015

DOWNTOWN PALATKA RIVERFRONT REVITALIZATION PROGRAM

RIVERFRONT PARK PUBLIC IMPROVEMENTS. The public part of the Plan consists of the following key design elements, most of which have been completed or are underway:



Aerial View from Southwest
Palatka Riverfront Park



- Streetscape Improvement
- Park Landscape and Lighting Enhancements
- Parking Improvements
- Improved Vehicular Circulation
- Event Lawn
- Interactive Splash Pad
- Uniform Sea Wall and Pedestrian Walks
- "Cypress Dome" interpretive environmental area
- Additional Boat Launches, parking for boat trailers
- Restroom/Shower Facilities for Boaters
- Floating Docks
- "Soft" Launch for Kayaks and Canoes

PHASE I – NORTH



PHASE II – SOUTH



RIVERFRONT SQUARE (CENTURY BLOCK). The Century Block includes four buildings of 1880s vintage, like the Moragne Building shown to the right. Buildings are slated for revitalization with a developer partner on board. The developer has begun limited demolition and marketing. Plans call for ground floor commercial and upper floor residential spaces. Phase II will include commercial infill to the west bordering the proposed St. Johns River Center and Lemon Street Plaza.



ST. JOHNS RIVER CENTER. The Center provides an exciting hybrid element of public and private use in the Plan. The 4,000 square foot facility, as shown to the right, will be constructed in 2015 and is funded by Georgia Pacific DEP mitigation funds and a variety of other local and state grants. The Center will focus on the history, science, culture, and economics of the river and will also serve as the Florida headquarters for the Bartram Trail. The complex will include a museum, exhibit space, classrooms/lecture hall, laboratory, multi-purpose space and will be designed to accommodate shared space with a riverfront restaurant and riverboat ferry dock.

RIVERBOATS. Two steamships will capture the rich history of Palatka as a Victorian-era tourist destination for northern visitors. The boats will dock at the River Center and provide regularly scheduled and charter excursions to nearby Old Florida destinations such as Crescent City, Welaka, and Murphy Island. (The old Hart's Line steamship is shown to the right.)



HAMPTON INN. The hotel is now under construction on a full city block that will also include future retail and mixed use development. The \$3.1 million dollar project will feature a 70-room hotel with architecture that is compatible with the historic downtown character, conference space, and full riverfront views from the rooms.



CITY COMMISSION AGENDA ITEM

SUBJECT:

Reappoint LaSandra Williams and Butch Puryear to the Palatka Code Enforcement Board for additional three-year terms expiring 10/1/18

SUMMARY:

LaSandra Williams and Butch Puryear are currently members of the Palatka Code Enforcement Board serving as Member with Business Experience and Alternate Member, respectively. They have both submitted applications for reappointment indicating their desire to be reappointed to the Code Enforcement Board for another three-year term. Staff supports these reappointments. They are both valuable and participating members in good standing who have met their attendance obligations.

RECOMMENDED ACTION:

Reappoint LaSandra Williams and Butch Puryear to the Palatka Code Enforcement Board for three-year terms to expire 10/1/18

ATTACHMENTS:

Description	Type
▢ LaSandra Williams Application	Backup Material
▢ Butch Puryear Application	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Driggers, Betsy	Approved	11/4/2015 - 2:06 PM
City Clerk	Driggers, Betsy	Approved	11/4/2015 - 2:06 PM
City Manager	Suggs, Terry	Approved	11/5/2015 - 10:31 AM
Finance	Reynolds, Matt	Approved	11/5/2015 - 5:33 PM
City Clerk	Driggers, Betsy	Approved	11/6/2015 - 9:28 AM

TERRILL L. HILL
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

RUFUS J. BOROM
COMMISSIONER

JUSTIN R. CAMPBELL
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



CITY of Palatka FLORIDA

Regular meeting 2nd and 4th Thursdays each month at 6:00 p.m.

TERRY K. SUGGS
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
FINANCE DIRECTOR

JAMES A. GRIFFITH
INTERIM CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT.

DONALD E. HOLMES
CITY ATTORNEY

CITY OF PALATKA BOARD REAPPOINTMENT REQUEST

I wish to apply for reappointment to the Code Enforcement Board.
I understand that I will continue to serve in a volunteer capacity on this advisory board.

MEMBER: La Sandra Williams # of years' prior service: _____
Residence (911 Address) 1424 Ocean Street Palatka Phone: 386-328-1071
Business Name & Address Phone: _____ Fax: _____

(City Residents or business/property owners will be given preference when board member residency is not specified by statute or city ordinance)

Preferred Mailing Address: _____

E-mail: williams.la.sandra@fl.us Daytime Phone: 386-328-1071

AGREEMENT: By filing this document, I am indicating my desire to be reappointed to the advisory board upon which I currently serve. I also agree and understand that this document becomes a part of the official records of the City of Palatka, and I hereby certify that all the information contained herein is true, to the best of my knowledge. I also understand that, if appointed, the State of Florida may require me to file a financial disclosure with the Putnam Co. Supervisor of Elections each year covering my term of appointment.

La Sandra Williams
SIGNATURE OF APPLICANT DATE Nov. 4, 2015

Chairman/Director: Please return this form, together with a copy of this member's attendance record, to Betsy Driggers, City Clerk, 201 N. 2nd Street, Palatka, Florida.

CHAIRMAN/DIRECTOR'S COMMENTS (if any) _____

Chairman's/Director's Signature _____

TERRILL L. HILL
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

RUFUS J. BOROM
COMMISSIONER

JUSTIN R. CAMPBELL
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



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INTERIM CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT

DONALD E. HOLMES
CITY ATTORNEY

CITY OF PALATKA BOARD REAPPOINTMENT REQUEST

I wish to apply for reappointment to the Code Enforcement Board.
I understand that I will continue to serve in a volunteer capacity on this advisory board.

MEMBER: Butch Puryear # of years' prior service: 1
Residence 6006 E 4th Manor Palatka, FL Phone: 386-983-0886
(911 Address) 6006 E 4th Manor Palatka, FL Fax: _____
Business Name Watson Realty Corp Phone: 386-325-8888
& Address 203 SHWY 17 East Palatka, FL 3201 Fax: 386-326-2519

(City Residents or business/property owners will be given preference when board member residency is not specified by statute or city ordinance)

Preferred Mailing Address: 6006 E 4th Manor Palatka, FL 32177

E-mail: Butch.Puryear@gmail.com Daytime Phone: 386-983-0886

AGREEMENT: By filing this document, I am indicating my desire to be reappointed to the advisory board upon which I currently serve. I also agree and understand that this document becomes a part of the official records of the City of Palatka, and I hereby certify that all the information contained herein is true, to the best of my knowledge. I also understand that, if appointed, the State of Florida may require me to file a financial disclosure with the Putnam Co. Supervisor of Elections each year covering my term of appointment.

Butch Puryear 11/4/15
SIGNATURE OF APPLICANT DATE

Chairman/Director: Please return this form, together with a copy of this member's attendance record, to Betsy Driggers, City Clerk, 201 N. 2nd Street, Palatka, Florida.

CHAIRMAN/DIRECTOR'S COMMENTS (if any) _____

Chairman's/Director's Signature _____



CITY COMMISSION AGENDA ITEM

SUBJECT:

Appoint Christopher Hollister to the Palatka Code Enforcement Board as member with Architectural Experience for a three-year term to expire September, 2018

SUMMARY:

Christopher Hollister has applied for appointment to the Palatka Code Enforcement Board for the position of Member with Architectural Experience. Mr. Hollister is a professional painter/construction contractor and former firefighter/EMT. Although he has no direct architectural experience, he has indirect experience. The Code states it is preferred, but not necessary, that the member appointed to each category have direct experience. He lives inside the City Limits and is otherwise qualified for this appointment.

Staff concurs on this appointment. He is the sole applicant.

RECOMMENDED ACTION:

Appoint Christopher Hollister to the Palatka Code Enforcement Board for a three year term expiring September, 2018.

ATTACHMENTS:

Description	Type
▫ Application - C. Hollister	Attachment

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Driggers, Betsy	Approved	11/5/2015 - 12:47 PM
City Clerk	Driggers, Betsy	Approved	11/5/2015 - 12:48 PM
City Manager	Suggs, Terry	Approved	11/5/2015 - 3:54 PM
Finance	Reynolds, Matt	Approved	11/5/2015 - 5:32 PM
City Clerk	Driggers, Betsy	Approved	11/6/2015 - 9:21 AM

TERRILL L. HILL
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

RUFUS J. BOROM
COMMISSIONER

JUSTIN R. CAMPBELL
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



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INTERIM CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT.

DONALD E. HOLMES
CITY ATTORNEY

CITY OF PALATKA ADVISORY BOARD APPLICATION

I wish to apply for appointment to the Code Enforcement Board.
I understand that, if appointed, I will serve in a volunteer capacity on this advisory board.

APPLICANT: Christopher Hollister (Must be at least 18 yrs. old)
Residence 602 N. 3rd St, Palatka Phone: 386 643 7105
(911 Address) 602 N. 3rd St, Palatka Fax: _____
Business Name _____ Phone: _____
& Address _____ Fax: _____

(City Residents or business/property owners will be given preference when board member residency is not specified by statute or city ordinance)

Preferred Mailing Address: _____

E-mail: cfldmem06@yahoo.com Daytime Phone: 386-643-7105

PROFESSIONAL QUALIFICATIONS (include occupation - attach additional sheet if necessary)

Retired Volunteer Firefighter and EMT for 22 1/2 yrs. Professional Painter /
Construction worker.

OTHER COMMENTS OR INFORMATION:

Desire to become involved in my community. Available days and
evenings.

AGREEMENT: by filing this document, I agree and understand that this document becomes a part of the official records of the City of Palatka, and I hereby certify that all the information contained herein is true, to the best of my knowledge. I also understand that, if appointed, the State of Florida may require me to file a financial disclosure with the Putnam Co. Supervisor of Elections within thirty (30) days of my appointment, and each year thereafter, covering my term of appointment.

[Signature]
SIGNATURE OF APPLICANT

9-28-15
DATE

Applicants will be interviewed by the Palatka City Commission during regular public meetings.

201 N. 2ND STREET • PALATKA, FLORIDA 32177



CITY COMMISSION AGENDA ITEM

SUBJECT:

Appoint Edward Killebrew to the Palatka Planning Board for a three year term to expire December 31, 2018

SUMMARY:

Ed Killebrew, a local businessman who owns and operates a business within the City Limits, has applied for appointment to the Palatka Planning Board. He meets all statutory requirements for appointment to this Board. This appointment will fill a vacant position on this Board, which has been vacant since the resignation of Lavinia Moody. This term begins in December.

Staff concurs with this appointment.

RECOMMENDED ACTION:

Appoint Ed Killebrew to the Palatka Planning Board for a three-year term to expire December 31, 2018, per Staff recommendation.

ATTACHMENTS:

Description	Type
▫ Applicaition - Ed Killebrew	Attachment

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Driggers, Betsy	Approved	11/5/2015 - 12:15 PM
City Clerk	Driggers, Betsy	Approved	11/5/2015 - 12:15 PM
City Manager	Suggs, Terry	Approved	11/5/2015 - 3:54 PM
Finance	Reynolds, Matt	Approved	11/5/2015 - 5:32 PM
City Clerk	Driggers, Betsy	Approved	11/6/2015 - 9:21 AM

TERRILL L. HILL
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

RUFUS J. BOROM
COMMISSIONER

JUSTIN R. CAMPBELL
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



CITY of Palatka FLORIDA

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INTERIM CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT.

DONALD E. HOLMES
CITY ATTORNEY

CITY OF PALATKA ADVISORY BOARD APPLICATION

I wish to apply for appointment to the Palatka Planning Board.
I understand that, if appointed, I will serve in a volunteer capacity on this advisory board.

APPLICANT: C. Edward Killip (Must be at least 18 yrs. old)

Residence Phone: 328-4827

(911 Address) 46 BARDH Estate, Circle Fax:

Business Name 608 Main Street Phone: 386-328-8460

& Address PALATKA FL. Putnam County Fax: 386 328-8452

(City Residents or business/property owners will be given preference when board member residency is not specified by statute or city ordinance)

Preferred Mailing Address: P.O. Box 913 Palatka FL 32178

E-mail: DAVIDSmightymen@aol.com Daytime Phone: 386-937-1220

PROFESSIONAL QUALIFICATIONS (include occupation - attach additional sheet if necessary)

Business owner servpro of putnam 22 years

608 Main Street, Palatka, FL

OTHER COMMENTS OR INFORMATION:

AGREEMENT: by filing this document, I agree and understand that this document becomes a part of the official records of the City of Palatka, and I hereby certify that all the information contained herein is true, to the best of my knowledge. I also understand that, if appointed, the State of Florida may require me to file a financial disclosure with the Putnam Co. Supervisor of Elections within thirty (30) days of my appointment, and each year thereafter, covering my term of appointment.

C. Edward Killip 11/5/15
SIGNATURE OF APPLICANT DATE

Applicants will be interviewed by the Palatka City Commission during regular public meetings.

201 N. 2ND STREET • PALATKA, FLORIDA 32177



CITY COMMISSION AGENDA ITEM

SUBJECT:

Approve request items for Special Events Permit No 15-43 - Palatka High School Gospel Ensemble's "A Christmas Joyful Holy Night," to be held on December 5, 2015 from 4:00 p.m. until 9:00 p.m.- Palatka High School Gospel Ensemble/ Jennifer Wright-Purifoy, Applicant

1. Grant permission to exceed allowable noise levels throughout the duration of event.
2. Allow the closure of Memorial Parkway for the event.

SUMMARY:

Jennifer Wright-Purifoy, with the Palatka High School Gospel Ensemble, has made application for this event, sponsored by the Palatka High School Gospel Ensemble. Although Class B special events can be approved by the Special Events Coordinator, this application contains requests to exceed allowable noise levels, and the closure of Memorial Parkway, actions which must be approved by the City Commission.

RECOMMENDED ACTION:

Grant permission to exceed allowable noise levels and allow for the closure of Memorial Parkway during the Palatka High School Gospel Ensemble's "A Christmas Joyful Holy Night" on December 5, 2015 from 4:00 p.m. until 9:00 p.m.

ATTACHMENTS:

Description	Type
▫ Special Events Permit No 15-43	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Special Events	Crowe, Thad	Approved	10/29/2015 - 4:56 PM
City Clerk	Driggers, Betsy	Approved	11/2/2015 - 11:04 AM
City Manager	Suggs, Terry	Approved	11/5/2015 - 10:31 AM
Finance	Reynolds, Matt	Approved	11/5/2015 - 5:37 PM
City Clerk	Driggers, Betsy	Approved	11/6/2015 - 9:30 AM

APPLICATION # 15-43

(circle one below)

CLASS A PERMIT - Filing Deadline: 60 days prior to event

CLASS B PERMIT - Filing Deadline: 60 days prior to event

CLASS C PERMIT - Filing Deadline: 30 days prior to event



CITY OF PALATKA
APPLICATION FOR SPECIAL EVENT

1. NAME AND ADDRESS OF APPLICANT/ORGANIZER

a. Palatka High School Gospel Ensemble

b. CONTACT PERSON Jennifer Wright-Putney TELEPHONE/CELL 386329 0577

c. EMAIL jwright@my.putnamschools.org FAX # _____

2. ADDITIONAL CONTACT

a. CONTACT PERSON _____ TELEPHONE/CELL _____

b. EMAIL _____ FAX # _____

3. DESCRIPTION AND/OR NAME OF PROPOSED ACTIVITY A Christmas Joyful Holy Night

4. DATE & HOURS OF DESIRED USE: 12/5/2015 (4-9 pm)

5. PORTION FOR WHICH PERMISSION IS DESIRED (City Dock, Amphitheater, Gazebo, etc.) Amphitheater

6. ROAD CLOSURES: Memorial Parkway

7. REQUEST FOR NOISE VARIANCE(Dates and Times): 12/5/2015 (4-9pm)

8. REQUEST FOR ALCOHOL VARIANCE(Dates,Times,Location): N/A

9. ESTIMATE OF ANTICIPATED ATTENDANCE 150

10. NUMBER AND TYPE OF AUXILIARY VEHICLES/EQUIPMENT _____

11. ARTICLE IV SPECIAL EVENT ORDINANCE: FEES

- a. CLASS A: \$300.00- 40,000 - 80,000 in attendance per day
- b. CLASS B: \$100.00 per day Up to 1,000 persons per day
- c. CLASS C: \$50.00 per day (Limited impact on traffic, parking etc.) Events such as Weddings, Fishing tournaments with less than 40 boats and etc.
- d. Any private entity/business(es) who are holding a function on private property that impacts neighboring businesses/residents within the City limits and, impacts City services will be assessed a fee amount accordingly. (7% Sales Tax)

Applications will not be processed and events dates cannot be secured without accompanying application fee.

12. OTHER COSTS: Fees will be determined at the pre-assessment meeting with the organizers and the City Department Heads.

- 13. ATTACHED ITEMS: Site Plan (To Include: Parking, Vendor Location, Street Closures, Garbage Containers, Parade/ March Route, Sound System(s) Location, Event Headquarters, and etc.)
- Certificate of Insurance SEC 50-222 (See Attached Requirements)

14. Arrangements for police services are **REQUIRED** for fishing tournaments with 70 boats or more. Fishing Tournaments and other large event organizers are required to arrange for auxiliary vehicle/trailer parking per accompanying guidelines.

IMPORTANT INFORMATION

THIS FORM IS INTENDED FOR RESERVATION PURPOSES ONLY AND DOES NOT CONSTITUTE PERMISSION FOR USES DISALLOWED UNDER PALATKA'S MUNICIPAL CODE. PERMISSION GRANTED FOR USE OF PUBLIC PROPERTY COVERS MUNICIPAL PARK AREAS AND OTHER AREAS WITHIN THE CITY LIMITS. IT DOES NOT INCLUDE PERMISSION TO CLOSE PUBLIC STREETS OR HINDER PRIVATE PROPERTY. Organizers are required to contact the City of Palatka Building & Zoning Department office at 386-329-0103 for pre-planning purposes. ORGANIZERS/APPLICANTS WILL BE NOTIFIED WITHIN 30 DAYS OF ANY COMMENTS THEY MAY HAVE PERTAINING TO THIS EVENT'S ANTICIPATED IMPACT WITHIN THE CITY LIMITS.

Acceptance of your application should in no way be construed as final approval or confirmation of your request.

Sec. 50-145. Any person or organization granted permission shall be bound by all park/city rules and regulations and all applicable ordinances as fully as though the same were inserted in this document, except for such rules and regulations as may be waived by such document or the City Commission.

Sec. 50-146. The person or persons to whom permission for use of city property is issued shall be liable for any loss, damage or injury sustained by any person whatsoever by reason of the negligence of the person or persons to whom such permission shall have been issued. Event liability insurance, naming the City of Palatka as an additional insured, is required prior to public events. Event liability insurance naming the City of Palatka as an additional insured is also required if a private event is taking place that will impact the City and the use of City Services.

The applicant(s) agrees to hold harmless and indemnify the City of Palatka, its officers, agents and employees against any loss, damage or expense (including all costs and reasonable attorney's fees) suffered by the City of Palatka for:

- 1.) Any breach of the terms of the permit or any inaccuracy in or breach of any representation, warranty or covenant made by the applicant(s) to the City of Palatka as an inducement to the granting of the permit.
- 2.) Any claims, suits, actions, damages or cause of actions for any personal injury, loss of life or damages to personal or real property sustained by reason of, result of, or by presence of the applicant(s) on public property by applicant's agents, employees, invitee and/or any other persons.

ARTICLE V NOISE CONTROL Sec. 30-101 – 30-109: Permission for use of city property does not grant an automatic exemption to exceed maximum allowable noise levels. Complaints of adverse effects upon the community or surrounding neighborhood may result in revoking permission for use of City property for this activity.

10. CERTIFICATION: I HAVE READ AND UNDERSTAND THE ABOVE CONDITIONS UNDER WHICH THE CITY OF PALATKA HAS GRANTED PERMISSION FOR USE OF THE AREA DEFINED ON PAGE ONE OF THIS APPLICATION FOR THE PURPOSE STATED HEREIN, AND AGREE TO BE BOUND BY SAME.

DATE

SIGNATURE OF APPLICANT

APPROVED:

SPECIAL EVENTS COORDINATOR

DATE

CHIEF OF POLICE

DATE

RETURN TO:
THAD CROWE
SPECIAL EVENTS COORDINATOR
205 N. 2nd Street
Palatka, FL 32177

(FOR ADDITIONAL INFORMATION PLEASE CALL THE BUILDING & ZONING OFFICE AT 386-329-0103.)



**CITY OF PALATKA
PLANNING MEETING
PRE-EVENT ASSESSMENT LIST**

To be completed by Special Events Coordinator:

Meeting Date: 10/14/15 Special Events Coordinator: Thad Crowe

- | | | | |
|-------------------------------------|------------------------------|-----------------------|-------------------------------------|
| <input checked="" type="checkbox"/> | Site Sketch Provided | Event Classification: | |
| <input type="checkbox"/> | Tentative Schedule of Events | Class A | <input type="checkbox"/> |
| | | Class B | <input checked="" type="checkbox"/> |
| | | Class C | <input type="checkbox"/> |

To be completed by applicant with typewriter or print legibly in dark ink.

Name of Special Event/ Production: A Christmas Joyful Holy Night

Type of Event: music

Type of Event Activities (concerts, street dances, races, contests, competitions, regattas, arts/crafts displays, still motion picture production, etc. – attach separate listing if necessary)

concert

Location of Event: Palatka Amphitheater

Requested dates and time of events (not including set-up and break down):

	Date	Day	Begin	End
Event Day 1	<u>12/5/15</u>	<u>Saturday</u>	<u>5</u> AM/PM	<u>7:30</u> AM/PM
Event Day 2	_____	_____	_____ AM/PM	_____ AM/PM
Event Day 3	_____	_____	_____ AM/PM	_____ AM/PM
Event Day 4	_____	_____	_____ AM/PM	_____ AM/PM

Set-up for event will begin on (Date) 12/5/15 at (time) 4 pm

Break down will be completed by (Date) 12/5/15 at (time) 9 pm

Event Sponsor/Organization Palatka High School Gospel Ensemble

Name of Promoter: Jennifer Wright-Purfoy Tax Exempt No.: _____

Fee Worksheet (to be completed by Special Events Coordinator)

"Class A" Event	"Class B" Event	"Class C" Event
Daily Fees (see fee schedule)	Daily Fees \$100.00/day	Daily Fees \$50/day
Security Fees @ \$23/hr/Officer	Security Fees @ \$23/hr/Officer	Security Fees @ \$23/hr/Officer
Green Container Fees @ \$15/container	Green Container Fees @ \$15/container	Green Container Fee @ \$15/container
Refundable Deposit \$500.00	Public Works Employees @ \$14.00/hr (no charge during normal working hours)	

Special Events Permit Fees \$ _____ Per day X _____ Days \$ _____

Law Enforcement (City)
Police Officer(s) \$ 23.00 Per hour X _____ Officers X _____ Hours \$ _____

Fire Personnel High School \$ 23.00 Per hour X _____ Hours \$ _____

Building Inspector \$ 23.00 Per hour X 1 Hours \$ _____

Public Works Services (only-no charge during regular working hours)

Public Works Personnel # Personnel _____ X _____ Hours @ \$23/hour \$ _____

Electrician Services (only-no charge during regular working hours)

Electrician Personnel \$ 23.00 Per hour X 1 Hours \$ _____

Sanitation Equipment Fee

Green Roll-Out Containers _____ X \$15.00 Per Container \$ _____

Additional Charges (List)

08:1 _____ \$ _____
_____ \$ _____
_____ \$ _____
_____ \$ _____

TOTAL SPECIAL EVENT FEES (Sponsor/Promoter) \$ _____

To be completed and submitted by applicant prior to meeting with city staff.
City staff will amend checklist as necessary.

Estimated peak number of participants (each day of event): Day 1 150
Day 2 _____ Day 3 _____ Day 4 _____ Day 5 _____

Type of special effects to include pyrotechnics, explosives, discharging weapons, hazardous materials and/or incendiary devices to be used: _____

Number and location of fire protection services: _____

Inspection(s)- date and time requested: (\$23/hour) _____

Electrician services- date and time requested: (\$23/hour) _____

Emergency medical services: ambulance locations(s) (note on site plan): _____

Number of EMS personnel required: (\$23/hour) _____

Number and location for portable toilets: (note location on site plan) 2, right back side of amphitheater

Carnival location (if any) (note location on site map) _____

Number of sanitation roll-out containers required (\$15/ container) _____

Location of parking/transportation services, if any: _____

Temporary parking, directional signage needed: _____

Type transport vehicles (van, buses, etc.) _____

Location of security and emergency vehicle parking on site: _____

Public street barricades/street closures/detours: (note locations on site plan) Memorial Parkway (See attached map)

- Main emergency vehicle access to site (location-also note on site plan): _____
- Location of temporary structures, fences, grandstands, bandstands, judges stands, bleachers, hospitality tents, booths, etc.: (note on site plan): _____
- Number and location of arts and craft vendors, concessions and/or sponsor/promoter(s) stands (note on site map) _____
- Number and location of food vendors (note on site plan): *See attached map*
- Staff/ volunteer uniform identification: _____
- Sound system(s) location: _____
- Number and location of special activities (launching areas, animal attractions, amusements, car shows, parade routes, and etc.): _____
- Number and location of temporary signs/banners: _____
- Number and location of promotional visual effects: _____
- Watercraft: _____
- Aircraft: _____
- Types & location of on-site advertising (banners, balloons, posters, flyers, inflatables, signs, etc.): _____

Items Outstanding:

- Site plan
- 501(C) (3) certificate of exemption
- Nonprofit articles of incorporation, charter and mission statement
- Consent letter (event property): property owners on which special event location is held (if not held on city property)



X = Cars

□ = portable toilets

○ = Food Vendor





CITY COMMISSION AGENDA ITEM

SUBJECT:

Adopt 2015 City Commission Holiday Regular Meeting Schedule (November & December, 2015)

SUMMARY:

Traditionally, the City Commission has elected to hold only one meeting in November and December, as the 4th Thursday of November usually falls on Thanksgiving, and the 4th Thursday of December usually falls somewhere during the Christmas holidays.

Staff recommends the following schedule:

- November 12, 2015 - Regular Meeting
- November 26, 2015 - No regular Meeting (Thanksgiving Day)
- December 10, 2015 - Regular December Meeting
- December 24, 2015 - No Regular Meeting (Christmas Eve)

In November, members of the Commission will be attending the FLC Legislative Conference in Orlando on November 19th & 20th, and the 4th Thursday is Thanksgiving.

In December, the 2nd Thursday is December 10. The 4th Thursday is Christmas Eve and a City holiday.

Should there be a need to conduct City business or call a workshop between now and January 31, a special meeting or workshop can be called. All boards, with the exception of the Code Enforcement Board and CRA, will have met by Dec. 10.

The City Commission's regular meeting schedule will resume with the January 14, 2016 regular meeting.

RECOMMENDED ACTION:

Adopt the 2015 City Commission Holiday Regular Meeting Schedule

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Driggers, Betsy	Approved	11/3/2015 - 5:10 PM
City Clerk	Driggers, Betsy	Approved	11/3/2015 - 5:10 PM
City Manager	Suggs, Terry	Approved	11/5/2015 - 10:29 AM

Finance
City Clerk

Reynolds, Matt
Driggers, Betsy

Approved
Approved

11/5/2015 - 5:33 PM
11/6/2015 - 9:26 AM



CITY COMMISSION AGENDA ITEM

SUBJECT:

RESOLUTION authorizing execution of the Third Amendment to the Professional Services Agreement between American Traffic Solutions and City of Palatka dated 11/16/09 for Palatka's Red Light Camera Program - Adopt

SUMMARY:

The Third Amendment to the 11/16/09 Professional Services Agreement between American Traffic Solutions and the City of Palatka, which follows this summary and resolution, is the result of negotiations over a billing dispute with ATS involving the number of lanes included in the monthly billing (left turn lane capture). The City was being billed for "left turn lane capture" when the service was not being provided. There were also other equipment malfunction issues under dispute. As a result of those disputes and ongoing negotiations, the City has not paid an ATS invoice since February, 2014.

This Amendment reduces the monthly billing to exclude the left turn lanes at all six intersections under contract. It also provides for a settlement of disputed charges and time frames for payment of the outstanding balances by the City as well as credits to the City from ATS which were negotiated as part of this settlement, which includes credits for disputed amounts already paid to ATS.

A full explanation is provided under Terms and Conditions of this Amendment.

RECOMMENDED ACTION:

Adopt a resolution authorizing execution of the Third Amendment to the Professional Services Agreement between American Traffic Solutions (ATS) and City of Palatka dated 11/16/09 for services related to Palatka's Red Light Camera Program.

ATTACHMENTS:

Description	Type
▢ Resolution	Resolution
▢ ATS Contract Amendment #3	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Driggers, Betsy	Approved	11/5/2015 - 12:14 PM
City Clerk	Driggers, Betsy	Approved	11/5/2015 - 12:15 PM
City Manager	Suggs, Terry	Approved	11/5/2015 - 3:54 PM

Finance
City Clerk

Reynolds, Matt
Driggers, Betsy

Approved
Approved

11/5/2015 - 5:36 PM
11/6/2015 - 9:29 AM

RESOLUTION NO. 2015-11-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE EXECUTION OF THE THIRD AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH AMERICAN TRAFFIC SOLUTIONS, INC. (ATS), ORIGINALLY ENTERED INTO ON NOVEMBER 16, 2009

WHEREAS, on November 16, 2009, the City of Palatka and American Traffic Solutions, Inc. (ATS) entered into a Professional Services Agreement for Red Light Camera services, which was subsequently revised one time on February 9, 2012 and again on June 27, 2013; and

WHEREAS, the City of Palatka and ATS mutually desire to amend certain Terms and Conditions of the Agreement to amend Schedule 1 of the Agreement to reduce the pricing on all six camera systems in place to 1 – 2 lane monthly pricing, to no longer require the capture of left-hand turn violations; and

WHEREAS, the City of Palatka and ATS mutually desire to settle certain billing disputes that have arisen over the number of lanes captured to resolve billing disputes arising prior to December 31, 2014 to forever settle all outstanding balances and credits between the City of Palatka and ATS through December 31, 2014, as well as to provide for revised invoices and credits due and owing between the parties from January 1, 2015 through September, 2015, as agreed to as a result of good faith negotiations; and

WHEREAS, the Palatka City Commission deems it reasonable and in the best interest of the citizens to amend said Agreement to clarify services provided by ATS and to adjust fees paid to and/or owed to ATS by the City for past services and to provide for payment of those fees.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PALATKA, FLORIDA, that:

Section 1: Incorporation of Recitals. The recitals set forth above are adopted by the Commission as the findings of the City and are incorporated herein.

Section 2: Acceptance of terms and conditions. The City of Palatka hereby agrees to the terms and conditions as outlined in the Third Amendment to the Professional Services Agreement dated 11/16/09, which will become effective immediately upon the last date of execution by the parties, a copy of which is attached hereto as Exhibit “A” and incorporated herein; and

Section 3: Execution authorized. The City Manager is hereby authorized to execute the second amendment to the Professional Services Agreement with ATS and to carry out all of the provisions of the Amendment and Agreement contained therein;

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida this 12th day of November, 2015.

CITY OF PALATKA

By: Its MAYOR

ATTEST:

CITY CLERK

**APPROVED AS TO FORM
AND CORRECTNESS:**

CITY ATTORNEY

**THIRD AMENDMENT
TO PROFESSIONAL SERVICES AGREEMENT**

This Third Amendment (this "Amendment") is dated effective this _____ day of _____, 2015 and is entered into between American Traffic Solutions, Inc. ("ATS"), a Kansas corporation and the City of Palatka, Florida ("Customer"), a municipal corporation of the State of Florida.

RECITALS

WHEREAS, on November 16, 2009, Customer and ATS entered into a Professional Services Agreement, which was amended on or about February 9, 2012 and July 1, 2013 (the "Agreement"); and

WHEREAS, Customer and ATS mutually desire to amend certain terms and conditions of the Agreement to modify the term, clarify certain services provided, adjust the fees paid for services and adjust the fees owed to ATS by City for past services and to set a date certain said adjusted fees owed ATS shall be paid by City.

TERMS AND CONDITIONS

NOW THEREFORE, Customer and ATS hereby agree as set forth below:

1. After good faith negotiations the parties have mutually agreed the Camera Systems identified as PK02, PK03, PK04, PK05, PK07, PK08 shall no longer be required to capture Left-hand turn violations and the pricing for these Camera Systems shall be reduced to the 1-2 lane monthly pricing per Camera System of \$3,750 pursuant to Schedule 1 of the Agreement. All other fees in Schedule 1 of the Agreement shall remain unchanged.
2. Within 30 days after the effective date of this Amendment, the Customer shall pay ATS the outstanding balance amount of \$260,710.94 less a \$50,000 credit resulting in an actual payment made by Customer to ATS in the amount of \$210,710.94 and said payment shall forever settle all outstanding balances and credits between Customer and ATS through December 31, 2014.
3. Within 30 days after the effective date of this Amendment, pursuant to the good faith negotiations between the parties that began in January 2015, ATS shall provide the City a credit of \$12,000 in total for the January and February 2015 invoices and the City shall pay ATS the total of \$42,444 to settle the January and February 2015 invoices, and such payment shall be paid within 30 days after the effective date of this Amendment.
4. Within 30 days after the effective date of this Amendment the City shall pay ATS for the March through September 2015 invoices in total as revised by ATS to ensure the invoices reflect the pricing per Camera System per month as provided in section 1. of this Amendment, which the parties agrees is a total amount of \$160,316.31.
5. The provisions of the Agreement, as amended by this Amendment, including the recitals, comprise all of the terms, conditions, agreements, and representations of the parties with respect to the subject matter hereof. Except as expressly amended or modified by the terms of this Amendment, all terms of the Agreement shall remain in full force and effect. In the event of a conflict between the terms of this Amendment and the Agreement, the terms of this Amendment shall prevail and control.
6. This Amendment may be executed in one or more counterparts, each of which shall constitute an original, but all of which taken together shall constitute one and the same instrument. Each party represents and warrants that the representative signing this Amendment on its behalf has all right and authority to bind and commit that party to the terms and conditions of this Amendment.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this Amendment.

AMERICAN TRAFFIC SOLUTIONS, INC.

CITY OF PALATKA

Signature: _____

Signature: _____

Name/Title: _____

Name/Title: _____

Date: _____

Date: _____



CITY COMMISSION AGENDA ITEM

SUBJECT:

RESOLUTION adopting and creating policy, direction procedure and criteria relating to the City of Palatka Fire Service Protection Administrative Hardship Deferment - Adopt

SUMMARY:

Pursuant to City of Palatka Ordinance No. 15-14, Sections 166.021 and 166.041, the City's Assessment Coordinator may grant a "hardship deferment" which will provide a payment deferral on specific tax parcels. The owner of the tax parcel can submit an application for deferral and, if granted, will be required to execute a binding agreement with the City encumbering the tax parcel, which will be recorded. Estimated interest on the deferral will be compounded annually.

The resolution before the Commission adopts the policy, form of application and criteria. Also following the resolution are the Form of Agreement, which is to be signed & witnessed by the parcel owner and recorded as a lien against the property, as well as the Form of Notice of Release, to be recorded by the City upon satisfaction of the Agreement.

RECOMMENDED ACTION:

Adopt the resolution adopting and creating policy, direction, procedure and criteria relating to the City of Palatka Fire Service Protection (Assessment) Administrative Hardship Deferment.

ATTACHMENTS:

Description	Type
▢ Resolution with Exhibits	Resolution
▢ Form of Application	Exhibit
▢ Form of Deferment Agreement	Exhibit
▢ Form - Notice of Release	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Driggers, Betsy	Approved	11/5/2015 - 4:26 PM
City Clerk	Driggers, Betsy	Approved	11/5/2015 - 4:27 PM
City Manager	Suggs, Terry	Approved	11/6/2015 - 8:10 AM
Finance	Reynolds, Matt	Approved	11/6/2015 - 9:46 AM
City Clerk	Driggers, Betsy	Approved	11/6/2015 - 2:44 PM

RESOLUTION NO. 2015-11-

A RESOLUTION OF THE CITY COMMISSION OF PALATKA, FLORIDA, RELATING TO THE ADMINISTRATIVE HARDSHIP DEFERMENT ASSOCIATED WITH FIRE SERVICE PROTECTION ASSESSMENTS; PROVIDING FOR ASSOCIATED POLICY DIRECTION; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PALATKA, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. This Resolution of the City of Palatka, Florida (the "City"), is adopted pursuant to Ordinance No. 15-14 (the "Assessment Ordinance"), Sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 2. DEFINITIONS. All capitalized words and terms not otherwise defined herein shall have the meaning set forth in the Assessment Ordinance, unless the context hereof otherwise requires.

SECTION 3. INTERPRETATION. Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms "hereof," "hereby," "herein," "hereto," "hereunder" and similar terms refer to this Resolution; and the term "hereafter" means after, and the term "heretofore" means before, the effective date of this Resolution. Words of any gender include the correlative words of the other gender, unless the sense indicates otherwise.

SECTION 4. HARDSHIP DEFERRMENT DIRECTION.

(A) As provided in Section 2.04 of the Ordinance, upon application of the owner of a Tax Parcel subject to the Fire Service Assessment, the City Manager, or his designee acting as the Assessment Coordinator may grant a hardship deferment, in

which case the Tax Parcel in question will receive a deferral. The owner shall be required to execute a binding agreement encumbering the Tax Parcel and otherwise assure the City that payment in full of the Assessment and any recording cost, plus interest at an estimated cost of City funds compounded annually, shall be due over a period of time or upon sale or transfer of the property. Such agreement or a memorandum thereof shall be recorded in the Official Records of Putnam County, Florida. Dependent upon the volume or demand for such deferment, the City Commission may determine to release such deferments in the future. However, all funding for such hardship deferment, or the consequences of the deferment or any future release, shall be from legally available funds other than direct proceeds of other Assessments. The Assessment Coordinator is authorized to use sound public administration judgment in applying this authority and considering such applications.

(B) The policy and form of application appended hereto shall be used by the Assessment Coordinator in implementing this direction. The Assessment Coordinator is authorized to administratively make and include modifications to efficiently and fairly achieve the policy direction of the City Commission, and further is to periodically report to the City Commission about the process, implementation and use of this means to address circumstances of various less fortunate property owners. Such information shall be shared in a tactful and respectful manner that works to protect the privacy of affected owners within in the law.

(C) This provision serves to promote a public purpose and the general welfare, morals and contentment of the inhabitants and residents of the City.

SECTION 5. AUTHORIZATIONS. The Mayor, the City Attorney, the City Manager, the Clerk, the Fire Chief and the Finance Director and such other officials, employees or agents of the City as may be designated by the City Commission are authorized and empowered, collectively or individually, to take all action and steps

and to execute all instruments, documents, and contracts on behalf of the City that are necessary or desirable in connection with this Resolution, and which are specifically authorized or are not inconsistent with the terms and provisions of this Resolution.

SECTION 6. SEVERABILITY. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED by the City of Palatka City Commission on this 12th day of November, 2015.

PALATKA CITY COMMISSION

By: _____
Terrill L. Hill, its Mayor

ATTEST:

Betsy J. Driggers, City Clerk

**APPROVED AS TO
CORRECTNESS AND FORM:**

By: _____
Donald E. Holmes, City Attorney

COMPOSITE APPENDIX A

HARDSHIP DEFERRMENT; POLICY; AND APPLICATION (FORM)

SECTION 2.14 OF THE ORDINANCE PROVIDES AS FOLLOWS:

ADMINISTRATIVE HARDSHIP DEFERMENT.

(A) Annually upon application of the Owner of a Tax Parcel subject to the Assessments contemplated herein, the Assessment Coordinator may grant a hardship deferment, in which case the Tax Parcel in question will receive a deferral. The owner shall be required to execute a binding agreement encumbering the Tax Parcel and otherwise assure the City that payment in full of the Assessment and any recording cost, plus interest at an estimated cost of City funds compounded annually, shall be due over a period of time or upon sale or transfer of the property. Such agreement or a memorandum thereof shall be recorded in the Official Records of Putnam County, Florida. Dependent upon the volume or demand for such deferment, the City Commission may determine to release such deferments in the future. However, all funding for such hardship deferment, or the consequences of the deferment or any future release, shall be from legally available funds other than direct proceeds of other Assessments. The Assessment Coordinator is authorized to use sound public administration judgment in applying this authority and considering such applications.

(B) This provision serves to promote a public purpose and the general welfare, morals and contentment of the inhabitants and residents of the City.

FORM OF APPLICATION FOR HARDSHIP DEFERRAL

Name of Applicant: _____ Social Security Number: ____-____-_____

Name of Co-Owner: _____ Social Security Number: ____-____-_____

E-mail Address: _____ Telephone Number: _____

Address of Property for Which Deferral is Sought: _____

Tax Parcel ID No. of Property: _____

Number of Dependents: ____ Annual Income of Applicant: \$ _____

Total Annual Income of Others in Household: \$ _____

Total Balance of All Bank Accounts: \$ _____

Vehicles Owned by Members of Applicant's Household:

Make	Model	Year	Value

Brief Explanation of Catastrophic Situation Creating Temporary Financial Hardship:

SEE POLICY ATTACHED FOR REQUIRED DOCUMENTATION TO BE ATTACHED TO AND SUBMITTED WITH THIS APPLICATION.

By signing and submitting this application, I certify that the above information is true and correct, that the property listed above is owned by me or jointly by me and other members of my household, that I am current on all property taxes and all other payments due to Putnam County, the City of Palatka, or any other public entity associated with the property, and that I am current on all mortgage payments or any other payments secured by the property.

Signature of Applicant

Signature of Co-Owner

HARDSHIP POLICY FOR THE CITY OF PALATKA

City of Palatka Ordinance No. 2015-14 , the Fire Assessment Ordinance, imposes certain restrictions on the granting of hardship deferrals. It does not allow complete forgiveness of assessments without further City Commission action. The Assessment Coordinator has decision-making authority. A hardship deferral must be requested annually by the owner of the tax parcel assessed; it requires the execution of a recorded agreement encumbering the parcel and requiring payment of the assessment, recording costs, and annually compounded interest upon sale of the property (or over a period of time). The Assessment Coordinator is commanded to “use sound public administration judgment” in determining whether or not to grant a deferral.

POLICY CRITERIA, REQUIREMENTS & CHECKLIST:

1. Demonstrated annual household income below 150% of poverty level for family size
2. Property is owned by an individual, not a business or other legal entity
3. Current on property taxes and any other payments due any governmental entity
4. Current on mortgage or other payments to private entities secured by the parcel
5. Total available bank account balances of less than \$2,500 (savings, checking, money market)
6. Net value of any vehicles owned by members of the applicant’s household is less than \$5,000
7. Documented catastrophic situation resulting in a temporary, sudden and non-recurring financial duress (i.e. medical bills resulting from emergency treatment, funeral expenses of resident of household, loss of employment within last six months).

The applicant shall provide

1. A completed application form,
2. A copy of the applicant’s most recent federal income tax return,
3. A current pay stub (if applicable),
4. Any documents necessary to establish satisfaction of outstanding encumbrances on the property,
5. Current bank statements from all bank accounts held by the applicant or members of the applicant’s household,
6. Documentation of registration of any vehicles owned by the applicant or members of the applicant’s household, and

7. Any documentation necessary to authenticate the applicant's catastrophic financial situation (such as medical bills).

Per State Statute, all document submitted shall be subject to public records law and are subject to release in the event of a public records request.

DEFERRAL PROCESS:

1. Applicant contacts Assessment Coordinator and obtains an Application Form
2. Applicant completes form and submits the form, with attached documentation, to the Assessment Coordinator
3. Assessment Coordinator asks for additional documentation, if necessary, and schedules meeting with applicant, if necessary
4. Assessment Coordinator informs Applicant of decision in writing
5. If approved, Applicant executes form deferral agreement
6. Assessment Coordinator records deferral agreement

WEBSITE/PUBLIC INFORMATION:

"Some citizen and property owners may suffer extreme hardship in making this payment. The City Commission has not budgeted for forgiveness of any assessments. However, the City Commission has provided for deferral in rare situations. The City of Palatka provides a process by which property owners who are facing severe financial hardship due to circumstances beyond their control may apply to the City for a hardship deferment of their annual fire protection assessment. These applications will be reviewed by the Assessment Coordinator, and a final decision will be made on each application. Please note that the City will only defer, not cancel, annual assessments for property owners facing hardships. The property owner will be responsible for ensuring that the assessment, along with costs to record the deferral and interest on the assessment amount, is repaid in a timely fashion or when the property is sold.

Individuals may qualify for deferral if their annual income meets certain criteria, they demonstrate a lack of available assets to satisfy the assessment, and they are able to demonstrate a catastrophic situation that has resulted in temporary economic hardship. If you believe that you may qualify because you are facing a temporary financial hardship, please contact the Assessment Coordinator for more information."

CITY OF PALATKA, FLORIDA

APPLICATION FOR HARDSHIP DEFERRAL OF FIRE PROTECTION SERVICES ASSESSMENT

Name of Applicant: _____ Social Security Number: ____-____-_____

Name of Co-Owner: _____ Social Security Number: ____-____-_____

E-mail Address: _____ Telephone Number: _____

Address of Property for Which Deferral is Sought: _____

Tax Parcel ID No. of Property: _____

Number of Dependents: ____ Annual Income of Applicant: \$ _____

Total Annual Income of Others in Household: \$ _____

Total Balance of All Bank Accounts: \$ _____

Vehicles Owned by Members of Applicant's Household:

Make	Model	Year	Value

Brief Explanation of Catastrophic Situation Creating Temporary Financial Hardship:

SEE POLICY ATTACHED FOR REQUIRED DOCUMENTATION TO BE ATTACHED TO AND SUBMITTED WITH THIS APPLICATION.

By signing and submitting this application, I certify that the above information is true and correct, that the property listed above is owned by me or jointly by me and other members of my household, that I am current on all property taxes and all other payments due to Putnam County, the City of Palatka, or any other public entity associated with the property, and that I am current on all mortgage payments or any other payments secured by the property.

Signature of Applicant

Signature of Co-Owner

This instrument prepared by and after recording return to: Matthew Reynolds, Finance Director City of Palatka 201 N. 2nd Street Palatka FL 32177

----- (Space above this line for recording data) -----

AGREEMENT

THIS AGREEMENT, made by the person(s) or entity(ies) collectively described in this Agreement as the "Owner" and on the execution page hereof, and the CITY OF PALATKA ("City").

WITNESSETH:

Owner has applied for and City, by its duly authorized official, has provided a deferment of payment of the now due Fire Service Assessment in a manner provided by ordinance. This Agreement confirms and documents the deferment.

NOW, THEREFORE, in consideration of the premises, the mutual benefits to be derived from this Agreement, and for \$10 and other good and valuable consideration, receipt of which is hereby acknowledged, the parties hereby mutually agree as follows:

SECTION 1. Recitals. The above recitals are true and correct and are incorporated herein by reference.

SECTION 2. Property. The property subject to this Agreement is described as follows:

- (A) Recording information of most current deed or instrument of title:
- (B) Street address:
- (C) Property identification number (must match with that of Fire Service Assessment):
- (D) Legal description:

With all of the foregoing describing the Tax Parcel subject to the Fire Service Assessment (the "Property").

SECTION 3. Amount; Terms and Agreement to Pay.

(A) Owner has applied to defer payment. Owner understands that this is not a forgiveness of payment of the now due and unpaid Fire Service Assessment. This is a binding agreement evidencing that the Property is encumbered by a municipal lien, given to assure the City that payment in full of the Fire Service Assessment and any recording cost, plus interest at a rate of ___% (estimated cost of City funds) compounded annually which by accommodation is and shall be due over a period of time or upon sale or transfer of the property. This Agreement will be recorded in the Official Records of Putnam County, Florida, to provide for constructive notice.

(B) This Agreement documents the agreed upon extended and deferral of payment of the Fire Service Assessment and such associated costs and interest due from the due date of the Fire Service Assessment until paid in full. The lien or nature of the lien of the Fire Service Assessment upon the Property is not altered.

(C) Amount due and owing: \$ _____. The foregoing amount shall accrue interest on the balance from time to time remaining unpaid. Said principal and interest shall be payable in lawful money of the United States of America until paid in full.

(D) The undersigned waives presentment, demand for payment, protests associated with notice of non-payment, notice of dishonor and diligence in collection, or any other defense or counterclaim to non-payment of every kind or nature. Time is of the essence.

(E) Owner agrees to pay all costs, including reasonable attorney's fees, whether suit is brought or not, at local and appellate levels if suit is instituted; including if counsel shall be employed to enforce or collect the amounts due or protect the lien or priority thereof.

(F) All amounts due hereunder shall be due and payable in full upon the demise of the Owner, or transfer or sale of the Property for other than nominal consideration. Nominal consideration shall mean a transfer only requiring minimum documentary stamp taxes.

SECTION 4. Owner Representations and Acknowledgments. By execution hereof, the Owner represents, warrants, acknowledges, consents and declares under penalty of perjury as follows:

(A) The Owner has read this Agreement, understands that this is a legally binding agreement enforceable against the Owner, the Property, and the successors of the Owner; and, if not understood that the Owner can and should seek the advice of an attorney before signing this Agreement. This Agreement shall not be interpreted either in favor of or against either party as a result of its drafting or preparation.

(B) Owner is the record owner of the Property and the person(s) executing this Agreement are duly authorized to do so.

(C) The Owner has requested and hereby requests and consents to the payment deferral, extension and conditions associated with this Agreement, together with the terms of this Agreement.

(D) The lien of the Fire Service Assessment is superior and paramount to the interest in the Property of any owner, lessee, tenant, mortgagee, or other person except the lien of state, county, and municipal taxes, and other non-ad valorem assessments and shall be on parity with the lien of all such ad valorem property taxes and non-ad valorem assessments.

(E) This Agreement runs with, touches and concerns the Property and is binding on the Property and the Owner and all successors in interest. Owner acknowledges and covenants that the amounts due directly benefit the Property and represent a fair and reasonable apportionment of the benefits and costs to make available fire protection to the Property. Owner agrees and covenants to promptly disclose and deliver a copy of this obligation to all tenants, successors, mortgagees or other persons taking title by or who could take title by, through or under Owner.

(F) The Owner shall execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, from time to time such supplements hereto and such further instruments, corrective or otherwise, as may reasonably be required to carry out the intention of this Agreement.

SECTION 6. Governing Law; Non-Jury Trial. The exclusive venue of any legal or equitable action that arises out of or relates to this Agreement shall lie in State Court in Putnam County, Florida. IN ANY ACTION, FLORIDA LAW SHALL APPLY AND THE PARTIES WAIVE ANY RIGHT TO JURY TRIAL.

SECTION 7. Entire Agreement; Amendment. This Agreement is the entire agreement between the parties relating to this administrative deferment of the Fire Service Assessment. Any other agreement related to this Agreement and any amendments to this Agreement, must be signed in writing by the parties, or their respective successors.

PLEASE CONTACT THE CITY OF PALATKA FOR PAY OFF INQUIRIES: 386-329-0100

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, Owner has reviewed for accuracy the information above describing the Property, the Property's tax identification number and agrees upon the amount due and owing, and the terms hereof, and does hereby execute this Agreement.

Signed, sealed and delivered
In our presence:

OWNER:
(Name of Property Owner as shown on Tax Records)

Witness #1

By: _____
(printed name)

(Witness #1 printed name)

Witness #2

(Witness #2 printed name)

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me on this ____ day of _____
20__ by _____ as _____ of _____.
He/She is personally known to me or has produced a driver's license as identification.

(Notary Seal)

Signature of Notary Public

Name of Notary Typed, Printed or Stamped

IN WITNESS WHEREOF, the City of Palatka has executed this Agreement by its duly authorized officer.

ATTEST:

CITY OF PALATKA

City Clerk
(Seal)

City Manager

STATE OF FLORIDA
COUNTY OF PUTNAM

The foregoing instrument was acknowledged before me on ____ day of _____ 20__
by _____, as City Manager of the City of Palatka, Florida. He/She [] is personally
known to me, or [] has produced a driver's license as identification.

(Notary Seal)

Signature of Notary Public

Name of Notary Typed, Printed or Stamped

This instrument prepared by and after recording return to: Matthew Reynolds, Finance Director 201 N. 2nd Street Palatka FL 32177

----- (Space above this line for recording data) -----

NOTICE OF RELEASE

WHEREAS the City of Palatka (hereinafter referred to as the "City") has entered into one or more agreements to defer payment of Fire Service Assessments (the "Agreement(s)") singularly and collectively for the purpose of this Notice of Release, as follows:

1. That certain Agreement with [exact name of person/entity shown on recorded agreement] (the "Owner"), recorded in Official Record Book [insert], at Page [insert], in the Public Records of [insert] County, Florida.

[2. You can do several with one release to save on recording.]

NOW, THEREFORE, the City, on its own initiative or for valuable consideration received at the time of execution hereof, the receipt of which is hereby acknowledged, does remise, quit-claim, exonerate and discharge from the lien and operation of the associated fire service non-ad valorem assessment evidenced by the Agreement(s) shown hereon and any statutory, perfected or other claim of the City resulting therefrom, all the property described in the Agreement(s); and hereby confirms settlement, exoneration and/or payment in full of each such non-ad valorem assessment referred to in each of the Agreement(s) specifically referenced above.

IN WITNESS WHEREOF, the City by and through its duly authorized officers and officials have executed this Notice of Release this ___ day of _____ 20__.

ATTEST:

CITY OF PALATKA, FLORIDA

CITY CLERK

(Seal)

By: _____
Name: _____
Title: _____

Date _____, 20__

STATE OF FLORIDA
COUNTY OF PUTNAM

The foregoing Release was acknowledged before me this ___ day of _____ 20__ by _____ and _____ as _____ and _____ of the City of Palatka, Florida as the duly authorized officers and officials for and on behalf of the City. They [] are personally known to me, or [] have produced _____ as identification.

(Notary Seal)

Signature of Notary Public

Name of Notary Typed, Printed or Stamped

Date: _____, 20__



CITY COMMISSION AGENDA ITEM

SUBJECT:

PUBLIC HEARING - 521 S. 13th St.- Planning Board Recommendation to amend the Comprehensive Plan Future Land Use Map (FLUM) designation from RL (Residential Low) to PB (Public Buildings & Grounds) and rezone from R-1A (Residential, Single-Family) to PBG-1 (Public Buildings & Grounds) - City of Palatka, owners

***a. FUTURE LAND USE MAP AMENDMENT ORDINANCE-** Adopt

***b. REZONING ORDINANCE –** 2nd Reading, Adopt

SUMMARY:

This is the adoption of ordinances amending the Future Land Use Map for and also rezoning the property. The Applicant is the property owner, City of Palatka, which is processing this in cooperation with the proposed lessee, the Heart of Putnam Food Pantry. The Pantry intends to establish a food pantry that formerly operated in the 800 block of Reid St. Planning Board and Staff are also recommending changing the Zoning Code to allow food pantries by conditional use permit in the PBG-1 zoning district. The conditional use is scheduled for consideration by the Planning Board at their November 3, 2015 meeting.

RECOMMENDED ACTION:

Adopt ordinances assigning the PB Future Land Use Map designation to the property, and rezoning property to PBG-1 (Public Buildings & Grounds).

ATTACHMENTS:

Description	Type
▢ Future Land Use Map Amendment Ordinance	Backup Material
▢ Rezoning Ordinance	Backup Material
▢ Planning Board Minutes Excerpt	Backup Material
▢ Staff Report	Backup Material
▢ PowerPoint Presentation	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Crowe, Thad	Approved	10/30/2015 - 4:06 PM
City Clerk	Driggers, Betsy	Approved	11/2/2015 - 11:11 AM
City Manager	Suggs, Terry	Approved	11/5/2015 - 10:29 AM
Finance	Reynolds, Matt	Approved	11/5/2015 - 5:34 PM

City Clerk

Driggers, Betsy

Approved

11/6/2015 - 9:26 AM

This instrument prepared by:
Thad Crowe, AICP
201 North 2nd Street
Palatka, Florida 32177

ORDINANCE NO. 15 -

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE FUTURE LAND USE MAP OF THE ADOPTED COMPREHENSIVE PLAN BE AMENDED WITH RESPECT TO THE FOLLOWING PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE): FROM RL (RESIDENTIAL LOW) TO PB (PUBLIC BUILDINGS AND GROUNDS) FOR 521 SOUTH 13TH STREET, LOCATED IN SECTION 42, TOWNSHIP 10 SOUTH, RANGE 27 EAST, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, application has been made by the City of Palatka Building and Zoning Department on behalf of the following owner of said property: City of Palatka, for certain amendment to the Comprehensive Plan Future Land Use Map of the City of Palatka, Florida, and

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

WHEREAS, Section 163.3187(1)(b), Florida Statutes, as amended, provides that a local government may amend its adopted comprehensive plan to change the land uses of up to 120 acres by small scale amendments annually, and

WHEREAS, Section 163.3187(2), Florida Statutes, as amended, provides that small scale development amendments require only one public hearing before the governing board, which shall be an adoption hearing, and

WHEREAS, the Planning Board conducted a public hearing on October 6, 2015 and recommended approval of this amendment to the City Commission, and

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 Map of the adopted Comprehensive Plan of the City of Palatka is hereby amended to provide that the Future Land Use 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.

**TABLE 1
ADOPTED SMALL SCALE AMENDMENT**

<u>Property Tax Number</u>	<u>Acreage</u>	<u>Current Future Land Use</u>	<u>Amended Future Land Use</u>
42-10-27-6850-2110-0011	1.2	RL (Residential Low)	PB (Public Buildings & Grounds)
DESCRIPTION OF PROPERTY:	DICKS MAP OF PALATKA MB2 P46 BLK 211 LYING N OF SR 20 (THE VILLAGE N/K/A COOPER COMMUNITY CENTER) (Being 521 South 13 th Street)		

Section 2. 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 3. 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 4. 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 12th day of November, 2015.

CITY OF PALATKA

By: _____
Its Mayor

ATTEST:

City Clerk

This instrument prepared by:
Thad Crowe, AICP
201 North 2nd Street
Palatka, Florida 32177

ORDINANCE NO. 15 -

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED FROM R-1A (SINGLE-FAMILY RESIDENTIAL) TO PBG-1 (PUBLIC BUILDINGS AND GROUNDS) FOR THE FOLLOWING PROPERTY: 521 SOUTH 13TH STREET (SECTION 42, TOWNSHIP 10 SOUTH, RANGE 27 EAST); PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, application has been made by the City of Palatka Building and Zoning Department on behalf of the following owner of said property: City of Palatka, for certain amendment to the Official Zoning Map of the City of Palatka, Florida, and

WHEREAS, all the necessary procedural steps have been accomplished, including public hearings before the Planning Board of the City of Palatka on October 6, and two public hearings before the City Commission of the City of Palatka on October 22, 2015 and November 12, 2015, and

WHEREAS, the City Commission of the City of Palatka has determined that said amendment should be adopted.

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

Section 1. The Official Zoning Map of the City of Palatka, Florida is hereby amended by rezoning the hereinafter described properties from their present Putnam County zoning classification to City zoning classification as noted above.

DESCRIPTION OF PROPERTIES:

DICKS MAP OF PALATKA MB2 P46 BLK 211 LYING N OF SR 20 (THE VILLAGE N/K/A COOPER COMMUNITY CENTER) (Being 521 South 13th Street)/ tax parcel # 42-10-27-6850-2110-0011)

Section 2. To the extent of any conflict between the terms of

this ordinance and the terms of any ordinance previously passed or adopted, the terms of this ordinance shall supersede and prevail.

Section 3. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 12th day of November, 2015.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

City Clerk

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.

521 S. 13th St.

Request to Amend Future Land Use Map and Rezone

Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: September 29, 2015

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

To amend FLUM, and rezone the property below from residential to public use. Public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet). City departments had no objections to the proposed actions.



Figure 1: Site and Vicinity Map (property outlined in red)

APPLICATION BACKGROUND

The property under consideration currently has residential zoning and land use designations, despite its public ownership (City) and institutional function (the building is occupied by the Bridge Club, Chess Club, and American Red Cross, each of which has a lease with the City). The Red Cross proposes to transfer its lease to the Heart of Putnam Food Pantry, which will propose to utilize the Red Cross’s part of the building for non-perishable food disbursement to the needy. The Pantry was recently forced to move from its location on 820 Reid St. as its lease was not renewed at that location. The property and its current and proposed FLUM and zoning classifications are shown below.

Table 1: Current and Proposed Future Land Use Map and Zoning designations

Future Land Use Map Category		Zoning	
Current	Proposed	Current	Proposed
RL (Residential, Low)	PB (Public Buildings & Grounds)	R-1A (Residential Single-Family)	PBG-1 (Public Buildings & Grounds)

Staff is presenting these applications as an administrative action as it is the property owner, and a public FLUM and zoning designation are appropriate for the property. A companion amendment would add a food pantry use as a conditional use in the PBG-1 zoning district, and the Applicant is applying for conditional use approval to be heard at the November Planning Board meeting. The conditional use would be contingent on final City Commission review and approval of the Zoning Code changes described above.

PROJECT ANALYSIS

Future Land Use Map Amendment Analysis

Criteria for consideration of comprehensive plan amendments under F.S. 163-3187 are shown in italics below (staff comment follows each criterion, and comprehensive plan extracts are underlined).

List Goals, Objectives, and Policies of the Comprehensive Plan that support the proposed amendment.

The proposed amendment is in keeping with the following objective and policies of the Comprehensive Plan, and does not conflict with other plan elements.

Policy A.1.9.3

A. Land Use Districts

5. Public Buildings and Grounds (11 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.

Staff Comment: the property is now in the Residential Low FLUM category, which is mostly limited to single-family uses. The proposed City FLUM category is Public Buildings & Grounds – intended for public, quasi-public, and institutional offices and agencies. Municipal Code Section 94-111(b) allows the PBG-1 zoning category within the PB land use category, which provides Comprehensive Plan category conformance.

As the map to the right shows, the property is in a transitional land use area between the residential Palatka Heights neighborhood and the railroad industrial area southwest of the downtown. The PB FLUM is appropriate as a transitional land use category with an intensity level between that of commercial and residential uses.

Provide analysis of the availability of facilities and services.

Staff Comment: the property is fully served by urban services and infrastructure including water and sewer.

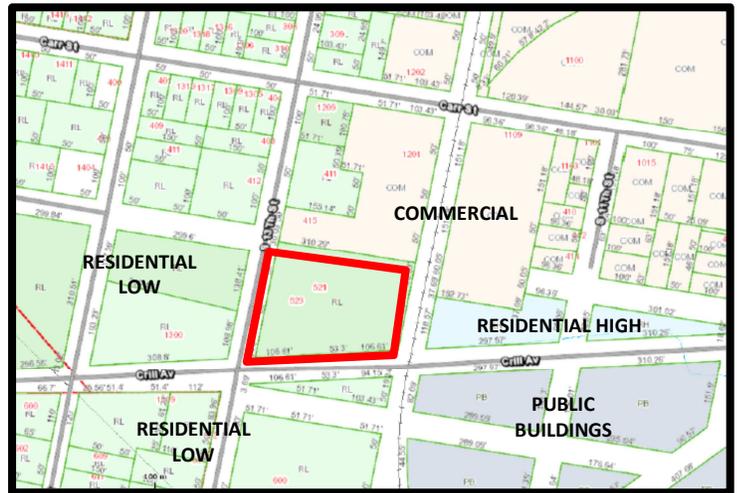


Figure 2: Vicinity Future Land Use Map (FLUM) Designations

Provide analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.

Staff Comment: Staff is not aware of any soil or topography conditions that would present problems for development, or of any natural or historic resources on this developed site.

Provide analysis of the minimum amount of land needed as determined by the local government.

Staff Comment: not applicable, as this is to be determined at the next revision of the overall Comprehensive Plan.

Demonstrate that amendment does not further urban sprawl, as determined through the following tests.

- *Low-intensity, low-density, or single-use development or uses*
- *Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*
- *Radial, strip, isolated, or ribbon development patterns.*
- *Development that fails to adequately protect and conserve natural resources and agricultural activities.*
- *Development that fails to maximize use of existing and future public facilities and services.*
- *Development patterns or timing that will require disproportional increases in cost of time, money and energy in providing facilities and services.*
- *Development that fails to provide a clear separation between rural and urban uses.*
- *Development that discourages or inhibits infill development and redevelopment.*
- *Development that fails to encourage a functional mix of uses.*
- *Development that results in poor accessibility among linked or related land uses.*

Staff Comment: the location of this property within the City's urbanized area ensures that urban services are available. This action does not represent urban sprawl.

Rezoning Analysis

Per Section 94-38 of the Zoning Code, the Planning Board shall study and consider the proposed zoning amendment in relation to the following criteria, which are shown in *italics* (staff comment follows each criterion).

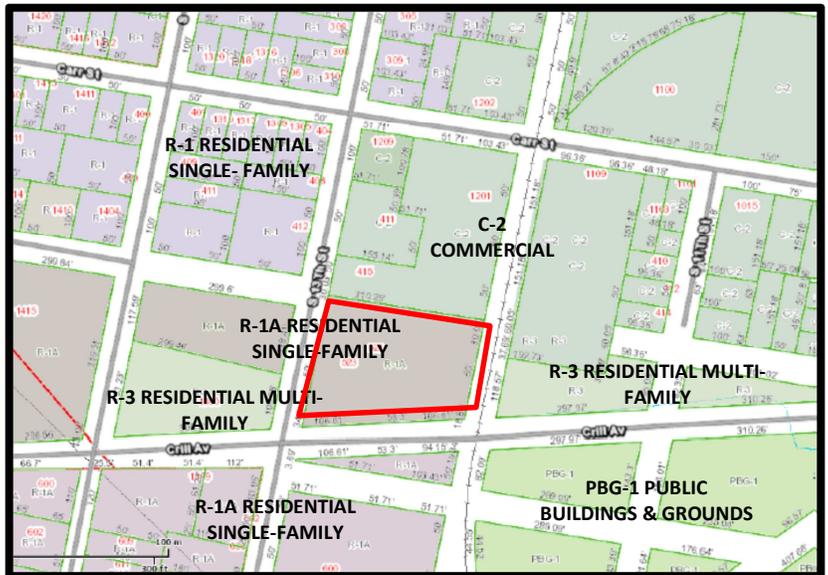
1) When pertaining to the rezoning of land, the report and recommendations of the planning board to the city commission required by subsection (e) of this section shall show that the planning board has studied and considered the proposed change in relation to the following, where applicable:

a. Whether the proposed change is in conformity with the comprehensive plan.

Staff Comment: as previously noted, the application is supported by the Comprehensive Plan.

b. The existing land use pattern.

Staff Comment: this property is in a transitional zoning area between the commercial/industrial uses around the railroad and southwest of downtown and the Palatka Heights neighborhood. The residential land use and zoning is not the best match due to the public and quasi-public uses taking place in the building, similar to the Masonic Hall to the west.



c. Possible creation of an isolated district unrelated to adjacent and nearby districts.

Staff Comment: it is acceptable to have isolated public districts, since such uses can be sprinkled throughout a neighborhood without a great deal of negative impacts. Where it would not be appropriate to “spot-zone” commercial uses into neighborhoods, due to their outsized traffic and other impacts, low-intensity public and quasi-public uses fit better into a neighborhood setting. This property is a good example of that low intensity – the Bridge and Chess Clubs meet on a weekly basis at most, the Red Cross rarely uses the building, and the Pantry proposes to utilize it three half-days a week.

d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

Staff Comment: this existing use would have minimal impacts on public facilities.

e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Staff Comment: see response to c. above.

f. Whether changed or changing conditions make the passage of the proposed amendment necessary.

Staff Comment: not applicable.

g. Whether the proposed change will adversely influence living conditions in the neighborhood.

Staff Comment: the limited impacts of public and quasi-public uses will not adversely affect neighborhood living conditions.

h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

Staff Comment: residential and public traffic impacts are not too dissimilar. A single-family home produces around 20 trips a day, and just as an example of a public use the proposed food pantry according to the Applicant will generate a maximum of around 210 cars per week in a concentrated 14 hour time period, which averages to around 15 per hour and 70 per day. While S. 13th St. does carry some traffic between Crill Ave. & SR 100, most of the cars will be coming from Crill Ave., a state road and major thoroughfare. While the food pantry is being used as an example of a possible public use, it should be noted that this specific use is not under consideration, as that would occur in the form of a separate conditional use application.

i. Whether the proposed change will create a drainage problem.

Staff Comment: not applicable as this is an existing use.

j. Whether the proposed change will seriously reduce light and air to adjacent areas.

Staff Comment: this existing developed site will not reduce light and air to adjacent areas.

k. Whether the proposed change will adversely affect property values in the adjacent area.

Staff Comment: no adverse property values are anticipated since public/quasi-public uses (lodges, churches, public offices, community centers) are commonly found in established residential areas without significant detriment to property values and quality of life. Negative impacts are usually attributable to significantly higher levels of traffic, noise, light, and other impacts than would be found in a residential area, and uses like this are most often subject to conditional use review that provides a more careful and detailed review. This will occur at the November meeting for the proposed food pantry in the form of a conditional use application.

l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

Staff Comment: based on the previous responses, the changes will not negatively affect the development of adjacent properties.

m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

Staff Comment: providing a FLUM and zoning designations to property that matches their public ownership and quasi-public use is not a grant of special privilege.

n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

Staff Comment: the City public land use and zoning are in keeping with the existing use.

o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

Staff Comment: the property and its proposed use will not be out of scale with the neighborhood and City. The site is adjacent to a mini-storage facility, which is an intensive commercial or even industrial use, and other intensive developments are further to the north. Crill Ave. to the south is an arterial roadway. The building is not oriented to the residential area that lies north and west of this property.

p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

Staff Comment: not applicable.

q. The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district.

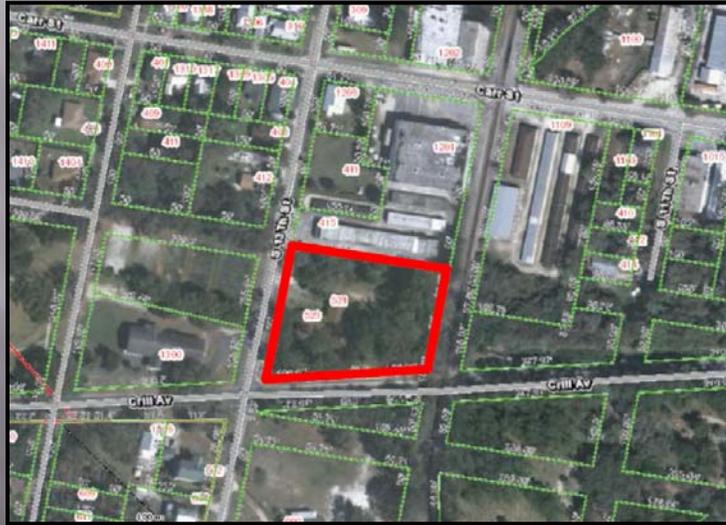
Staff Comment: not applicable.

STAFF RECOMMENDATION

As demonstrated in this report, this application meets applicable future land use amendment and rezoning criteria. Staff recommends approval of the amendment of Future Land Use Map category to PB (Public Buildings & Grounds) and rezoning to PBG-1 (Public Buildings and Grounds) for 521 S. 13th Street.



FLUM AMENDMENT & REZONING 521 S. 13TH ST



FLUM AMENDMENT & REZONING 521 S. 13TH ST FROM CRILL AVE





FLUM AMENDMENT & REZONING 521 S. 13TH ST

FROM S. 13TH ST - TENNIS COURTS TO
LEFT, WAREHOUSES IN BACKGROUND



FLUM AMENDMENT & REZONING 521 S. 13TH ST

- Property now in single-family zoning & land use
- Owned by City
- Leased to American Red Cross, Bridge Club, and Chess Club
- Infrequently used by Red Cross, used generally on a weekly basis by clubs



FLUM AMENDMENT & REZONING 521 S. 13TH ST

- Heart of Putnam Food Pantry (HPFP) proposes to take over Red Cross lease
- HPFP proposes to operate 3 half-days a week, distributing food to clients who mostly drive to the facility, and fewer who walk, use transit, and bicycle to the facility



FLUM AMENDMENT & REZONING 521 S. 13TH ST

- Food pantry use not allowed in single-family zoning district
- Staff and HPFP agree that public zoning suits the property, due to the public ownership, and also the quasi-public activities occurring there (clubs, charitable assistance)



FLUM AMENDMENT & REZONING 521 S. 13TH ST

CRITERIA - COMPREHENSIVE PLAN

- Does not conflict with Comp Plan



FLUM AMENDMENT & REZONING 521 S. 13TH ST

CRITERIA - EXISTING LAND USE PATTERN

- Transitional zoning area between commercial/industrial area southwest of downtown and Palatka Heights residential neighborhood.
- PBG-1 zoning is better fit for existing & proposed uses, as well as recognizing public ownership
- PBG-1 zoning allows a wider array of public and quasi-public uses, including charitable uses like the proposed pantry



FLUM AMENDMENT & REZONING 521 S. 13TH ST

CRITERIA - ISOLATED DISTRICT?

- PBG-1 zoning to the southeast (West View Cemetery), therefore not isolated



FLUM AMENDMENT & REZONING 521 S. 13TH ST

CRITERIA - IMPACTS

- Impacts of public & quasi-public usually minimal, due to less frequent & intense use
- Lower impacts will not negatively affect property values



FLUM AMENDMENT & REZONING 521 S. 13TH ST

CRITERIA - OUT-OF-SCALE?

- Less intensity than neighboring warehouse facilities



FLUM AMENDMENT & REZONING 521 S. 13TH ST

CRITERIA - OUT-OF-SCALE?

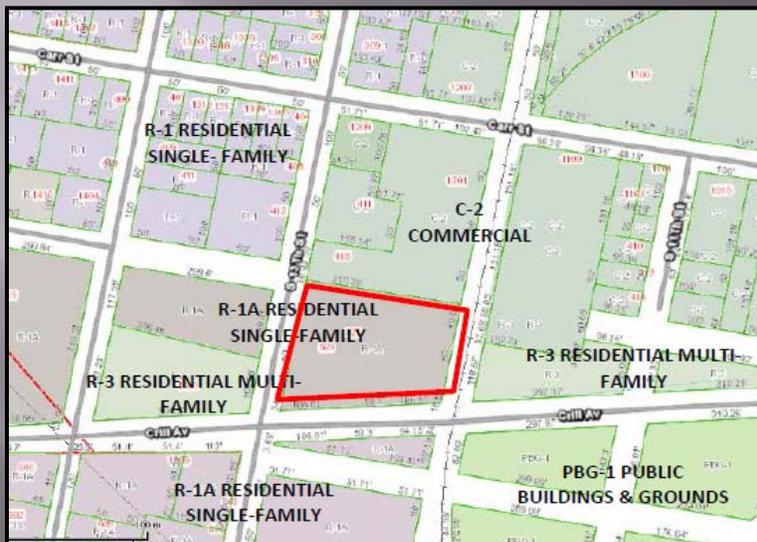
- Less intensity than neighboring warehouse facilities



FLUM AMENDMENT & REZONING 521 S. 13TH ST FLUM



FLUM AMENDMENT & REZONING 521 S. 13TH ST ZONING





FLUM AMENDMENT & REZONING 521 S. 13TH ST

Recommend approval of:

1. FLUM Amendment from RL (Residential, Low) to PB (Public Buildings & Grounds)
2. Rezoning from R-1A (Single-Family Residential) to PBG-1 (Public Buildings & Grounds)



CITY COMMISSION AGENDA ITEM

SUBJECT:

ORDINANCE - Planning Board Recommendation to amend Zoning Code Section 94-2, 94-149, and 94-153, 94-161, 94-162, and 94-207 to define food trucks, allow such uses in C-2 (Intensive Commercial), DB (Downtown Business), DR (Downtown Riverfront), and PBG-1 (Public Buildings and Grounds) zoning districts, and establish supplementary zoning standards for such uses - 2nd Reading, Adopt

SUMMARY:

This is second reading of an ordinance that will amend the Zoning Code to allow for food trucks. These uses are wheeled vehicles or trailers that serve eclectic and fresh food and have become popular in towns and cities across the nation. This ordinance would allow such uses with an eye toward reducing direct competition with bricks-and-mortar restaurant, and finding appropriate and successful locations for food truck operation. Other standards address waste disposal and hygiene concerns, among others. The Planning Board recommended approval of this amendment at their October 6th meeting in a 5-0 vote.

This ordinance was passed on first reading on October 22nd.

RECOMMENDED ACTION:

Adopt on second reading an ordinance defining food trucks and allowing them in the C-2, DB, DR, and PBG-1 zoning districts under specific supplementary zoning standards.

ATTACHMENTS:

Description	Type
▢ Zoning Code Text Amendment Ordinance	Ordinance
▢ Planning Board Minutes	Backup Material
▢ Staff Report	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Driggers, Betsy	Approved	10/29/2015 - 10:36 AM
City Clerk	Driggers, Betsy	Approved	10/29/2015 - 10:36 AM
City Manager	Suggs, Terry	Approved	11/5/2015 - 10:30 AM
Finance	Reynolds, Matt	Approved	11/5/2015 - 5:35 PM
City Clerk	Driggers, Betsy	Approved	11/6/2015 - 9:27 AM

ORDINANCE NO. 15 -

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, CREATING A DEFINITION FOR FOOD TRUCKS AND ALLOWING SUCH USES IN C-2 (INTENSIVE COMMERCIAL), DB (DOWNTOWN BUSINESS), DR (DOWNTOWN RIVERFRONT), AND PBG-1 (PUBLIC BUILDINGS AND GROUNDS) ZONING CATEGORIES, REQUIRING THAT SUCH USES MEET SUPPLEMENTARY DISTRICT STANDARDS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, application has been made by the Building and Zoning Department for certain amendments to the Zoning Code of the City of Palatka, Florida, and

WHEREAS, all the necessary procedural steps have been accomplished, including a public hearing before the Planning Board of the City of Palatka on October 6, 2015, and two public hearings before the City Commission of the City of Palatka on October 22, 2015, and November 12, 2015; and

WHEREAS, the City Commission of the City of Palatka has determined that said amendment should be adopted.

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

Section 1. That Chapter 94, Zoning Code, Sections 94-2(b), 94-149(b), 94-5-153(b), 94-161, 94-162 and Division 3, Supplementary District Regulations, be shall be and the same is hereby amended as set forth in Exhibit "A" attached hereto and by this reference incorporated herein.

Section 2. To the extent of any conflict between the terms of this ordinance and the terms of any ordinance previously passed or adopted, the terms of this ordinance shall supersede and prevail.

Section 3. A copy of this Ordinance shall be furnished to the Municipal Code Corporation for insertion in the Code

of Ordinances for the City of Palatka, Florida.

Section 4. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 12th day of November, 2015.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

City Clerk

EXHIBIT "A" - Zoning Code Amendments

Sec. 94-2. - Definitions and rules of construction - that Section 94-2(b) shall be amended to add the following definition for "Food Truck:"

Food truck means 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.

Sec. 94-149. - C-2 intensive commercial district - Sec. 94-149(b) shall be amended to include the following principal use/structure:

Food trucks, meeting supplementary district standards.

All other provisions of Sec. 94-149 shall remain unchanged.

Sec. 94-153. - PBG-1 public buildings and grounds district - Sec. 94-153(b) shall be amended to include the following permitted principal use/structure:

Food trucks, meeting supplementary district standards.

All other provisions of Sec. 94-153 shall remain unchanged.

Sec. 94-161. - DR downtown riverfront district - Sec. 94-161(b) shall be amended to include the following permitted principal use/activity:

Food trucks, meeting supplementary district standards.

All other provisions of Sec. 94-161 shall remain unchanged.

Sec. 94-162. - DB downtown business district - Sec. 94-162(b) shall be amended to include the following permitted principal use/activity:

Food trucks, meeting supplementary district standards.

All other provisions of Sec. 94-162 shall remain unchanged.

Sec. 94, Division 3. - SUPPLEMENTARY DISTRICT REGULATIONS - shall be amended to add the following section entitled "food trucks:"

Sec. 94-208. - food trucks.

- (a) 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.
- (b) Property owner's written permission is required.

- (c) Required state and local permits and business licenses must be maintained and displayed.
- (d) Uses are limited to a self-contained truck/trailer.
- (e) 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.
- (f) Signage is limited those signs that are painted on or attached to the truck.
- (g) Hours of operation are limited to 6 a.m. to 10 p.m.
- (h) 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).
- (i) Vehicles must be maintained in a clean and orderly manner, litter and debris must be removed quickly.
- (j) Lidded trash can is required, no unscreened plastic bags or loose objects allowed.
- (k) 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.
- (l) 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.
- (m) 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.
- (n) Operators must hold and display all required local, state, or federal licenses required for such a use.
- (o) 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.

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: Earl Wallace, Anthony Harwell, George DeLoach and Joseph Petrucci and Tammie Williams. Members absent: Chairman Daniel Sheffield, Joseph Pickens, 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. All present voted affirmative. 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. All present voted affirmative. Motion carried.

- (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.

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, but the Zoning Code did not allow for this kind of activity so City Commission directed to look into possibly developing an ordinance that would allow for this. Staff looked into a number of ways to combat the food desert that occurs in parts of the City to proposing regulations allowing produce trucks, food trucks, food pantries, and produce stands accompanying 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 the market.

Mr. Crowe said the first item was produce trucks which would connect fresh produce from area farms direct to consumers in areas where such goods are not readily available. These trucks are already operating in the northeast Florida region, usually on a weekly basis to designated locations

such as elderly housing, institutional settings and even some neighborhoods that are in need of 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 is need & justification and the second is compliance with the Comprehensive Plan. With regards 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 – the elimination of the requirement that produce be grown locally. 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.

Mr. 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 which the city is supporting and wants to promote. 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 out of a truck. He said 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 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 the restriction for non-profit as it doesn't help the small guy who wants to start his own produce business but it 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 prototype.

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 good. They put it back into helping people and do not believe that this would not 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.

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 the commercial zoning could also be taken out of the equation (limiting it to public property and institutional type property) to lessen the potential competition with businesses and general proliferation.

Mr. 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, operational procedurally, we 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. Discussion continued regarding additionally requiring liability insurance naming City of Palatka as additional insured.

Motion made by Mr. DeLoach and seconded by Mr. Wallace to recommend approval of the amendment as presented by to allow produce sales trucks with the additional conditions of no more than two days per week and for the applicant to provide liability insurance naming City of Palatka as additional insured. DISCUSSION: Mr. Petrucci asked if the motion included limiting the produce to locally grown only. Mr. Yes, that in his experience, it would be very limiting to only include the surrounding area farms, referring to seasonal food only. Mr. Harwell stated that he was against not allowing everyone else. All present voted, resulting in 4 yeas and 1 nay (Mr. Harwell). Motion carried.

Mr. Crowe reviewed the second part of the proposed amendment regarding food trucks; explaining that staff proposes to define 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.” The proposed amendment will allow for as food trucks as this type of activity is currently not an allowable outside activity in the Zoning Code, and now occurs only in 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 and activity and business revitalization. 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.

Mr. Harwell asked if a local license was required. Mr. Crowe replied yes as well as a state license. Mr. Harwell suggested striking the requirement for restroom facilities. Mr. Crowe explained

Motion made by Mr. Harwell to recommend approval of the requested amendment submitted by Staff to define and allow food trucks with as recommend with the addition of allowing the use in M-1 zoning district. All present voted affirmative.

- (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 as a quasi-public use, as they are utilized by the public and serve an important community need, and are not currently recognized in our Zoning code. This 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.

Mr. 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, however, that is not to say that it isn’t expected that a church would have an occasional lunch or dinner for its members, but when that becomes regular, reoccurring event that brings a lot of people and overwhelms the activities of the main use, then it is going beyond accessory and minor. This is considered on a case-by-case basis and when the occasional and incidental function becomes more primary, then that is a different consideration and 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.

Mr. 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 is 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. All present voted, resulting with 4 yeas and 1 nay (Mr. Harwell). Motion carried.

- (d) Administrative request to amend the Future Land Use Map from RL (Residential Low) to PB (Public Buildings); and to rezone from R-1A (Single-family) 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 these are appropriate designations. He added that at a recent commission meeting the Heart of Putnam 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 there is an Applicant applying for conditional use approval to be heard at the November Planning Board meeting. The conditional use 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 what is called 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' of the subject property and spoke in opposition of the rezoning and said 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 it was already a dangerous intersection at S. 13th St. and Crill Av. with three to four accidents per year there. 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 13th St. agreed that is a dangerous intersection with high activity. She pointed out that the current uses this location and did not believe that the uses would be any more intensive. 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, said that this is a rezoning and land use consideration only and the that the 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, 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."

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

Motion made by Mr. DeLoach and seconded by Mr. Wallace to recommend approval to amend the Future Land Use Map from RL (Residential Low) to PB (Public Buildings); and to rezone from R-1A (Single-family) to PBG-1 (Public Buildings and Grounds) located at 521 & 523 S. 13th St.. Vote resulted in 4 yeas and 1 nay (Mr. Harwell). Motions 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 advised reviewed the criteria for annexation, Future Land Use map amendments and rezoning. He recommend

Motion made by Mr. DeLoach and seconded by Mr. Wallace. to recommend approval for annexation. All present voted affirmative, motion carried unanimously.

Mr. Wall and Mr. Deloach to amend land use. Unanimously

Rezoning Mr. DeLoach and Mr. Wallace. Unanimously

No further business, meeting adjourned at 6:40

7. Other Business:

8. ADJOURNMENT

Request to Amend Zoning Code
(Amend Zoning Code to allow Food Trucks)
Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: September 29, 2015
TO: Planning Board Members
FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

A request to amend the Zoning Code to allow for food trucks, under certain conditions and restrictions, spelled out under Supplementary District Regulations. The use/activity would be allowed in commercial intensive, downtown, and public zoning districts. Public notice was provided through newspaper advertisement.

APPLICATION BACKGROUND

Food trucks are becoming increasingly popular in towns and cities throughout the country. This type of activity is currently not an allowable outside activity in the Zoning Code, and now occurs only in approved Special Events such as Main Street downtown street parties. Staff proposes to define 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.”

The following standards are proposed for food trucks.

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.

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: while food trucks are not recognized and allowed in the Zoning Code, Staff believes that allowing them under certain circumstances can serve an unfilled need, create jobs, provide more food choices for residents, invigorate a lagging business district, and provide an opportunity for trucks to transition into bricks-and-mortar restaurants. Given the small size and scale of food truck operations, traffic and other impacts are limited. In many communities, concerns from established restaurants regarding unfair competition have arisen, but the success of food trucks has often provided more trade for nearby businesses. The standards above also include a distance requirement (200 feet) from bricks-and-mortar restaurants. Further information and justification for food trucks is provided in the attached report from the American Planning Association: "Practice Food Trucks."

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: This action is not in conflict with the goals, objectives, and policies of the Comprehensive Plan or other city ordinances.

The standards above allow food trucks in the downtown area and in shopping center or public parking lots, vacant lots are also allowable locations. Food trucks must be parked on paved areas, cannot occupy required minimum parking spaces in commercial areas, and not block buildings in the downtown area. Food truck operators must make arrangements to utilize nearby restrooms to ensure sanity. Limited outdoor seating is allowed, and food trucks must be properly insured and licensed. Staff believes that the standards will allow food trucks in a safe, limited, and orderly manner.

STAFF RECOMMENDATION

Staff recommends approving the definition of produce truck, as presented above; amending Zoning Code Section 94-149, 94-153, 94-161, and 94-162 to allow produce truck sales in C-2, DB, DR, and PBG-1 zoning districts; and

adding a new section to Article III (Districts), Division 3 (Supplementary District Regulations) to provide the standards outlined on the first page of this report.



CITY COMMISSION AGENDA ITEM

SUBJECT:

ORDINANCE - Planning Board Recommendation to amend Zoning Code Section 94-2, 94-149, and 94-153 to define food pantries with such uses allowed by conditional use permit in C-2 (Intensive Commercial) and PBG-1 (Public Buildings and Grounds) zoning districts - 2nd Reading, Adopt

SUMMARY:

This is second reading and adoption of an ordinance that will amend the Zoning Code to allow for food pantries. The Planning Board distinguished this use from feeding programs by the limitation that food goods cannot include those that are prepared or cooked on the premises, and must not be consumed on the premises. The Planning Board recommended approval of this amendment at their October 6th meeting in a 4-1 vote.

This ordinance was passed on first reading on October 22nd.

RECOMMENDED ACTION:

Adopt on 2nd Reading an ordinance defining food pantries and allowing them in the C-2 and PBG-1 zoning districts as conditional uses.

ATTACHMENTS:

Description	Type
▢ Zoning Code Text Amendment Ordinance	Ordinance
▢ Planning Board Minutes	Backup Material
▢ Staff Report	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Driggers, Betsy	Approved	10/29/2015 - 3:42 PM
City Clerk	Driggers, Betsy	Approved	10/29/2015 - 3:42 PM
City Manager	Suggs, Terry	Approved	11/5/2015 - 10:30 AM
Finance	Reynolds, Matt	Approved	11/5/2015 - 5:35 PM
City Clerk	Driggers, Betsy	Approved	11/6/2015 - 9:27 AM

This instrument prepared by:
Thad Crowe, AICP
201 North 2nd Street
Palatka, Florida 32177

ORDINANCE NO. 15 -

**AN ORDINANCE OF THE CITY OF
PALATKA, FLORIDA, CREATING A
DEFINITION FOR FOOD PANTRIES AND
ALLOWING SUCH USES IN C-2
(INTENSIVE COMMERCIAL) AND PBG-1
(PUBLIC BUILDINGS AND GROUNDS)
ZONING CATEGORIES THROUGH THE
CONDITIONAL USE PERMIT PROCESS;
PROVIDING FOR SEVERABILITY AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, application has been made by the Building and Zoning Department for certain amendments to the Zoning Code of the City of Palatka, Florida, and

WHEREAS, all the necessary procedural steps have been accomplished, including a public hearing before the Planning Board of the City of Palatka on October 6, 2015, and two public hearings before the City Commission of the City of Palatka on October 22, 2015, and November 12, 2015; and

WHEREAS, the City Commission of the City of Palatka has determined that said amendment should be adopted.

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

Section 1. That Chapter 94, Zoning Code, Sections 94-2(b), 94-149(b) and 94-5-153(b) shall be and the same is hereby amended as set forth in Exhibit "A" attached hereto and by this reference incorporated herein.

Section 2. To the extent of any conflict between the terms of this ordinance and the terms of any ordinance previously passed or adopted, the terms of this ordinance shall supersede and prevail.

Section 3. A copy of this Ordinance shall be furnished to the Municipal Code Corporation for insertion in the Code of Ordinances for the City of Palatka, Florida.

Section 4. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 12th day of November, 2015.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

City Clerk

EXHIBIT "A" - ZONING CODE CHANGES

Sec. 94-2. - Definitions and rules of construction - that Section 94-2(b) shall be amended to add the following definition for "Food Pantry:"

Food pantry means a facility, run by a non-profit 501c3 organization, that distributes at no or low cost a non-prepared and non-cooked food, and can also distribute basic hygiene products, household supplies, and limited clothing.

Sec. 94-149. - C-2 intensive commercial district - Sec. 94-149(e) shall be amended to add the following conditional uses:

Food pantries.

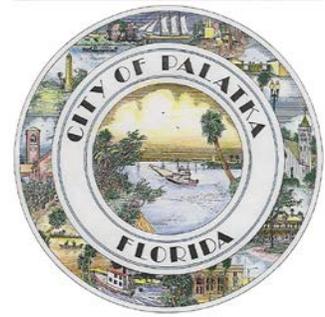
All other provisions of Sec. 94-149 shall remain unchanged.

Sec. 94-153. - PBG-1 public buildings and grounds district - section 94-153(c) shall be amended to add the following conditional use:

Food pantries.

All other provisions of Sec. 94-153 shall remain unchanged.

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: Earl Wallace, Anthony Harwell, George DeLoach and Joseph Petrucci and Tammie Williams. Members absent: Chairman Daniel Sheffield, Joseph Pickens, 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. All present voted affirmative. 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. All present voted affirmative. Motion carried.

- (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.

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, but the Zoning Code did not allow for this kind of activity so City Commission directed to look into possibly developing an ordinance that would allow for this. Staff looked into a number of ways to combat the food desert that occurs in parts of the City to proposing regulations allowing produce trucks, food trucks, food pantries, and produce stands accompanying 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 the market.

Mr. Crowe said the first item was produce trucks which would connect fresh produce from area farms direct to consumers in areas where such goods are not readily available. These trucks are already operating in the northeast Florida region, usually on a weekly basis to designated locations

such as elderly housing, institutional settings and even some neighborhoods that are in need of 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 is need & justification and the second is compliance with the Comprehensive Plan. With regards 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 – the elimination of the requirement that produce be grown locally. 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.

Mr. 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 which the city is supporting and wants to promote. 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 out of a truck. He said 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 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 the restriction for non-profit as it doesn't help the small guy who wants to start his own produce business but it 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 prototype.

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 good. They put it back into helping people and do not believe that this would not 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.

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 the commercial zoning could also be taken out of the equation (limiting it to public property and institutional type property) to lessen the potential competition with businesses and general proliferation.

Mr. 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, operational procedurally, we 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. Discussion continued regarding additionally requiring liability insurance naming City of Palatka as additional insured.

Motion made by Mr. DeLoach and seconded by Mr. Wallace to recommend approval of the amendment as presented by to allow produce sales trucks with the additional conditions of no more than two days per week and for the applicant to provide liability insurance naming City of Palatka as additional insured. DISCUSSION: Mr. Petrucci asked if the motion included limiting the produce to locally grown only. Mr. Yes, that in his experience, it would be very limiting to only include the surrounding area farms, referring to seasonal food only. Mr. Harwell stated that he was against not allowing everyone else. All present voted, resulting in 4 yeas and 1 nay (Mr. Harwell). Motion carried.

Mr. Crowe reviewed the second part of the proposed amendment regarding food trucks; explaining that staff proposes to define 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.” The proposed amendment will allow for as food trucks as this type of activity is currently not an allowable outside activity in the Zoning Code, and now occurs only in 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 and activity and business revitalization. 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.

Mr. Harwell asked if a local license was required. Mr. Crowe replied yes as well as a state license. Mr. Harwell suggested striking the requirement for restroom facilities. Mr. Crowe explained

Motion made by Mr. Harwell to recommend approval of the requested amendment submitted by Staff to define and allow food trucks with as recommend with the addition of allowing the use in M-1 zoning district. All present voted affirmative.

- (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 as a quasi-public use, as they are utilized by the public and serve an important community need, and are not currently recognized in our Zoning code. This 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.

Mr. 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, however, that is not to say that it isn’t expected that a church would have an occasional lunch or dinner for its members, but when that becomes regular, reoccurring event that brings a lot of people and overwhelms the activities of the main use, then it is going beyond accessory and minor. This is considered on a case-by-case basis and when the occasional and incidental function becomes more primary, then that is a different consideration and 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.

Mr. 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 is 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. All present voted, resulting with 4 yeas and 1 nay (Mr. Harwell). Motion carried.

- (d) Administrative request to amend the Future Land Use Map from RL (Residential Low) to PB (Public Buildings); and to rezone from R-1A (Single-family) 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 these are appropriate designations. He added that at a recent commission meeting the Heart of Putnam 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 there is an Applicant applying for conditional use approval to be heard at the November Planning Board meeting. The conditional use 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 what is called 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' of the subject property and spoke in opposition of the rezoning and said 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 it was already a dangerous intersection at S. 13th St. and Crill Av. with three to four accidents per year there. 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 13th St. agreed that is a dangerous intersection with high activity. She pointed out that the current uses this location and did not believe that the uses would be any more intensive. 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, said that this is a rezoning and land use consideration only and the that the 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, 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."

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

Motion made by Mr. DeLoach and seconded by Mr. Wallace to recommend approval to amend the Future Land Use Map from RL (Residential Low) to PB (Public Buildings); and to rezone from R-1A (Single-family) to PBG-1 (Public Buildings and Grounds) located at 521 & 523 S. 13th St.. Vote resulted in 4 yeas and 1 nay (Mr. Harwell). Motions 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 advised reviewed the criteria for annexation, Future Land Use map amendments and rezoning. He recommend

Motion made by Mr. DeLoach and seconded by Mr. Wallace. to recommend approval for annexation. All present voted affirmative, motion carried unanimously.

Mr. Wall and Mr. Deloach to amend land use. Unanimously

Rezoning Mr. DeLoach and Mr. Wallace. Unanimously

No further business, meeting adjourned at 6:40

7. Other Business:

8. ADJOURNMENT

Request to Amend Zoning Code
(Define Food Pantry and Allow in PBG-1 and C-2 Zoning as Conditional Use)
Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: September 29, 2015
TO: Planning Board Members
FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

A request to amend the Zoning Code to allow the above referenced use in the PBG-1 and C-2 zoning districts as a conditional use. Public notice was provided through newspaper advertisement.

APPLICATION BACKGROUND

Staff considers a food pantry as a quasi-public use, as they are utilized by the public and serve an important community need. This 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. A conditional use is defined in the Zoning Code as “a use that would not be appropriate generally or without restriction throughout a zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare.”

The following definition for food pantry is proposed: “a charitable entity that distributes at no or low cost non-perishable food, and can also distribute basic hygiene products, household supplies, and limited clothing.”

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: this change adds a logical allowable use to the PBG-1 zoning category. 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.

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: This action is not in conflict with the goals, objectives, and policies of the Comprehensive Plan or other city ordinances.

STAFF RECOMMENDATION

Staff recommends approving the definition of food pantry, as presented above, 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.



CITY COMMISSION AGENDA ITEM

SUBJECT:

ORDINANCE - Planning Board Recommendation to amend Zoning Code Section 94-2, 94-149, and 94-153, 94-161, 94-162, and 94-208 to define produce trucks, allow such uses in C-2 (Intensive Commercial), DB (Downtown Business), DR (Downtown Riverfront), and PBG-1 (Public Buildings and Grounds) zoning districts, and establish supplementary zoning standards for such uses - 2nd Reading, Adopt.

SUMMARY:

This is second reading of an ordinance that will amend the Zoning Code to allow for food produce trucks. These uses transport fresh, usually local-grown produce to areas that currently function as food deserts within the City. Programs like this are functioning throughout Northeast Florida to deliver produce and cottage foods to elderly housing, institutional settings, and areas that are close to neighborhoods where there is a need for improved nutrition. Specific supplementary operational and locational standards are proposed to ensure an orderly and successful operation. The Planning Board recommended approval of this amendment at their October 6th meeting in a 4-1 vote.

This ordinance was passed on first reading on October 22nd.

RECOMMENDED ACTION:

Adopt on second reading an ordinance defining produce trucks and allowing them in the C-2, DB, DR, and PBG-1 zoning districts under specific supplementary zoning standards.

ATTACHMENTS:

Description	Type
▢ Zoning Code Amendment Ordinance	Ordinance
▢ Planning Board Minutes	Backup Material
▢ Staff Report	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Driggers, Betsy	Approved	10/29/2015 - 10:37 AM
City Clerk	Driggers, Betsy	Approved	10/29/2015 - 10:38 AM
City Manager	Suggs, Terry	Approved	11/5/2015 - 10:30 AM
Finance	Reynolds, Matt	Approved	11/5/2015 - 5:36 PM
City Clerk	Driggers, Betsy	Approved	11/6/2015 - 9:27 AM

ORDINANCE NO. 15 -

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, CREATING A DEFINITION FOR PRODUCE TRUCKS AND ALLOWING SUCH USES IN C-2 (INTENSIVE COMMERCIAL), DB (DOWNTOWN BUSINESS), DR (DOWNTOWN RIVERFRONT), AND PBG-1 (PUBLIC BUILDINGS AND GROUNDS) ZONING CATEGORIES, MEETING SUPPLEMENTARY DISTRICT STANDARDS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, application has been made by the Building and Zoning Department for certain amendments to the Zoning Code of the City of Palatka, Florida, and

WHEREAS, all the necessary procedural steps have been accomplished, including a public hearing before the Planning Board of the City of Palatka on October 6, 2015, and two public hearings before the City Commission of the City of Palatka on October 22, 2015, and November 12, 2015; and

WHEREAS, the City Commission of the City of Palatka has determined that said amendment should be adopted.

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

Section 1. That Chapter 94, Zoning Code, Sections 94-2(b), 94-149(b), 94-5-153(b), 94-161(b), and 94-162(b) and Division 3, Supplementary District Regulations, shall be and the same is hereby amended as set forth in Exhibit "A" attached hereto and by this reference incorporated herein.

Section 2. To the extent of any conflict between the terms of this ordinance and the terms of any ordinance previously passed or adopted, the terms of this ordinance shall supersede and prevail.

Section 3. A copy of this Ordinance shall be furnished to the Municipal Code Corporation for insertion in the Code of Ordinances for the City of Palatka, Florida.

Section 4. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 12th day of November, 2015.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

City Clerk

EXHIBIT "A" - ZONING CODE AMENDMENTS

Sec. 94-2. - Definitions and rules of construction - that Section 94-2(b) shall be amended to add the following definition for "Produce Truck"

Produce truck means a box or semi-tractor trailer truck utilized to deliver and dispense fresh produce or cottage foods to approved locations within the city.

Sec. 94-149. - C-2 intensive commercial district - Sec. 94-149(b) shall be amended to add the following permitted principal uses/structures:

Produce trucks, meeting supplementary district standards.

All other provisions of Sec. 94-149 shall remain unchanged.

Sec. 94-153. - PBG-1 public buildings and grounds district - Section 94-153(b) shall be amended to add the following permitted principal use:

Produce trucks, meeting supplementary district standards.

All other sections of 94-153 shall remain unchanged.

Sec. 94-161. - DR downtown riverfront district - Sec. 94-161(b) shall be amended to add the following permitted principal use/activity:

Produce trucks, meeting supplementary district standards

All other sections of 94-161 shall remain unchanged.

Sec. 94-162. - DB downtown business district - Sec. 94-162(b) shall be amended to add the following permitted principal use/activity:

Produce trucks, meeting supplementary district standards

All other sections of 94-162 shall remain unchanged.

Sec. 94, Division 3. - SUPPLEMENTARY DISTRICT REGULATIONS - shall be amended to add the following section entitled "produce trucks:"

Sec. 94-207. - produce trucks.

(a) Allowable sales items include of fresh produce and cottage foods, the latter of which is defined in Florida Statutes.

(b) Dispensation of goods is allowed from box or tractor-trailer trucks, or goods may be placed on a system of orderly-arranged tables outside such trucks.

(c) Produce trucks are limited to parking lots or other paved areas.

(d) Property owner must provide written permission for the activity.

(e) Trucks shall not block driveways, emergency access lanes, sidewalks, or streets.

(f) 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.

(g) Hours of operation are limited to daylight hours.

(h) 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.

(i) An approved food truck program may not have more than two events per week.

(j) Produce trucks must be parked at least 150 feet from a residentially-zoned property.

(k) Produce truck locations must be kept neat and clean at all times. Any solid waste must be removed immediately after an event.

(l) 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.

(m) Produce truck operators must provide liability insurance at an amount agreed to by the City, naming the City of Palatka as additional insured.

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: Earl Wallace, Anthony Harwell, George DeLoach and Joseph Petrucci and Tammie Williams. Members absent: Chairman Daniel Sheffield, Joseph Pickens, 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. All present voted affirmative. 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. All present voted affirmative. Motion carried.

- (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.

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, but the Zoning Code did not allow for this kind of activity so City Commission directed to look into possibly developing an ordinance that would allow for this. Staff looked into a number of ways to combat the food desert that occurs in parts of the City to proposing regulations allowing produce trucks, food trucks, food pantries, and produce stands accompanying 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 the market.

Mr. Crowe said the first item was produce trucks which would connect fresh produce from area farms direct to consumers in areas where such goods are not readily available. These trucks are already operating in the northeast Florida region, usually on a weekly basis to designated locations

such as elderly housing, institutional settings and even some neighborhoods that are in need of 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 is need & justification and the second is compliance with the Comprehensive Plan. With regards 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 – the elimination of the requirement that produce be grown locally. 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.

Mr. 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 which the city is supporting and wants to promote. 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 out of a truck. He said 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 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 the restriction for non-profit as it doesn't help the small guy who wants to start his own produce business but it 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 prototype.

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 good. They put it back into helping people and do not believe that this would not 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.

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 the commercial zoning could also be taken out of the equation (limiting it to public property and institutional type property) to lessen the potential competition with businesses and general proliferation.

Mr. 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, operational procedurally, we 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. Discussion continued regarding additionally requiring liability insurance naming City of Palatka as additional insured.

Motion made by Mr. DeLoach and seconded by Mr. Wallace to recommend approval of the amendment as presented by to allow produce sales trucks with the additional conditions of no more than two days per week and for the applicant to provide liability insurance naming City of Palatka as additional insured. DISCUSSION: Mr. Petrucci asked if the motion included limiting the produce to locally grown only. Mr. Yes, that in his experience, it would be very limiting to only include the surrounding area farms, referring to seasonal food only. Mr. Harwell stated that he was against not allowing everyone else. All present voted, resulting in 4 yeas and 1 nay (Mr. Harwell). Motion carried.

Mr. Crowe reviewed the second part of the proposed amendment regarding food trucks; explaining that staff proposes to define 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.” The proposed amendment will allow for as food trucks as this type of activity is currently not an allowable outside activity in the Zoning Code, and now occurs only in 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 and activity and business revitalization. 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.

Mr. Harwell asked if a local license was required. Mr. Crowe replied yes as well as a state license. Mr. Harwell suggested striking the requirement for restroom facilities. Mr. Crowe explained

Motion made by Mr. Harwell to recommend approval of the requested amendment submitted by Staff to define and allow food trucks with as recommend with the addition of allowing the use in M-1 zoning district. All present voted affirmative.

- (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 as a quasi-public use, as they are utilized by the public and serve an important community need, and are not currently recognized in our Zoning code. This 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.

Mr. 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, however, that is not to say that it isn’t expected that a church would have an occasional lunch or dinner for its members, but when that becomes regular, reoccurring event that brings a lot of people and overwhelms the activities of the main use, then it is going beyond accessory and minor. This is considered on a case-by-case basis and when the occasional and incidental function becomes more primary, then that is a different consideration and 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.

Mr. 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 is 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. All present voted, resulting with 4 yeas and 1 nay (Mr. Harwell). Motion carried.

- (d) Administrative request to amend the Future Land Use Map from RL (Residential Low) to PB (Public Buildings); and to rezone from R-1A (Single-family) 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 these are appropriate designations. He added that at a recent commission meeting the Heart of Putnam 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 there is an Applicant applying for conditional use approval to be heard at the November Planning Board meeting. The conditional use 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 what is called 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' of the subject property and spoke in opposition of the rezoning and said 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 it was already a dangerous intersection at S. 13th St. and Crill Av. with three to four accidents per year there. 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 13th St. agreed that is a dangerous intersection with high activity. She pointed out that the current uses this location and did not believe that the uses would be any more intensive. 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, said that this is a rezoning and land use consideration only and the that the 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, 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."

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

Motion made by Mr. DeLoach and seconded by Mr. Wallace to recommend approval to amend the Future Land Use Map from RL (Residential Low) to PB (Public Buildings); and to rezone from R-1A (Single-family) to PBG-1 (Public Buildings and Grounds) located at 521 & 523 S. 13th St.. Vote resulted in 4 yeas and 1 nay (Mr. Harwell). Motions 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 advised reviewed the criteria for annexation, Future Land Use map amendments and rezoning. He recommend

Motion made by Mr. DeLoach and seconded by Mr. Wallace. to recommend approval for annexation. All present voted affirmative, motion carried unanimously.

Mr. Wall and Mr. Deloach to amend land use. Unanimously

Rezoning Mr. DeLoach and Mr. Wallace. Unanimously

No further business, meeting adjourned at 6:40

7. Other Business:

8. ADJOURNMENT

Request to Amend Zoning Code
(Amend Zoning Code to allow Produce Trucks)
Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: September 29, 2015
TO: Planning Board Members
FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

A request to amend the Zoning Code to allow for “farm-to-family” produce trucks, under certain conditions and restrictions, spelled out under Supplementary District Regulations. The use/activity would be allowed in commercial intensive, downtown, and public zoning districts. Public notice was provided through newspaper advertisement.

APPLICATION BACKGROUND

Many parts of Palatka are considered a “food desert”, where residents have limited to no access to fresh and healthy food. The intent of programs such as Farm-to-Family, out of St. Johns County, is to connect local farmers with nearby markets now including Duval and St. Johns Counties. This addresses the food desert problem, while helping farmers by reducing transport costs and establishing a stronger local market. Regularly scheduled stops are generally on a weekly basis, and local volunteers and health professionals accompany the truck to provide support for customers in areas such as recipe and cooking instruction. This type of activity is currently not an allowable outside activity in the Zoning Code, with the closest activity being farmer’s markets, which now requires conditional use approval on a case-by-case basis. Staff proposes to allow produce truck sales, which are essentially mobile farmer’s markets, under certain conditions as outlined below.

1. Allowable sales items include of fresh produce and cottage foods grown/produced in Flagler, Putnam, St. Johns, and Volusia Counties.
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.

Staff proposes to define produce trucks as “box or semi-tractor trailer trucks utilized to deliver and dispense fresh produce or cottage foods that are directly produced in Flagler, Putnam, St. Johns, and Volusia Counties to approved locations within the City.”

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: 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.

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: This action is not in conflict with the goals, objectives, and policies of the Comprehensive Plan or other city ordinances.

STAFF RECOMMENDATION

Staff recommends approving the definition of produce truck, as presented above; amending Zoning Code Section 94-149, 94-153, 94-161, and 94-162 to allow produce truck sales in C-2, DB, DR, and PBG-1 zoning districts; and adding a new section to Article III (Districts), Division 3 (Supplementary District Regulations) to provide the standards outlined previously in this report.



CITY COMMISSION AGENDA ITEM

SUBJECT:

ORDINANCE amending and restating Zoning Code Chapter 94, Sec. 204, Building Exterior Standards on Major City Thoroughfares, to allow the city Manager to hear initial appeals for waivers or modifications - 2nd Reading, Adopt

SUMMARY:

This is second reading of an ordinance amending Section 94-204 of City Code to allow the City Manager to hear initial appeals for waivers or modifications to regulations governing exterior building standards on major city thoroughfares.

This ordinance was amended and passed on first reading on October 22nd. Amendments are shown on Page 2 & 3 of the ordinance.

RECOMMENDED ACTION:

Adopt on 2nd reading an ordinance amending and restating Sec. 94-204 to allow the City Manager to hear initial appeals for waivers or modifications to regulations governing exterior building standards on major city thoroughfares.,

ATTACHMENTS:

Description	Type
▫ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Driggers, Betsy	Approved	10/29/2015 - 10:37 AM
City Clerk	Driggers, Betsy	Approved	10/29/2015 - 10:37 AM
City Manager	Suggs, Terry	Approved	11/5/2015 - 10:29 AM
Finance	Reynolds, Matt	Approved	11/5/2015 - 5:35 PM
City Clerk	Driggers, Betsy	Approved	11/6/2015 - 9:27 AM

ORDINANCE NO. 15 - 44

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING CHAPTER 94 OF THE CODE OF ORDINANCES, DIV. III, ARTICLE 3, SUPPLEMENTAL DISTRICT REGULATIONS, SECTION 94-204 TO RESTATE PROVISIONS FOR EXTERIOR BUILDING STANDARDS FOR NEW CONSTRUCTION ALONG MAJOR CITY THOROUGHFARES TO AMEND THE APPEALS PROCESS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, application has been made by the Building and Zoning Department for certain amendments to the Zoning Code of the City of Palatka, Florida, and

WHEREAS, two public hearings have been held before the City Commission of the City of Palatka on October 22, 2015, and November 12, 2015; and

WHEREAS, the City Commission of the City of Palatka has determined that said amendment should be adopted.

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

Section 1. That Zoning Code Chapter 94, Article III, Division 3, Sec. 94-204, ***Supplementary District Regulations*** shall be restated in its entirety to read as follows:

Building exterior standards on major city thoroughfares:

- (a) Intent and purpose. The purpose of these regulations is to protect the city's appearance for residents and visitors; enhance desirability of property investment; foster civic pride and community spirit; and stabilize and improve property values and prevent potentially blighting influences.
- (b) Applicability. All new development on property abutting a major city thoroughfare (defined as 19th Street, Crill Avenue, Husson Avenue, Madison Street, Main Street, Moody Road, Moseley Avenue, Palm Avenue, Reid Street, St. Johns Avenue, State Road 19, US 17, and Zeagler Drive) shall conform to the requirements of this section. Single family detached and duplex units, properties in locally designated historic districts and sites, properties in a downtown overlay zone, and walls or roofs that are not visible from major city thoroughfares are not subject to the requirements of this section.

~~An appeal for waiver or modification may be taken to the planning board, which shall have authority to grant such waiver or modification to the extent necessary based on the finding that such a waiver or modification would accomplish the intent of the standards or present a~~

~~significant economic or practical hardship to a property owner.~~

(c) Building exterior standards.

- (1) Walls shall be staggered by changes in surface planes and architectural features to avoid a monolithic "box" appearance by integrating at least one of the following architectural features no less than every 50 horizontal feet:
 - a. Porches;
 - b. Sun-shading devices, such as awnings, canopies, and similar devices;
 - c. Covered stairwells;
 - d. Doors;
 - e. Windows;
 - f. Chimneys; or
 - g. Columns or pilasters, inset or freestanding.
- (2) Walls shall not be comprised of aluminum, metal, or flat-faced concrete block, unless such materials are used for minor accents comprising less than 20% percent of the wall.
- (3) Walls shall have windows that make up at least 15 percent of the wall.
- (4) Roofs shall have multiple rooflines if the building is more than 50 feet wide.
- (5) Architecture as signage is prohibited. Buildings shall not be designed in a way in which the building's wall surface, through color or appearance, is a sign. All areas for signage shall be part of the site or building design.
- (6) Dumpsters and mechanical equipment such as air conditioners and compressors shall be screened from public view. The screening design shall be compatible with and part of the building design.
- (7) Building entrances shall be protected from the elements and give clear identity to the entrance.
- (8) If the use requires loading docks, garage doors, or mini-storage buildings and site conditions require them to be located along a major city thoroughfare, then they shall be screened using landscaping or architectural features.

(d) **Appeal for variance or waiver:** Any person seeking a variance or waiver, partial or complete, from the application of the standards set forth herein to a particular parcel or development shall first make such request in writing to the Planning Director. The Planning Director shall approve or decline the request within three (3) business days of receiving the request and shall notify the applicant through the most expedient method, i.e. preferably telephone or e-mail. In the event the Planning Director declines to grant the requested variance or waiver, the applicant may request, in writing, that the City Manager review the Planning Director's decision. In the event the City Manager declines to reverse or modify the decision of the Planning Director to the satisfaction of the applicant, then an appeal may be taken Any person with standing who is aggrieved by the City Manager's decision may appeal the decision to the Planning Board. Both the City Manager and the Planning Board shall have the authority to modify or reverse

the decision brought to them for review upon a finding that a variance or waiver, partial or complete, would prevent a significant economic or practical hardship to the applicant property owner and that the requested variance or waiver would not substantially frustrate the purpose and intent of this Ordinance as same is stated above.

Section 2. To the extent of any conflict between the terms of this ordinance and the terms of any ordinance previously passed or adopted, the terms of this ordinance shall supersede and prevail.

Section 3. A copy of this Ordinance shall be furnished to the Municipal Code Corporation for insertion in the Code of Ordinances for the City of Palatka, Florida.

Section 4. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 12th day of November, 2015.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY