

**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

**JASON L. SHAW, SR.**  
CHIEF OF POLICE

**MICHAEL LAMBERT**  
CHIEF FIRE DEPT

**DONALD E. HOLMES**  
CITY ATTORNEY

## AGENDA CITY OF PALATKA May 12, 2016

### CALL TO ORDER:

- a. Invocation – Minister Carl Davis, Associate Minister, Mt. Tabor First Baptist Church
- b. Pledge of Allegiance
- c. Roll Call

### APPROVAL OF MINUTES – 4/28/16

### 1. PUBLIC RECOGNITION/PRESENTATIONS

- a. PROCLAMATION – National Safe Boating Week – May 21 – 27, 2016 – Kathy Fisk, USCG Aux.
- b. PROCLAMATION – Kids to Parks Day
- c. RECOGNITION - Fire Explorers Certification in CPR and Emergency Medical Responder Program

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

### 3. CONSENT AGENDA

- \*a. Adopt Resolution No. 2016-12-35 Certifying that the Putnam Habitat For Humanity Program is Consistent with the Comprehensive Plan and the Land Development Regulations of the City of Palatka
- \*b. Special Events Permit No. 16-32 – Church of God by Faith Festival, 5/21/16 from noon to 4:00 p.m. - grant permission to exceed allowable noise levels and close portions of N. 15<sup>th</sup> & Washington Streets

- \* 4. APPOINTMENT – Gas Authority Board – Remainder of a 3-year term to expire 1/31/2018  
Two applicants: a. Andrew Rabun b. Bryan Screen

### PUBLIC HEARINGS:

- \* 5. PUBLIC HEARING: 202 Florida Ave. - Planning Board Recommendation to Annex and assign single-family residential land use and zoning to property, from Putnam County R-2 (Residential Mixed) - James Gary Wallace, Owner; Palatka Building & Zoning Dept., Applicant.
  - \*a. ANNEXATION ORDINANCE – 2<sup>nd</sup> Reading, Adopt
  - \*b. FUTURE LAND USE MAP AMENDMENT ORDINANCE - Adopt
  - \*c. REZONING ORDINANCE – 2<sup>nd</sup> Reading, Adopt
- \* 6. PUBLIC HEARING: 1620 Husson Ave. - Planning Board Recommendation to Annex, assign single family residential land use amend zoning from Putnam County R-1A (Residential Single Family) - Terry White and Cherane Wilford, Owners; Palatka Building & Zoning Dept., Applicant
  - \*a. ANNEXATION ORDINANCE – 2<sup>nd</sup> Reading, Adopt
  - \*b. FUTURE LAND USE MAP AMENDMENT ORDINANCE - Adopt
  - \*c. REZONING ORDINANCE – 2<sup>nd</sup> Reading, Adopt
- \* 7. PUBLIC HEARING: 203 Central Avenue - Planning Board Recommendation to Annex and assign single-family residential land use and zoning to property, from Putnam County R-2 (Residential Mixed) - Robert Michael Ratliff, Owner; Palatka Building & Zoning Dept., Applicant.
  - \*a. ANNEXATION ORDINANCE – 2<sup>nd</sup> Reading, Adopt
  - \*b. FUTURE LAND USE MAP AMENDMENT ORDINANCE - Adopt
  - \*c. REZONING ORDINANCE – 2<sup>nd</sup> Reading, Adopt

201 N. 2ND STREET • PALATKA, FLORIDA 32177

PHONE: (386) 329-0100

www.palatka-fl.gov

FAX: (386) 329-0106

## AGENDA - CITY OF PALATKA

May 12, 2016

Page 2

- \* 8. **PUBLIC HEARING:** 207 Skeet Club Rd. - Planning Board Recommendation to Annex and assign single-family residential land use and zoning to property, from Putnam County R-1HA (Residential Single Family) - Joseph and Angela Stillword, Owners; Palatka Building & Zoning Dept., Applicant.
  - \*a. **ANNEXATION ORDINANCE** – 2<sup>nd</sup> Reading, Adopt
  - \*b. **FUTURE LAND USE MAP AMENDMENT ORDINANCE** - Adopt
  - \*c. **REZONING ORDINANCE** – 2<sup>nd</sup> Reading, Adopt
  
- \* 9. **PUBLIC HEARING** - 908 N 20th St - Planning Board Recommendation to Annex, assign single-family land use and rezone from Putnam County R-2 (Residential Two-Family) to City R-1A (Single-Family Residential) - Gerald and Deborah Ragans, owners; Palatka Building & Zoning Dept, Applicant
  - \*a. **ANNEXATION ORDINANCE** – 2<sup>nd</sup> Reading, Adopt
  - \*b. **FUTURE LAND USE MAP AMENDMENT ORDINANCE** - Adopt
  - \*c. **REZONING ORDINANCE** – 2<sup>nd</sup> Reading, Adopt
  
- \* 10. **PUBLIC HEARING:** 161 & 163 Comfort Road - Planning Board Recommendation to Annex 163 Comfort Road and rezone 161 & 163 Comfort Road to assign Planned Industrial Zoning to property, from R-1A (Residential, Single-Family - 161) and Putnam County IH (Industrial, Heavy - 163) - Pumpcrete America Inc., Owner and Applicant
  - \*a. **ANNEXATION ORDINANCE** – 2<sup>nd</sup> Reading, Adopt
  - \*b. **FUTURE LAND USE MAP AMENDMENT ORDINANCE** - Adopt
  - \*c. **REZONING ORDINANCE** – 2<sup>nd</sup> Reading, Adopt
  
- \* 11. **ORDINANCE** rezoning 7201 and 7220 PRC Way - Planning Board Recommendation to assign Planned Industrial Zoning to property, from Putnam County PUD (Planned Unit Development) - Sykes Realty (7201 PRC Way) and Premier Palatka LLC (7220 PRC Way), Owners; Palatka Building & Zoning Dept., Applicant – 2<sup>nd</sup> Reading, Adopt
  
- \* 12. **PUBLIC HEARING/ORDINANCE** revising subdivision plat for 6109 3rd Manor Road West, Parcel # 10-10-26-9130-0030-0250 – Planning Board Recommendation to vacate two City controlled easements in rear yard of property – 2<sup>nd</sup> Reading, Adopt
  
- \* 13. **DISCUSSION** – Hours of Alcohol Sales (continued from 4/14/16)
  
- 14. **CITY MANAGER & ADMINISTRATIVE REPORTS**
  - \*\* **PROJECTS UPDATE REPORT** – Jonathan Griffith – separate distribution
  
- 15. **COMMISSIONER COMMENTS**
  
- 16. **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:

May 21 – KPB County-Wide Clean Up  
May 27 – 30 – Blue Crab Festival  
May 30 – City offices closed to observe Memorial Day  
July 4 – City offices closed for 4<sup>th</sup> of July Holiday  
Aug. 18 – 20 – FLC Annual Conference – Hollywood FL

### Board Openings:

Tree Committee – 1 Vacancy (at large)  
Gas Authority Board – 1 Vacancy (at large)  
Code Enforcement Board – 1 vacancy (alternate)  
Board of Zoning Appeals – 1 vacancy (at-large)



## CITY COMMISSION AGENDA ITEM

### SUBJECT:

- a. PROCLAMATION** - National Safe Boating Week, May 21 - 27, 2016 - Kathy Fisk, USCG Aux. 07-14-05, Palatka Detachment
- b. FIRE EXPLORER RECOGNITION** for Certification in CPR and Emergency Medical Responder Program.

### SUMMARY:

The following Palatka Fire Department Explorers have successfully completed the CPR and Emergency Medical Responder Program and earned certification:

- Brianna Nelson
- Emanuel Robinson
- Blayne Bishop
- Michael Ennis
- Rosa Shurock
- Rebecca Nelson
- Morgan Bell
- Taylor Head and
- Lindsay Lambert, Adult Leader.

The City of Palatka applauds these young people for their perseverance and commitment to the Palatka Fire Explorer Program.

### RECOMMENDED ACTION:

### ATTACHMENTS:

Description	Type
▫ Proclamation - Safe Boating Week	Presentation

### REVIEWERS:

Department	Reviewer	Action	Date
Meeting Minutes	Driggers, Betsy	Approved	5/5/2016 - 3:32 PM
City Clerk	Driggers, Betsy	Approved	5/4/2016 - 10:32 AM

# CITY OF PALATKA



## Proclamation

**WHEREAS**, Florida offers unique water-related recreational activities to its residents and visitors from around the world, and boating is one of the State's leading outdoor activities. With more than a million residents participating in this pastime, Florida is known as the "Boating Capital of the World;" and

**WHEREAS**, each year for National Safe Boating Week, the United States Coast Guard partners with boating organizations to raise awareness on the importance of taking proper precautions while boating. By embracing responsible boating practices, Americans can avoid preventable injuries and enjoy the majesty of our Nation's waterways; and

**WHEREAS**, on average, 650 people die each year in boating-related accidents in the U.S.; approximately 75% of these are fatalities caused by drowning. A significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and

**WHEREAS**, The "Ready, Set, Wear It!" Campaign will usher in National Safe Boating Week on May 21<sup>st</sup>. These efforts are part of The North American Safe Boating Campaign, a yearlong campaign to promote safe and responsible boating wherein boating safety partners across the U.S. and Canada are teaming up to educate the public about life jacket wear and safe boating; and

**WHEREAS**, the Palatka City Commission supports the goals of the North American Safe Boating Campaign, and wishes to promote safe boating in Putnam County, proudly known as "The Bass Capital of the World" due to its bountiful recreational fishing opportunities, where boating is part of our culture.

**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 May 21 – 27, 2016 as**

### **NATIONAL SAFE BOATING WEEK**

In the City of Palatka, and we encourage all citizens to participate in US Coast Guard Planned Activities on May 21<sup>st</sup>, wear life jackets when boating, and learn about and practice all safe boating habits.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Seal of the City of Palatka, Florida on this 12<sup>th</sup> day of May, in the Year of Our Lord Two Thousand Sixteen.

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

**PALATKA CITY COMMISSION**

\_\_\_\_\_  
**By: Terrill L. Hill, MAYOR**





## CITY COMMISSION AGENDA ITEM

### **SUBJECT:**

**Adopt Resolution No. 2016-12-35** certifying that the Putnam Habitat Program complies with all local plans and regulations for improvements in the City of Palatka

### **SUMMARY:**

This comes as a request from Ramicah Watkins, Executive Director, Putnam Habitat for Humanity, for a resolution certifying that the Putnam Habitat Program complies with all local plans and regulations for the City of Palatka. She is required to have this certification by June 1st in order to move forward with planned improvements in the Palatka/Putnam County area.

A memorandum from Thad Crowe, Planning Director, follows the resolution.

### **RECOMMENDED ACTION:**

**Adopt a resolution certifying that the Putnam Habitat Program complies with all local plans and regulations for improvements in the City of Palatka**

### **ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
▫ Resolution	Resolution
▫ Planning Director's Letter	Exhibit
▫ Request	Backup Material

### **REVIEWERS:**

<b>Department</b>	<b>Reviewer</b>	<b>Action</b>	<b>Date</b>
City Clerk	Driggers, Betsy	Approved	5/5/2016 - 3:32 PM
Meeting Minutes	Driggers, Betsy	Approved	5/5/2016 - 3:30 PM

**RESOLUTION No. 2016-12-35**

**A RESOLUTION OF THE CITY OF PALATKA, FLORIDA  
CERTIFYING THAT THE PUTNAM HABITAT FOR HUMANITY  
PROGRAM OPERATING IN THE CITY LIMITS OF PALATKA IS  
CONSISTENT WITH THE COMPREHENSIVE PLAN AND THE  
LAND DEVELOPMENT REGULATIONS OF PALATKA, FL.**

**WHEREAS**, it is necessary and in the public interest that City of Palatka certify that the Putnam Habitat for Humanity Program is consistent with local plans and regulations in order to comply with the provisions of the Community Contribution Tax Credit Program; and

**WHEREAS**, the Putnam Habitat for Humanity program is a specific program designed to offer home ownership and housing rehabilitation projects for low-income residents in an effort to provide decent, affordable housing in Palatka, FL and should receive full endorsement and support from the City of Palatka.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the City of Palatka, Florida as follows:

- Section 1:** The Putnam Habitat Program complies with all local plans and regulations for the improvements in the City of Palatka, Florida.
- Section 2:** A copy of this Resolution shall be forwarded to the State of Florida, Department of Economic Opportunity, to enable Putnam Habitat for Humanity to participate in the State of Florida's Community Contribution Tax Credit Program.
- Section 3:** This resolution shall become effective immediately upon adoption by the City of Palatka, Florida.

**PASSED AND ADOPTED** by the City Commission of the City of Palatka, Florida this 12<sup>th</sup> day of May, 2016.

**CITY OF PALATKA**

\_\_\_\_\_  
**By: Its MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**



**Building & Zoning Department**  
201 N 2<sup>nd</sup> Street  
Palatka, FL 32177  
(386) 329-0103 phone  
(386) 329-0172 fax

May 5, 2016

Ramicah Watkins  
Executive Director  
Putnam Habitat for Humanity, Inc.  
P. O. Box 1605 Westover Dr.  
Palatka, FL 32177

RE:

Dear Ms. Watkins:

It is my understanding that Putnam Habitat for Humanity, Inc. intends to in 2017 begin the construction of seven new single-family homes on property owned by the organization on Westover Drive in Palatka. Putnam Habitat for Humanity, Inc. has pledged that the homes will meet the Zoning and other relevant codes of the City as well as the City's Comprehensive Plan. It should be noted that the Comprehensive Plan supports Putnam Habitat for Humanity, Inc. programs through the following Housing Element goal and objectives:

**Goal C.1**

*Plan for and assist providing adequate and affordable housing for the current and projected populations of the City.*

**Objective C.1.1**

*Upon Plan adoption, the City shall promote the provision of adequate and affordable housing in the city.*

**Objective C.1.4**

*The City's Zoning Code shall continue to provide for the siting of housing for low and moderate income families, mobile homes and group home facilities.*

It is my opinion that Putnam Habitat for Humanity Inc. Westover Drive new construction plan is consistent with the City's Codes and Comprehensive Plan.

Sincerely,

A handwritten signature in blue ink that reads "Thad Crowe".

Thad Crowe, AICP  
Planning Director

TC/tc

## Betsy Driggers

---

**From:** Thad Crowe  
**Sent:** Wednesday, May 04, 2016 2:32 PM  
**To:** Betsy Driggers  
**Cc:** Ramicah Watkins  
**Subject:** RE: Resolution Request

Works for me.  
thad

Thad Crowe, AICP  
Planning Director, Building & Zoning Dept.  
City of Palatka

---

**From:** Betsy Driggers  
**Sent:** Wednesday, May 04, 2016 2:25 PM  
**To:** Thad Crowe  
**Subject:** FW: Resolution Request

See below

---

**From:** Ramicah Watkins [<mailto:director@putnamhabitat.org>]  
**Sent:** Wednesday, May 04, 2016 2:15 PM  
**To:** Betsy Driggers  
**Subject:** RE: Resolution Request

Let me know if this works, thanks, R

Putnam Habitat for Humanity intends to start new construction of single family homes on the Westover Drive Annex property owned by the same in 2017; we plan to build at least two homes per year, for a total of 7 homes by 2020 at this location. Putnam Habitat for Humanity is authorized by F.S. 489.103 to act as a General Contractor in the construction of new homes under the Habitat for Humanity program model implemented internationally. All new construction homes will meet the codes of the City of Palatka and the County of Putnam, as well as comprehensive plan for both.

---

**From:** Betsy Driggers [<mailto:bdriggers@palatka-fl.gov>]  
**Sent:** Wednesday, May 4, 2016 1:39 PM  
**To:** Ramicah Watkins <[director@putnamhabitat.org](mailto:director@putnamhabitat.org)>  
**Subject:** FW: Resolution Request

See below – from our Planning Director, who will be the person who has to certify consistency of your plan.

---

**From:** Thad Crowe  
**Sent:** Wednesday, May 04, 2016 1:39 PM  
**To:** Betsy Driggers  
**Subject:** RE: Resolution Request

Without a written program, we cannot attest to any sort of consistency. At the very least she needs to put on paper a paragraph or whatever that outlines the new construction plan and that it will meet applicable codes and the Comprehensive Plan.

T

---

**From:** Betsy Driggers  
**Sent:** Wednesday, May 04, 2016 1:36 PM  
**To:** Thad Crowe  
**Subject:** FW: Resolution Request

Thad -- Perhaps you could outline what it is that you need in order to certify consistency?

---

**From:** Ramicah Watkins [<mailto:director@putnamhabitat.org>]  
**Sent:** Wednesday, May 04, 2016 1:35 PM  
**To:** Betsy Driggers  
**Subject:** RE: Resolution Request

We don't have "plans" at this point, other than we are planning new construction builds on Westover Drive with in the city limits. It's just an acknowledgment that we will build within the codes and future land use plans of the city.  
R

---

**From:** Betsy Driggers [<mailto:bdriggers@palatka-fl.gov>]  
**Sent:** Wednesday, May 4, 2016 1:31 PM  
**To:** Ramicah Watkins <[director@putnamhabitat.org](mailto:director@putnamhabitat.org)>  
**Subject:** RE: Resolution Request

Do we have a copy of your Plan? So that we can certify it's consistency?

---

**From:** Ramicah Watkins [<mailto:director@putnamhabitat.org>]  
**Sent:** Wednesday, May 04, 2016 12:50 PM  
**To:** Betsy Driggers  
**Subject:** Resolution Request

Hi Betsy:

Can you tell me what date the resolution for Habitat will go before the commission? The funder in Tallahassee would like to know. Thanks, R

\*\*\*\*\*

Ramicah Johnson  
Executive Director  
Putnam Habitat for Humanity, Inc.  
PO Box 1605 Westover Drive  
Palatka, FL 32177  
PO Box 2433, Palatka, FL 32148  
386.325.5862 | fax 386.325.3939  
[director@putnamhabitat.org](mailto:director@putnamhabitat.org)  
[www.facebook.com/putnamhabitatfl](http://www.facebook.com/putnamhabitatfl)  
[www.putnamhabitat.org](http://www.putnamhabitat.org)





## CITY COMMISSION AGENDA ITEM

### **SUBJECT:**

**Grant permission to exceed allowable noise levels and close certain streets** for Special Events Permit No. 16-32 on May 21, 2016 from 12:00 noon to 4:00 p.m. - Church of God by Faith Neighborhood Festival, N. 15th & Washington St. closures

### **SUMMARY:**

Will Simpson, a member of this church, has filed a Class B special event permit application for a neighborhood festival with live music, children's activities, and food vendors. The Applicant has requested permission to exceed allowable noise levels for the live music and also is requesting the closure of portions of N. 15th St. and Washington St. (see site plan). Even though Class B special events can be approved by the Special Events Coordinator, higher noise levels and street closures require City Commission approval.

### **RECOMMENDED ACTION:**

**Grant permission to exceed allowable noise levels and close portions of N 15th St. and Washington St. for Special Events Permit No. 16-32, Church of God by Faith Street Festival, on May 21, 2016 from 12 noon until 4 pm.**

### **ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
▫ Special Events Permit No. 16-32 Church of God by Faith	Backup Material

### **REVIEWERS:**

<b>Department</b>	<b>Reviewer</b>	<b>Action</b>	<b>Date</b>
Special Events	Crowe, Thad	Approved	5/5/2016 - 10:05 AM
City Clerk	Driggers, Betsy	Approved	5/5/2016 - 1:31 PM

APPLICATION # 16-32

(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. Church of God by Faith; 1511 Washington St Palatka FL 32177

b. CONTACT PERSON Will Simpson TELEPHONE/CELL 904-955-2096

c. EMAIL willsmediamusic@yahoo.com FAX # \_\_\_\_\_

2. ADDITIONAL CONTACT

a. CONTACT PERSON Santana Simpson TELEPHONE/CELL 386-336-5977

b. EMAIL \_\_\_\_\_ FAX # \_\_\_\_\_

3. DESCRIPTION AND/OR NAME OF PROPOSED ACTIVITY Worship Music Fest

4. DATE & HOURS OF DESIRED USE: May 21, 2016; 12 noon - 4 pm

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

6. ROAD CLOSURES: May 21, 2016; 12 noon - 4 pm; N. 15th St & Washington St

7. REQUEST FOR NOISE VARIANCE(Dates and Times):May 21, 2016; 12 noon - 4 pm

8. REQUEST FOR ALCOHOL VARIANCE(Dates,Times,Location): \_\_\_\_\_

9. ESTIMATE OF ANTICIPATED ATTENDANCE 300

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. 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.

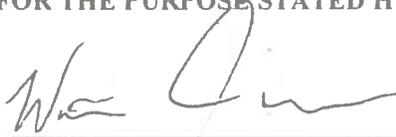
The applicant(s) agrees to hold harmless and indemnify the City of Palatka, its officers, agents and employees against any loss, damage or expense ( including all costs and reasonable attorney's fees ) suffered by the City of Palatka for:

- 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.

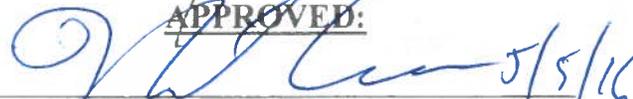
**ARTICLE V NOISE CONTROL Sec. 30-101 – 30-109:** Permission for use of city property does not grant an automatic exemption to exceed maximum allowable noise levels. Complaints of adverse effects upon the community or surrounding neighborhood may result in revoking permission for use of City property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

4/27<sup>th</sup> July  
DATE

  
SIGNATURE OF APPLICANT

**APPROVED:**

  
SPECIAL EVENTS COORDINATOR DATE 5/5/16

  
CHIEF OF POLICE DATE 5/4/16

**RETURN TO:**  
THAD CROWE  
SPECIAL EVENTS COORDINATOR  
205 N. 2<sup>nd</sup> 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: 5/4/16 Special Events Coordinator: Thad Crowe

<input checked="" type="checkbox"/> Site Sketch Provided <input type="checkbox"/> Tentative Schedule of Events	Event Classification: 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: Worship Music Fest

**Type of Event: Music & Arts Fest**

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Location of Event: 1511 Washington St

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

	Date	Day	Begin	End
Event Day 1	<u>5-21-16</u>	<u>Saturday</u>	<u>12 noon</u> AM/PM	<u>4</u> 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) May 21, 2016 at (time) 8 am

Break down will be completed by (Date) May 21, 2016 at (time) 5:30 pm

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

r Estimated peak number of participants (each day of event): Day 1 **300**  
Day 2 \_\_\_\_\_ Day 3 \_\_\_\_\_ Day 4 \_\_\_\_\_ Day 5 \_\_\_\_\_

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

r Number and location of fire protection services: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

r Inspection(s)- date and time requested: (\$23/hour) **May 21, 2016 @ 10 am**  
\_\_\_\_\_  
\_\_\_\_\_

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

r Emergency medical services: ambulance locations(s) (note on site plan): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

r Number and location for portable toilets: (note location on site plan) **Restrooms available the church**  
\_\_\_\_\_  
\_\_\_\_\_

r Carnival location (if any) (note location on site map) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

r Location of parking/transportation services, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

r Temporary parking, directional signage needed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

r Type transport vehicles (van, buses, etc.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

r Location of security and emergency vehicle parking on site: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

r Public street barricades/street closures/detours: (note locations on site plan) **see attached site plan**  
\_\_\_\_\_  
\_\_\_\_\_

- r Main emergency vehicle access to site (location-also note on site plan): \_\_\_\_\_  
\_\_\_\_\_
- r Location of temporary structures, fences, grandstands, bandstands, judges stands, bleachers, hospitality tents, booths, etc.: (note on site plan): **20' X 40' Tent**  
\_\_\_\_\_  
\_\_\_\_\_
- r Number and location of arts and craft vendors, concessions and/or sponsor/promoter(s) stands (note on site map) \_\_\_\_\_  
\_\_\_\_\_
- r Number and location of food vendors (note on site plan): **estimated 20 food vendors**  
\_\_\_\_\_
- r Staff/ volunteer uniform identification: **T-Shirts**  
\_\_\_\_\_
- r Sound system(s) location: **Under tent**  
\_\_\_\_\_
- r Number and location of special activities (launching areas, animal attractions, amusements, car shows, parade routes, and etc.): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- r Number and location of temporary signs/banners: \_\_\_\_\_  
\_\_\_\_\_
- r Number and location of promotional visual effects: \_\_\_\_\_  
\_\_\_\_\_
- r Watercraft: \_\_\_\_\_
- r Aircraft: \_\_\_\_\_
- r Types & location of on-site advertising (banners, balloons, posters, flyers, inflatables, signs, etc.):  
\_\_\_\_\_  
\_\_\_\_\_

**Items Outstanding:**

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





## CITY COMMISSION AGENDA ITEM

### **SUBJECT:**

**APPOINTMENT** - Palatka Gas Authority Board - Remainder of a three (3) year term to expire January, 2018 - two (2) Applicants

1. Andrew Rabun
2. Bryan Screen

### **SUMMARY:**

There is an opening on the Palatka Gas Authority Board due to the passing of long-time member Brother Charlie Rabun. This appointment is for the remainder of a three-year term to expire January 31, 2018.

Andrew Rabun and Bryan Screen have submitted their application for appointment to this Board position. They are both qualified for appointment to this Board.

### **RECOMMENDED ACTION:**

**Interview and/or make appointment to the Palatka Gas Authority Board for the remainder of the 3-year term to expire January, 2018.**

### **ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
▣ A. Rabun Application	Backup Material
▣ B. Screen Application	Backup Material
▣ Advertisement	Backup Material

### **REVIEWERS:**

<b>Department</b>	<b>Reviewer</b>	<b>Action</b>	<b>Date</b>
City Clerk	Driggers, Betsy	Approved	5/5/2016 - 1:47 PM

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 ADVISORY BOARD APPLICATION

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

APPLICANT: Andrew D Rabun (Must be at least 18 yrs. old)

Residence 500 Moseley Avenue, Palatka, FL 32177 Phone: (386) 325 - 0439

(911 Address) 500 Moseley Avenue, Palatka, FL 32177 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: 500 Moseley Avenue, Palatka, FL 323177

E-mail: rabun\_a@bellsouth.net Daytime Phone: (386) 325 - 0439

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

I am retired from Microsoft Corporation after 16-years with specialties and certifications in Project Management and Global

Telecommunications for 16 Years. Before retiring, I was serving as the Global Operation Manager and Design Engineering

for voice and data to all of the Microsoft Call Centers spanning 60 + Countries across 5 Continents with a Multi-Million-dollar budget.

My Degrees are in Business Administration, Computer Science including Network Architecture and Design

### OTHER COMMENTS OR INFORMATION:

I believe my Network Architectural Design and experience managing a Multi-Million-Dollar Global Budget as well as Human Resources, Vendors,  
and facilities gives me a unique perspective on how to grow the Gas Authority in this changing Economy and increasingly complex

technologies in both the transport/delivery of Gas and Customer Service, Engagement, and Automation/Self-Service. My Family have strong ties with Palatka.

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.

14 - January - 2016

SIGNATURE OF APPLICANT

DATE

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

201 N. 2ND STREET • PALATKA, FLORIDA 32177

PHONE: (386) 329-0100

www.palatka-fl.gov

FAX: (386) 329-0108

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 8:00 p.m.

TERRY K. SUGGS  
CITY MANAGER

BETSY JORDAN DRIGGERS  
CITY CLERK

MATTHEW D. REYNOLDS  
FINANCE DIRECTOR

JASON L. SHAW, SR.  
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 GAS AUTHORITY Board.  
I understand that, if appointed, I will serve in a volunteer capacity on this advisory board.

APPLICANT: BRYAN C. SCREEN (Must be at least 18 yrs. old)

Residence 116 JAVEL RD. Phone: 386-983-7799

(911 Address) FLORAHOME, FL 32140 Fax: -

Business Name BLUE LAGOON CARWASH Phone: 386-937-9740

& Address 4401 ST. JOHN'S AVE. PALATKA, FL 32177 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: P.O. BOX 428 FLORAHOME, FL 32140

E-mail: BRYANRIVERSIDE@BELLSOUTH.NET Daytime Phone: 386-937-7248

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

BUILDING CONTRACTOR FOR THE LAST 15 YEARS HERE  
IN PUTNAM COUNTY (RIVERSIDE BUILDERS)

OWNER / PARTNER IN BLUE LAGOON CARWASH

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.

SIGNATURE OF APPLICANT

3/9/16  
DATE

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

PHONE: (386) 329-0100

201 N. 2ND STREET • PALATKA, FLORIDA 32177  
www.palatka-fl.gov

FAX: (386) 329-0106

# PRESS RELEASE:

02/01/2016

City of Palatka

201 N. 2<sup>nd</sup> Street

Palatka FL 32177

[www.palatka-fl.gov](http://www.palatka-fl.gov)



For more information concerning this Press Release, contact Betsy Driggers, City Clerk; 386-329-0100 ext. 211 or [bdriggers@palatka-fl.gov](mailto:bdriggers@palatka-fl.gov)

---

## RE: Palatka accepting applications for appointment to Gas Authority Board

The Palatka City Commission is taking applications for appointment to the Palatka Gas Authority Board of Directors. Its members are appointed by the Palatka City Commission. In order to qualify for appointment to this board, you must be the record owner of property within the Palatka City Limits or a qualified voter of the City, and hold no other elected or appointed office in the City. Applications to fill this vacancy will be accepted at City Hall until **12:00 noon, Wednesday, March 16, 2016**. All applicants will be expected to attend the March 24, 2016 City Commission Meeting for interview.

The Palatka Gas Authority serves as the governing board of Palatka Natural Gas, a public-corporate entity that functions as a natural gas public utility. Duties include:

- Setting policies governing the operations of Palatka Natural Gas and its gas system plants
- Adopting operating budgets and establishing rates
- Assisting in the establishment of policies governing employees

The Authority holds twelve regular monthly meetings per year at 7:00 p.m. on the first Thursday of each month, and also meets periodically to address time-sensitive issues.

Applications can be obtained from Palatka's City Hall, 201 N. 2<sup>nd</sup> Street, Palatka in person or by email to [bdriggers@palatka-fl.gov](mailto:bdriggers@palatka-fl.gov). For more information, please contact Betsy Driggers, City Clerk, at 386-329-0100, or Don Kitner, Palatka Gas Authority, at 386-328-1591.



## CITY COMMISSION AGENDA ITEM

### **SUBJECT:**

**PUBLIC HEARING:** 202 Florida Dr. - Planning Board Recommendation to annex and assign single-family residential land use and zoning to property, from Putnam County R-1HA (Residential Single Family) - Nolan Kelly III, Owner; Palatka Building & Zoning Dept., Applicant.

\*a. **ANNEXATION ORDINANCE** - 2nd Reading, Adopt

\*b. **FUTURE LAND USE MAP AMENDMENT ORDINANCE** - Adopt

\*c. **REZONING ORDINANCE** - 2nd Reading, Adopt

### **SUMMARY:**

These ordinances annex this property into the City limits, assign a City Future Land Use Map designation to the property, and assign City zoning to the property. This is a voluntary annexation initiated by the property owner. The property meets state criteria for annexation as it is contiguous to the City limits and is a compact property. The Planning Board has found that the application meets the criteria for the land use amendment and rezoning.

### **RECOMMENDED ACTION:**

**Adopt ordinances annexing 202 Florida Drive into the City; assigning the RL (Residential, Low) Future Land Use Map designation to the property; and rezoning the property to R-1A (Single Family Residential).**

### **ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
▢ Annexation Ordinance	Ordinance
▢ Future Land Use Map Amendment Ordinance	Backup Material
▢ Rezoning Ordinance	Ordinance
▢ Staff Report	Backup Material
▢ Planning Board Minutes	Backup Material

### **REVIEWERS:**

<b>Department</b>	<b>Reviewer</b>	<b>Action</b>	<b>Date</b>
Planning	Crowe, Thad	Approved	4/29/2016 - 4:08 PM
City Clerk	Driggers, Betsy	Approved	5/2/2016 - 2:45 PM
City Manager	Suggs, Terry	Approved	5/2/2016 - 3:15 PM

This instrument prepared by:  
Thad Crowe, AICP  
City of Palatka  
201 N. 2<sup>nd</sup> St.  
Palatka, FL 32177

**ORDINANCE NO. 16 -**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IDENTIFIED AS 202 FLORIDA DRIVE, LOCATED IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Petition has been filed before the City Commission of the City of Palatka, Florida, which Petition is on file in the office of the City Clerk, signed by the freehold owner of the property sought to be annexed, to wit: James Gary Wallace, and

**WHEREAS**, Chapter 171.044, Florida Statutes, permits the voluntary annexation of unincorporated areas lying adjacent and contiguous to the boundaries of the City of Palatka; and

**WHEREAS**, the City Commission of the City of Palatka finds that it is in the best interest of the people of the City of Palatka, Florida, that said lands be annexed and become a part of the City of Palatka;

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

**Section 1.** That the following described unincorporated lands lying adjacent and contiguous to the boundaries of the City of Palatka, Florida shall henceforth be deemed and held to be within the corporate limits of the City of Palatka, Florida said lands being described as follows:

**DESCRIPTION OF PROPERTY:**

HIGHLAWN MB2 P49, BLK E LOTS 18 19 20 (tax parcel # 11-10-26-3770-0050-0180), a 0.47-acre parcel.

**Section 2.** The property hereby annexed shall remain subject to the Putnam County Comprehensive Plan and Zoning Laws until changed by the City of Palatka.

**Section 3:** That a copy of this ordinance shall be sent to Municipal Code Corporation for inclusion in the City Charter.

**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 May 12, 2016.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM AND CORRECTNESS:**

\_\_\_\_\_  
**City Attorney**

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

**ORDINANCE NO. 16 -**

**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 PUTNAM COUNTY UR (URBAN RESERVE) TO CITY RL (RESIDENTIAL LOW) FOR 202 FLORIDA DRIVE, LOCATED IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 26 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: Nolan Kelly III, 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>
11-10-26-3770-0050-0180	0.47	County UR (Urban Reserve)	RL (Residential, Low)
DESCRIPTION OF PROPERTY: HIGHLAWN MB2 P49, BLK E LOTS 18 19 20 (Being 202 Florida Drive)			

**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 12<sup>th</sup> day of May, 2016.

**CITY OF PALATKA**

By: \_\_\_\_\_  
Its Mayor

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

**ORDINANCE NO. 16 -**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED FROM PUTNAM COUNTY R-1HA (RESIDENTIAL SINGLE FAMILY) TO CITY R-1A (SINGLE FAMILY RESIDENTIAL) FOR A PARCEL IDENTIFIED AS 202 FLORIDA DRIVE, LOCATED IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 26 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 owners of said property: Nolan Kelly III, 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, 2015 and two public hearings before the City Commission of the City of Palatka on April 28, 2016 and May 12, 2016, 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:**

HIGHLAWN MB2 P49, BLK E LOTS 18 19 20 (tax parcel # 11-10-26-3770-0050-0180) - being 202 Florida Drive.

**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 12<sup>th</sup> day of May, 2016.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
Its **MAYOR**

**ATTEST:**

\_\_\_\_\_  
City Clerk

# 202 Florida Dr. Request to Annex, 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 annex, amend FLUM, and rezone the property below from County to City single-family residential. 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
US (Urban Services)	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 Figure 1, the property is contiguous to the City limits, which are to the south and north.

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



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

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.

### **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 Services FLUM category, which allows a range of residential and nonresidential uses. 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.

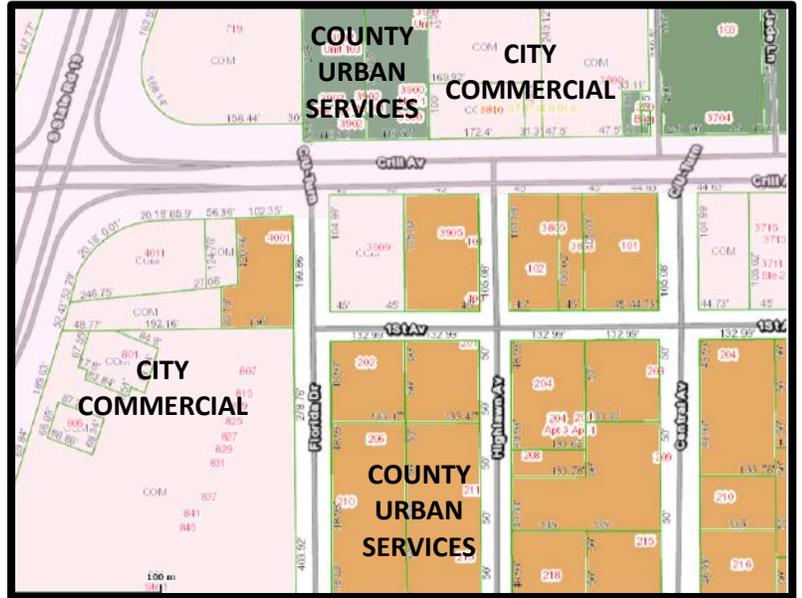


Figure 3: Vicinity Future Land Use Map (FLUM) Designations

*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 Florida Drive.

*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 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*

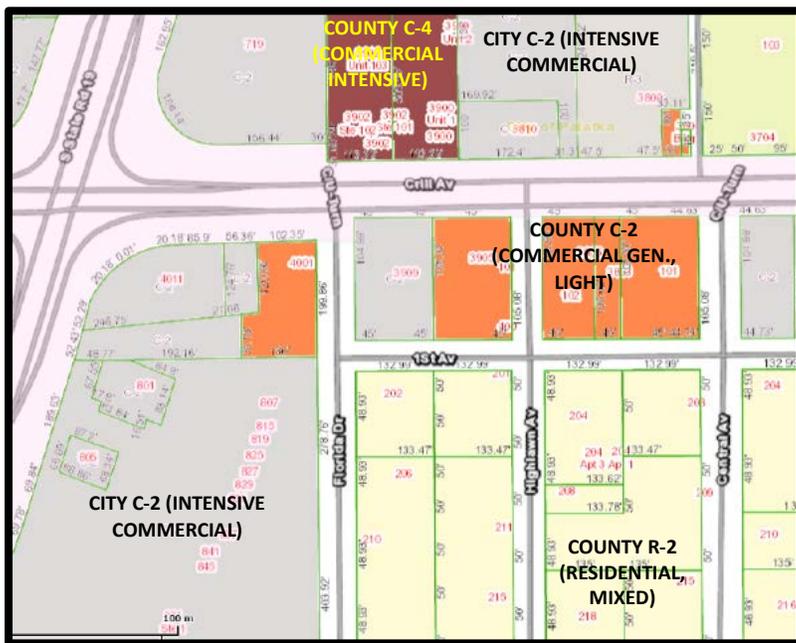


Figure 4: Vicinity Zoning

*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:** 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 overtaking 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 202 Florida Drive.

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.



## CITY COMMISSION AGENDA ITEM

### SUBJECT:

**PUBLIC HEARING:** 1620 Husson Ave. - Planning Board Recommendation to annex and assign single-family residential land use and zoning to property, from Putnam County R-1A (Residential Single Family) - Terry White and Cherane Wilford, Owners; Palatka Building & Zoning Dept., Applicant.

**\*a. ANNEXATION ORDINANCE - 2nd Reading, Adopt**

**\*b. FUTURE LAND USE MAP AMENDMENT ORDINANCE - Adopt**

**\*c. REZONING ORDINANCE - 2nd Reading, Adopt**

### SUMMARY:

These ordinances annex this property into the City limits, assign a City Future Land Use Map designation to the property, and assign City zoning to the property. This is a voluntary annexation initiated by the property owner. The property meets state criteria for annexation as it is contiguous to the City limits and is a compact property. The Planning Board made the determination that the application meets the criteria for land use amendments and rezonings.

### RECOMMENDED ACTION:

**Adopt ordinances annexing 1620 Husson Ave. into the City; assigning the RL (Residential, Low) Future Land Use Map designation to the property; and rezoning parcel to R-1A (Single Family Residential).**

### ATTACHMENTS:

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

### REVIEWERS:

Department	Reviewer	Action	Date
Planning	Crowe, Thad	Approved	4/29/2016 - 4:25 PM
City Clerk	Driggers, Betsy	Approved	5/2/2016 - 3:37 PM

This instrument prepared by:  
Thad Crowe, AICP  
City of Palatka  
201 N. 2<sup>nd</sup> St.  
Palatka, FL 32177

**ORDINANCE NO. 16 -**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IDENTIFIED AS 1620 HUSSON AVENUE, LOCATED IN SECTION 13, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Petition has been filed before the City Commission of the City of Palatka, Florida, which Petition is on file in the office of the City Clerk, signed by the freehold owner of the property sought to be annexed, to wit: Terry White and Cherane Wilford, and

**WHEREAS**, Chapter 171.044, Florida Statutes, permits the voluntary annexation of unincorporated areas lying adjacent and contiguous to the boundaries of the City of Palatka; and

**WHEREAS**, the City Commission of the City of Palatka finds that it is in the best interest of the people of the City of Palatka, Florida, that said lands be annexed and become a part of the City of Palatka;

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

**Section 1.** That the following described unincorporated lands lying adjacent and contiguous to the boundaries of the City of Palatka, Florida shall henceforth be deemed and held to be within the corporate limits of the City of Palatka, Florida said lands being described as follows:

**DESCRIPTION OF PROPERTY:**

5 POINTS S/D MB4 P2 BLK 1, LOTS 18 + 20 BK196 PP245 + 247 (tax parcel # 13-10-26-2550-0010-0180), a 0.38-acre parcel.

**Section 2.** The property hereby annexed shall remain subject to the Putnam County Comprehensive Plan and Zoning Laws until changed by the City of Palatka.

**Section 3:** That a copy of this ordinance shall be sent to Municipal Code Corporation for inclusion in the City Charter.

**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 May 12, 2016.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM AND CORRECTNESS:**

\_\_\_\_\_  
**City Attorney**

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

**ORDINANCE NO. 16 -**

**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 PUTNAM COUNTY UR (URBAN RESERVE) TO CITY RL (RESIDENTIAL LOW) FOR 1620 HUSSON AVENUE, LOCATED IN SECTION 13, TOWNSHIP 10 SOUTH, RANGE 26 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: Terry White and Cherane Wilford, 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 December 1, 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>
13-10-26-2550-0010-0180	0.38	County UR (Urban Reserve)	RL (Residential, Low)
DESCRIPTION OF PROPERTY:	5 POINTS S/D MB4 P2 BLK 1, LOTS 18 + 20 BK196 PP245 + 247 (Being 1620 Husson Avenue)		

**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 12<sup>th</sup> day of May, 2016.

**CITY OF PALATKA**

By: \_\_\_\_\_

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

**ORDINANCE 16-**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED FROM PUTNAM COUNTY R-1A (RESIDENTIAL SINGLE-FAMILY) TO CITY R-1A (SINGLE-FAMILY RESIDENTIAL) FOR THE FOLLOWING PROPERTY: 1620 HUSSON AVENUE (SECTION 13, TOWNSHIP 10 SOUTH, RANGE 26 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 owners of said property: 1620 Husson Avenue (Terry White and Cherane Wilford) 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 February 2, 2016, and two public hearings before the City Commission of the City of Palatka on April 28, 2016 and May 12, 2016, 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:**

5 POINTS S/D MB4 P2 BLK 1, LOTS 18 + 20 BK196 PP245 + 247 (Being 1620 Husson Avenue / tax parcel # 13-10-26-2550-0010-0180)

**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 12<sup>th</sup> day of May, 2016.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its MAYOR**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

develop a system of key developments to provide for a continuous flow of pedestrian bike traffic. Mr. Crowe asked the Board to share any comments or suggestions they may have.

Mr. Harwell asked if all the strikethroughs are the things that are being removed. Mr. Crowe explained that the Regional Council wrote this, it is bulky and the goal is to get rid of all of the extraneous stuff. Mr. Petrucci said that it would be good for the City to recommend to Ride Solutions about expanding their bus route, so that people can hop on the bus to get to work. This is done in larger cities as a way to reduce traffic,

Linda Crider, 116 Kirkland St. she stated that she was especially pleased that the city is taking this direction with the “mobility plan” and the concept of “complete streets.” She said that by having a plan in place it will give the city more leverage. Create a system plan for bicycle travel to connect to the spine off some of the larger streets and create additional space to east/west (such as Palm Av. and Moody Rd.) to connect to the trail systems. She stated that she worked for DOT for 18 years and as a Transportation planner at University of North Florida for 22 years.

Road Diet?? Mr. Crowe ended by saying that the street network itself is not what it could be, there are potential for using old RR row.

No action taken.

**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 (tabled from the January 5, 2016 meeting).

Mr. Crowe reviewed the proposed definition explaining the changes smaller size, cart with two or more wheels or stand with shelves.

Linda Crider asked if the allowance is only for existing grocery stores. Mr. Crowe explained that it is currently allowed.

**Motion** made by Mr. Petrucci and seconded by Mr. Killebrew to approve the amendment as submitted but also to include no prefabricated sheds allowed. All present voted, motion carried unopposed.

## 6. NEW BUSINESS:

**Case 16-01** Request to annex, amend Future Land Use Map from County UR (Urban Reserve) to RL (Residential Low-Density), and rezone from County R-1A (Residential Single-Family) to R-1A (Single-Family Residential).

**Location:** 1620 Husson Ave.

**Owner:** Terry White and Cherane Wilford

Mr. Crowe explained that this request is made by the property owner for the benefit of connecting to city utilities, that this property is contiguous to the City limits across the street and that the comprehensive plan requires annexation. This is located in a single family homes area and in not in conflict with the comp plan. He recommended approval of the request.

**Motion** made by Mr. Killebrew and seconded by Mr. Harwell to approve the request as submitted. All present voted, motion carried unopposed.

Mr. Sheffield asked if any variances have been granted by staff or the City Manager this past month. Mr. Crowe replied that there had not been any request.

Mr. Harwell asked how the architectural designs standards for downtown were enforced, referring to a project on 3<sup>rd</sup> and St. Johns Ave. Mr. Crowe replied that those standards are reviewed during the permit review period and further commented that the particular project he was inferring to was submitted and approved prior to the ordinance adoption.

With no further business, meeting adjourned at 5:05.

Case # 16-01 - 1620 Husson Ave.  
Request to Annex, Amend Future Land Use Map and Rezone  
Applicant: Building & Zoning Dept.

**STAFF REPORT**

**DATE:** January 15, 2016  
**TO:** Planning Board members  
**FROM:** Thad Crowe, AICP  
Planning Director

**APPLICATION REQUEST**

To annex, amend FLUM, and rezone the property below from County to City single-family residential. 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-1A (Residential Single-Family)	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: Southwest Palatka 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. Furthermore, Municipal Code Section 94-111(b) allows the R-1A zoning category within the RL land use category, which provides Comprehensive Plan category conformance.

*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 Husson Ave.

*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*

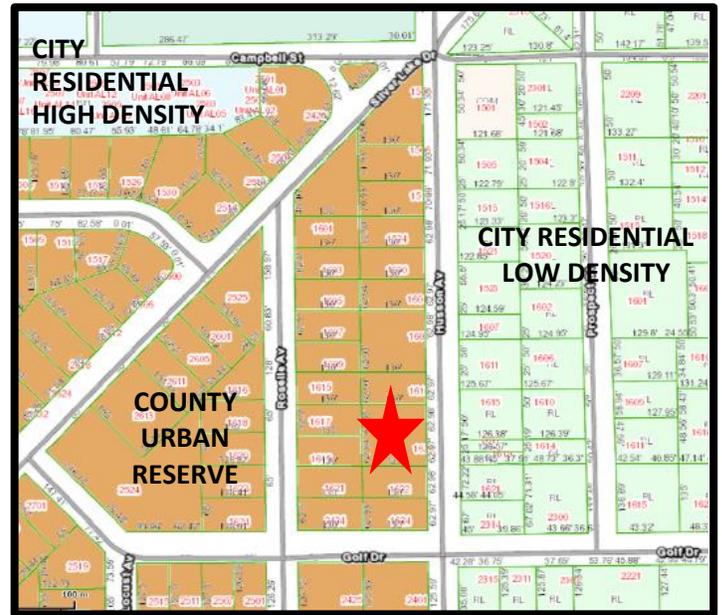


Figure 3: Vicinity Future Land Use Map (FLUM) Designations

- *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:*

*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. Typical lot sizes vary but are under 10,000 SF although lots like is a larger 16,553 SF. The City R-1A zoning district has a minimum lot size of 7,200 SF, while the next least dense category is R-1AA, at a 10,000 SF minimum lot size. The R-1A is a better fit.

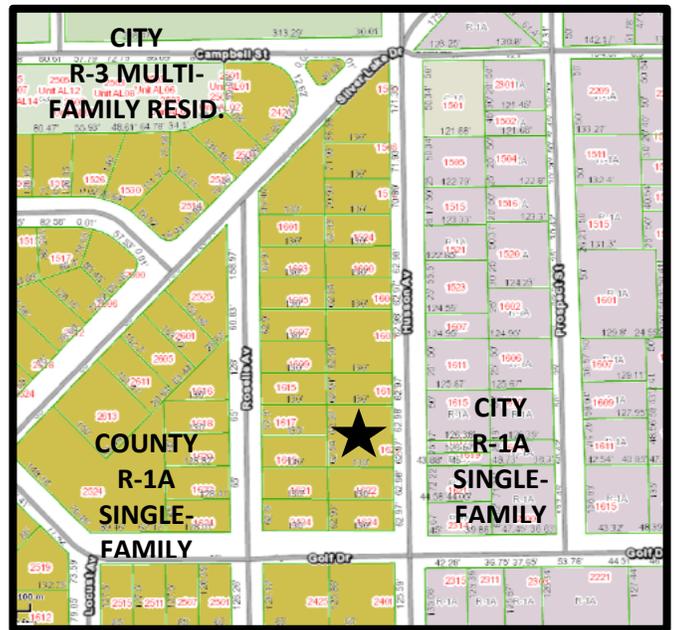


Figure 4: Vicinity Zoning

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

**Staff Comment:** not applicable.

*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:** not applicable.

*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:** not applicable.

*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:** not applicable.

*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 1620 Husson Ave.



## CITY COMMISSION AGENDA ITEM

### **SUBJECT:**

**PUBLIC HEARING:** 203 Central Avenue - Planning Board Recommendation to annex and assign single-family residential land use and zoning to property, from Putnam County R-2 (Residential Mixed) - Robert Michael Ratliff, Owner; Palatka Building & Zoning Dept., Applicant.

**\*a. ANNEXATION ORDINANCE** - 2nd Reading, Adopt

**\*b. FUTURE LAND USE MAP ORDINANCE** - Adopt

**\*b. REZONING ORDINANCE** - 2nd Reading, Adopt

### **SUMMARY:**

These ordinances annex this property into the City limits, assign a Future Land Use Map designation to the property, and assign City zoning to the property. This is a voluntary annexation initiated by the property owner. The property meets state criteria for annexation as it is compact and contiguous to the City limits. The Planning Board made the finding that the application meets the criteria for land use amendments and rezonings.

### **RECOMMENDED ACTION:**

**Adopt ordinances annexing 203 Central Ave. into the City; assigning the RL (Residential, Low) Future Land Use Map designation to the property; and rezoning the property to R-1A (Single Family Residential).**

### **ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
▢ Annexation Ordinance	Ordinance
▢ Future Land Use Map Amendment Ordinance	Ordinance
▢ Rezoning Ordinance	Ordinance
▢ Planning Board Minutes	Backup Material
▢ Staff Report	Backup Material

### **REVIEWERS:**

<b>Department</b>	<b>Reviewer</b>	<b>Action</b>	<b>Date</b>
Planning	Crowe, Thad	Approved	4/29/2016 - 4:37 PM
City Clerk	Driggers, Betsy	Approved	5/2/2016 - 3:16 PM
City Manager	Suggs, Terry	Approved	5/2/2016 - 3:20 PM

This instrument prepared by:  
Thad Crowe, AICP  
City of Palatka  
201 N. 2<sup>nd</sup> St.  
Palatka, FL 32177

**ORDINANCE NO. 16 -**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IDENTIFIED AS 203 CENTRAL AVENUE, LOCATED IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Petition has been filed before the City Commission of the City of Palatka, Florida, which Petition is on file in the office of the City Clerk, signed by the freehold owner of the property sought to be annexed, to wit: Robert Michael Ratliff, and

**WHEREAS**, Chapter 171.044, Florida Statutes, permits the voluntary annexation of unincorporated areas lying adjacent and contiguous to the boundaries of the City of Palatka; and

**WHEREAS**, the City Commission of the City of Palatka finds that it is in the best interest of the people of the City of Palatka, Florida, that said lands be annexed and become a part of the City of Palatka;

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

**Section 1.** That the following described unincorporated lands lying adjacent and contiguous to the boundaries of the City of Palatka, Florida shall henceforth be deemed and held to be within the corporate limits of the City of Palatka, Florida said lands being described as follows:

**DESCRIPTION OF PROPERTY:**

HIGHLAWN S/D MB2 P49 BLK F, LOTS 1 2 3 (tax parcel # 11-10-26-3770-0060-0010), a 0.48-acre parcel.

**Section 2.** The property hereby annexed shall remain subject to the Putnam County Comprehensive Plan and Zoning Laws until changed by the City of Palatka.

**Section 3:** That a copy of this ordinance shall be sent to Municipal Code Corporation for inclusion in the City Charter.

**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 May 12, 2016.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM AND CORRECTNESS:**

\_\_\_\_\_  
**City Attorney**

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

**ORDINANCE NO. 16 -**

**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 PUTNAM COUNTY UR (URBAN RESERVE) TO CITY RL (RESIDENTIAL LOW) FOR 203 CENTRAL AVENUE, LOCATED IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 26 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: Robert Michael Ratliff, 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 January 5, 2016 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>
11-10-26-3770-0060-0010	0.48	County UR (Urban Reserve)	RL (Residential, Low)
DESCRIPTION OF PROPERTY: HIGHLAWN S/D MB2 P49 BLK F, LOTS 1 2 3 (Being 203 Central Avenue)			

**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 13<sup>th</sup> day of May, 2016.

**CITY OF PALATKA**

By: \_\_\_\_\_  
Its Mayor

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

**ORDINANCE 16-**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED FROM PUTNAM COUNTY R-2 (RESIDENTIAL MIXED) TO CITY R-1A (SINGLE-FAMILY RESIDENTIAL) FOR THE FOLLOWING PROPERTY: 203 CENTRAL AVENUE (SECTION 11, TOWNSHIP 10 SOUTH, RANGE 26 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 owners of said property: 203 Central Avenue (Robert Michael Ratliff) 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 January 5, 2016, and two public hearings before the City Commission of the City of Palatka on April 28, 2016 and May 12, 2016, 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:**

HIGHLAWN S/D MB2 P49 BLK F, LOTS 1 2 3 (Being 203 Central Avenue) / tax parcel # 11-10-26-3770-0060-0010)

**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 12<sup>th</sup> day of May, 2016.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its MAYOR**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**CITY OF PALATKA**  
**PLANNING BOARD MINUTES (draft)**  
**January 5, 2016**



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

**Motion** made by Mr. DeLoach and seconded by Mr. Pickens to approve December 1, 2015 meeting minutes. All present voted, 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.

**Election of Chairperson and Vice-chairperson.**

**Motion** made by Mr. Pickens and seconded by Mr. DeLoach to re-elect Daniel Sheffield as Chairperson. All present voted, motion carried unopposed.

**Motion** made by Mr. DeLoach and seconded by Ms. Williams to re-elect Joe Pickens to Vice-chair person. All present voted, motion carried unopposed.

**OLD BUSINESS:**

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

Mr. Crowe requested that this item be tabled until the next meeting.

**Motion** made by Mr. Pickens and seconded by Mr. DeLoach to table this request until the February 2, 2016. Motion carried unopposed.

**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

Mr. Crowe explained that this area is a single family home that is contiguous to the City boundaries to the northeast. The applicant wants to connect to city utilities which are available to this single-family homes area and that the proposed land use and zoning closely matches the current County designation. The request meets the criteria for annexation and does not conflict with the Comprehensive Plan. He recommended approval 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) for 203 Central Ave.

Mr. Pickens asked if the applicant could request a more dense zoning. Mr. Crowe replied yes they may. He explained that the City is currently handling these types of requests administratively, waiving the application fee, therefore as a matter of policy city staff will recommend the least intensive use.

**Motion** made by Mr. DeLoach and seconded by Mr. Pickens to recommend approval of the request as presented by Staff. All present voted, motion carried unopposed.

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

Mr. Crowe explained that zoning, Chapter 94 allows mobile vendors and push carts by right in downtown zoning districts, but these uses are undefined and are actually prohibited from functioning due to the outright prohibition of sales on the right-of-way such as sidewalks in chapter 70. 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.

Discussion took place regarding the close proximity to the existing food serving establishments' downtown. Mr. Crowe explained that the allowance of mobile vending in the downtown area was put in place in 2009 to help add to the vitality of downtown street life, encourage more pedestrian activity, and allow for more retail sales and is intended as a complimentary function.

Additional discussion took place regarding removing the word "rubber" with regards to the wheels as there are many types of wheels that may be appropriate, such as iron or even wood. Mr. Crowe agreed that the key word was "wheel" which the definition is intended to describe these carts as being easily removed, they are transported and not just sit there competing with the store.

**Motion** made by Mr. Pickens and seconded by Mr. Kellebrew to approve the amendment as submitted by Staff except remove the word "rubber." All present voted, motion carried unopposed.

Discussion ensued regarding possible concerns for distance restrictions and limitation of hours or days of operation for mobile food vendors. Mr. Holmes suggested that it might be a good idea to place some restrictions as to where the cart can be placed.

**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.

Mr. Crowe explained that the City has been approached by struggling convenient store owners in an effort to increase their trade. 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 to help remedy some of the food desert areas, which by USDA urban standards is any area that is more than a mile from a grocery store, or a store that sells fresh produce - which means that most everything east of Palm Ave. is in what is referred to as a food desert. He added that currently the Zoning Code does not allow such outdoor sales activities except under the conditional use process and only include activities that are temporary or seasonal type outdoor sales. He reiterated that at the request of the Board, some changes have been made to the proposed amendment to clarify the permitting requirements of the structure; the maximum allowed size was

**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.

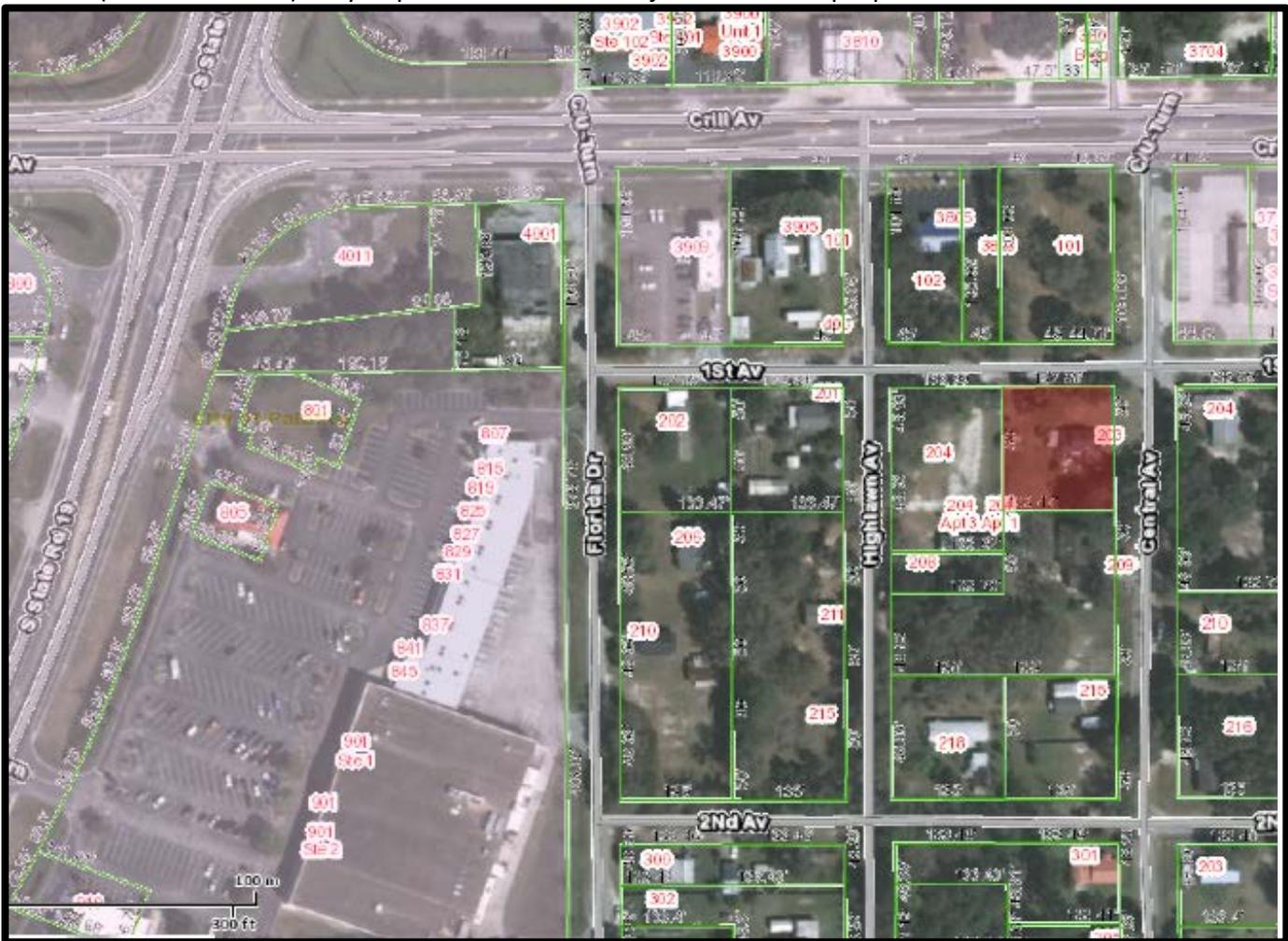


Figure 1: Site and Vicinity Map (property outlined in red, properties within City shown with purple overlay)

**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.

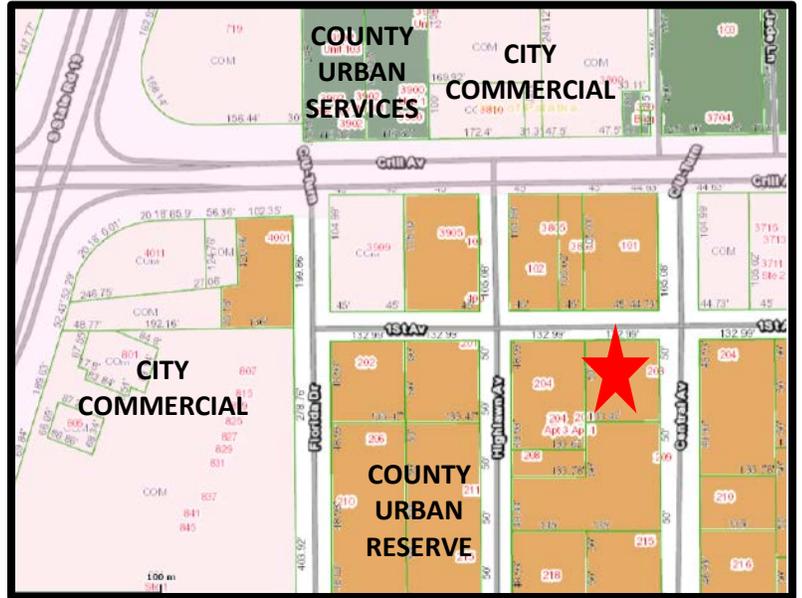


Figure 3: Vicinity Future Land Use Map (FLUM) Designations

*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:*

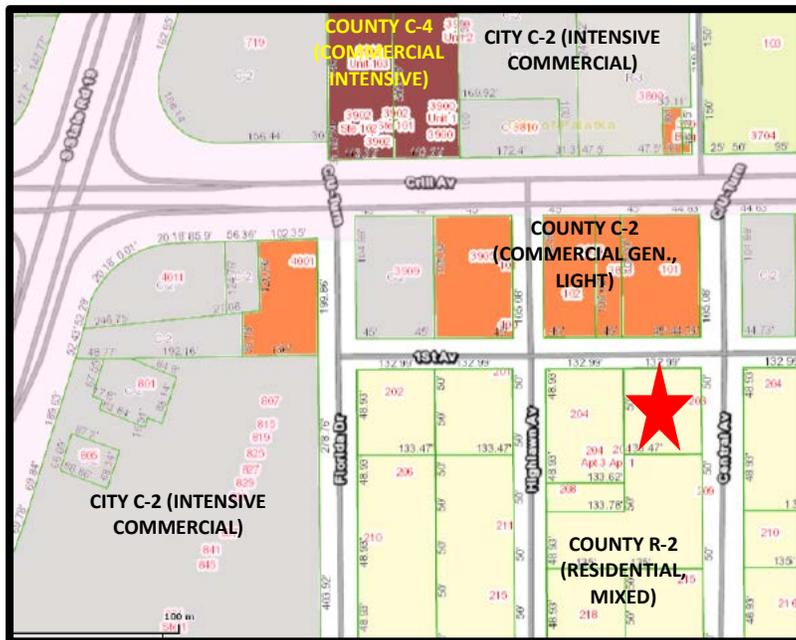


Figure 4: Vicinity Zoning

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.



## CITY COMMISSION AGENDA ITEM

### **SUBJECT:**

**PUBLIC HEARING:** 207 Skeet Club Rd. - Planning Board Recommendation to annex and assign single-family residential land use and zoning to property, from Putnam County R-1HA (Residential Single Family) - Joseph and Angela Stillword, Owners; Palatka Building & Zoning Dept., Applicant.

**\*a. ANNEXATION ORDINANCE** - 2nd Reading, Adopt

**\*b. FUTURE LAND USE AMENDMENT ORDINANCE** - Adopt

**\*c. REZONING ORDINANCE** - 2nd Reading, Adopt

### **SUMMARY:**

These ordinances annex this property into the City limits, assign a City Future Land Use Map designation to the property, and assign City zoning to the property. This is a voluntary annexation initiated by the property owner. The property meets state criteria for annexation as it is contiguous to the City limits and is a compact parcel. The Planning Board has made the finding that the application meets the criteria for land use amendments and rezonings.

### **RECOMMENDED ACTION:**

**Adopt ordinances annexing 207 Skeet Club Rd. into the City; assigning RL (Residential, Low) Future Land Use Map designation to the property; and rezoning the property to R-1AA (Single Family Residential).**

### **ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
▢ Annexation Ordinance	Ordinance
▢ Future Land Use Map Amendment Ordinance	Ordinance
▢ Rezoning Ordinance	Ordinance
▢ Staff Report	Backup Material
▢ Planning Board Minutes	Backup Material

### **REVIEWERS:**

<b>Department</b>	<b>Reviewer</b>	<b>Action</b>	<b>Date</b>
Planning	Crowe, Thad	Approved	4/29/2016 - 4:46 PM
City Clerk	Driggers, Betsy	Approved	5/2/2016 - 3:26 PM

This instrument prepared by:  
Thad Crowe, AICP  
City of Palatka  
201 N. 2<sup>nd</sup> St.  
Palatka, FL 32177

**ORDINANCE NO. 16 -**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IDENTIFIED AS 207 SKEET CLUB ROAD, LOCATED IN SECTION 3, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Petition has been filed before the City Commission of the City of Palatka, Florida, which Petition is on file in the office of the City Clerk, signed by the freehold owner of the property sought to be annexed, to wit: Angela and Joseph Stillword, and

**WHEREAS**, Chapter 171.044, Florida Statutes, permits the voluntary annexation of unincorporated areas lying adjacent and contiguous to the boundaries of the City of Palatka; and

**WHEREAS**, the City Commission of the City of Palatka finds that it is in the best interest of the people of the City of Palatka, Florida, that said lands be annexed and become a part of the City of Palatka;

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

**Section 1.** That the following described unincorporated lands lying adjacent and contiguous to the boundaries of the City of Palatka, Florida shall henceforth be deemed and held to be within the corporate limits of the City of Palatka, Florida said lands being described as follows:

**DESCRIPTION OF PROPERTY:**

PT OF SE1/4 OF SW1/4 OF SE1/4 OR436 P1570 (LOT 6) (tax parcel # 03-10-26-0000-0150-0060), a 0.33-acre parcel.

**Section 2.** The property hereby annexed shall remain subject to the Putnam County Comprehensive Plan and Zoning Laws until changed by the City of Palatka.

**Section 3:** That a copy of this ordinance shall be sent to Municipal Code Corporation for inclusion in the City Charter.

**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 May 12, 2016.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM AND CORRECTNESS:**

\_\_\_\_\_  
**City Attorney**

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

**ORDINANCE NO. 16 -**

**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 PUTNAM COUNTY US (URBAN SERVICE) TO CITY RL (RESIDENTIAL LOW) FOR A PARCEL IDENTIFIED AS 207 SKEET CLUB ROAD, LOCATED IN SECTION 3, TOWNSHIP 10 SOUTH, RANGE 26 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: Angela and Joseph Stillword, 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 December 1, 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>
03-10-26-0000-0150-0060	0.33	County US (Urban Service)	RL (Residential, Low)
DESCRIPTION OF PROPERTY: PT OF SE1/4 OF SW1/4 OF SE1/4 OR436 P1570 (LOT 6) (Being 207 Skeet Club Rd)			

**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 28<sup>th</sup> day of January, 2016.

**CITY OF PALATKA**

By: \_\_\_\_\_  
Its Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk

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

**ORDINANCE NO. 16 -**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED FROM PUTNAM COUNTY R-1HA (RESIDENTIAL SINGLE FAMILY) TO CITY R-1AA (SINGLE FAMILY RESIDENTIAL) FOR A PARCEL IDENTIFIED AS 207 SKEET CLUB ROAD, LOCATED IN SECTION 3, TOWNSHIP 10 SOUTH, RANGE 26 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 owners of said property: Angela and Joseph Stillword, 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 December 1, 2015 and two public hearings before the City Commission of the City of Palatka on April 28, 2016 and May 12, 2016, 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:**

PT OF SE1/4 OF SW1/4 OF SE1/4 OR436 P1570 (LOT 6) (tax parcel # 03-10-26-0000-0150-0060) - being 207 Skeet Club Road.

**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 12<sup>th</sup> day of May, 2016.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its MAYOR**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**



**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
US (Urban Services)	RL (Residential, Low)	R-1HA (Residential Single-Family)	R-1AA (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 Figure 1, the property is contiguous to the City limits, which are to the east.

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 1.

### **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 Services FLUM category, which allows a range of residential and nonresidential uses. The proposed City FLUM category is Residential Low (RL) – 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. It should be noted that the City Residential Medium (RM) FLUM to the north recognizes existing duplexes, while this property and other properties to the south are single-family homes, and should be assigned the RL FLUM accordingly.



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.

*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 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:** 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 overtaking 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.*

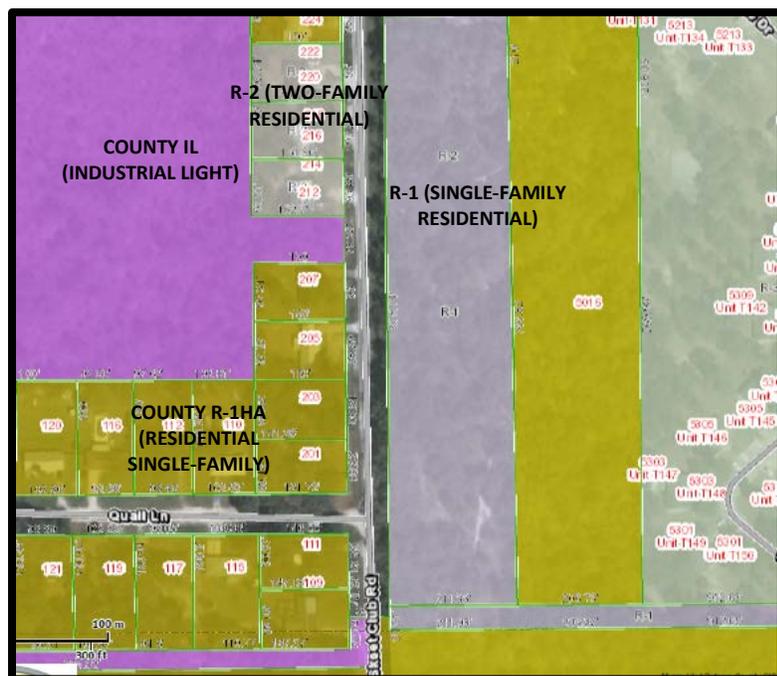


Figure 3: Vicinity Zoning

**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-1AA (Single-Family Residential) for 207 Skeet Club Rd.

**CITY OF PALATKA  
PLANNING BOARD MINUTES  
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.



## CITY COMMISSION AGENDA ITEM

### **SUBJECT:**

**PUBLIC HEARING** - 908 N 20th St - Planning Board Recommendation to annex, assign Residential, Low (RL) Future Land Use Map Designation and rezone from Putnam County R-2 (Residential Two-Family) to City R-1A (Single-Family Residential) - Gerald and Deborah Ragans, owners; Palatka Building & Zoning Dept, Applicant

\*a. **ANNEXATION ORDINANCE** - 2nd Reading, Adopt

\*b. **FUTURE LAND USE MAP AMENDMENT ORDINANCE** - Adopt

\*c. **REZONING ORDINANCE** - 2nd Reading, Adopt

### **SUMMARY:**

These ordinances annex 908 N 20th St. into the city limits, assign a City Future Land Use Map designation to the property, and assign City zoning to the property. This is a voluntary annexation initiated by the property owner. The property meets state criteria for annexation as it is contiguous to the City limits and is a compact parcel. The Planning Board made the finding that the application meets criteria for the land use amendments and rezonings.

### **RECOMMENDED ACTION:**

**Adopt ordinances annexing 908 N 20th St. into the City; assigning the RL (Residential, Low) Future Land Use Map designation to the property; and rezoning the property to R-1A (Single-Family Residential)**

### **ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
▢ Annexation ordinance	Ordinance
▢ Rezoning ordinance	Ordinance
▢ Future Land Use Map Amendment Ordinance	Ordinance
▢ Staff Report	Backup Material
▢ Planning Board minutes	Backup Material
▢ Power point presentation	Backup Material

### **REVIEWERS:**

<b>Department</b>	<b>Reviewer</b>	<b>Action</b>	<b>Date</b>
Planning	Crowe, Thad	Approved	4/29/2016 - 4:55 PM
City Clerk	Driggers, Betsy	Approved	5/2/2016 - 2:48 PM
City Manager	Suggs, Terry	Approved	5/2/2016 - 3:16 PM

This instrument prepared by:  
Thad Crowe, AICP  
City of Palatka  
201 N. 2<sup>nd</sup> St.  
Palatka, FL 32177

**ORDINANCE NO. 15 -**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IDENTIFIED AS 908 NORTH 20<sup>TH</sup> STREET, LOCATED IN SECTION 42, TOWNSHIP 10 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Petition has been filed before the City Commission of the City of Palatka, Florida, which Petition is on file in the office of the City Clerk, signed by the freehold owner of the property sought to be annexed, to wit: Gerald and Deborah Ragans, and

**WHEREAS**, Chapter 171.044, Florida Statutes, permits the voluntary annexation of unincorporated areas lying adjacent and contiguous to the boundaries of the City of Palatka; and

**WHEREAS**, the City Commission of the City of Palatka finds that it is in the best interest of the people of the City of Palatka, Florida, that said lands be annexed and become a part of the City of Palatka;

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

**Section 1.** That the following described unincorporated lands lying adjacent and contiguous to the boundaries of the City of Palatka, Florida shall henceforth be deemed and held to be within the corporate limits of the City of Palatka, Florida said lands being described as follows:

**DESCRIPTION OF PROPERTY:**

CLARKE + BROWNING S/D MB2 P27 BLK D LOT 2 (Being 908 North 20<sup>th</sup> Street / tax parcel # 42-10-27-6850-1710-0160)

**Section 2.** The property hereby annexed shall remain subject to the

Putnam County Comprehensive Plan and Zoning Laws until changed by the City of Palatka.

**Section 3:** That a copy of this ordinance shall be sent to Municipal Code Corporation for inclusion in the City Charter.

**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 10<sup>th</sup> day of September, 2015.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM AND CORRECTNESS:**

\_\_\_\_\_  
**City Attorney**

This instrument prepared by:  
Thad Crowe, AICP  
201 North 2<sup>nd</sup> 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 PUTNAM COUNTY R-2 (RESIDENTIAL TWO-FAMILY) TO CITY R-1A (SINGLE-FAMILY RESIDENTIAL) FOR THE FOLLOWING PROPERTY: 908 NORTH 20<sup>TH</sup> 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 owners of said property: 908 North 20<sup>th</sup> Street (Gerald and Deborah Ragans) 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 7, 2014, and two public hearings before the City Commission of the City of Palatka on August 6, 2015 and September 10, 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:**

CLARKE + BROWNING S/D MB2 P27 BLK D LOT 2 (Being 908 North 20<sup>th</sup> Street / tax parcel # 42-10-27-6850-1710-0160)

**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 10<sup>th</sup> day of September, 2015.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its MAYOR**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

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

**ORDINANCE NO. 16 -**

**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 PUTNAM COUNTY UR (URBAN RESERVE) TO CITY RL (RESIDENTIAL, LOW DENSITY) FOR 908 NORTH 20<sup>TH</sup> STREET, LOCATED IN SECTION 1, TOWNSHIP 10 SOUTH, RANGE 26 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: 908 North 20<sup>th</sup> Street (Gerald and Deborah Ragans); 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 September 2, 2014 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>
01-10-26-1470-0040-0020	0.12	County US (Urban Service)	RL (Residential, Low Density)
DESCRIPTION OF PROPERTY:	CLARKE + BROWNING S/D MB2 P27 BLK D LOT 2 (Being 908 North 20 <sup>th</sup> 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 12<sup>th</sup> day of May, 2016.

**CITY OF PALATKA**

By: \_\_\_\_\_

**Case 14-25: 908 N. 20<sup>th</sup> St.**  
**Request to Annex, Amend Future Land Use Map and Rezone**  
**Applicant: Building & Zoning Dept.**

**STAFF REPORT**

**DATE:** September 30, 2014  
**TO:** Planning Board members  
**FROM:** Thad Crowe, AICP  
Planning Director

**APPLICATION REQUEST**

To annex, amend FLUM, and rezone the following property as noted below. 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 (purple shaded area represents city limits)



Figure 2: 908 N. 20<sup>th</sup> St.

**APPLICATION BACKGROUND**

The property under consideration currently has County single-family land use and zoning, as 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
US (Urban Service 1-9 units per acre)	RL (Residential Low)	R-2 (Residential Two-family)	R-1A (Single-family Residential)

**Table 2: Future Land Use Map and Zoning Designations for Adjacent Properties**

	Future Land Use Map	Zoning
North of Site	County UR (Urban Reserve)	County R-1A (Residential Single-family)
East of Site	RL (Residential Low)	R-1A (Single-family Residential)
West of Site	COM (Commercial)	C-1A (Neighborhood Commercial)
South of Site	County UR (Urban Reserve)	County R-1A (Residential Single-family)

The property owner is requesting City water and per a pre-annexation agreement is now required to annex into the City in order to receive the service. In accordance with department policy Staff is presenting this application as an administrative action, as opposed to an action by the property owner, due to the policy rationale presented below.

1. Hardship. Most property owners annexing into the City do so because they are compelled to due to the failure of septic tanks or wells and the Health Dept. requirement that they hook up to city utilities when such lines are within 250 feet of the property. The cost of hooking up to City utilities approaches up to \$6,000 depending on whether both water and sewer are required. The additional fees for the FLUM amendment and rezoning is an additional burden. The taxes collected from such property will defray the administrative expense 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 into the City. 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. City 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. The property is contiguous to the City limits as shown in Figure 1.

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 properties meets the standard of compactness as it does not create an enclave, pocket, or finger area but in fact reduces the greater County enclave that is present in the north Palatka area, as shown graphically in Figure 3 on the next page.

### **Future Land Use Map Analysis**

The County designates this area under the Urban Reserve category, which allows a very wide range of residential densities (from one to nine units per acre). Staff proposes the RL (Residential Low Density, up to five units per acre) category since this property and others around it are single-family uses.

The following criteria apply to this amendment.

*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.

*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:** the property is in a residential neighborhood that is suitable for the proposed residential FLUM designations. 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.

**Case 14-25: 908 N. 20<sup>th</sup> St.  
Request to Annex, Amend Future Land Use Map and Rezone  
Applicant: Building & Zoning Dept.**



- *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. These uses do not represent urban sprawl.

### **Rezoning Analysis**

This County enclave has the R-2 (Two-Family) zoning despite its mostly single-family composition. Staff has recommended R-1A zoning, which has been applied to several other annexed properties in the area, due to its larger lot size (this lot is over 9,000 SF and the R1A district has a 7,200 SF minimum size).

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:** The property is located in an established residential neighborhood.

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

**Staff Comment:** Rezoning the property to R-1A provides uniformity to adjacent City single-family zoning and does not create an isolated zoning district.

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

**Staff Comment:** Roadway capacity is available on area roadways and the impacts of the use on road and utility capacity will be negligible, particularly since the use is already present.

*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:** One condition that has changed in regard to this property is the failure or obsolescence of private wells and the present ability to tie into a city water line.

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

**Staff Comment:** Rezoning the property to a designation that matches existing 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:** The property proposed for rezoning is already developed and thus traffic congestion or public safety will not be affected.

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

**Staff Comment:** All development and redevelopment must meet City and water management district stormwater retention requirements. No drainage problems are anticipated for the already-existing use.

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

**Staff Comment:** The already-developed property does not have excessive height, density, or intensity to reduce light and air to existing adjacent areas.

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

**Staff Comment:** see response to g. above.

*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 change 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 the property that is similar to the designation of surrounding City 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:** not applicable as the City commercial land use and zoning will be similar as the current adjacent City classifications.

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

**Staff Comment:** the property is not 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, and rezoning to R-1A for 908 N. 20<sup>th</sup> St.



**CITY OF PALATKA  
PLANNING BOARD MINUTES  
October 7, 2014**

The meeting was called to order by Vice-Chairman Daniel Sheffield at 4:00 pm. **Other members present:** Joe Pickens, Earl Wallace, Anthony Harwell, Justin Campbell, George DeLoach and Charles Douglas, Jr. **Members absent:** Joseph Petrucci. **Also present:** Planning Director Thad Crowe and Recording Secretary Pam Sprouse.

Chairman Sheffield read the appeal procedures and requested that members divulge any ex-parte communications before each case.

**OLD BUSINESS - None**

**NEW BUSINESS:**

**Case 14-25:** Administrative request to annex, amend the Future Land Use Map from Putnam County US (Urban Service) to RL (Residential Low) and rezone from Putnam County R-2 (Residential Mixed) to R-1A (Single-family Residential)  
**Location:** 908 N. 20<sup>th</sup> St.

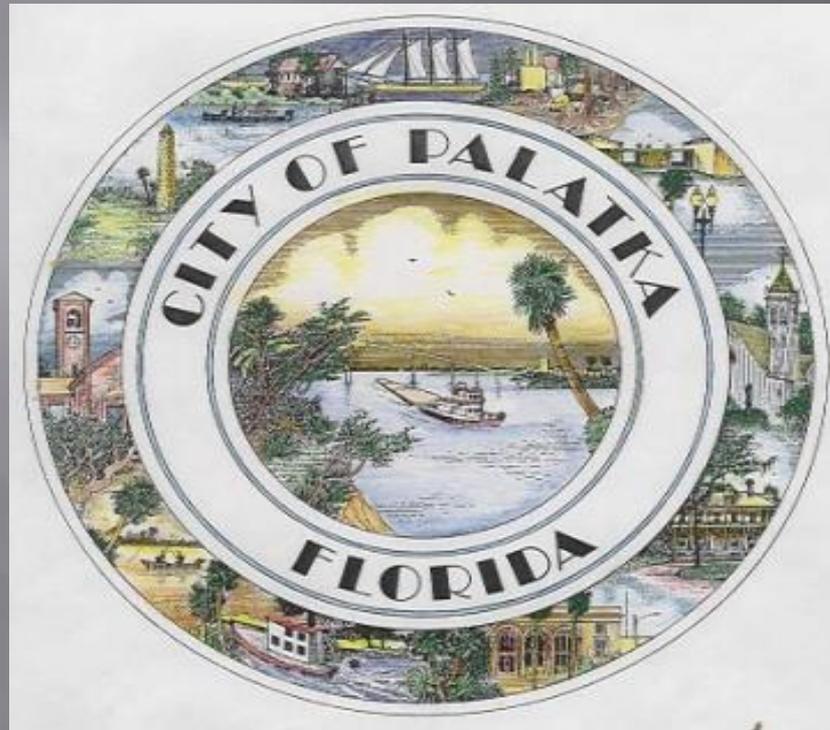
Mr. Crowe explained that this is a single-family home and is currently zoned two-family in the County but is in a predominantly single-family area. The property is contiguous to the city limits and meets the statutory annexation criteria. He added that the property owners are seeking City water and Staff is recommending annexation with a low-density land use and a single-family zoning designation.

No members of the public appeared to address the Board.

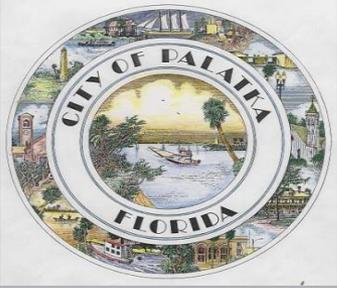
**Motion** made by Mr. DeLoach and seconded by Mr. Campbell to approve the request as presented. All present voted affirmative, motion carried unanimously.

**Case 14-27** A request to revise Zoning Code [Sec. 94-149 (e)] to add mobile medical units to the list of conditional uses in the C-2 (Intensive Commercial) zoning district.

Mr. Crowe explained that the owner of property located at 111 S SR 19 has requested this code change to allow for the use of a mobile medical imaging vehicle on the property. The applicant is the property owner who wishes to rent the one of their units to a medical clinic specializing in cancer care. The clinic would utilize a 48 ft. long mobile unit similar to a "bloodmobile," that would be parked adjacent to the existing medical clinic for a couple of days per week. Of course the specifics of this case would be presented in a separate conditional use application, should this code change be approved. The vehicle would be considered an accessory structure in



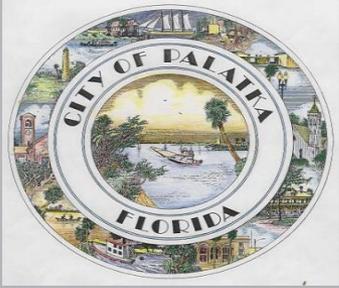
# PLANNING BOARD MEETING OCT 7, 2014



# Case 14-25 908 N. 20TH ST.

Annexation, FLUM Amendment & Rezoning

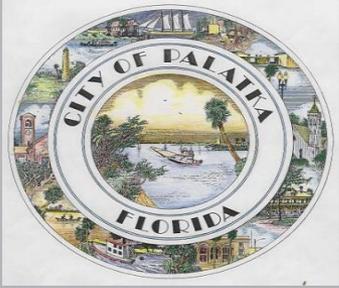




# Case 14-25 908 N. 20TH ST.

Annexation, FLUM Amendment & Rezoning

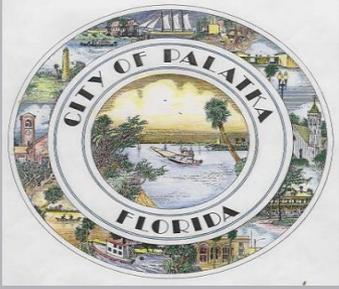




# Case 14-25 908 N. 20TH ST.

Annexation, FLUM Amendment & Rezoning

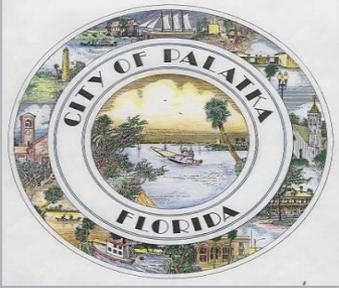
FLUM Category		Zoning	
Current Putnam Co.	Proposed City	Current Putnam Co.	Proposed City
US (Urban Services)	RL (Residential, Low Density)	R-2 (Residential Two-family)	R-1A (Single-family Residential)



# Case 14-25 908 N. 20TH ST.

Annexation, FLUM Amendment & Rezoning

Proposed FLUMs & zoning compatible  
with neighborhood and similar to  
previous County designations

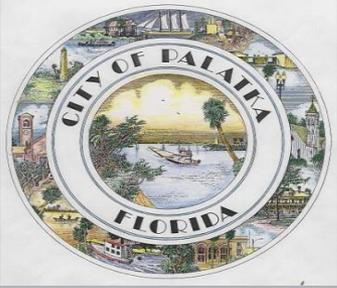


# Case 14-25 908 N. 20TH ST.

Annexation, FLUM Amendment & Rezoning

## Annexation Criteria

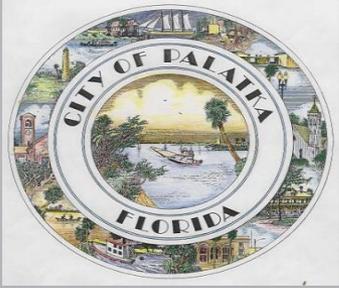
- Contiguity
- Compactness



# Case 14-25 908 N. 20TH ST.

Annexation, FLUM Amendment & Rezoning



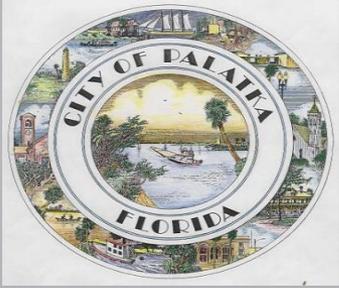


# Case 14-25 908 N. 20TH ST.

Annexation, FLUM Amendment & Rezoning

## FLUM Criteria

- Not in conflict with Comp Plan
- Available urban services
- Does not represent urban sprawl

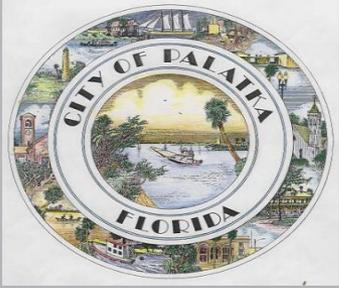


# Case 14-25 908 N. 20TH ST.

Annexation, FLUM Amendment & Rezoning

## Rezoning Criteria

- Compatible with existing residential uses
- Not isolated district, residential zoning present
- No special privilege



# Case 14-25 908 N. 20TH ST.

Annexation, FLUM Amendment & Rezoning

Recommend Approval of  
Annexation, FLUM Amendment,  
and Rezoning



## CITY COMMISSION AGENDA ITEM

### **SUBJECT:**

**PUBLIC HEARING/ORDINANCE** - 161 and 163 Comfort Road - Planning Board Recommendation to Annex, Amend Future Land Use Map from Putnam County IN (Industrial) to City IN (Industrial), and rezone 163 Comfort Road from Putnam County IH (Industrial, Heavy) to PID (Planned Industrial Development), and rezone 161 Comfort Road from R-1AA (Residential, Single-Family) to PID Planned Industrial Development) - Pumpcrete America, Inc., Owner; Palatka Building & Zoning Dept., Applicant.

- a. **ANNEXATION ORDINANCE** - 163 Comfort Road - 2nd Reading, Adopt
- b. **FUTURE LAND USE MAP AMENDMENT ORDINANCE** - 161 & 163 Comfort Road - Adopt
- c. **REZONING ORDINANCE** - 161 & 163 Comfort Road - 2nd Reading, Adopt

### **SUMMARY:**

These ordinances annex 163 Comfort Road into the City limits and assign City Future Land Use Map and zoning designation to both properties. This is a voluntary annexation - the property owner, who also owns the concrete contracting business immediately west of this undeveloped property, is considering expanding into this parcel in the future. The property owner has also submitted a companion rezoning and future land use amendment for this property to industrial designations. These matters were before the Commission in 2015 but were withdrawn after it was found that an unauthorized agent of the owner filed an incorrect zoning application.

The rezoning ordinance will rezone 161 Comfort Road from R-1AA (Residential, Single-Family) to PID Planned Industrial Development), assign the IL (Industrial) Future Land Use Map designation to the property, and rezone 163 Comfort Road from Putnam County IH (Industrial, Heavy) to PID (Planned Industrial Development).

### **RECOMMENDED ACTION:**

**Adopt ordinances annexing 163 Comfort Road into the City; assigning IN (Industrial) Future Land Use Map designation to the properties; and rezoning 161 and 163 Comfort Road to PID (Planned Industrial Development) zoning.**

### **ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
▣ Annexation Ordinance	Ordinance
▣ Future Land Use Map Amendment Ordinance	Ordinance
▣ Rezoning Ordinance	Ordinance

- Staff Report
- Planning Board Minutes

Backup Material  
Backup Material

**REVIEWERS:**

<b>Department</b>	<b>Reviewer</b>	<b>Action</b>	<b>Date</b>
Planning	Crowe, Thad	Approved	4/29/2016 - 5:07 PM
City Clerk	Driggers, Betsy	Approved	5/2/2016 - 3:04 PM
City Manager	Suggs, Terry	Approved	5/2/2016 - 3:16 PM

This instrument prepared by:  
Thad Crowe, AICP  
City of Palatka  
201 N. 2<sup>nd</sup> St.  
Palatka, FL 32177

**ORDINANCE NO. 16 -**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IDENTIFIED AS 163 COMFORT ROAD, LOCATED IN SECTION 37, TOWNSHIP 9 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Petition has been filed before the City Commission of the City of Palatka, Florida, which Petition is on file in the office of the City Clerk, signed by the freehold owner of the property sought to be annexed, to wit: Pumpcrete America Inc., and

**WHEREAS**, Chapter 171.044, Florida Statutes, permits the voluntary annexation of unincorporated areas lying adjacent and contiguous to the boundaries of the City of Palatka; and

**WHEREAS**, the City Commission of the City of Palatka finds that it is in the best interest of the people of the City of Palatka, Florida, that said lands be annexed and become a part of the City of Palatka;

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

**Section 1.** That the following described unincorporated lands lying adjacent and contiguous to the boundaries of the City of Palatka, Florida shall henceforth be deemed and held to be within the corporate limits of the City of Palatka, Florida said lands being described as follows:

**DESCRIPTION OF PROPERTY:**

STINWELL SUBURBAN FARMS MB2 P39 PT OF LOT 7 OR776 P1171 (Being 163 Comfort Road)/tax parcel # 37-09-26-0000-0060-0067), a 1.09-acre parcel.

**Section 2.** The property hereby annexed shall remain subject to the Putnam County Comprehensive Plan and Zoning Laws until changed by the City of Palatka.

**Section 3:** That a copy of this ordinance shall be sent to Municipal Code Corporation for inclusion in the City Charter.

**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 May 12, 2016.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM AND CORRECTNESS:**

\_\_\_\_\_  
**City Attorney**

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

**ORDINANCE NO. 16 -**

**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 PUTNAM COUNTY IN (INDUSTRIAL) TO CITY IN (INDUSTRIAL) FOR 163 COMFORT ROAD, LOCATED IN SECTION 37, TOWNSHIP 9 SOUTH, RANGE 26 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: Pumpcrete America, Inc., 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 August 4, 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>
37-09-26-0000-0060-0067	1.09	County IH (Heavy Industrial)	IN (Industrial)
DESCRIPTION OF PROPERTY: STINWELL SUBURBAN FARMS MB2 P39 PT OF LOT 7 OR776 P1171 (Being 163 Comfort Road)			

**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 12<sup>th</sup> day of May, 2016.

**CITY OF PALATKA**

By: \_\_\_\_\_  
Its Mayor

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

**ORDINANCE NO. 16 -**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTIES LOCATED IN SECTION 37, TOWNSHIP 9 SOUTH, RANGE 26 EAST, INCLUDING 161 COMFORT ROAD TO BE REZONED FROM R-1AA (RESIDENTIAL, SINGLE-FAMILY) TO PID (PLANNED INDUSTRIAL DEVELOPMENT, AND INCLUDING 163 TO BE REZONED FROM PUTNAM COUNTY IH (INDUSTRIAL, HEAVY) TO PID (PLANNED INDUSTRIAL DEVELOPMENT); PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, application has been made by Pumpcrete America, Inc., owner of said property, to the City 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 December 2, 2015 and two public hearings before the City Commission of the City of Palatka on February 25, 2016 and March 10, 2016, 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 property to PID (Planned Industrial Development), as an overlay over the Industrial Future Land Use Map designation, for 161 and 163 Comfort Road. The PUD must comply with development standards set forth in Exhibit A.

**DESCRIPTION OF PROPERTIES:**

161 Comfort Road, described as STINWELL SUBURBAN FARMS MB2, P39 PT OF LOT 7 OR584 P301, (MAP SHEET 37D)/tax parcel # 37-09-26-0000-0060-0062; and 163 Comfort Road, described as STINWELL SUBURBAN FARMS MB2, P39 PT OF LOT 7 OR776 P1171/tax parcel # 37-09-26-0000-0060-0067;

**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 12<sup>th</sup> day of May, 2016.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its MAYOR**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

EXHIBIT A: SITE PLAN



## EXHIBIT B: CONDITIONS OF APPROVAL

1. Development shall be in conformance with the site plan.
2. Unity of title is required 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.

**EXHIBIT C: GENERAL APPEARANCE/MAINTENANCE STANDARDS**

The building and grounds shall be maintained in an orderly manner, with exteriors painted and cleaned. The Pine Street frontage shall be kept to the general appearance exhibited in the photos below.



**161 & 163 Comfort Rd.**  
**Request to Amend Future Land Use Map and Rezone**  
Applicant: Building & Zoning Dept.

**STAFF REPORT**

**DATE:** November 24, 2015  
**TO:** Planning Board members  
**FROM:** Thad Crowe, AICP  
Planning Director

**APPLICATION REQUEST**

To amend Future Land Use Map (FLUM) designation and rezone the property below from single-family zoning (front parcel/161) and County heavy industrial zoning (rear parcel/163) to Planned Industrial Development (PID). 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 (properties outlined in red, properties within City shown with purple overlay)*



Figure 2: photo from Comfort Rd: from right to left: Crystal Cove subdivision (wooded area), 161 Comfort Rd (Pumpcrete Inc.), 163 Comfort Rd (wooded/vacant lot behind 161), and 171 Comfort Rd. (Keuka Energy)

**APPLICATION BACKGROUND**

The occupant of the front parcel (161), Pumpcrete, Inc. provides for concrete pouring services and specializes in floors, footings, foundations, retaining walls, and driveways associated with new construction. The company keeps a fleet of concrete trucks that are equipped with pipes and hoses that allow for customized concrete pouring, like upper floor and other areas that are hard to access from a standard concrete truck. 161 Comfort Rd. is utilized as the home base for the vehicles and the employees, with the only other activity occurring on site being the washing of trucks and parts, which does not involve any hazardous or polluting materials. Around 90% of the water utilized in the concrete operations is obtained off-site on the job site, and the remaining 10% occurs at the facility when water is not available at the job site. Any future expansion into 163 (rear lot) would only involve more areas for truck storage and additional warehouse space.

The rear parcel (163) currently has a County mixed-use FLUM designation and heavy industrial zoning, and is a wooded and undeveloped lot. 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. Putting the two parcels into City Industrial FLUM and a PID zoning will correct the error and unify the FLUM and zoning on both parcels. The PID will provide some additional buffering and protection to the single-family homes that are to the south. The Planning Board considered at their September 1, 2015 meeting a rezoning to industrial for the front and a rezoning to residential for the rear (for a future possible residence), but a representative of the company present at the City Commission public hearing stated that the representative who filed for the amendments was not authorized to represent the company. The application was then withdrawn. Property and vicinity properties FLUM and zoning classifications are shown below.

**Table 1: Future Land Use Map and Zoning designations**

Future Land Use Map Category		Zoning	
Current Putnam Co.	Proposed City	Current Putnam Co.	Proposed City
IN (Industrial)	RL (Residential, Low)	IH (Industrial, Heavy)	R-1A (Single-Family Residential)
<b>Property to the...</b>	<b>FLUM</b>	<b>Zoning</b>	<b>Actual Use</b>
South	RL (Residential Low)	R-1A (Single-Family Residential)	Single-family homes
North	IN (Industrial)	M-1 (Light Industrial)	Wind energy systems manufacturer
East	IN (County Industrial)	IH (County Heavy Industrial)	Undeveloped land
West (across Comfort Rd.)	IN (County Industrial)	IH (County Heavy Industrial)	Vacant industrial complex

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 the annexation of this property (previously recommended approval by the Board and awaiting Commission consideration) will defray the administrative expense of applications 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 into the City. City staff believes this directive is sufficient to submit these actions as administrative applications that accompany the annexation of the rear parcel.
3. Economic Development. This applications will assist the City to increase utility and other service provision efficiency, enhance system revenues, and encourage growth.

## **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

##### B. Industrial (258 acres)

Land designated for industrial use is intended for activities that are predominantly associated with the manufacturing, assembly, processing, or storage of products. Industrial land use provides for a variety of intensities of use including heavy industry, light industry, and industrial park operations. Land Development Regulations shall provide requirements for buffering industrial land uses (i.e., sight, access noise) from adjacent land uses of lesser density or intensity of use. The intensity of industrial land use, as measured by impervious surface shall not exceed 90 percent of the parcel. The maximum height of development shall not exceed 45 feet.

**Staff Comment:** this FLUM amendment will place both properties within the Industrial land use category, which is the best match for the existing and vicinity uses. The accompanying PID zoning will mitigate any potential conflicts between this more intense FLUM and the adjacent residential FLUM to the south.

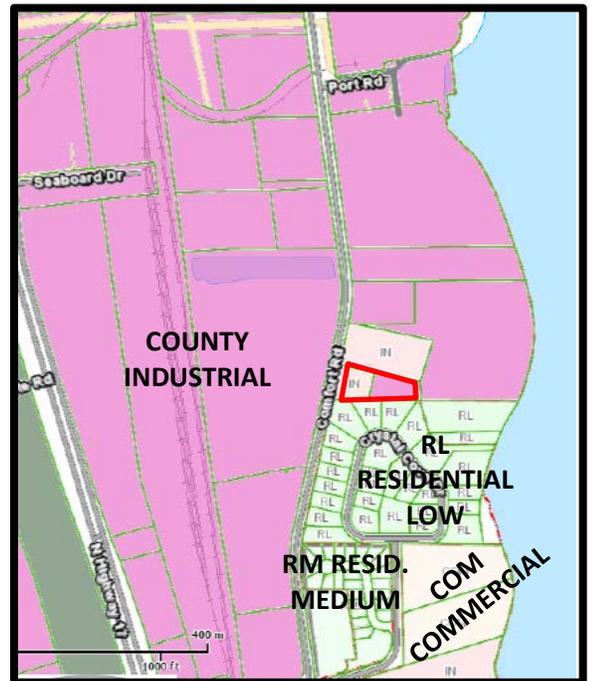


Figure 3: Vicinity (purple-shaded properties are in City)

*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 (within Comfort Rd. right-of-way). The north end of sewer service is the Crystal Cove subdivision, so this property cannot receive sewer service without an extension up Comfort Rd. The property has City

water service – the water line continues around 650 feet north of this property and ends at a master meter that serves a County water system for multiple property owners in the Bargeport area.

*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 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.

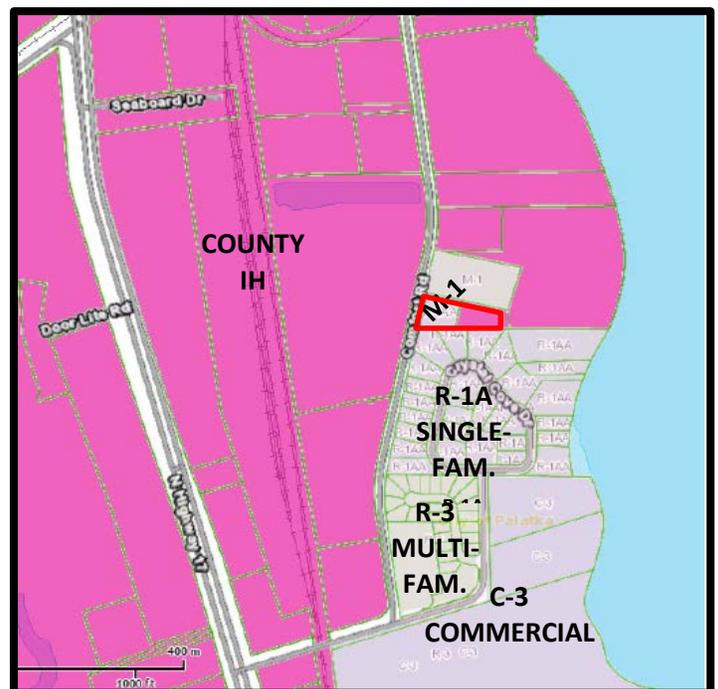


Figure 4: Vicinity Zoning

*b. The existing land use pattern.*

**Staff Comment:** in zoning terms the properties are located in a transitional area between the more intensive industrial uses and low intensive residential uses. One of the problems with the historical lack of coordination between City and County is the clash of land uses like this without an element of transitional (less intense) zoning and even open space and buffers serving to reduce noise, traffic, dust, and odor impacts. The buffering and setback requirements of the PID will greatly help to buffer the three adjacent residential uses from industrial use impacts.

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

**Staff Comment:** while properties to the north, east, and west have industrial zoning, properties to the south have single-family residential zoning. Therefore no isolated zoning district would be created.

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

**Staff Comment:** an expansion of the existing industry 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 an industrial designation that is improved upon the current City and County industrial 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:** Comfort Rd. is a 1.3 mile loop off US 17, in the far north of the City. This road is not on the County's list of arterial and collector roadways subject to annual traffic counts. Staff would characterize Comfort Rd. as a local road or at most a minor collector, carrying traffic from US 17 to the Crystal Cove resort, Crystal Cove Subdivision, 1<sup>st</sup> Coast Technical College and multiple industrial uses in the Bargeport area. Traffic is generally light. Expansion of the existing industrial use would not markedly increase trips.

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

**Staff Comment:** any expansion allowed by these amendments would still be subject to St. Johns River Water Management District and City drainage requirements that require the containment of most stormwater on site.

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

**Staff Comment:** the 50-foot building setback created by the PID natural buffer along the south property line will prevent such light and air reduction.

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

**Staff Comment:** The PID with its large natural buffer not negatively affect the values of the adjacent residential and other lots.

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 industrial 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.

*PID Intent and Purpose.* The application meets PID intent as shown in highlighted text below.

*It is the purpose of this article to permit PID's which are intended to encourage the development of land as planned developments, encourage flexible and creative concepts of site planning; preserve the natural amenities of the land by encouraging scenic and functional open areas; accomplish a more desirable environment that would not be possible through the strict application of the minimum requirements of these regulations; provide for an efficient use of land resulting in smaller networks of streets and utilities where access to regional systems is impractical and thereby lowering development costs; and provide a stable environmental character compatible with surrounding areas. This district is designed to accommodate a wide range of industrial uses while providing certainty to the public regarding permitted uses and site design.*

The following PID standards are required, per Zoning Code Sec. 94-163.

- Maximum lot coverage by principle and accessory structures of 70%.
- Paved access to any rear expansion areas.
- 45-foot maximum building height.
- Any outside activities (including truck washing) for the rear lot expansion area shall only occur more than 200 feet from the south (residential) property line (limited to the northwest corner of the rear lot).

In addition, PUD Standards of Zoning Code Article IV require the following:

- Unity of title for both lots and combination of two lots into one.
- Any future expansion of utilities must be undergrounded.

Finally, the property meets the PID minimum lot size of two acres (Property Appraiser records indicate both properties total 2.12 acres).

**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 and amendment of Future Land Use Map category to IN (Industrial) for 163 Comfort Rd., and rezoning to PID (Planned Industrial Development) for 161 and 163 Comfort Rd.

- Development shall be in conformance with the site plan.
- Unity of title for both lots and required combination of two lots into one.
- Development on front parcel to remain as is (parking & building), with any property improvements allowed in conformance with applicable zoning requirements.
- 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
- The masonry wall along the south property line will remain and be maintained as is.
- 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).
- Any future expansion of utilities must be undergrounded.
- Maximum lot coverage by principle and accessory structures of 70%.
- Paved access to any rear expansion areas.
- 45-foot maximum building height.
- 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.

**CITY OF PALATKA**  
**PLANNING BOARD MINUTES**  
**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.



## CITY COMMISSION AGENDA ITEM

### **SUBJECT:**

**ORDINANCE** rezoning 7201 and 7220 PRC Way - Planning Board Recommendation to assign Planned Industrial Zoning to property, from Putnam County PUD (Planned Unit Development) - Sykes Realty (7201 PRC Way) and Premier Palatka LLC (7220 PRC Way), Owners; Palatka Building & Zoning Dept., Applicant - 2nd Reading, Adopt

### **SUMMARY:**

This ordinance would rezone these parcels, which have remained in County zoning since their annexation in 2000 as part of the surrounding Putnam County Business Park. The Planned Industrial Development (PID) zoning was applied to the Business Park in 2010, however the County requested that these two parcels be withdrawn from the rezoning since the owners did not provide written permission for the actions. Development and occupancy of the parcels (7220 is developed with a vacant call center building and 7201 is undeveloped) requires City zoning. Premier Palatka applied for the rezoning, handled administratively by Staff, and Sykes Realty did not object. This rezoning will fill this zoning "doughnut hole" and will bring the properties into conformance with the proper PID zoning, as applied to all surrounding properties.

### **RECOMMENDED ACTION:**

**Adopt an ordinance rezoning properties to PID (Planned Industrial Development) zoning - 7201 and 7220 PRC Way.**

### **ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
▢ Rezoning Ordinance	Ordinance
▢ Staff report	Backup Material
▢ Planning Board Minutes	Backup Material

### **REVIEWERS:**

<b>Department</b>	<b>Reviewer</b>	<b>Action</b>	<b>Date</b>
Planning	Crowe, Thad	Approved	5/2/2016 - 1:54 PM
City Clerk	Driggers, Betsy	Approved	5/2/2016 - 3:28 PM

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

**ORDINANCE NO. 16 -**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED FROM PUTNAM COUNTY PUD (PLANNED UNIT DEVELOPMENT) TO CITY PID (PLANNED INDUSTRIAL DEVELOPMENT, PUTNAM COUNTY BUSINESS PARK) FOR TWO PARCELS IDENTIFIED AS 7201 AND 7220 PRC WAY, LOCATED IN SECTION 4, TOWNSHIP 10 SOUTH, RANGE 26 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 owners of said property: Sykes Realty (7201 PRC Way) and Premier Palatka LLC (7220 PRC Way) 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 April 5, 2016 and two public hearings before the City Commission of the City of Palatka on April 28, 2016 and May 12, 2016, 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:**

PT OF SW1/4 OF SE1/4 DESCRIBED, AS LOT 2 IN OR832 P1227 (tax parcel # 04-10-26-0000-0021-0020) - being 7201 PRC Way.

PT OF SW1/4 OF SE1/4 OF SEC 4, + PT OF NW1/4 OF NE1/4 OF, SEC 9 DESCRIBED AS LOT 1 IN, OR832 P1227 (tax parcel # 04-10-26-0000-0010-0010) - being 7220 PRC Way.

**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 12<sup>th</sup> day of May, 2016.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its MAYOR**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

# Case # 16-04

## Request to Rezone

7201 & 7220 PRC Way

### STAFF REPORT

**DATE:** March 29, 2016

**TO:** Planning Board members

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

#### APPLICATION REQUEST

To amend Future Land Use Map (FLUM) designation and rezone the property below from Putnam County PUD (Planned Unit Development) zoning to City Planned Industrial Development (PID). 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.

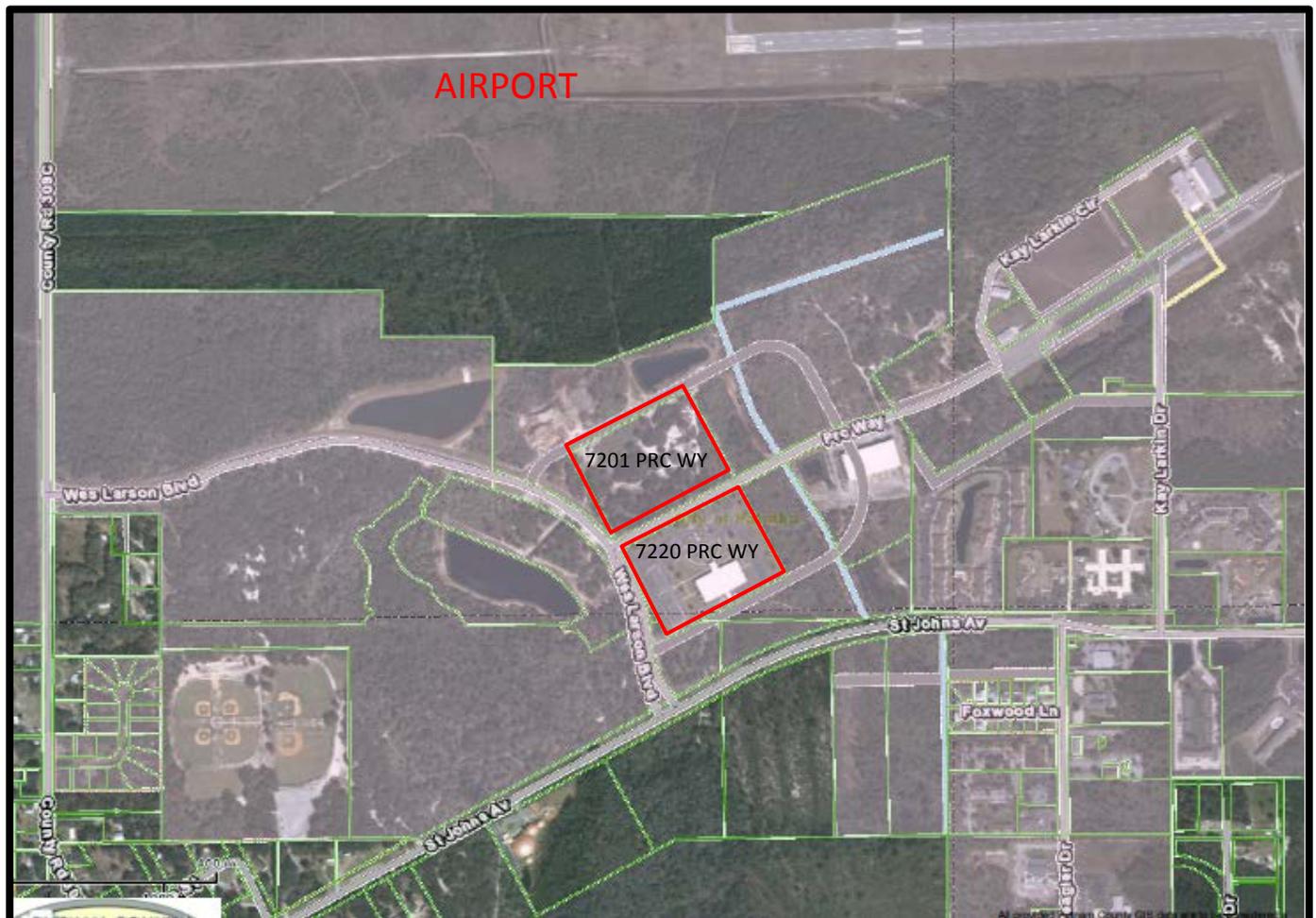


Figure 1: Property location (purple overlay indicates properties within City)



Figure 2: 7201 PRC Way, from Wes Larsen Blvd. 7220 PRC Way is on left side, across PRC Way.

### **APPLICATION BACKGROUND**

The Putnam County Business Park PUD was originally adopted by the Putnam County Commission in 2000. The Business Park was annexed into the City as a “high tech information technology center.” Putnam County provided land and financial support valued at over \$3 million to attract the now-defunct call center in 2001 and to construct a shell warehouse building. In 2010 the City rezoned properties within the Business Park to a City designation: Planned Industrial Development (PID). Eight parcels including the subject properties were originally proposed for rezoning, with six of these owned by the County and two privately owned. After first reading of the rezoning ordinance, the County requested the removal of the privately owned properties as the property owner (Sykes Realty) did not concur with the rezoning. The warehouse shell building, located just east of 7200 PRC Way and owned by the County, is a partially finished 51,200 SF warehouse shell building which has never been occupied.

Both properties are in the IND (Industrial) category of the Comprehensive Plan’s future land use map. The properties are enclaves within the business park, with the City PID zoning surrounding them. 7220 PRC Way, the former call center location, sold at auction in 2015 to a Cleveland OH investment company. 7201 PRC Way is still undeveloped and owned by Sykes Realty. Staff contacted both property owners to inform them that the City would be providing the appropriate PID zoning for the properties unless a different zoning was desired (Staff would not support another zoning category for this enclave).

Staff is presenting this application as an administrative action, as opposed to an action by each property owner, as it is a corrective measure to assign City zoning to a property.

### **PROJECT ANALYSIS**

#### **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. The properties are within the City's Industrial Future Land Use Map (FLUM) category, as are other vicinity properties indicated in Figure 3.

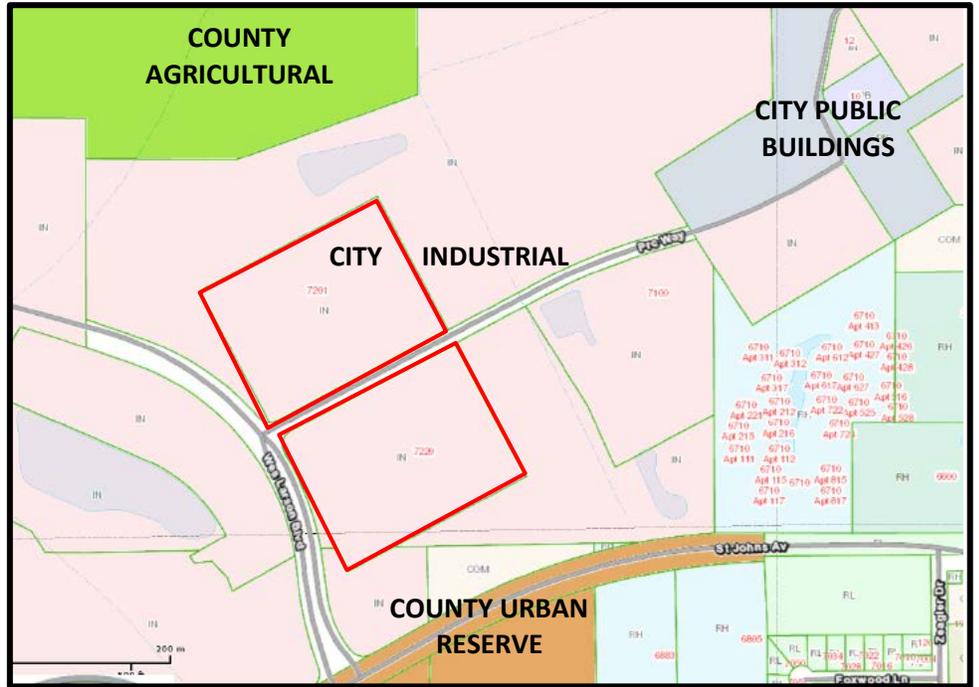


Figure 3: Future Land Use Map (FLUM)

b. The existing land use pattern.

**Staff Comment:** in zoning terms the properties are located within an established, although mostly undeveloped, planned industrial park. This action will assure a more organized development of the park, given the unified development and design standards will apply to both properties.

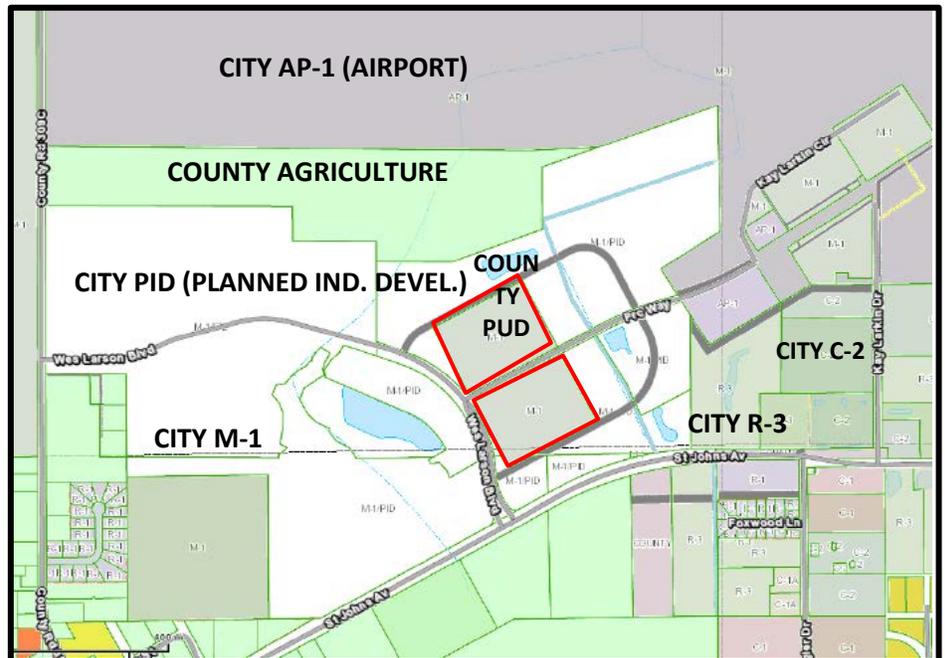
c. Possible creation of an isolated district unrelated to adjacent and nearby districts.

**Staff Comment:** surrounding properties have the same planned industrial zoning. Therefore no isolated zoning district would be created.

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

**Staff Comment:** in years past and in the present time, there is available infrastructure capacity for properties in the Business Park.

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.

Figure 4: Zoning Map

*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 an industrial designation that is improved upon the current City and County industrial 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:** the Business Park is served by St. Johns Ave., which according to the latest FDOT traffic counts is only using around 30% of its maximum vehicle capacity.

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

**Staff Comment:** any expansion allowed by these amendments would still be subject to St. Johns River Water Management District and City drainage requirements that require the containment of most stormwater on site. According to their Planning Director, the County has recently obtained a master stormwater permit for the Business Park.

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

**Staff Comment:** the PID requires at least 20% green space, which is appropriate for industrial development. The call center site (7220 PRC Way) has approximately 50% green space.

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

**Staff Comment:** This established PID provides certainty with defined development standards that will help to protect vicinity 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 zoning designations to properties 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 planned industrial zoning is 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 properties and their 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.

*PID Intent and Purpose.* The application meets PID intent as shown below.

*It is the purpose of this article to permit PID's which are intended to encourage the development of land as planned developments, encourage flexible and creative concepts of site planning; preserve the natural amenities of the land by encouraging scenic and functional open areas; accomplish a more desirable environment that would not be possible through the strict application of the minimum requirements of these regulations; provide for an efficient use of land resulting in smaller networks of streets and utilities where access to regional systems is impractical and thereby lowering development costs; and provide a stable environmental character compatible with surrounding areas. This district is designed to accommodate a wide range of industrial uses while providing certainty to the public regarding permitted uses and site design.*

The following PID standards are required, per Zoning Code Sec. 94-163.

- Maximum lot coverage by principle and accessory structures of 70%.
- Paved access to any rear expansion areas.
- 45-foot maximum building height.
- Any outside activities (including truck washing) for the rear lot expansion area shall only occur more than 200 feet from the south (residential) property line (limited to the northwest corner of the rear lot).

In addition, PUD Standards of Zoning Code Article IV require the following:

- Unity of title for both lots and combination of two lots into one.
- Any future expansion of utilities must be undergrounded.

Finally, the property meets the PID minimum lot size of two acres.

#### **STAFF RECOMMENDATION**

As demonstrated in this report, this application meets applicable rezoning criteria. Staff recommends approval of the rezoning of 7201 and 7220 PRC Way to be included in the Putnam County Business Park PID (Planned Industrial Development).

Attachments: PID Ordinance and Exhibits

This instrument prepared by:  
Debbie Banks  
205 N. 2<sup>nd</sup> St.  
Palatka, FL 32177

Inst:201054712998 Date:9/13/2010 Time:2:41 PM  
341 DC, Tim Smith, Putnam County Page 1 of 13 B:1270 P:1438

**ORDINANCE NO. 10- 23**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THOSE CERTAIN PROPERTIES IN SECTIONS 04 AND 09, TOWNSHIP 10 SOUTH, RANGE 26 EAST; FROM COUNTY PLANNED UNIT DEVELOPMENT (PUD) TO CITY LIGHT INDUSTRIAL/PLANNED INDUSTRIAL DEVELOPMENT (M-1/PID); REPEALING ANY ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.**

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

**Section 1.**

**WHEREAS**, application has been made by the owner, Putnam County Port Authority/Putnam County to the City for certain amendments to the Official Zoning Map 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 August 3, 2010, and two public hearings before the City Commission of the City of Palatka on August 26, 2010 and September 9, 2010, and

**WHEREAS**, the City Commission of the City of Palatka has determined that said amendment should be adopted, now therefore,

**Section 2.** The Official Zoning Map of the City of Palatka, Florida is hereby amended by rezoning the hereinafter described property from its present zoning classification of County PUD (Planned Unit Development) to City M-1/PID (Light Industrial/ Planned Industrial Development.)

**DESCRIPTION OF PROPERTY:**

See Exhibit A of the Putnam County Business Park Planned Industrial Development Overlay Standards recorded as part of this ordinance. Parcels (04-10-26-0000-0010-0000; 04-10-26-0000-0021-0000; 04-10-26-0000-0021-0030; 04-10-26-0000-0010-0030; 09-10-26-0000-0030-0000; and 09-10-26-0000-0010-0021)

All references are to the records of Putnam County, Florida.

**Section 3.** All ordinances in conflict with the terms and provisions of this ordinance are hereby specifically repealed.

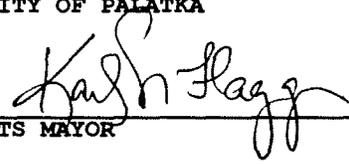
**Section 4.** This Ordinance shall become effective immediately upon its final passage by the City Commission.

**PASSED AND ADOPTED** by the City Commission of the City of Palatka on this 9<sup>th</sup> day of September, 2010.

**CITY OF PALATKA**

**BY:**

**ITS MAYOR**

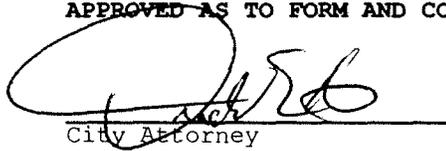
A handwritten signature in black ink, appearing to read "Karl H. Hagg", written over a horizontal line.

**ATTEST:**

A handwritten signature in black ink, appearing to read "Betty J. Deugges", written over a horizontal line.

**City Clerk**

**APPROVED AS TO FORM AND CORRECTNESS:**

A handwritten signature in black ink, appearing to read "Jack [unclear]", written over a horizontal line.

**City Attorney**

# **Putnam County Business Park Planned Industrial Development**



## **Overlay Standards**

## **1 BUSINESS PARK DESCRIPTION**

### **1.1 Purpose:**

The Putnam County Business Park is intended to create a center for business activity combining the resources of Putnam County, the City of Palatka, the Chamber of Commerce and private industry. This shall be achieved through the M-1 zoning district and Planned Industrial Development (PID) overlay.

Compliance with design standards shall result in development of the Putnam County Business Park with a park-like character that shall be an asset to the City of Palatka, Putnam County, the State of Florida and individual site owners. The standards incorporated into this PID are intended to meet or exceed the City of Palatka zoning and land development regulations.

This PID institutes minimum development standards and identifies permitted uses within the Business Park. Site design, permitting and development within the Park are subject to review and approval of a Final Site Plan that is consistent with the approved PID Master Plan. The uses, development standards and criteria applicable to the Putnam County Business Park are incorporated into this document.

### **1.2 Legal Description:**

The legal description of the subject property is included as Exhibit A of this document.

### **1.3 Property Ownership:**

The subject property is currently owned by:

Putnam County Board of County Commissioners, and  
Putnam County Port Authority,  
P.O. Box 758,  
Palatka, FL 32178

### **1.4 General Description of Property Area:**

The property is located north of St. Johns Avenue, west of the Palatka Municipal Airport (Kay Larkin Field) and east of CR 309C in Palatka. The property is Sections 4 and 9, Township 10 S, Range 26 E and within the City of Palatka in Putnam County, Florida. The site consists of six parcels containing a total of 257.39 +/- acres. The parcel identification numbers are 04-10-26-0000-0021-0030, 04-10-26-0000-0010-0030, 04-10-26-0000-0010-0000, 04-10-26-0000-0021-0000, 09-10-26-0000-0010-0021 and 09-10-26-0000-0030-0000.

Putnam County has constructed a portion of the road and drainage system and has developed one speculative building on the site.

## **2 Project General Structure**

### **2.1 Purpose:**

The purpose of this article is to establish the governing regulations, development standards, rules of interpretation and a PID Master Plan for the project.

### **2.2 General:**

### 2.2.1 Regulations for Development

Regulations for development of the project shall be in accordance with the provisions of the approved PID and Master Plan and any other applicable Federal, State and local codes and regulations. Unless otherwise specifically provided for in the approved PID, the development of the property shall be subject to the applicable provisions of Chapter 94 of the City of Palatka Municipal Code. Where a conflict arises between the approved PID and Chapter 94 of the City of Palatka Municipal Code, the approved PID shall control.

### 2.2.2 Definitions of Terms:

Unless a term used herein is specifically defined within the approved PID, the definitions of all terms shall be the same as the definitions set forth in the official Zoning Regulations of the City of Palatka in effect at the time of PID Master Plan approval.

### 2.2.3 Progression of Development:

The project may be developed in multiple phases. Each phase shall be submitted to the City of Palatka Planning and Development Department for processing and review. No development shall commence on any phase until a Final Site Plan has been approved and proper permits have been secured from the City and appropriate jurisdictional departments and agencies.

## 2.3 Project Plan and Use:

The Master Plan, including layout of major streets and land uses is attached as Exhibit B.

## 3 Project Development:

### 3.1 Purpose:

The purpose of this section is to indicate the plan of development, permitted uses and regulations for the project.

### 3.2 Project Development in General:

The project shall consist of Commercial and Industrial uses, including accessory uses and structures, set forth in more detail below.

### 3.3 Uses and Structures Allowed:

No building, structure or part thereof, shall be erected, altered or used, in whole or in part, for other than the following:

- (1) Wholesaling, warehousing, storage or distribution establishments and similar uses.
- (2) Light manufacturing, processing (including food processing, but not slaughterhouse), packaging or fabricating in completely enclosed buildings.
- (3) Printing, lithographing, publishing or similar establishments.
- (4) Restaurants.
- (5) Outdoor storage yards and lots; provided that such outdoor storage yard shall not be located closer than 25 feet to any public street and that such yard shall be completely enclosed, except for necessary ingress and egress, by an opaque fence or wall not less than six feet high; and provided further that this provision shall not permit wrecking yards (including automobile wrecking yards), junkyards, or yards used in whole or in part for

scrap or salvage operations or for processing, storage, display or sales of any scrap, salvage or secondhand building materials, junk automotive vehicles, or secondhand automotive vehicle parts.

- (6) Business, medical and professional offices and similar uses.
- (7) Service establishments catering to commerce and industry, including linen supply, freight movers, building contractors, communication services, business machine services, canteen services, hiring and union halls, sign companies and similar uses.
- (8) Vocational, technical, trade or industrial schools and similar uses.
- (9) Post-secondary public or private educational institutions and facilities.
- (10) Building trades contractors with outside storage yards for equipment and machinery.
- (11) Other uses determined to be appropriate by the Director of Planning and Zoning and approved as part of a Final Site Plan.

Uses and structures which are customarily accessory and clearly incidental and subordinate to permitted principal uses and structures shall be permitted. No residential facilities shall be permitted except for one unit per principal structure to be used as a residence for proprietors/manager/security personnel. Any such residential unit shall not be a free-standing structure and must be incorporated into the principal structure and be approved as part of a Final Site Plan.

**3.4 Nuisance Factors and Hazards:**

No business, trade, activity, or operation shall be conducted on any site which shall be noxious, or generally incompatible with the character of the Business Park; or which shall be contrary to any regulations including, but not limited to, those of the Federal Environmental Protection Agency (EPA), the Federal Aviation Administration (FAA), the State of Florida Department of Environmental Protection (DEP); or which shall cause an emission of dust, smoke, odors, fumes, radiation, noise or vibrations which may be or become a nuisance or an unreasonable annoyance to the occupants of any adjacent or neighboring site. All on-site operations and activities shall be conducted with reasonable and appropriate precautions against radiation, radioactivity, fire, explosion and other hazards. No on-site operations or activities which require or involve the use, storage, generation or disposal of "toxic wastes" or "hazardous materials", as defined in or under any federal, state or local regulations, shall be allowed unless specifically approved within the PID.

**4 Project Development Standards:**

**4.1 Setback Requirements:**

- 1. No structures shall be located on any property nearer to any property line than the minimum setbacks set forth below:
  - a. Minimum front yard----- 25 feet
  - b. Minimum side yard ----- 25 feet
  - c. Minimum rear yard----- 25 feet
  - d. Minimum side or rear yard abutting interior roads----- 25 feet
  - e. Minimum yard abutting CR309C or St. Johns Ave.----- 50 feet

2. The front lot line shall be the shortest street frontage of the lot. The rear lot line shall be the lot line most nearly opposite from the front lot line.
3. The following improvements are specifically excluded from the setback restrictions:
  - a. Steps and walks;
  - b. Landscaping and landscape berms;
  - c. Planters not to exceed three (3) feet in height;
  - d. Parking and stormwater retention areas;
  - e. Other improvements as approved within the Final Site Plan.
4. Modification of the minimum setback requirements may be granted in specific instances as part of the Final Site Plan or subsequent approval of a minor deviation by the Director of Planning and Zoning.

#### **4.2 Signage:**

Signs shall mean all names, insignias, logos, trademarks, and descriptive words, back-lit awnings or material of any kind affixed, inscribed, erected or maintained upon an individual site or upon any improvement on individual sites. Sign and signage are interchangeable terms. All signage shall meet the minimum requirements of Chapter 62, Municipal Code of the City of Palatka except as modified below:

1. Project Identification Signage: No more than three (3) project identification signs shall be allowed within the Putnam County Business Park. Each sign may be internally or externally illuminated, double –faced and shall not exceed 120 square feet in area. The maximum height of a project identification sign shall be 20 feet.

2. Monument, Ground or Pole Signs: Monument, ground or pole signs shall be permitted for each place of business. Each place of business shall be permitted one (1) externally or internally illuminated monument with two sides. These signs may not exceed fifteen (15) feet in height and are permitted one square foot per linear foot of lot frontage up to a maximum of ninety-six (96) square feet in area regardless of the number of tenants.

3. Wall Signs: Wall signs shall be permitted and shall not exceed one (1) sign per street frontage. Each business shall be allowed one sign per street frontage and shall be allowed one square foot of sign area per linear foot of business frontage on the street faced by the business up to a maximum of fifty (50) square feet.

4. Prohibited Signs: Any type of sign prohibited by Chapter 62 of the City of Palatka Municipal Code.

#### **4.3 Exterior Lighting:**

Any exterior lighting shall be provided in accordance with Chapter 94 of the City of Palatka Municipal Code. Exterior lighting shall meet the setback requirements for buildings and structures.

#### **4.4 Vehicle Use Areas and Off-Street Parking:**

The number of parking spaces provided shall comply with the requirements set forth below:

Required Parking:

Offices	4/1000 Square Feet;
Warehouse	1/5000 Square Feet plus 1 per company vehicle or one per employee on the peak shift, whichever is greater;
Industrial	1/5000 Square Feet plus 1 per company vehicle;
Restaurant	1/200 square feet of gross floor area;
Retail	1/300 Square Feet of non-storage area and 1/1000 Square Feet of storage area.

Aisle width and angle of parking shall conform to the standards in Chapter 94, Article V of the City of Palatka Municipal Code. All driveways and parking surfaces shall be paved with asphalt concrete and/or concrete and shall have curbing. Extruded curbing and surface mounting curbing is prohibited. Parking shall not be permitted on rights-of-way or along driveways.

#### **4.5 Storage and Loading Areas:**

Storage and loading areas shall be designated on the site plans and submitted for review and approval as part of the Final Site Plan. Such areas shall conform to Chapter 94, Article V of the City of Palatka Municipal Code unless otherwise approved as part of a Final Site Plan.

#### **4.6 Building Height:**

Building, improvement and structure height is limited to 45 feet unless otherwise approved in a Final Site Plan. In any case, no building may exceed ten (10) stories, or one hundred (100) feet in height above grade. No building within one hundred (100) feet of residentially zoned property may be more than three (3) stories in height or thirty-six (36) feet.

#### **4.7 Land Coverage:**

No site shall have more than eighty (80) percent of its total land area covered by building, parking and other impervious surface.

#### **Lot Development Standards**

Impervious Surface Ratio	80%
Maximum Building Coverage	70%

#### **4.8 Tree Protection, Landscape and Buffering Standards:**

Except in cases of allowed outdoor storage, no buffering will be required between interior lots within the business park unless specifically required as part of a Final Site Plan. Buffering will be required where perimeter lots abut incompatible land uses. Lands within the business park shall otherwise be subject to landscaping, tree protection and buffering regulations identified in Chapter 94, Articles VI and VII of the Municipal Code of the City of Palatka unless otherwise specifically approved as part of a Final Site Plan.

#### **4.9 Fencing and Screening:**

Unless otherwise approved as part of a Final Site Plan, all fencing and screening shall be consistent with the Chapter 94 of the Municipal Code of the City of Palatka. Perimeter fencing shall not be permitted closer than fifteen (15) feet to the front property line. Fencing shall not exceed a height of six feet (6) feet unless otherwise approved in a Final Site Plan. Fencing shall not be required on any berm. Landscaping may be substituted for fencing provided that it is approved within the Final Site Plan.

#### **4.10 Subdivision of Lands**

Lands within the business park may be subdivided in accordance with local and state requirements governing such provided, however, that no subdivision of lands may occur unless approved as part of a Final Site Plan or a major modification of previously approved Final Site Plan. There shall be no minimum lot size within the business park, however no individually buildable lot may be created that is less than 100 feet in width.

#### **4.11 Lighting:**

Lighting within the facility shall be designed and installed so as to prevent glare or excessive light on adjacent property and right-of-way. Lighting shall be shielded and directed downward.

#### **4.12 Wetlands and Open Space:**

The PID Master Plan (Exhibit B) shows the general location and extent of proposed open spaces including jurisdictional wetlands, wet storm-water retention areas, and proposed conservation easements. Wetland impacts will be permitted according to local, State and Federal requirements. Wetlands shall have an upland buffer averaging 25 feet in width between development and any conserved wetlands.

#### **4.13 Utilities:**

1. Potable water and sanitary sewer service shall be provided by City of Palatka.
2. All utility lines and facilities shall be underground, or concealed under or within a building or other improvement in conformance with the Utilities Standards Handbook adopted by the Putnam County Business Park and the agency providing the utility.
3. Temporary electric power and telephone service poles may be permitted above ground during the construction phase but shall be removed immediately upon issuance of a Certificate of Occupancy or cessation of construction for more than thirty (30) days, whichever is earlier.
4. Above-ground electrical transformers, meters and similar apparatus, if required, shall be properly screened from adjacent rights-of-way and properties with a method approved within the Final Site Plan.
5. Backflow prevention devices shall be located a minimum of ten (10) feet from sidewalks or pavement.

6. Water-saving devices shall be used in faucets, showerheads, and toilets in all facilities to be constructed in the Putnam County Business Park.

**4.14 Temporary Improvements:**

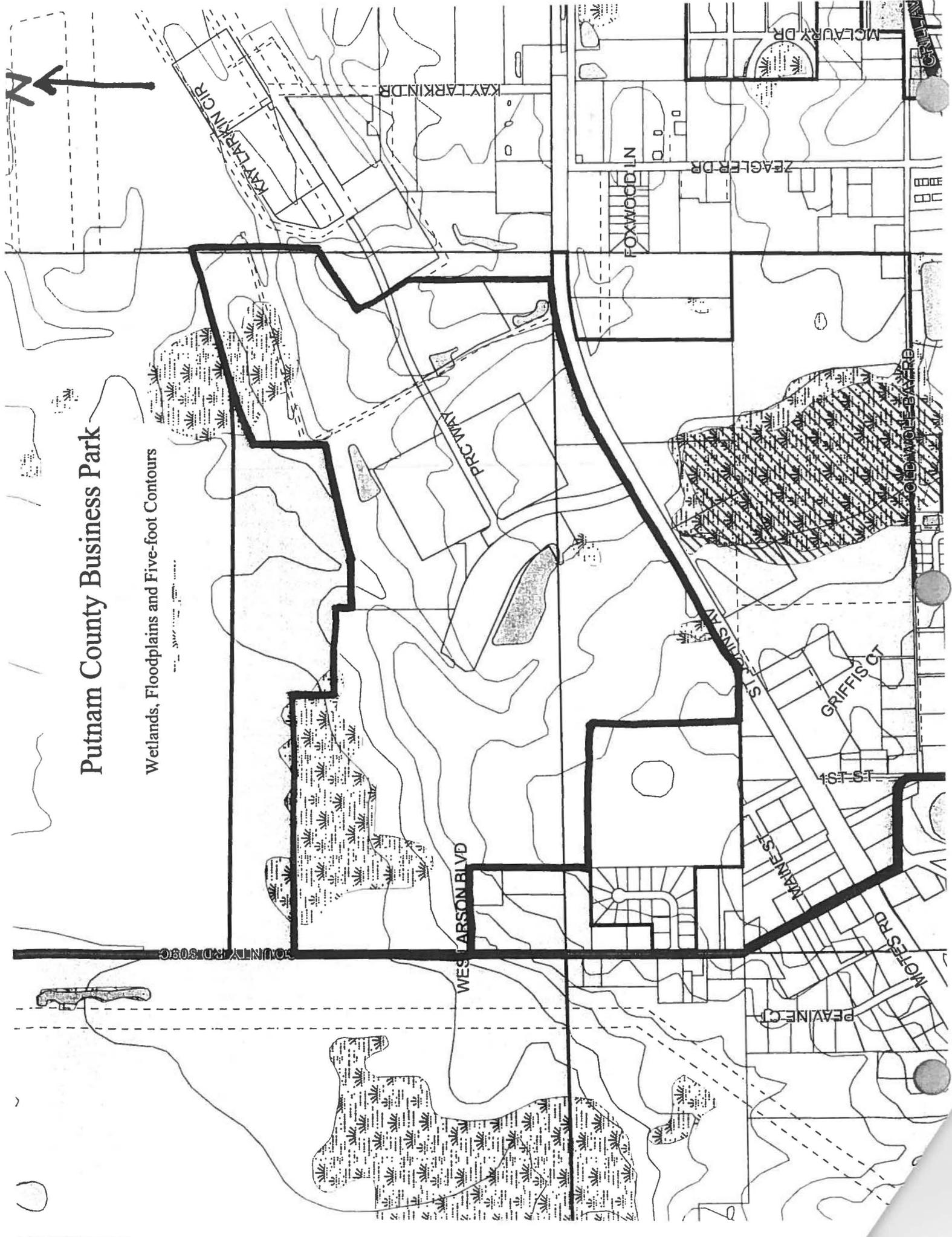
No buildings, structures, improvements or other facilities of a temporary nature, including trailers or tents, shall be permitted on a site except temporary improvements or facilities used solely in connection with and during construction of approved permanent improvements. Such temporary improvements must be located as inconspicuously as possible and must be removed immediately following completion of construction.

**4.15 Architectural Standards:**

All permanent buildings shall be site-built or site-assembled conventional structures. Prefabricated metal structures shall be allowed provided that facades and exterior treatments are masonry and are similar in style and appearance to others within the business park.

# Putnam County Business Park

Wetlands, Floodplains and Five-foot Contours



**CITY OF PALATKA**  
**PLANNING BOARD AGENDA**  
April 4, 2016



Call to Order: Members present: Chairman Daniel Sheffield, Earl Wallace, Tammy Williams, Joseph Petrucci, George DeLoach and Ed Killebrew. Members absent: Vice-Chairman Joe Pickens and Anthony Harwell. Staff present: Planning Director, Thad Crowe; Recording Secretary, Pam Sprouse and City Attorney, Donald Holmes.

**Motion** made by Mr. DeLoach and seconded by Mr. Killebrew to approve March 1, 2016 meeting minutes. All present voted, the motion carried unopposed.

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

**OLD BUSINESS:**

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

Mr. Crowe stated that staff would like to bring a final draft in April for the Board's consideration and that this item would be re-advertised. - *Item moved to end of agenda.*

No action taken.

**Case 16-16** Request for a conditional use for multi-family development with more than three units in DR (Downtown Riverfront) zoning district.  
**Location:** Parcel #42-10-27-6850-0020-0010 (a.k.a. "Century Block" or "100 Block")  
**Applicant:** Riverside Development Group LLC

Chairman Daniel Sheffield stated that Staff has requested this item be tabled and asked for a motion.

**Motion** made by Mr. Killebrew and seconded by Ms. Williams to table the request until the April 5, 2016 meeting date. All present voted affirmative, motion carried unopposed.

**Case 16-04** Administrative request to rezone two parcels (Putnam County Industrial Park) from County PUD (Planned Unit Development) to PID (Planned Industrial Development). – Tabled from the March Planning Board meeting.  
**Location (1):** 7220 PRC Way - Owner: Premier Palatka, LLC  
**Location (2):** 7201 PRC Way - Owner: Sykes Realty Inc.

Mr. Crowe advised that one of the property owners had requested that this item be tabled last month so they could look into their best possible options and have since agreed to support the administrative application as recommended by staff. This request was being brought to the Board as an administrative corrective request, as these two properties are an enclave within the Putnam County Industrial Park but were not included in the City PID (Planned Unit Development) rezoning when the Park was rezoned from County to City, so they still have County zoning designations. He added that if the property owner(s) had chosen to request a different zoning from what Staff is recommending then they will have to submit an application and it would be re-advertised. He recommended approval of the request to administratively amend the County PUD zoning to City PID for these two properties.

**(Public Hearing)** - No one present to speak on behalf of the request.

**(Regular Meeting)**

Mr. DeLoach said that he had no objection to making this this corrective action. Mr. Petrucci asked if the surrounding areas were subject to the same overlay standards. Mr. Crowe said that was correct.

**Motion** made by Mr. DeLoach and seconded by Mr. Killebrew to recommend approval of the requests as submitted by Staff. All present voted affirmative, motion carried unopposed.

**NEW BUSINESS:**

**Case 16-09** Request to annex, amend Future Land Use Map from County US (Urban Service) to COM (Commercial), and rezone from County C-4 (Commercial Intensive) to C2 (Intensive Commercial).

**Location:** 3829 Reid St.

**Applicant:** Julio A Pena

Mr. Crowe explained that this is a voluntary request to annexation for city utilities. It is currently and has been for some time a facility that produces cooking sauces. The recommended land use and zoning is compatible with the current County designations and the surrounding commercial properties. He advised that this request meets all annexation, Comprehensive Plan and rezoning criteria and would help to reduce the existing enclave in this compact area. He recommended approval of the requests.

**(Public Hearing)** - No one present to speak on behalf of request.

**(Regular Meeting)**

**Motion** made by Mr. Killebrew and seconded by Ms. Williams to recommend approval of the requests as submitted by Staff. All present voted affirmative, motion carried unopposed.

**Case 16-11** Request to annex, amend Future Land Use Map from County UR (Urban Reserve) to COM (Commercial), and rezone from County AG (Agriculture) to C-1A (Neighborhood Commercial).

**Location:** 7000 Old Wolf Bay Rd.

**Applicant:** Mocking Bird Properties LLC

Mr. Crowe advised that this request comes from the property owner and is being proposed for a medical office. This location is in a commercial (medical and professional service) area that is zoned mostly C-1 (Neighborhood Commercial) and C-1A (General Commercial). He stated that this request also chips away at the large enclave in this area. He advised that this request meets all annexation, Future Land Use and zoning criteria. He recommends approval of the requests.

**(Public Hearing)** - No one present to speak on behalf of request.

**(Regular Meeting)**

**Motion** made by Mr. Petrucci and seconded by Mr. DeLoach to recommend approval of the requests as submitted by Staff. All present voted affirmative, motion carried unopposed.

*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 TO REQUEST DISABILITY ACCOMMODATIONS.*



## CITY COMMISSION AGENDA ITEM

### **SUBJECT:**

**ORDINANCE** revising subdivision plat for 6109 3rd Manor Road West, Parcel # 10-10-26-9130-0030-0250 -- Planning Board Recommendation to vacate two City-controlled easements in rear yard of property - 2nd Reading, Adopt

### **SUMMARY:**

This ordinance vacates two easements located along the rear property line of this property. A 20-foot wide "beautification" easement runs along the rear property line, and then another 10-foot wide utility easement runs along its inner edge. It is likely that at the time of this subdivision's development (around 1974) that the plan was for utilities to run along the rear property line. However Clay Electric serves from the street front, and there is no regulations requiring beautification in the other buffer, so both buffers are not needed. The reason for the request is the installation of a swimming pool, which requires easement vacation due to the small size of the rear yard.

### **RECOMMENDED ACTION:**

**Adopt an ordinance revising the subdivision plat for Viking Manor Subdivision to vacate 20-foot wide beautification easement and 10-foot wide utility easement in the rear yard of 6109 3rd Manor West.**

### **ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
▫ Ordinance Rev. 4-28-16	Ordinance
▫ Staff report	Backup Material
▫ Powerpoint Presentation	Backup Material

### **REVIEWERS:**

<b>Department</b>	<b>Reviewer</b>	<b>Action</b>	<b>Date</b>
Planning	Crowe, Thad	Approved	5/2/2016 - 2:18 PM
City Clerk	Driggers, Betsy	Approved	5/3/2016 - 10:08 AM

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

**ORDINANCE NO. 16 -**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, APPROVING A FINAL PLAT FOR VACATION OF AN EASEMENT LOCATED ON PROPERTY IDENTIFIED AS 6109 3<sup>RD</sup> MANOR WEST; LOCATED IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, application has been made for a final plat to vacate a 20-foot wide beautification easement and 10-foot wide utility easement located in the rear yard of 6109 3<sup>RD</sup> Manor West within the City of Palatka, Florida; and

**WHEREAS**, the holder of such easements, the City of Palatka, does not object to the closure of these easements as they have not and will be utilized for their respective intention; and

**WHEREAS**, all the necessary procedural steps have been accomplished, including a public hearing before the Planning Board of the City of Palatka on April 5, 2016, and two public hearings before the City Commission of the City of Palatka on April 28, 2016 and May 12, 2016; and

**WHEREAS**, the City Commission of the City of Palatka has determined that said final plat should be adopted.

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

**Section 1.** The easements identified in Exhibit "1" shall be vacated.

**DESCRIPTION OF PROPERTY:**

WEBB'S VIKING MANOR MB5 P78, BLK C LOT 25, identified as 6109 3<sup>rd</sup> Manor West, and Putnam County Tax Parcel Number 10-10-26-9130-0030-0250.

**Section 2.** A copy of this plat shall be filed with the office of the clerk of court of Putnam County.

**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 12<sup>th</sup> day of May, 2016.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its MAYOR**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**MAP TO SHOW SURVEY OF**

**LOT 25, BLOCK "C", WEBB'S VIKING MANOR SUBDIVISION, ACCORDING TO PLAT THEREOF RECORDED IN MAP BOOK 5, PAGE 78 OF THE PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA**

- SURVEYOR'S NOTES:**
1. BUILDING AND ZONING REQUIREMENTS AND OR RESTRICTIONS ARE NOT REFLECTED OR DETERMINED BY THIS SURVEY.
  2. NO UNDERGROUND UTILITIES, INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED, EXCEPT AS SHOWN.
  3. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR, EXCEPT AS SHOWN. LEGAL DESCRIPTION PROVIDED BY CLIENT.
  4. BEARING DATA BASED ON THE NORTH LINE OF LOT 25, BLOCK "C".
  5. THIS IS A BOUNDARY AND LOCATION SURVEY.
  6. THIS PROPERTY LIES IN FLOOD ZONE "1" AS SHOWN ON THE FLOOD INSURANCE RATE MAP 12022Z 0135A, MAP DATED 12/18/81, FOR PUTNAM COUNTY, FLORIDA.

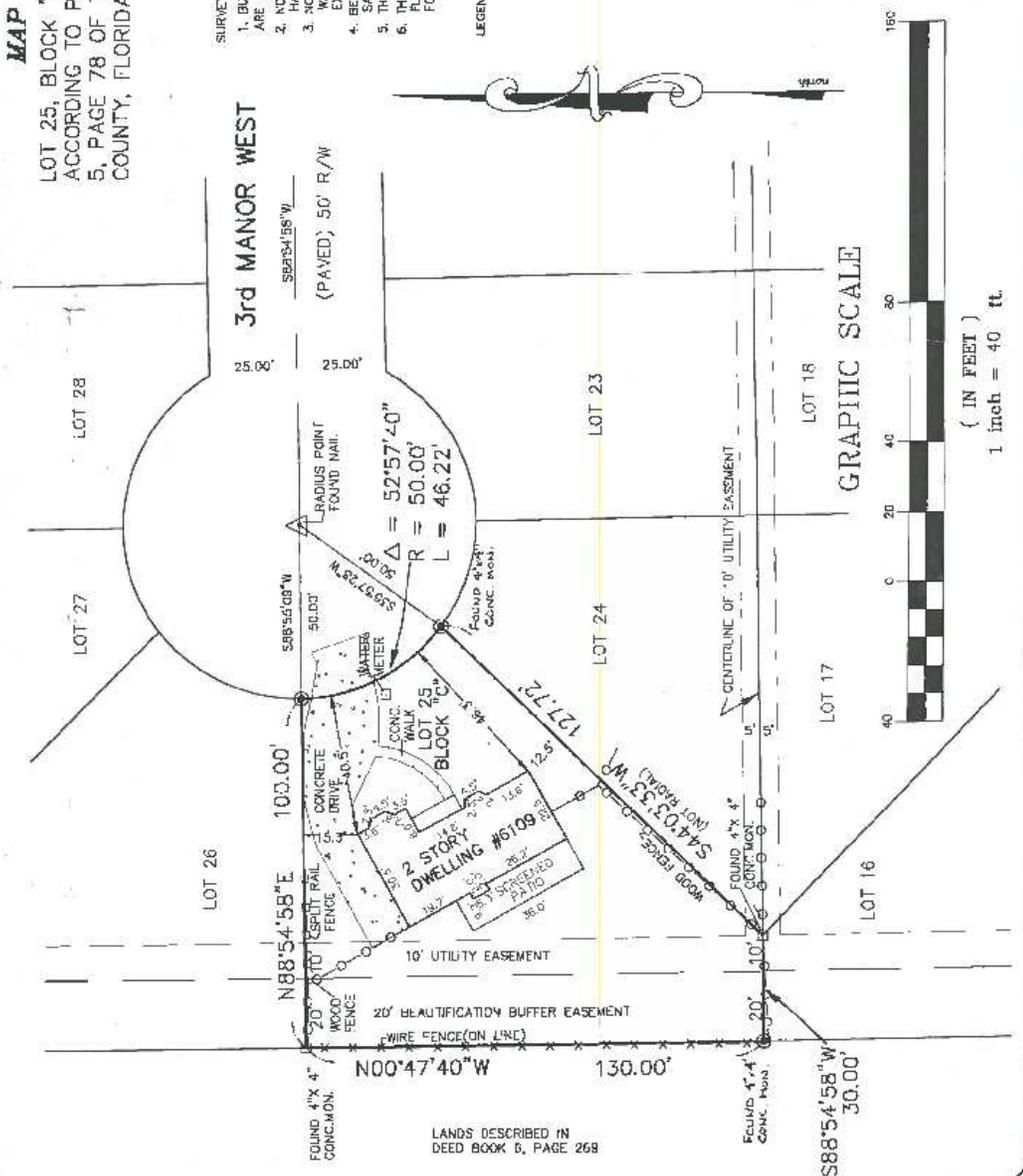
- LEGEND:**
- FND. = FOUND
  - CONC. = CONCRETE
  - MON. = MONUMENT
  - C.M. = CONCRETE MONUMENT
  - I.P. = IRON PIPE
  - ELEV. = ELEVATION
  - R/W = RIGHT OF WAY
  - A.B. = AS SHOWN
  - C.B. = CHORD BEARING
  - C.D. = CHORD DISTANCE
  - ⊙ = SET 5/8" REBAR(UNLESS OTHERWISE NOTED)
- FIG(S) = PAGE(S)**  
**O.R. = OFFICIAL RECORDS**  
**BLDG. = BUILDING**  
**(M) = MEASURED**  
**(D) = DEED/RECORD**  
**(C) = CALCULATED**  
**R = RADIUS**  
**T = TANGENT DISTANCE**  
**L = LENGTH OF ARC**  
**Δ = CENTRAL ANGLE**

FIELD DATE: 05/30/2003  
 I HEREBY CERTIFY THIS SURVEY EXCLUSIVELY TO:  
 BRUCE D. GUY & JAMES S. GUY  
 FIRST NATIONAL BANK OF ALABAMA  
 BULLET TOWER, 1100 -  
 FIDELITY NATIONAL TITLE INSURANCE CO.

**C.W. TURLINGTON**  
 PROFESSIONAL SURVEYING AND MAPPING  
 318-A, NORTH MAIN STREET  
 HASTINGS, FLORIDA, 32145 Phone: 652-1177

**CEAL WETLEY TURLINGTON II**, PLAT. NO. 5869  
 PROFESSIONAL SURVEYOR AND MAPPER  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL, RAISED SEAL OF A FLORIDA LICENSED SURVEYOR.  
 EXPIRES: 12/31/08  
 BOARD NO. 3367

SCALE: 1" = 40'



LANDS DESCRIBED IN DEED BOOK 5, PAGE 268

Case 16-17  
Application for Subdivision (Easement Vacation)  
6109 3<sup>rd</sup> Manor West

# STAFF REPORT

DATE: March 30, 2016

TO: Planning Board members

FROM: Thad Crowe, AICP  
Planning Director

## APPLICATION REQUEST

This is a request for subdivision pertaining to the vacation of easements. Public notice included letters to abutting property owners, newspaper advertisement, and property posting.

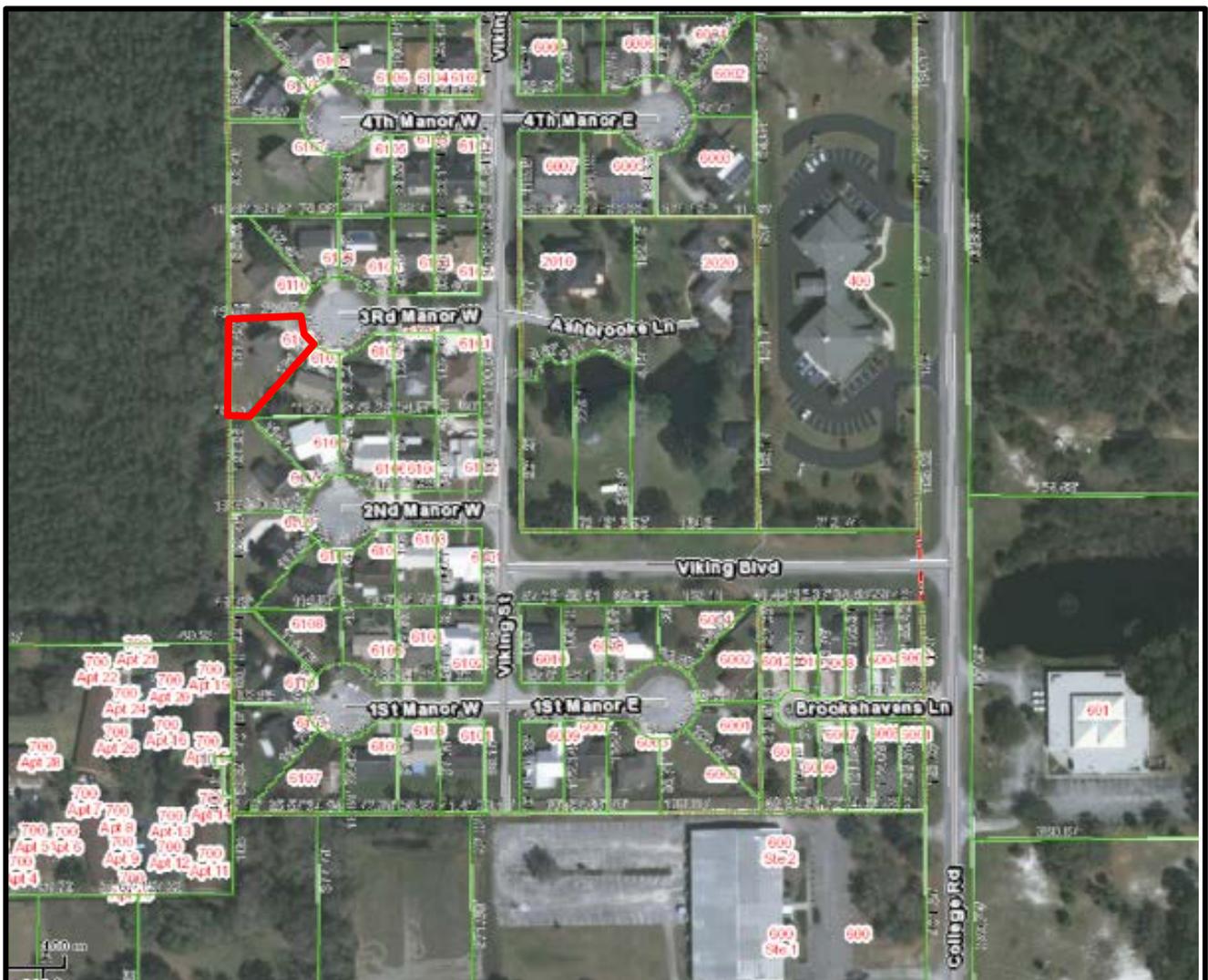


Figure 1: Property Location – note Public Library on the lower right, and proposed EDGE school to its lower left

**APPLICATION BACKGROUND**

The request is for the vacation of two recorded easements along the rear lot line of this property, which is occupied by a single-family home. The Subdivision Code defines any change to, establishment, or vacation of easements as a platting action.

**PROJECT ANALYSIS**

There are no criteria for platting in regard to easements. This defaults to any conflicts with the Municipal Code and Comprehensive Plan, as well as potential harm to the public interest including neighboring property owners. The survey (attached) shows two easements: a 20-foot wide “beautification” easement running along the rear/west property line, and another 10-foot wide utility easement running parallel with the first easement. The Property Appraiser and Clerk do not have a record of



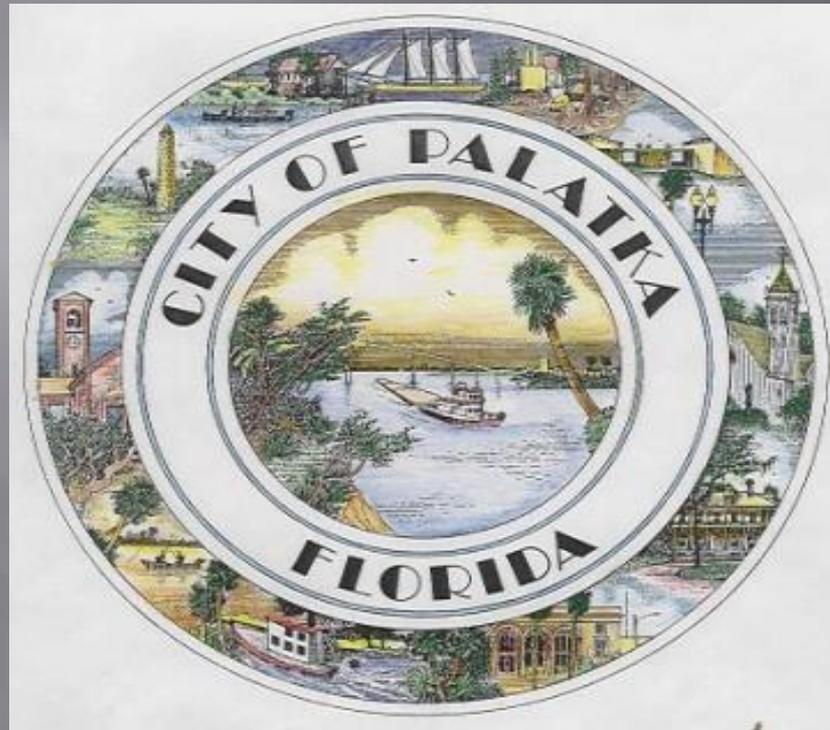
*Figure 2: rear yard of property – easements run parallel to the fence (right side of picture)*

these easements and it appears that they are City easements that were never utilized – there are no utilities present and no “beautified” areas. City Departments have raised no objections, except for the City’s Utilities Superintendent, who has not responded. Staff will provide his comments at the meeting, but don’t anticipate any objections. The easements do not show up on neighboring properties either. Figure 2 shows the rear yard and the easement, and there is no physical evidence of either buffer.

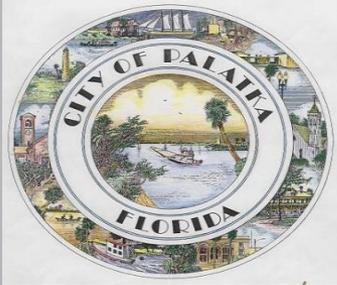
**STAFF RECOMMENDATION**

Pending contrary advice from the City’s Utilities Superintendent, Staff recommends that the Board recommend approval of the vacation of the 20-foot wide beautification easement and the 10-foot wide utility easement in the rear yard of this property. If the City Attorney does not object, Staff also requests the ability to administratively remove these easements from adjoining properties that may have them in similar circumstances, along the westerly property line of the Viking Manor subdivision, with ten-day property posting notice in each case (if objections are raised, the formal platting process must occur). Both recommendations must be approved by the City Commission.

ATTACHMENT: SURVEY

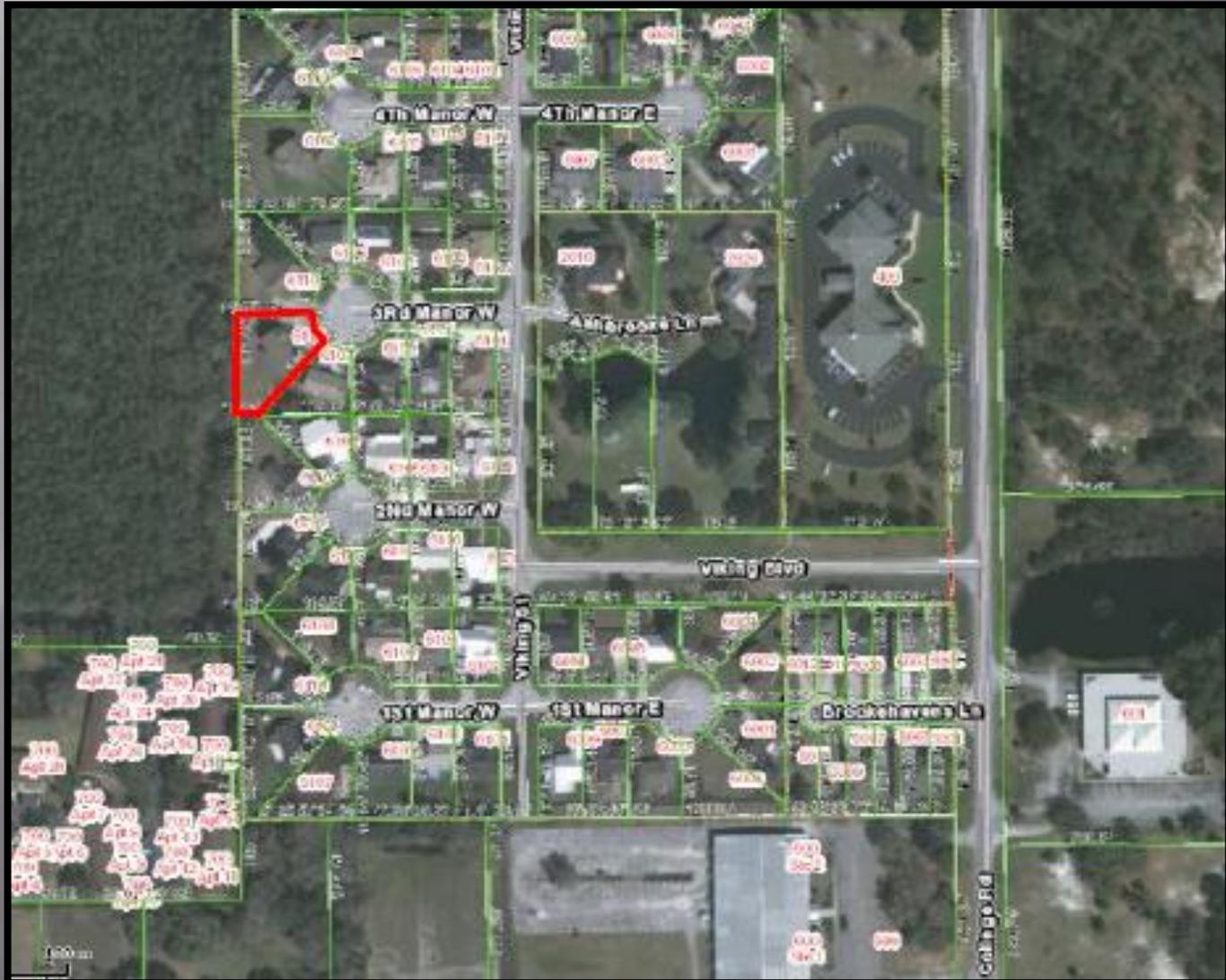


# PLANNING BOARD MEETING APRIL 5, 2016

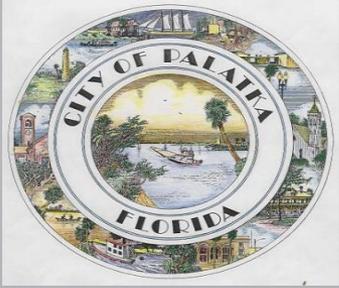


# CASE 16-17

Plat (easement vacation) – 6109 3<sup>rd</sup> Manor W.



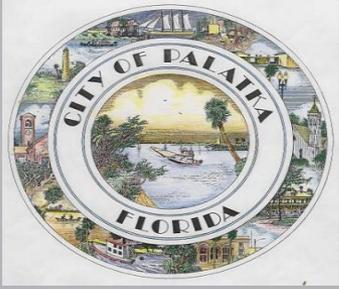




# CASE 16-17

Plat (easement vacation) – 6109 3<sup>rd</sup> Manor W.





# CASE 16-17

Plat (easement vacation) – 6109 3<sup>rd</sup> Manor W.

- AREA NOT UTILIZED FOR CITY-HELD EASEMENT PURPOSES
- CITY DEPARTMENTS EXPRESSED NO OPPOSITION
- RECOMMEND VACATION OF EASEMENTS
- ALSO RECOMMEND ADMIN. VACATING OF SIMILAR EASEMENTS



## CITY COMMISSION AGENDA ITEM

### **SUBJECT:**

**DISCUSSION/UPDATE** - Hours of Alcohol Sales

### **SUMMARY:**

At it's April 14th meeting the Palatka City Commission held discussion concerning hours of alcohol sales in the City. The following is an excerpt from the draft minutes of that meeting:

"Chief Shaw was directed to compile stats on alcohol related crimes from 2005 coming forward, and to perform an independent analysis of those 2005 studies to determine whether they have issues with DUIs or alcohol related crimes on Sunday morning or any other morning. Commissioner Campbell asked the Clerk to pull minutes from meetings when the 2005 ordinance was discussed and adopted, and have them distributed for reference. Discussion ensued as to the purpose of putting the 2005 ordinance in place, as to whether it was adopted to stop alcohol sales/consumption at bar/restaurants between the hours of 2 am and 5 am on weekends, or to address alcohol-related issues on Sunday mornings between the hours of 7 am and 1 pm. There was consensus to include stats on alcohol related calls from 7 am to 1 pm on all mornings of the week from 2004 coming forward. "

There was Commission Consensus to revisit this at May 12th meeting.

Chief Shaw will submit his research under separate cover. The Clerk has distributed 2004/2005 minutes and materials as requested.

### **RECOMMENDED ACTION:**

**Discussion, possible direction to staff.**

### **ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
▫ City Code, County Code - Hours of Sale	Backup Material
▫ 2005 Ordinance amending Alcohol Sales Code	Discussion

### **REVIEWERS:**

<b>Department</b>	<b>Reviewer</b>	<b>Action</b>	<b>Date</b>
City Clerk	Driggers, Betsy	Approved	5/5/2016 - 1:53 PM
City Clerk	Driggers, Betsy	Approved	5/5/2016 - 1:53 PM

Sec. 10-4. - Hours when sale prohibited; half-hour closing period.

It shall be unlawful for any person to sell, consume, serve, or permit to be served or consumed, any alcoholic beverages, except as otherwise listed herein, at any licensed premises except between and during the following hours:

- (a) Monday through Saturday, from 7:00 a.m. until 2:00 a.m. the following morning.
- (b) Sunday, from 1:00 p.m. until 12:00 midnight.
- (c) New Year's Eve, if falling on a day Monday through Saturday, from 7:00 a.m. until 4:00 a.m. the following morning.
- (d) New Year's Eve, if falling on a Sunday, from 1:00 p.m. until 4:00 a.m. the following morning.

Exception: Any licensee for on-premise consumption shall have a period of 30 minutes, from the time sales of alcoholic beverages are required under this section to cease, during which consumption of alcoholic beverages may continue and within which to clear his licensed place of business of all customers and persons, but in no event shall alcoholic beverages be sold in such licensed premises after the time sales of alcoholic beverages are required under this section to cease.

(Ord. No. 05-07, § 1, 2-10-2005)

- City of Palatka  
Code

- Hours when alcohol  
sales prohibited

Chapter 4 - ALCOHOLIC BEVERAGES<sup>[1]</sup>*Putnam Co. Code*

Footnotes:

— (1) —

**State Law reference**— *Alcoholic beverages, F.S. chs. 561—568; general authority relative to alcoholic beverages, F.S. 55 562.14, 562.45.*

## Sec. 4-1. - Closing hours;vacation of premises.

- (a) The daily hour of closing for all vendors engaged in the sale or dispensing of alcoholic beverages for consumption on the premises in the unincorporated area of the county is hereby set and declared to be 12:00 midnight; provided, however, that closing hours for Fridays, Saturdays and New Year's Eve shall be extended until 2:00 a.m. No vendor shall open or reopen for business before 7:00 a.m. daily or 12:00 noon on Sundays.
- (b) Within a period of 30 minutes following the closing hour set forth in subsection (a) of this section, all customers, patrons and guests shall vacate the premises of the vendor. Alcoholic beverages shall not be served to, consumed by or in the possession of, any person on said premises after this 30-minute period.
- (c) Loitering, as contemplated by F.S. § 856.021, shall be prohibited on the premises of the vendor at all times.
- (d) Any vendor convicted hereunder shall be referred to the state division of beverage for consideration of suspension or revocation of license as provided by law.
- (e) It is the specific intent of the board of county commissioners that this chapter be enforced by the appropriate state and local law enforcement officers and all violations hereof referred to the office of the state attorney for prosecution.

(Ord. No. 2008-11, § 1, 4-22-2008)

**State Law reference**— *Local regulation of closing hours of establishments selling alcoholic beverages, F.S. § 562.14.*

# Complete Palatka Code

## Chapter 10 - ALCOHOLIC BEVERAGES<sup>[1]</sup>

### Ch. 10 - Alcoholic Bev.

#### Footnotes:

-- (1) --

**Editor's note**—Section 1 of Ord. No. 05-07, adopted Feb. 10, 2005, amended ch. 10 in its entirety to read as herein set out. Former ch. 10 pertained to similar subject matter and derived from §§ 4-1—4-4 of the 1981 Code.

**Cross reference**— Alcoholic beverages in parks, § 50-39; intoxication in parks, § 50-40.

**State Law reference**— Municipal Home Rules Powers Act, F.S. § 166.011 et seq.; beverage control laws, F.S. ch. 561 et seq.

#### Sec. 10-1. - Scope and applicability.

- (a) This chapter shall apply to all licensees and licensed premises located within the city limits of the City of Palatka.
- (b) For purposes of this chapter, section 10-3, location restrictions, shall not apply to established licensed premises, religious institutions, or schools, in existence as of the effective date of this chapter, which shall be considered grandfathered to the distance requirements contained herein and shall be allowed to continue, be expanded at that location, or replaced if destroyed or substantially damaged without regard to the location restrictions as contained in this chapter, but shall otherwise comply with this chapter as adopted by ordinance. An established licensed premises, religious institution, or school that does not meet the location restrictions as listed in this chapter shall be grandfathered; however, should a grandfathered licensed premises, religious institution, or school cease operations for a period of one year or more, then the licensed premises, religious institution, or school shall not be recommenced except in conformance with the location restrictions included in this chapter. For purposes of this subsection, a change in ownership of an established licensed premises shall not invalidate the grandfathered status conferred by this subsection so long as operations do not cease for a period of one year or more.
- (c) For purposes of this chapter, section 10-4, hours when sale prohibited; half-hour closing period, shall apply to all licensees and licensed premises within the city limits of the City of Palatka.
- (d) All licensees and licensed premises licensed by the state and by the city, and all other business establishments, shall comply with all laws of the state and all rules and regulations promulgated by the Division of Alcoholic Beverages and Tobacco of the State of Florida Department of Business and Professional Regulation in the conduct and operation of their respective businesses, and the Beverage Law, as amended, are hereby adopted by reference and made a part of this Code. The provisions of such chapters shall be complied with by all persons to the same extent as though such provisions were set forth in full in this chapter, except where such provisions may be in conflict with other provisions of this chapter. To the extent of conflict or inapplicability to the city, such provisions shall be disregarded.

(Ord. No. 05-07, § 1, 2-10-2005)

#### Sec. 10-2. - Definitions.

For purposes of this chapter, the following definitions shall apply:

*Alcoholic beverages* means distilled spirits and all beverages containing one-half of one percent or more alcohol by volume.

*The Beverage Law* means F.S. chs. 561, 562, 563, 564, 565, 567, and 568.

*Bottle club* means a commercial establishment, operated for a profit, whether or not a profit is actually made, wherein patrons consume alcoholic beverages which are brought onto the premises and not sold or supplied to the patrons by the establishment, whether the patrons bring in and maintain custody of their own alcoholic beverages or surrender custody to the establishment for dispensing on the premises, and which is located in a building or other enclosed permanent structure. This definition does not apply to sporting facilities where events sanctioned by nationally recognized regulatory athletic or sports associations are held, bona fide restaurants licensed by the Division of Hotels and Restaurants of the State of Florida Department of Business and Professional Regulation whose primary business is the service of full course meals, or hotels and motels licensed by the Division of Hotels and Restaurants of the State of Florida Department of Business and Professional Regulation.

*Licensed premises* means not only rooms where alcoholic beverages are stored or sold by the licensee, but also all other rooms in the building which are so closely connected therewith as to admit free passage from drink parlor to other rooms over which the licensee has some dominion or control. Licensed premises shall also include any outside area shown on a sketch submitted to and approved by the city for purposes of licensing by the Division of Alcoholic Beverages and Tobacco of the State of Florida Department of Business and Professional Regulation. For purposes of this chapter, "licensed premises" shall include, but not be limited to, bottle clubs, bars, taverns, restaurants (as herein defined and when licensed by the Division of Alcoholic Beverages and Tobacco for the sale of alcoholic beverages), and all other licensees of the Division of Alcoholic Beverages and Tobacco.

*Licensee* means a legal or business entity, person, or persons that hold a license issued by the Division of Alcoholic Beverages and Tobacco of the State of Florida Department of Business and Professional Regulation and meet the qualifications set forth in F.S. § 561.15.

*Open container* means any bottle, can, glass, cup or other vessel, other than the original unbroken sealed container, containing an alcoholic beverage.

*Religious institution* means churches and ecclesiastical or denominational organizations or established physical places for worship in this state at which nonprofit religious services and activities are regularly conducted and carried on, and also means church cemeteries.

*Restaurant* means an establishment licensed by the Division of Hotels and Restaurants of the State of Florida Department of Business and Professional Regulation or a business that does not otherwise qualify for a special license, but nevertheless derives at least 51 percent of its gross revenues from the sale of food and nonalcoholic beverages and has a city occupational license as a restaurant.

*Sale, sell and vend* mean any transfer of an alcoholic beverage for a consideration, any gift of an alcoholic beverage in connection with, or as a part of, a transfer of property other than an alcoholic beverage for a consideration, or the serving of an alcoholic beverage by a club licensed under the Beverage Law.

*School* means a public or nonprofit approved or accredited organizational entity devoted primarily to approved academic, vocational, or professional study and instruction, which operates primarily for educational purposes on a full-time basis for a minimum school year and employs a full-time staff of qualified instructors.

Any definitions omitted from this section shall be as otherwise defined within the Beverage Law of the State of Florida.

(Ord. No. 05-07, § I, 2-10-2005)

**Sec. 10-3. - Location restrictions.**

For purposes of this subsection, all distances shall be measured from the nearest property line to nearest property line. The following location restrictions shall apply:

- (a) A licensed premises shall not locate within 300 feet of any established religious institution or school provided, however, that a licensed premises may be granted a conditional use to locate within 300 feet of any established religious institution or school.
- (b) A religious institution or school shall not locate within 300 feet of any established licensed premises provided, however, that a religious institution or school may be granted a conditional use to locate within 300 feet of any established licensed premises.
- (c) A licensed premises shall not locate within 300 feet of any established licensed premises provided, however, that a licensed premises may be granted a conditional use to locate within 300 feet of any established licensed premises.

(Ord. No. 05-07, § I, 2-10-2005)

**Sec. 10-4. - Hours when sale prohibited; half-hour closing period.**

It shall be unlawful for any person to sell, consume, serve, or permit to be served or consumed, any alcoholic beverages, except as otherwise listed herein, at any licensed premises except between and during the following hours:

- (a) Monday through Saturday, from 7:00 a.m. until 2:00 a.m. the following morning.
- (b) Sunday, from 1:00 p.m. until 12:00 midnight.
- (c) New Year's Eve, if falling on a day Monday through Saturday, from 7:00 a.m. until 4:00 a.m. the following morning.
- (d) New Year's Eve, if falling on a Sunday, from 1:00 p.m. until 4:00 a.m. the following morning.

Exception: Any licensee for on-premise consumption shall have a period of 30 minutes, from the time sales of alcoholic beverages are required under this section to cease, during which consumption of alcoholic beverages may continue and within which to clear his licensed place of business of all customers and persons, but in no event shall alcoholic beverages be sold in such licensed premises after the time sales of alcoholic beverages are required under this section to cease.

(Ord. No. 05-07, § I, 2-10-2005)

**Sec. 10-5. - Premises of licensees to be closed during designated hours; exceptions.**

A licensed premises for on-premises consumption shall be and remain securely closed between the hours of 12:30 a.m. and 7:00 a.m. Monday, 2:30 a.m. and 7:00 a.m. Tuesday through Saturday, 2:30 a.m. and 1:00 p.m. Sunday, and between the hours of 4:30 a.m. and 7:00 a.m. or 1:00 p.m. (as applicable) on New Year's Day, and no person shall be permitted therein for any purpose whatsoever during such closed period, except regular employees of the licensee may be permitted therein for the purpose of cleaning up the premises only; provided that any person engaged primarily in a business other than that of licensed premises for on-premises consumption of alcoholic beverages on the same premises shall be allowed to

keep open that portion of the premises not devoted to or used for the sale of alcoholic beverages for on-premises consumption upon securely screening all alcoholic beverages upon the premises from public view.

(Ord. No. 05-07, § 1, 2-10-2005)

Sec. 10-6. - Consumption or possession in certain public and private places.

- (a) It shall be unlawful for any person to consume or have in their possession any alcoholic beverage in any public park or recreation area, or on any public school property, or within any public building in the city; provided, however, this prohibition shall not apply to the buildings located on the premises of the municipal golf course, Ravine Gardens State Park, Riverfront Park, St. Johns River Center, Bronson-Mulholland House, Price-Martin Community Center, Larimer Arts Center, Tilghman House, Chamber of Commerce building, and Palatka Municipal Airport, when the alcoholic beverages are possessed or are being consumed thereon with the consent of the person, group or organization lawfully in charge of the excepted premises and in compliance with any applicable provisions of the Beverage Law.
- (b) It shall be unlawful for any person to consume or have in their possession any alcoholic beverage in an open container on any public street, thoroughfare, sidewalk or alley or on any publicly-owned parking facility within the city; nor shall any person, except the owner or person placed in charge by the owner, consume or have in their possession any alcoholic beverages in an open container on any private property unless such person is a lawful guest and has the consent of the owner or person in charge of such private property.
- (c) It shall be unlawful for any person to consume or have in their possession any alcoholic beverages in any open container while seated in a vehicle in any of the places identified in subsections (a) and (b) of this section.
- (d) The city commission may grant special permission for the sale, consumption or possession of alcoholic beverages in open containers during special events within defined areas of any public park, recreation area, street, sidewalk or public parking facility and for specific times.
- (e) For licensed premises including on-premise consumption, such licensed premises shall include all of the area embraced within the sketch submitted as part of an initial or renewal application for a license issued by the division of alcoholic beverages and tobacco, where such sketch appears on or is attached to the application for the license involved and designated as such on said sketch, in addition to that area included or designated by general law. When the area embraced within the sketch includes an outside area, access to such outside area shall be limited in such a fashion so as to prevent and prohibit access to the establishment by underage persons for purposes of subverting identification checkpoints or similar measures in place at the licensed premises. Additionally, any outside area shall be screened or fenced in such a manner so as to prevent the exchange of alcoholic beverages between those persons within the outside area and those beyond the outside area as shown on the sketch for the licensed premises. The city's planning director will review all applications for compliance with this requirement prior to the issuance of any approval for a license issued by the Division of Alcoholic Beverages and Tobacco of the State of Florida Department of Business and Professional Regulation.
- (f) No owner of a bottle club nor his agents, servants, employees, or any other person or persons using the premises with the owner's knowledge and consent shall permit alcoholic beverages to be served to minors; in addition, no owner of a bottle club nor his agents, servants, employees or any other person or persons using the premises with the owner's knowledge and consent shall permit

prostitution or solicitation of prostitution on a premises operated as a bottle club, permit gambling or solicitation of gambling on the premises, permit the premises to be operated as a disorderly place or public nuisance, or permit therein a violation of any city ordinance regulating moral decency, specifically chapter 3 (adult entertainment establishments) and division 2 (public nudity) of article III (offenses against public morals) of chapter 46 (offenses and miscellaneous provisions).

(Ord. No. 05-07, § I, 2-10-2005; Ord. No. 11-58, § 1, 10-13-2011; Ord. No. 15-12, § 1, 5-28-2015)

Sec. 10-7. - Penalties; injunctive relief.

- (a) A person convicted of a violation of this chapter shall be punished by a fine not exceeding \$500.00 or by imprisonment for a term not exceeding 60 days or any combination thereof. With respect to violations of this chapter that are continuous with respect to time, each day the violation continues is a separate offense.
- (b) Licensed premises that are not in conformity with these requirements shall be subject to appropriate civil action in the court of appropriate jurisdiction for abatement.
- (c) Nothing contained herein shall prevent the city or any division thereof from seeking appropriate disciplinary or punitive action related to any licensee or licensed premises as licensed by the Division of Alcoholic Beverages and Tobacco of the State of Florida Department of Business and Professional Regulation, the Division of Hotels and Restaurants of the State of Florida Department of Business and Professional Regulation, or any other licensing authority as applicable.

(Ord. No. 05-07, § I, 2-10-2005)

This instrument prepared by:  
Adam Mengel  
201 North 2<sup>nd</sup> Street  
Palatka, Florida 32177

**ORDINANCE NO. 05-07**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING AND REPLACING CHAPTER 10 OF THE CODE OF ORDINANCES OF THE CITY OF PALATKA, FLORIDA; TO AMEND THE PROVISIONS OF THE MUNICIPAL CODE PERTAINING TO ALCOHOLIC BEVERAGES; PROVIDING FOR SCOPE AND APPLICABILITY; PROVIDING FOR MEASUREMENT OF DISTANCE; PROVIDING FOR CLOSING HOURS; PROVIDING FOR VACATION OF PREMISES; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Code of Ordinances of the City of Palatka includes specific provisions related to the sale and consumption of alcoholic beverages within the City limits; and,

**WHEREAS**, the current provisions related to the sale and consumption of alcoholic beverages within the City limits permit the unrestricted sale of beer and wine for consumption on premises within restaurants; and,

**WHEREAS**, due to irregular City limit boundaries and ambiguous definitions, enforcement of these provisions is difficult and inconsistent; and,

**WHEREAS**, the citizens of Palatka seek to amend the provisions of the Municipal Code related to alcoholic beverages.

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

**SECTION I.** That Chapter 10, Alcoholic Beverages, of the Palatka Municipal Code be amended to read as follows:

\*\*\*

Sec. 10-1. Scope and applicability.

- (a) This chapter shall apply to all licensees and licensed premises located within the city limits of the City of Palatka.
- (b) For purposes of this ordinance, Ordinance No. 05-07, Section 10-3, Location restrictions, shall not apply to established licensed premises, religious institutions, or schools, in existence as of the effective date of this ordinance, which shall be

considered grandfathered to the distance requirements contained herein and shall be allowed to continue, be expanded at that location, or replaced if destroyed or substantially damaged without regard to the location restrictions as contained in this chapter, but shall otherwise comply with this chapter as adopted by ordinance. An established licensed premises, religious institution, or school that does not meet the location restrictions as listed in this chapter shall be grandfathered; however, should a grandfathered licensed premises, religious institution, or school cease operations for a period of one (1) year or more, then the licensed premises, religious institution, or school shall not be recommenced except in conformance with the location restrictions included in this chapter. For purposes of this subsection, a change in ownership of an established licensed premises shall not invalidate the grandfathered status conferred by this subsection so long as operations do not cease for a period of one (1) year or more.

- (c) For purposes of this ordinance, Ordinance No. 05-\_\_\_\_, Section 10-4, Hours when sale prohibited; half-hour closing period, shall apply to all licensees and licensed premises within the city limits of the City of Palatka.
- (d) All licensees and licensed premises licensed by the state and by the city, and all other business establishments, shall comply with all laws of the state and all rules and regulations promulgated by the Division of Alcoholic Beverages and Tobacco of the State of Florida Department of Business and Professional Regulation in the conduct and operation of their respective businesses, and the Beverage Law, as amended, are hereby adopted by reference and made a part of this Code. The provisions of such chapters shall be complied with by all persons to the same extent as though such provisions were set forth in full in this chapter, except where such provisions may be in conflict with other provisions of this chapter. To the extent of conflict or inapplicability to the city, such provisions shall be disregarded.

Sec. 10-2. Definitions.

For purposes of this chapter, the following definitions shall apply:

"Alcoholic beverages" means distilled spirits and all beverages containing one-half of 1 percent or more alcohol by volume.

"The Beverage Law" means chapters 561, 562, 563, 564, 565, 567, and 568 of Florida Statutes.

"Bottle club" means a commercial establishment, operated for a profit, whether or not a profit is actually made, wherein patrons consume alcoholic beverages which are brought onto the premises and not sold or supplied to the patrons by the establishment, whether the patrons bring in and maintain custody of their own alcoholic beverages or

surrender custody to the establishment for dispensing on the premises, and which is located in a building or other enclosed permanent structure. This definition does not apply to sporting facilities where events sanctioned by nationally recognized regulatory athletic or sports associations are held, bona fide restaurants licensed by the Division of Hotels and Restaurants of the State of Florida Department of Business and Professional Regulation whose primary business is the service of full course meals, or hotels and motels licensed by the Division of Hotels and Restaurants of the State of Florida Department of Business and Professional Regulation.

"Licensed premises" means not only rooms where alcoholic beverages are stored or sold by the licensee, but also all other rooms in the building which are so closely connected therewith as to admit free passage from drink parlor to other rooms over which the licensee has some dominion or control. Licensed premises shall also include any outside area shown on a sketch submitted to and approved by the city for purposes of licensing by the Division of Alcoholic Beverages and Tobacco of the State of Florida Department of Business and Professional Regulation. For purposes of this chapter, "licensed premises" shall include, but not be limited to, bottle clubs, bars, taverns, restaurants (as herein defined and when licensed by the Division of Alcoholic Beverages and Tobacco for the sale of alcoholic beverages), and all other licensees of the Division of Alcoholic Beverages and Tobacco.

"Licensee" means a legal or business entity, person, or persons that hold a license issued by the Division of Alcoholic Beverages and Tobacco of the State of Florida Department of Business and Professional Regulation and meet the qualifications set forth in s. 561.15, Florida Statutes.

"Open container" means any bottle, can, glass, cup or other vessel, other than the original unbroken sealed container, containing an alcoholic beverage.

"Religious institution" means churches and ecclesiastical or denominational organizations or established physical places for worship in this state at which nonprofit religious services and activities are regularly conducted and carried on, and also means church cemeteries.

"Restaurant" means an establishment licensed by the Division of Hotels and Restaurants of the State of Florida Department of Business and Professional Regulation or a business that does not otherwise qualify for a special license, but nevertheless derives at least 51 percent of its gross revenues from the sale of food and nonalcoholic beverages and has a city occupational license as a restaurant.

"Sale", "sell" and "vend" mean any transfer of an alcoholic beverage for a consideration, any gift of an alcoholic beverage in connection with, or as a part of, a transfer of property other than an alcoholic beverage for a consideration, or the serving of an alcoholic beverage by a club licensed under the Beverage Law.

"School" means a public or nonprofit approved or accredited organizational entity devoted primarily to approved academic, vocational, or professional study and instruction, which operates primarily for educational purposes on a full-time basis for a minimum school year and employs a full-time staff of qualified instructors.

Any definitions omitted from this section shall be as otherwise defined within the Beverage Law of the State of Florida.

Sec. 10-3. Location restrictions.

For purposes of this subsection, all distances shall be measured from the nearest property line to nearest property line. The following location restrictions shall apply:

- (a) A licensed premises shall not locate within 300 feet of any established religious institution or school provided, however, that a licensed premises may be granted a Conditional Use to locate within 300 feet of any established religious institution or school.
- (b) A religious institution or school shall not locate within 300 feet of any established licensed premises provided, however, that a religious institution or school may be granted a Conditional Use to locate within 300 feet of any established licensed premises.
- (c) A licensed premises shall not locate within 300 feet of any established licensed premises provided, however, that a licensed premises may be granted a Conditional Use to locate within 300 feet of any established licensed premises.

Sec. 10-4. Hours when sale prohibited; half-hour closing period.

It shall be unlawful for any person to sell, consume, serve, or permit to be served or consumed, any alcoholic beverages, except as otherwise listed herein, at any licensed premises except between and during the following hours:

- (a) Monday through Saturday, from 7:00 a.m. until 2:00 a.m. the following morning.
- (b) Sunday, from 1:00 p.m. until 12:00 midnight.
- (c) New Year's Eve, if falling on a day Monday through Saturday, from 7:00 a.m. until 4:00 a.m. the following morning.
- (d) New Year's Eve, if falling on a Sunday, from 1:00 p.m. until 4:00 a.m. the following morning.

Exception: Any licensee for on-premise consumption shall have a period of 30 minutes, from the time sales of alcoholic beverages are required under this section to cease, during which consumption of alcoholic beverages may continue and within which to clear his licensed place of business of all customers and persons, but in no event shall alcoholic beverages be sold in such licensed premises after the time sales of alcoholic beverages are required under this section to cease.

Sec. 10-5. Premises of licensees to be closed during designated hours; exceptions.

A licensed premises for on-premise consumption shall be and remain securely closed between the hours of 12:30 a.m. and 7:00 a.m. Monday, 2:30 a.m. and 7:00 a.m. Tuesday through Saturday, 2:30 a.m. and 1:00 p.m. Sunday, and between the hours of 4:30 a.m. and 7:00 a.m. or 1:00 p.m. (as applicable) on New Year's Day, and no person shall be permitted therein for any purpose whatsoever during such closed period, except regular employees of the licensee may be permitted therein for the purpose of cleaning up the premises only; provided that any person engaged primarily in a business other than that of licensed premises for on-premise consumption of alcoholic beverages on the same premises shall be allowed to keep open that portion of the premises not devoted to or used for the sale of alcoholic beverages for on-premise consumption upon securely screening all alcoholic beverages upon the premises from public view.

Sec. 10-6. Consumption or possession in certain public and private places.

- (a) It shall be unlawful for any person to consume or have in their possession any alcoholic beverage in any public park or recreation area, or on any public school property, or within any public building in the city; provided, however, this prohibition shall not apply to the buildings located on the premises of the municipal golf course, Ravine Gardens State Park, Bronson-Mulholland House, Price-Martin Community Center, Larimer Arts Center, Tilghman House, Chamber of Commerce building, and Palatka Municipal Airport, when the alcoholic beverages are possessed or are being consumed thereon with the consent of the person, group or organization lawfully in charge of the excepted premises and in compliance with any applicable provisions of the Beverage Law.
- (b) It shall be unlawful for any person to consume or have in their possession any alcoholic beverage in an open container on any public street, thoroughfare, sidewalk or alley or on any publicly-owned parking facility within the city; nor shall any person, except the owner or person placed in charge by the owner, consume or have in their possession any alcoholic beverages in an open container on any private property unless such person is a lawful guest and has the consent of the owner or person in charge of such private property.
- (c) It shall be unlawful for any person to consume or have in their possession any alcoholic beverages in any open container while seated in a vehicle in any of the places identified in subsections (a) and (b) of this section.
- (d) The city commission may grant special permission for the sale, consumption or possession of alcoholic beverages in open containers during special events within defined areas of any public park, recreation area, street, sidewalk or public parking facility and for specific times.

- (e) For licensed premises including on-premise consumption, such licensed premises shall include all of the area embraced within the sketch submitted as part of an initial or renewal application for a license issued by the Division of Alcoholic Beverages and Tobacco, where such sketch appears on or is attached to the application for the license involved and designated as such on said sketch, in addition to that area included or designated by general law. When the area embraced within the sketch includes an outside area, access to such outside area shall be limited in such a fashion so as to prevent and prohibit access to the establishment by underage persons for purposes of subverting identification checkpoints or similar measures in place at the licensed premises. Additionally, any outside area shall be screened or fenced in such a manner so as to prevent the exchange of alcoholic beverages between those persons within the outside area and those beyond the outside area as shown on the sketch for the licensed premises. The City's Zoning Administrator will review all applications for compliance with this requirement prior to the issuance of any approval for a license issued by the Division of Alcoholic Beverages and Tobacco of the State of Florida Department of Business and Professional Regulation.
- (f) No owner of a bottle club nor his agents, servants, employees, or any other person or persons using the premises with the owner's knowledge and consent shall permit alcoholic beverages to be served to minors; in addition, no owner of a bottle club nor his agents, servants, employees or any other person or persons using the premises with the owner's knowledge and consent shall permit prostitution or solicitation of prostitution on a premises operated as a bottle club, permit gambling or solicitation of gambling on the premises, permit the premises to be operated as a disorderly place or public nuisance, or permit therein a violation of any city ordinance regulating moral decency, specifically Chapter 3 (Adult Entertainment Establishments) and Division 2 (Public Nudity) of Article III (Offenses Against Public Morals) of Chapter 46 (Offenses and Miscellaneous Provisions).

Sec. 10-7. Penalties; injunctive relief.

- (a) A person convicted of a violation of this chapter shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment for a term not exceeding sixty (60) days or any combination thereof. With respect to violations of this chapter that are continuous with respect to time, each day the violation continues is a separate offense.
- (b) Licensed premises that are not in conformity with these requirements shall be subject to appropriate civil action in the court of appropriate jurisdiction for abatement.
- (c) Nothing contained herein shall prevent the city or any division thereof from seeking appropriate disciplinary

or punitive action related to any licensee or licensed premises as licensed by the Division of Alcoholic Beverages and Tobacco of the State of Florida Department of Business and Professional Regulation, the Division of Hotels and Restaurants of the State of Florida Department of Business and Professional Regulation, or any other licensing authority as applicable.

\*\*\*

**SECTION II.** That if any section or portion of a section or subsection of this ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or portion of a section or subsection or part of this ordinance.

**SECTION III.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION IV.** This ordinance shall take effect on March 10, 2005.

**SECTION V.** 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.

**PASSED AND ADOPTED** by the City Commission of the City of Palatka on this 10th day of February, 2005.

**CITY OF PALATKA**

BY: \_\_\_\_\_  
Its Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM AND CORRECTNESS:**

\_\_\_\_\_  
City Attorney