

**CITY OF PALATKA**  
**PLANNING BOARD AGENDA**  
January 5, 2016



**Call to Order**

1. Roll Call
2. Approval of December 1, 2015 meeting minutes.
3. Appeal procedures and ex-parte communication
4. Election of Chairperson and Vice-chairperson.
5. **OLD BUSINESS:**

**Case 15-33** Evaluation and Appraisal Report (EAR), Comprehensive Plan

**6. NEW BUSINESS:**

**Case 15-51** Request to annex, amend Future Land Use Map from County UR (Urban Reserve) to RL (Residential Low-Density), and rezone from County R-2 (Residential Two-Family) to R-1A (Single-Family Residential).

**Location:** 203 Central Avenue  
**Owner:** Robert Michael Ratliff

**Case 15-52** Administrative request to amend Zoning Code Sec. 94-2, adding definition of mobile vendors and push carts.

**Case 15-56** Administrative request to amend Zoning Code Sec. 94-149 (Intensive Commercial Zoning District) and Sec. 94, Division 3 (Supplementary District Regulations), allowing produce stands associated with convenience stores and grocery stores, and providing standards governing such uses.

**7. Other Business:**

**8. ADJOURNMENT**

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

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

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



Call to Order: Members present: Chairman Daniel Sheffield, George DeLoach, Anthony Harwell, Ed Killebrew, Joseph Petrucci, Earl Wallace, and Tammy Williams. Members absent: Vice-Chairman Joe Pickens.

**Motion** made by Mr. DeLoach and seconded by Ms. Williams to approve November 3, 2015 meeting minutes. The motion carried unanimously.

The Chairman then explained appeal procedures and requested that Board members express any ex-parte communication prior to hearing the case.

**OLD BUSINESS:**

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

Staff requested that this item be tabled to next month. Little progress has been made due to limited resources.

**Motion** made by Mr. Debouch and seconded by Mr. Petrucci to table the request until the January 5<sup>th</sup>, 2016 meeting. All present voted affirmative, motion carried..

**NEW BUSINESS:**

- (a) Request to annex, amend the Future Land Use map from County US to RL, and rezone from County R-1HA to R-1AA (Single-Family Residential)  
Location: 207 Skeet Club Rd.  
Owner: Joseph & Angela Stillword

Mr. Crowe gave an overview of the request and explained that this is a voluntary annexation, the applicant is desirous of city utilities for this single family home. He stated that the request is in keeping with the surrounding existing uses and Comprehensive Plan, and recommended approval.

**Motion** made by Mr. DeLoach and seconded by Mr. Petrucci to recommend approval for annexation, amendment of the FLUM (Future Land Use Map) to RL (Residential Low-Density), and rezoning to R-1AA (Residential Single-family) for 207 Skeet Club Rd. All present voted affirmative, motion carried unanimously.

- (b) Request to amend Future Land Use Map from Putnam County IH (Heavy Industrial) to City IN (Industrial).  
Location: 163 Comfort Rd.  
Owner: Pumpcrete America, Inc.

Mr. Crowe explained that this action was for two adjacent parcels, owned by the same entity, with the rear parcel (163), a wooded and undeveloped lot, having a County mixed-use FLUM designation and heavy industrial zoning. The front parcel (161) is in the City, and has Industrial FLUM but single-family zoning (which is an error dating back to the City's early zoning days). He said that this request and the next request are related, but are separate actions. He said that currently 163 is awaiting City Commission action for the annexation until this rezoning recommendation catches up. He reminded the Board that they recommended to the City Commission at their September 1, 2015 meeting that the front parcel be rezoned from residential to industrial, and that the rear parcel be rezoned to residential for a future possible residence. However at the Commission meeting a representative of the owner appeared and requested that the rear residential zoning be stopped, as the company was not aware of and did not support this proposed action. It seems that the company representative who requested the residential rezoning was not authorized to make this request. This current request, made by the authorized representative of the property owner, was to combine both properties and assign one industrial FLUM and Planned Industrial Development (PID) to the property. Staff supports this proposal as it corrects the zoning error (residential zoning on the front parcel) and unifies the land use and zoning designations for both parcels while providing the best match for existing development as well as protection to nearby single-family homes. He explained that the PID will utilize the rear parcel as a transitional zoning area and provide some additional buffering and protection to the single-family homes that are to the south as this property. He said that this parcel should have been by all rights rezoned to city industrial when it was brought into the City. The PID proposes to retain a fifty foot natural vegetative buffer and the existing wall between the any future development on the rear parcel and the adjacent residential uses. He recommended approval of the request subject to the following recommendations:

1. Development shall be in conformance with the site plan.
2. Unity of title for both lots and required combination of two lots into one.
3. Development on front parcel to remain as is (parking & building), with any property improvements allowed in conformance with applicable zoning requirements.
4. The rear expansion parcel shall have a 50-foot wide undisturbed natural vegetative buffer on the south, a five-foot wide north building/parking setback, and a rear 25-foot setback from the wetland jurisdictional line
5. The masonry wall along the south property line will remain and be maintained as is.
6. At the time of future expansion, street frontage landscape buffer for the existing use/front parcel to be installed (requiring several shade trees and a low hedge to screen parking).
7. Any future expansion of utilities must be undergrounded.
8. Maximum lot coverage by principle and accessory structures of 70%.
9. Paved access to any rear expansion areas.
10. 45-foot maximum building height.
11. The only outside activities allowed shall be truck washing, which shall occur more than 200 feet from the south (residential) property line, therefore limited to the northwest corner of the rear lot.

Chevy Davis, 226 Crystal Cove Dr. stated that his only concern for him and his neighbors was what was going to be built there. He said that he had spoken with the property owner of the proposed and is glad to hear of the fifty foot buffer.

Mr. Harwell asked how the County Industrial designation compared to the City's Industrial designation. Mr. Crowe replied that the county development standards are minimal and the allowed uses are more intensive than the City's counterparts.

Mr. Petrucci asked how the PID rezoning would work with regard to any future change of ownership. Mr. Crowe advised that PID would go with the land and would therefore apply to future property owners as well. Mr. Harwell stated that he agrees with the zoning change, but that he has the same problem with a PID as he does with a PUD, he believes that it is used as a tool to skirt zoning requirements. Mr. Crowe responded that he understood Mr. Harwell's concerns, but believed that in a situation like this a planned development was the only way to provide additional safeguards for reduction of negative impacts, which cannot be assured through conventional code standards.

**Motion** made by Mr. Petrucci and seconded by Mr. DeLoach to recommend approval to amend Future Land Use Map from Putnam County IH (Heavy Industrial) to City IN (Industrial) for 163 Comfort Rd. All present voted affirmative, motion carried.

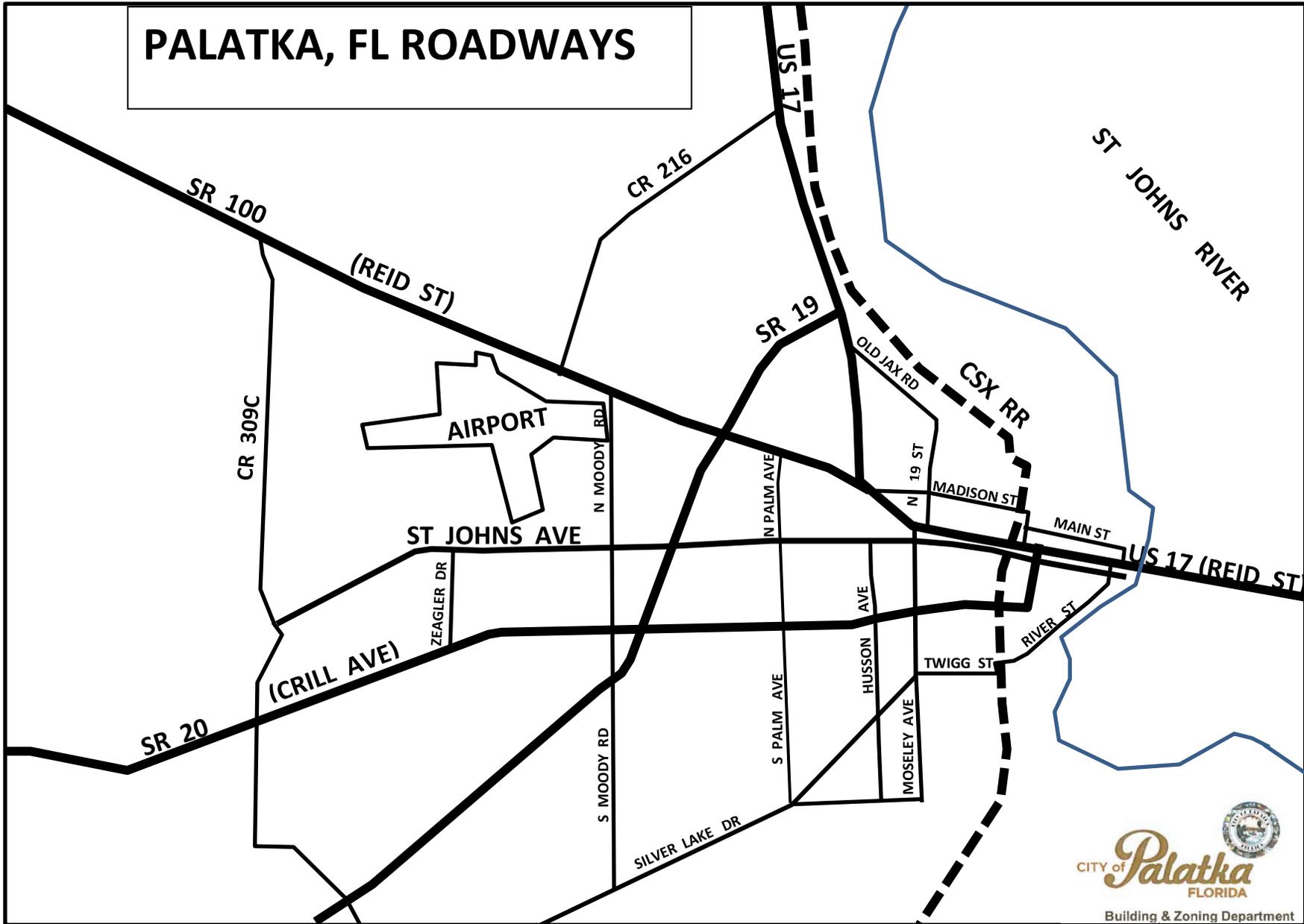
- (c) Request to rezone 161 Comfort Rd. from R-1AA (Single-family Residential) to PID (Planned Industrial Development) and 163 Comfort Rd. from Putnam County IH (Industrial, Heavy) to PID (Planned Industrial Development).  
Location: 161 & 163 Comfort Rd.  
Owner: Pumpcrete America, Inc.

**Motion** made by Mr. DeLoach and seconded by Ms. Williams to recommend approval to rezone to PID for 161 and 163 Comfort Rd as recommended by Staff. All present voted, resulting in 6 yeas and 1 nay (Mr. Harwell). Motion carried.

Chairman Sheffield asked Mr. Crowe, in light of the City Commission's recent approval of a code amendment that allowed administrative variances to architectural standards, to submit a report to him each month regarding any variance requests considered by staff. Mr. Crowe agreed to this.

With no further business, meeting adjourned at 4:51 pm.

# PALATKA, FL ROADWAYS



**Case 15-33: Request to Amend Comprehensive Plan  
Evaluation and Appraisal Report  
Applicant: Building & Zoning Dept.**

**STAFF MEMO**

DATE: December 29, 2015

TO: Chairman and Planning Board Members

FROM: Thad Crowe, AICP  
Planning Director

Not surprisingly, Staff is again requesting that this item be tabled to the February meeting.

**Case # 15-51: 203 Central Ave.**  
**Request to Annex, Amend Future Land Use Map and Rezone**  
Applicant: Building & Zoning Dept.

**STAFF REPORT**

**DATE:** December 17, 2015  
**TO:** Planning Board members  
**FROM:** Thad Crowe, AICP  
Planning Director

**APPLICATION REQUEST**

To annex, amend FLUM, and rezone 203 Central Ave. from County to City single-family residential designations. 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.

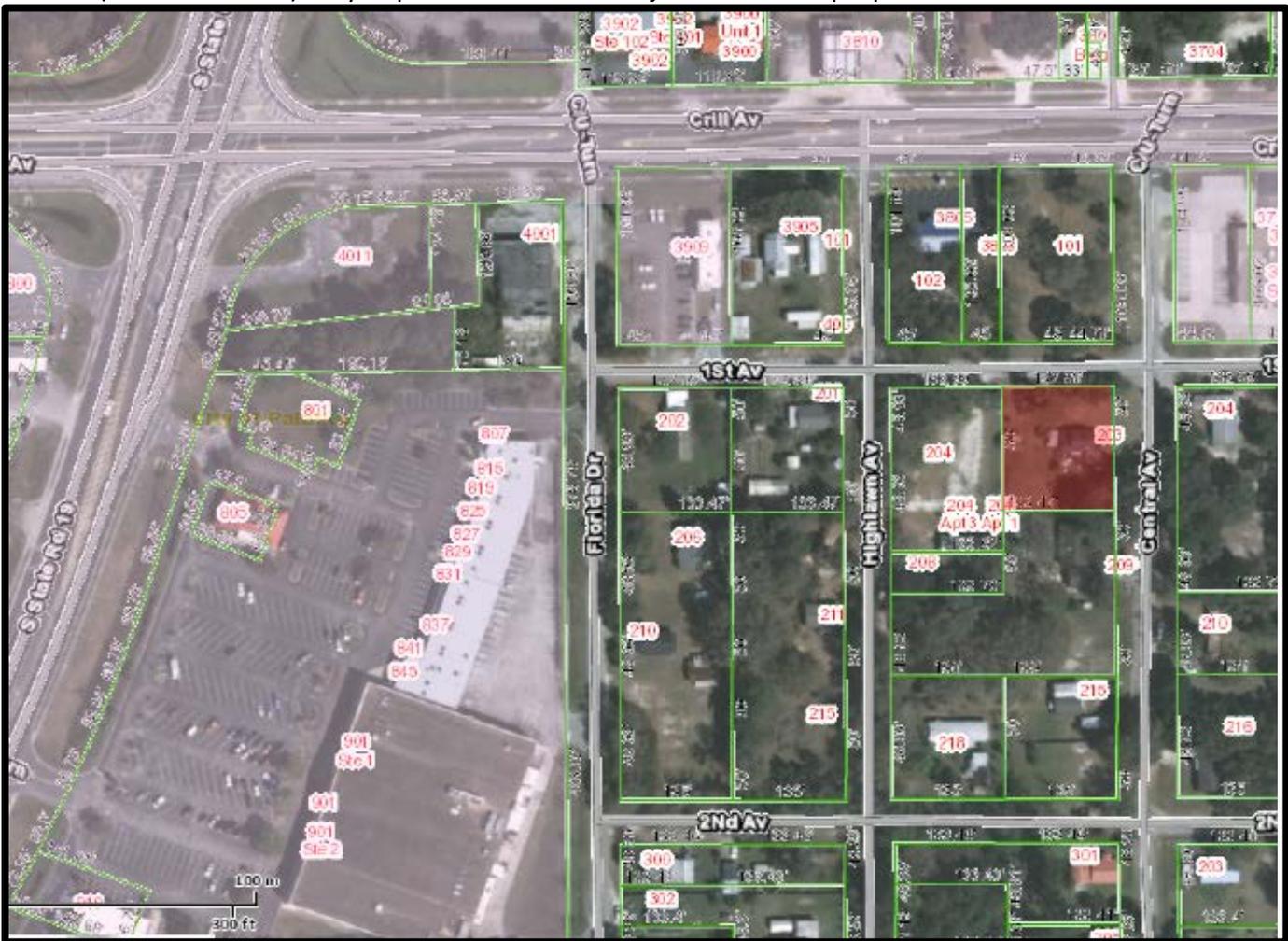


Figure 1: Site and Vicinity Map (property outlined in red, properties within City shown with purple overlay)

**APPLICATION BACKGROUND**

The property under consideration currently has a County mixed-use Future Land Use Map (FLUM) designation and single-family residential zoning. The property is an existing single-family home. 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 Putnam Co.	Proposed City	Current Putnam Co.	Proposed City
UR (Urban Reserve)	RL (Residential, Low)	R-2 (Residential Mixed)	R-1A (Single-Family Residential)

The owner is voluntarily annexing into the City for the purpose of hooking up to City utilities.

Staff is presenting these applications as administrative actions, as opposed to an action by each property owner, due to the rationale presented below.

1. Revenue Recovery. The taxes collected from this property will defray the administrative expense of the annexation fairly quickly.
2. Comprehensive Plan Support. Public Facilities Element Policy D.1.2.1 directs the City to proactively annex properties served by water and sewer. Language in the adopted Evaluation and Appraisal Report of the Comprehensive Plan compels the City to again proactively work to diminish and eventually eliminate enclaves. Staff believes this directive is sufficient to submit these actions as administrative applications.
3. Economic Development. By encouraging voluntary annexation and requiring annexation of agreement properties, the City is working to increase utility and other service provision efficiency, enhance system revenues, and encourage growth.

**PROJECT ANALYSIS**

**Annexation Analysis**

Florida Statute 171.044 references voluntary annexation requirements and requires that property proposed for annexation must meet two tests. First, properties must be contiguous to the annexing municipality and second, properties must also be “reasonably compact.”

Contiguity. F.S. 171.031 provides a definition for contiguous and requires that boundaries of properties proposed for annexation must be coterminous with a part of the municipality’s boundary. As indicated in Figures 1 and 2, the property is contiguous to the City limits, which are to the northeast.

Compactness. The statute also provides a definition for compactness that requires an annexation to be for properties in a single area, and also precludes any action which would create or increase enclaves, pockets, or finger areas in serpentine patterns. Annexing the property meets the standard of compactness as it does not create an enclave, pocket, or finger area, as evidenced by the map to the right, but in fact reduces the larger enclave shown in Figure 2.



Figure 2: South-of-Crill Enclave (purple-shaded properties are City)

### **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**

#### **1. Residential**

*Residential land use is intended to be used primarily for housing and shall be protected from intrusion by land uses that are incompatible with residential density. Residential land use provides for a variety of land use densities and housing types.*

Low Density (1730 acres) - provides for a range of densities up to 5 units per acre.

**Staff Comment:** the property is now in the County's Urban Reserve FLUM category, which allows a mix of residential and nonresidential uses, with a base residential density of one unit per acre that goes up to four units per acre with the utilization of density bonus points pertaining to availability of urban services and environmental protection. The proposed City FLUM category is Residential, Low – intended for single-family neighborhoods. Municipal Code Section 94-111(b) allows the R-1A zoning category within the RL land use category, which provides Comprehensive Plan category conformance.

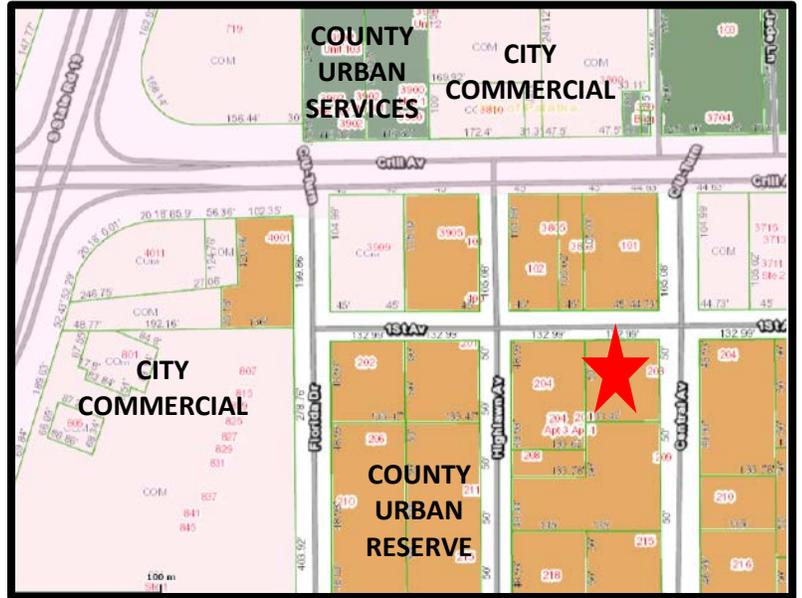


Figure 3: Vicinity Future Land Use Map (FLUM) Designations

*Provide analysis of the availability of facilities and services.*

**Staff Comment:** the property is in close proximity to urban services and infrastructure including City water and sewer lines that run down 1st Ave., just north of the property.

*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 these developed sites.

*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 in an existing area within the City’s urbanized area ensures that urban services are available and shopping and jobs are proximate. 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:*

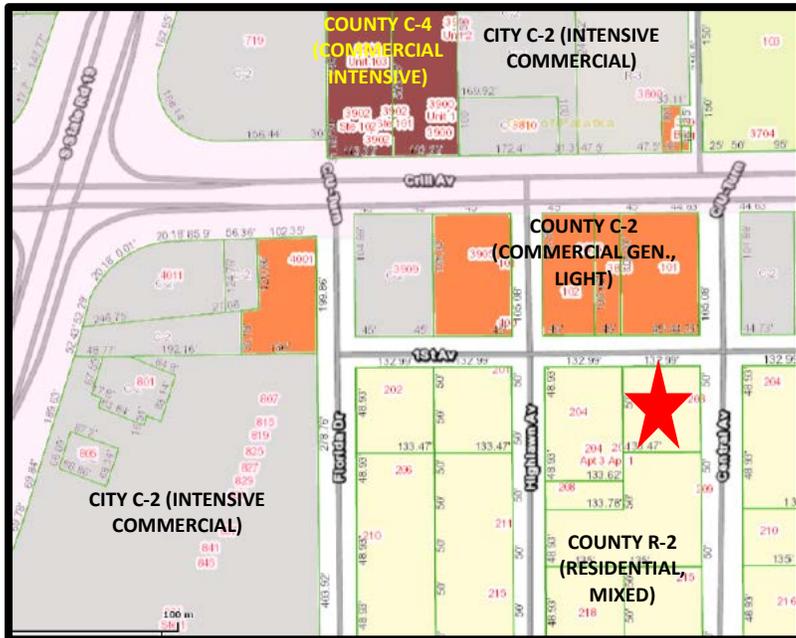


Figure 4: Vicinity Zoning

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:** the existing single-family residential use and proposed zoning conform to the existing land use pattern.

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

**Staff Comment:** No isolated zoning district would be created. City staff has selected the most appropriate zoning district that fits the neighborhood, based on lot size and predominant single-family use.

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

**Staff Comment:** a single-family home 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:** rezoning the property to a designation similar to the current County zoning 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:** no traffic impacts will be created by this existing use.

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

**Staff Comment:** not applicable.

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

**Staff Comment:** existing single-family development, by its nature and due to the lot coverage control, 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:** this action will not affect property values.

*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 are similar to the designation of surrounding properties 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 residential 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 use will not be out of scale with the neighborhood and City.

*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 annexation, future land use amendment, and rezoning criteria. Staff recommends approval of the annexation, amendment of Future Land Use Map category to RL (Residential, Low), and rezoning to R-1A (Single-Family Residential) for 203 Central Ave.

# Case 15-52 - Request to Amend Zoning Code

(Amend Zoning Code to define Mobile Vendors and Push Carts)

Applicant: Building & Zoning Dept.

## STAFF REPORT

**DATE:** December 29, 2015

**TO:** Planning Board Members

**FROM:** Thad Crowe, AICP  
Planning Director

### APPLICATION REQUEST

A request to amend the Zoning Code to define mobile vendors and push carts. Public notice was provided through newspaper advertisement.

### APPLICATION BACKGROUND

Chapter 94 (Zoning) allows mobile vendors and push carts by right in downtown zoning districts (Downtown Business and Downtown Riverfront), but these uses are undefined and are actually prohibited from functioning due to the outright prohibition of sales on the right-of-way, which in this case means sidewalks. This change would define mobile vendors and push carts as “rubber-wheeled vehicles or portable carts, not registered by the state department of motor vehicles, from which prepared food, fruit, non-alcoholic drink, and flowers may be sold.” A separate action would amend Chapter 70 to allow push cart sales on downtown zoning district rights-of-way. While this action is not reviewed by the Board (it is not a section of the Code under the Board’s responsibility) Staff requests that the Board provide a positive recommendation for this additional change to the City Commission.

### 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:** allowing push carts downtown will add to the vitality of downtown street life, encourage more pedestrian activity, and allow for more retail sales opportunities.

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 mobile vendors and pushcarts as set forth above, and also recommends that the Board request that the City Commission approve the Chapter 70 change to allow for mobile vendor and push cart sales on sidewalks in downtown zoning districts.

# Case 15-56 - Request to Amend Zoning Code

(Amend Zoning Code to Define Produce Stands & Allow in Conjunction with Food Stores in C-2 Zoning)

Applicant: Building & Zoning Dept.

## STAFF REPORT

**DATE:** December 29, 2015

**TO:** Planning Board Members

**FROM:** Thad Crowe, AICP  
Planning Director

### APPLICATION REQUEST

A request to amend the Zoning Code to define produce stands and allow such uses in conjunction with convenience stores and grocery stores in the C-2 (Intensive Commercial) zoning district. 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 City has taken several steps to revise the Zoning Code to facilitate the availability and conveyance of fresh produce and meals, including ordinances allowing food trucks, produce trucks, and food pantries. During the past year an owner of several convenience stores discussed with Staff a proposal to set up stands outside his stores to sell fresh vegetables, with the notion that visible produce would attract passers-by to stop and purchase such goods. The Zoning Code does not allow such outdoor sales activities except under the conditional use process, and these activities include only temporary or seasonal outdoor sales. The intent of this Zoning Code text amendment would be to allow for small produce stands associated with convenience or grocery stores, with sales limited to fresh unprocessed fruit and vegetables. The following supplementary zoning standards are proposed for this use.

- Produce stands are allowed in conjunction with convenience stores and grocery stores in the C-1 and C-2 zoning districts.
- Stands cannot exceed 200 square feet in size, and must be located in close proximity to the store.
- Stands shall be designed for the display of produce on shelves as part of a structure, or on a table.
- Stands must be soundly constructed and of wood, metal, or other suitable permanent material, with weather protection in the form of a roof, canopy, or umbrella, and must have a neat and orderly appearance.
- Stands shall not occupy any minimum required parking, parking lot landscape islands/areas, or rights-of-way; cannot block driveways or traffic aisles, or reduce sidewalk passage below 48 inches.
- Stands must be painted and maintained in good repair and appearance.
- Signage shall be limited to one unlighted announcement sign not to exceed 16 square feet in area.
- Stands require a building permit and shall be subject to outdoor sales administrative review, requiring a site plan and staff review subject to conditional use criteria. However this use shall not be subject to public hearing and notice requirements.

### 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).

**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 stands are not allowed in the Zoning Code, these accessory uses relate directly to the principal use of a convenience/food store, and can serve an important need in the community by providing visible and accessible fresh produce for local residents. Additionally, produce stands can help to improve trade for stores.

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 allowing produce stands in the C-1 and C-2 zoning districts (Zoning Code Sections 94-148 and 94-149) and adding a new section to Article III (Districts), Division 3 (Supplementary District Regulations) to provide the zoning standards for this use, outlined previously in this report.