

Case 11-18
Request to Annex,
Amend FLUM from County CR to COM, &
Rezone from County C-2 to M-1C-2

3829 Reid St.
Applicant: Terry Geck

STAFF REPORT

DATE: May 31, 2011

TO: Planning Board members

FROM: Thad Crowe, AICP, Planning Director

APPLICATION REQUEST

To annex, amend FLUM from County CR (Commercial) to COM (Commercial), and rezone from County C-2 Commercial General, Light) to ~~M-1 (Light Industrial)~~ C-2 (Intensive Commercial). (Please note that Staff and the Applicant have proposed to change the requested zoning from M-1 to the more appropriate C-2 category.) Required public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet).

APPLICATION BACKGROUND

This property is located on the south side of Reid St., approximately ¼ mile west of N. Hwy 19. The property backs up to a large retention pond located behind Lowe's home improvement store. The property is currently utilized for preparation and sale of sauces, and the owner plans to continue this activity with the ability to expand the business with the availability of water and sewer.

The table below site and surrounding property use classifications (see also attached maps).

Table 1: Use Classifications

Property	FLUM	Zoning	Existing Use
Site	(County) CR (Commercial)	C-2 (General Commercial, Light)	commercial (sauce manufacturer)
Property to North	COM (Commercial)	C-2 (Intensive Commercial)	bowling alley
Property to South	COUNTY	COUNTY	Commercial (Lowe's Home Impr. Ctr. retention pond)
Property to West	(County) CR (Commercial)	C-2 (General Commercial, Light)	Undeveloped
Property to East	(County) CR (Commercial)	C-2 (General Commercial, Light)	Commercial (bar)

PROJECT ANALYSIS

Annexation Analysis

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

Contiguity. F.S. 171.031 provides a definition for contiguous and requires that the boundary of the property proposed for annexation must be coterminous with a part of the municipality’s boundary. This property is contiguous to the city limits, located immediately to the south.

Compactness. The statute also provides a definition for compactness that requires an annexation to be for a piece of property in a single area, and also precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns. Annexing this property meets the standard of compactness.

Future Land Use Analysis

Florida House Bill 7129, recently signed by the Governor, provides amended criteria for consideration of comprehensive plan amendments under F.S. 163-3187, shown in italics below (staff response follows each criterion, and comprehensive plan extracts are underlined).

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

The application 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

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

A. Land Use Districts

2. Commercial (1,210 acres)

Land designated for commercial use is intended for activities that are predominantly associated with the sale, rental, and distribution of products or the performance of service. Commercial land use includes offices, retail, lodging, restaurants, services, commercial parks, shopping centers, or other similar business activities. Public/Institutional uses and recreational uses are allowed within the commercial land use category. The intensity of commercial use, as measured by impervious surface, should not exceed 70 percent of the parcel. The maximum height should not exceed 40 feet. Land Development Regulations shall provide requirements for buffering commercial land uses (i.e., sight access, noise) from adjacent land uses of lesser density or intensity of use. See Policy A.1.3.2.

Given that the property fronts on a four-lane state highway with heavy commercial uses and general commercial land use and zoning along this road corridor, it is suited for the Commercial FLUM category.

Provide analysis of the availability of facilities and services.

The property is in close proximity to urban services and infrastructure. A 12-inch water line runs along Reid St., immediately adjacent to the property. A four-inch sewer line runs along Reid St., also immediately adjacent to the property. The City has an ongoing expansion program for the sewer system and property owners must hook up to City sewer when the lines reach their property. The City's Kay Larkin fire station is less than a mile away, the main library approximately 1.5 mile from the property, and the police station is less than two miles from 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.

Assigning a FLUM category to this property provides protection from the ongoing potential for septic tank failure and environmental degradation – City FLUM designation carries with it the eventual connection to City sewer and water, which is not an option for County FLUMs.

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

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.*

Not applicable as the property is located within an established and mostly developed area.

- *Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*

The location is not a rural area and is in fact within the Palatka urban area.

- *Radial, strip, isolated, or ribbon development patterns.*

While Reid St. does have characteristics of a strip commercial development pattern, it is an established and developed corridor that has been developed in accordance with long-standing zoning and FLUM categories.

- *Development that fails to adequately protect and conserve natural resources and agricultural activities.*

Not applicable since this is existing development.

- *Development that fails to maximize use of existing and future public facilities and services.*

This property is well-situated to utilize 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.*

Given its location with an urban service area, this property can be efficiently served.

- *Development that fails to provide a clear separation between rural and urban uses.*

This property is within an urban area.

- *Development that discourages or inhibits infill development and redevelopment.*

Not applicable as this property is within a developed urban area.

- *Development that fails to encourage a functional mix of uses.*

Not applicable as this property is a single parcel.

- *Development that results in poor accessibility among linked or related land uses.*

Not applicable as this property is a single parcel.

Rezoning Analysis

Per Section 94-38 of the Zoning Code, the Planning Board must study and consider the proposed zoning amendment in relation to the following criteria, which are shown in *italics* (staff response 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.

As previously noted, the application is in keeping with the Comprehensive Plan.

b. The existing land use pattern.

The property is an existing use and is consistent with the current County and proposed City commercial FLUM and zoning designation.

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

As part of the larger commercial node around the intersection of Reid St. and N. Hwy 19, this property will not be an isolated district.

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

Not applicable as the property will be utilized for nonresidential purposes.

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

See response to c. above.

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

Conditions have not changed.

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

The single-family use of this property is not viable given its location on a major six-lane state road. The property will be required to provide buffering for adjacent residential development to the east.

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

Not applicable as this is an existing use that already has traffic impacts.

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

As an already developed property, changes affecting drainage will be marginal.

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

As an already developed property, changes affecting light and air provision to adjacent areas will be marginal.

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

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.

Since no change is proposed from the County zoning, this action will not be a deterrent to improvement 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.

Providing a zoning designation to a property that is compatible with the FLUM, zoning, and existing use of adjacent 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.

Not applicable as the City commercial zoning will be the same as the current County zoning.

o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
See response to g. above.

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

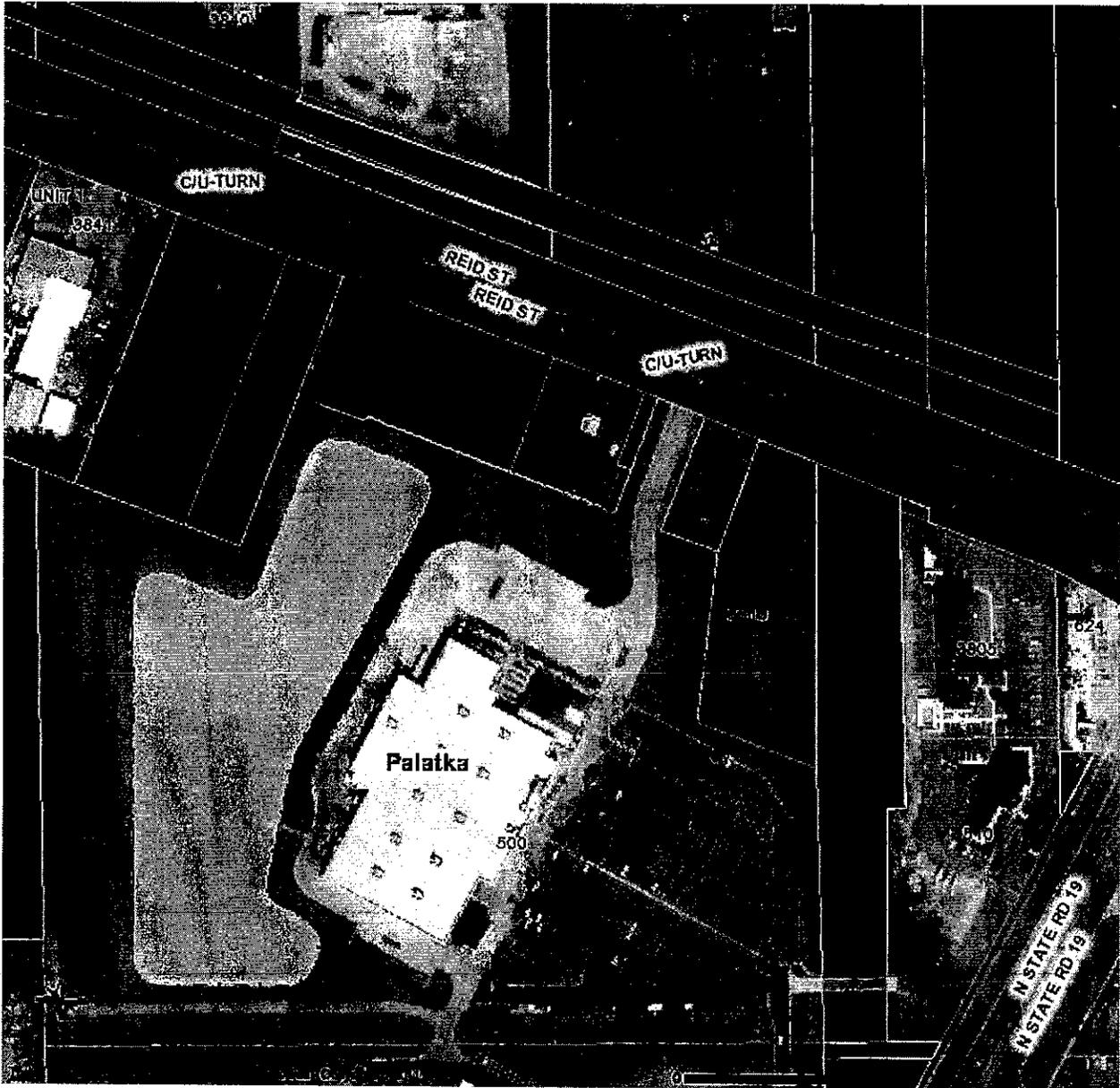
While it is not impossible to find other sites for commercial use in the City, it is appropriate for this property to have commercial FLUM and zoning.

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.

Not applicable.

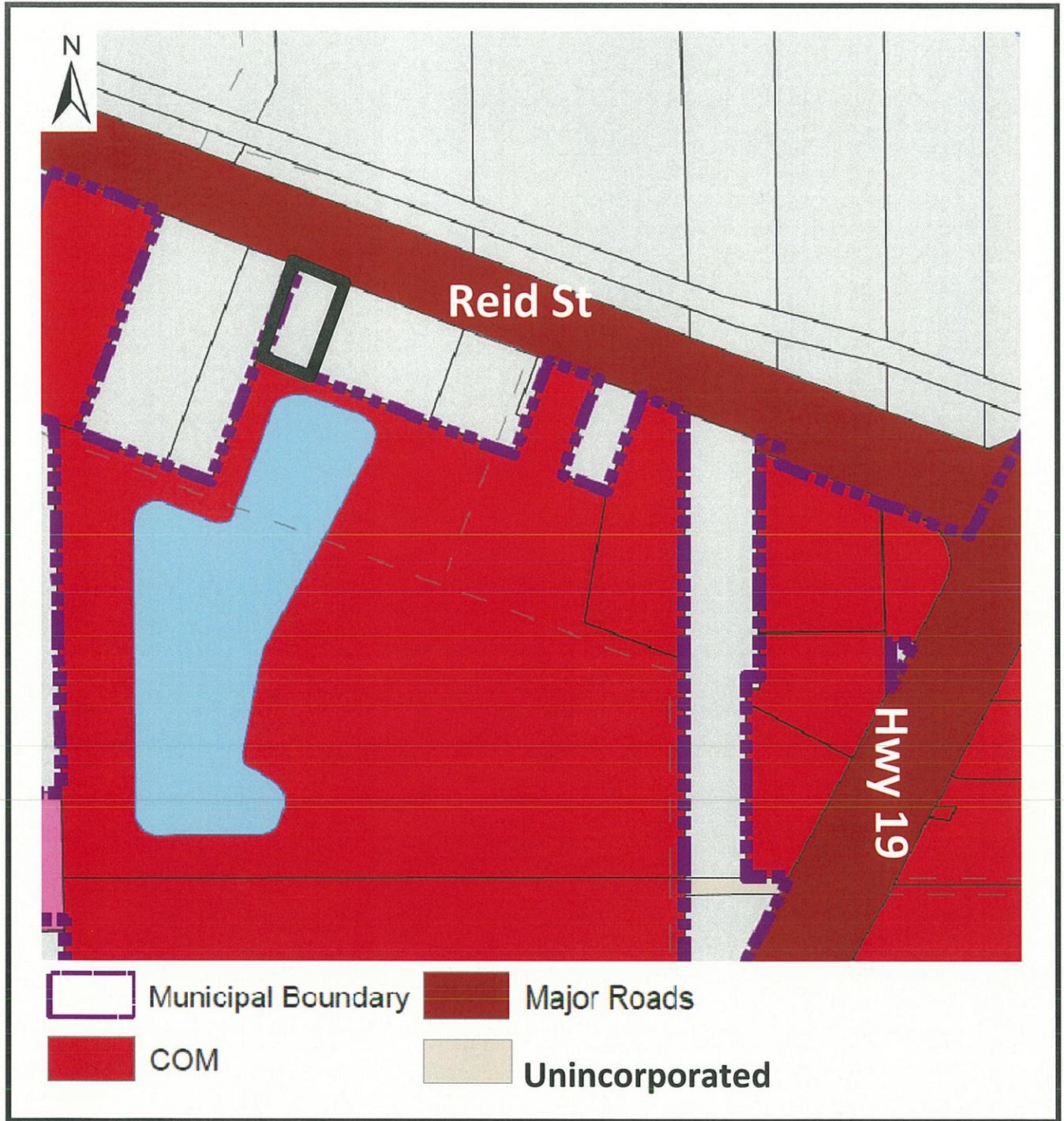
STAFF RECOMMENDATION

As demonstrated in this report, this application meets applicable annexation, future land use amendment, and rezoning criteria. Staff recommends approval of Case 11-18: annexation, amendment of future land use map category to COM, and rezoning to C-2 for 3829 Reid St.



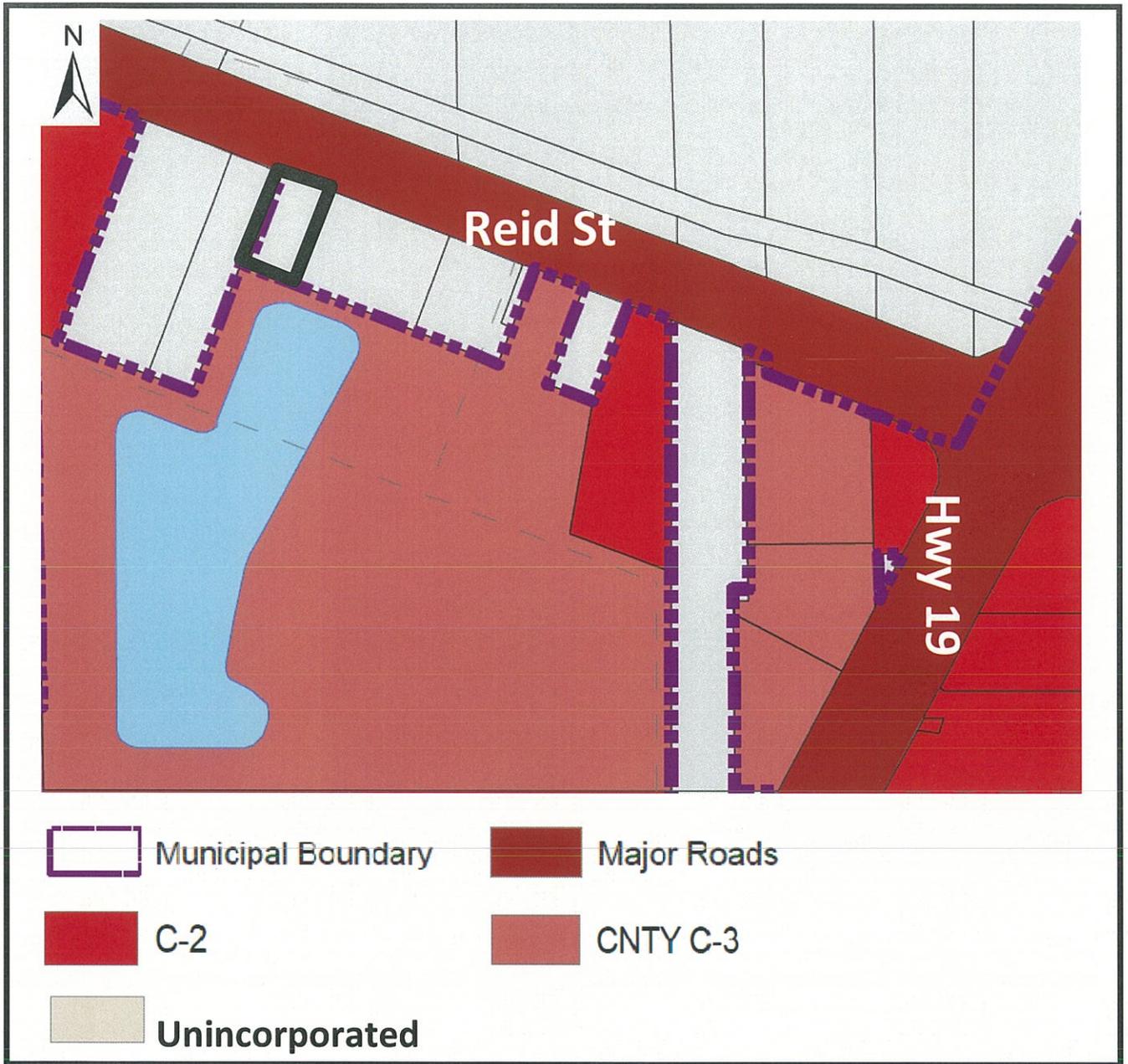
Site	Current FLUM	Proposed FLUM
Stagecoach Sauces 3829 Reid St.	(County) CR	COM

Stagecoach Sauces

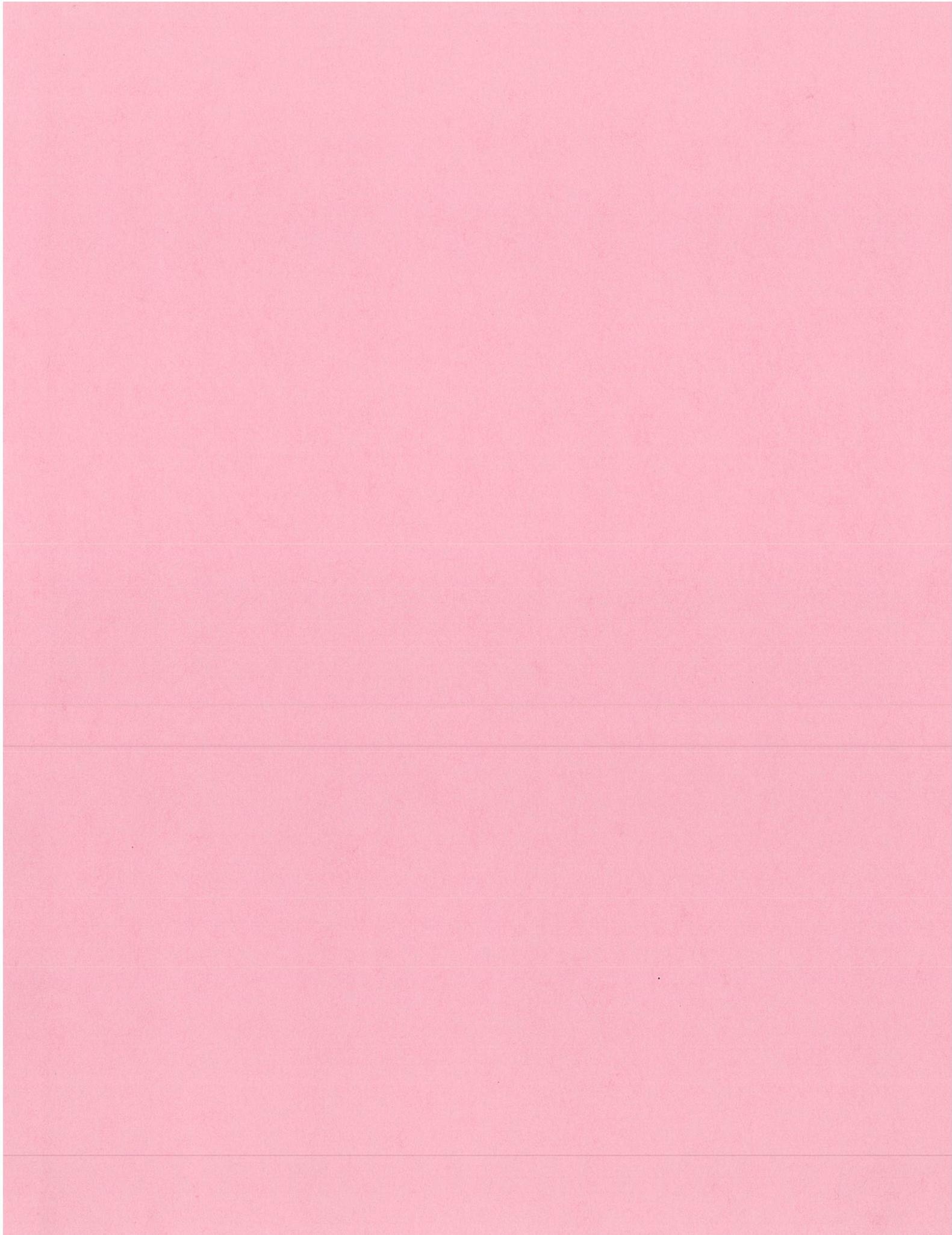


Site	Current FLUM	Proposed FLUM
Stagecoach Sauces 3829 Reid St.	(County) CR	COM

Stagecoach Sauces



Site	Current FLUM	Proposed FLUM
Stagecoach Sauces 3829 Reid St.	(County) CR	COM



Case 11-19
Request to Annex,
Amend FLUM from County PF to PBG, &
Rezone from County R-2 & AG to C-1

890 N. Hwy 19

Applicant: Abundant Life Church

STAFF REPORT

DATE: May 31, 2011

TO: Planning Board members

FROM: Thad Crowe, AICP, Planning Director

APPLICATION REQUEST

To annex, amend FLUM from County PF (Public Buildings, Grounds, Facilities) to PBG (Commercial), and rezone from County R-2 (Residential 2, Mixed) and Ag to C-1 (General Commercial). Required public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet).

APPLICATION BACKGROUND

This property is located on the west side of N. Hwy 19, just north of the intersection of Reid St. It is developed with an existing church. The table below site and surrounding property use classifications (see also attached maps).

Table 1: Use Classifications

Property	FLUM	Zoning	Existing Use
Site	County PF (Public Bldgs, Grounds, Facilities)	County C-2 (Commercial, General, Light)	church
Property to North	County PF (Public Bldgs, Grounds, Facilities)	R-2 (Residential, Mixed) Ag	church
Property to South	N. Hwy. 19	N. Hwy. 19	N. Hwy. 19
Property to West	County PF (Public Bldgs, Grounds, Facilities)	R-2 (Residential, Mixed)	church
Property to East	County CR (Commercial)	C-3 (Commercial General)	oil company

PROJECT ANALYSIS

Annexation Analysis

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

Contiguity. F.S. 171.031 provides a definition for contiguous and requires that the boundary of the property proposed for annexation must be coterminous with a part of the municipality’s boundary. The definition further states that a road that comes between the property boundary and the municipal boundary shall not prevent annexation. This property is contiguous to the city limits, which are located across the street at the northwest corner of the intersection of N. Hwy. 19 and Reid St.

Compactness. The statute also provides a definition for compactness that requires an annexation to be for a piece of property in a single area, and also precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns. Annexing this property meets the standard of compactness.

Future Land Use Analysis

Florida House Bill 7129, recently signed by the Governor, provides amended criteria for consideration of comprehensive plan amendments under F.S. 163-3187, shown in italics below (staff response follows each criterion, and comprehensive plan extracts are underlined).

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

The application 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

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

A. Land Use Districts

5. Public Buildings and Grounds (11 acres)

Lands designated in this category of use include a broad variety of public and quasi-public activities such as schools, churches, government buildings, hospitals, etc. The intensity of development in this land use category, as measured by impervious surface, shall not exceed 65 percent. The maximum height shall not exceed 40 feet.

The property is appropriate for this public/quasi-public category as it is an existing church.

Provide analysis of the availability of facilities and services.

The property is in close proximity to urban services and infrastructure. A 12-inch water line runs along N. Hwy 19., immediately adjacent to the property. A two-inch sewer line runs along N. Hwy 19, also immediately adjacent to the property. The City has an ongoing expansion program for the sewer system and property owners must hook up to City sewer when the lines reach their property. The City's Kay Larkin fire station and main library are both approximately one mile from the property, and the police station is less than two miles from 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.

Assigning a FLUM category to this property provides protection from the ongoing potential for septic tank failure and environmental degradation – City FLUM designation carries with it the eventual connection to City sewer, which is not an option for County FLUMs.

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

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.*

Not applicable as the property is located within an established and mostly developed area.

- ~~*Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*~~

The location is not a rural area and is in fact within the Palatka urban area.

- *Radial, strip, isolated, or ribbon development patterns.*

While Hwy. 19 does have characteristics of a strip commercial development pattern, it is an established and developed corridor that has been developed in accordance with long-standing zoning and FLUM categories of the City and the County.

- *Development that fails to adequately protect and conserve natural resources and agricultural activities.*

Not applicable since this is existing development.

- *Development that fails to maximize use of existing and future public facilities and services.*

This property is well-situated to utilize 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.*

Given its location with an urban service area, this property can be efficiently served.

- *Development that fails to provide a clear separation between rural and urban uses.*

This property is within an urban area.

- *Development that discourages or inhibits infill development and redevelopment.*

Not applicable as this property is within a developed urban area.

- *Development that fails to encourage a functional mix of uses.*

Not applicable as this property is a single parcel.

- *Development that results in poor accessibility among linked or related land uses.*

Not applicable as this property is a single parcel.

Rezoning Analysis

Per Section 94-38 of the Zoning Code, the Planning Board must study and consider the proposed zoning amendment in relation to the following criteria, which are shown in *italics* (staff response 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.

As previously noted, the application is in keeping with the Comprehensive Plan.

b. The existing land use pattern.

The property is an existing use and is consistent with the current County and proposed City commercial FLUM and zoning designation.

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

Along with the Abundant Life church, this property forms a small cluster of quasi-public uses that is not an isolated district.

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

Not applicable as the property will be utilized for nonresidential purposes.

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

See response to c. above.

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

Conditions have not changed.

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

A church use is appropriate for this location on a major six-lane state road.

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

Not applicable as this is an existing use that already has traffic impacts.

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

As an already developed property, changes affecting drainage will be marginal.

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

As an already developed property, changes affecting light and air provision to adjacent areas will be marginal.

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

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.

Since no change is proposed from the County zoning, this action will not be a deterrent to improvement 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.

Providing a zoning designation to a property that is compatible with the FLUM, zoning, and existing use of adjacent 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.

Not applicable as the City public zoning will be similar to the current County zoning.

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

See response to g. above.

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

While it is not impossible to find other sites for public/quasi-public use in the City, it is appropriate for this property to have such a FLUM and zoning district.

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.

Not applicable.

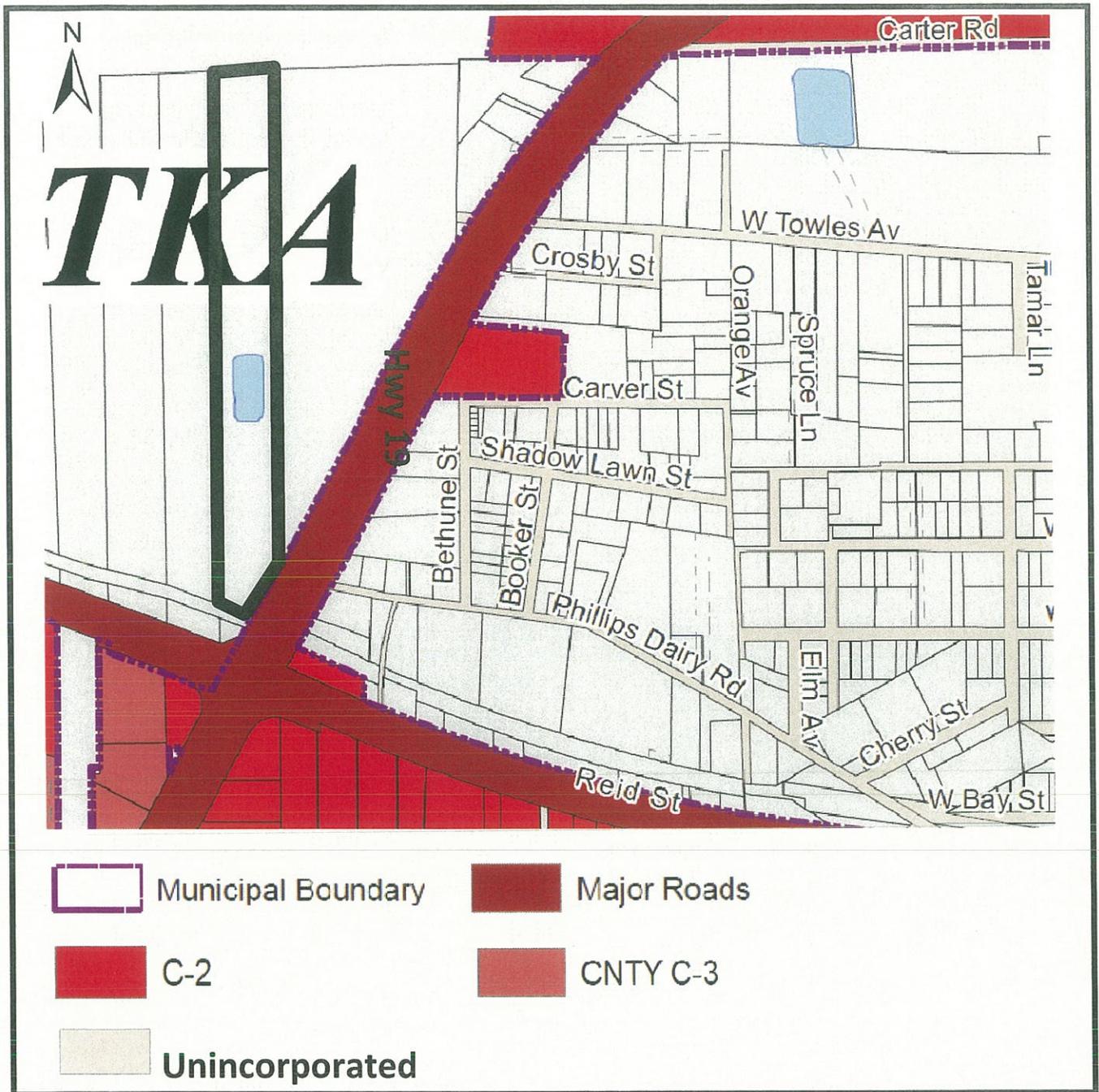
STAFF RECOMMENDATION

As demonstrated in this report, this application meets applicable annexation, future land use amendment, and rezoning criteria. Staff recommends approval of Case 11-19: annexation, amendment of future land use map category to PB, and rezoning to C-1 for 890 N. Hwy. 19.



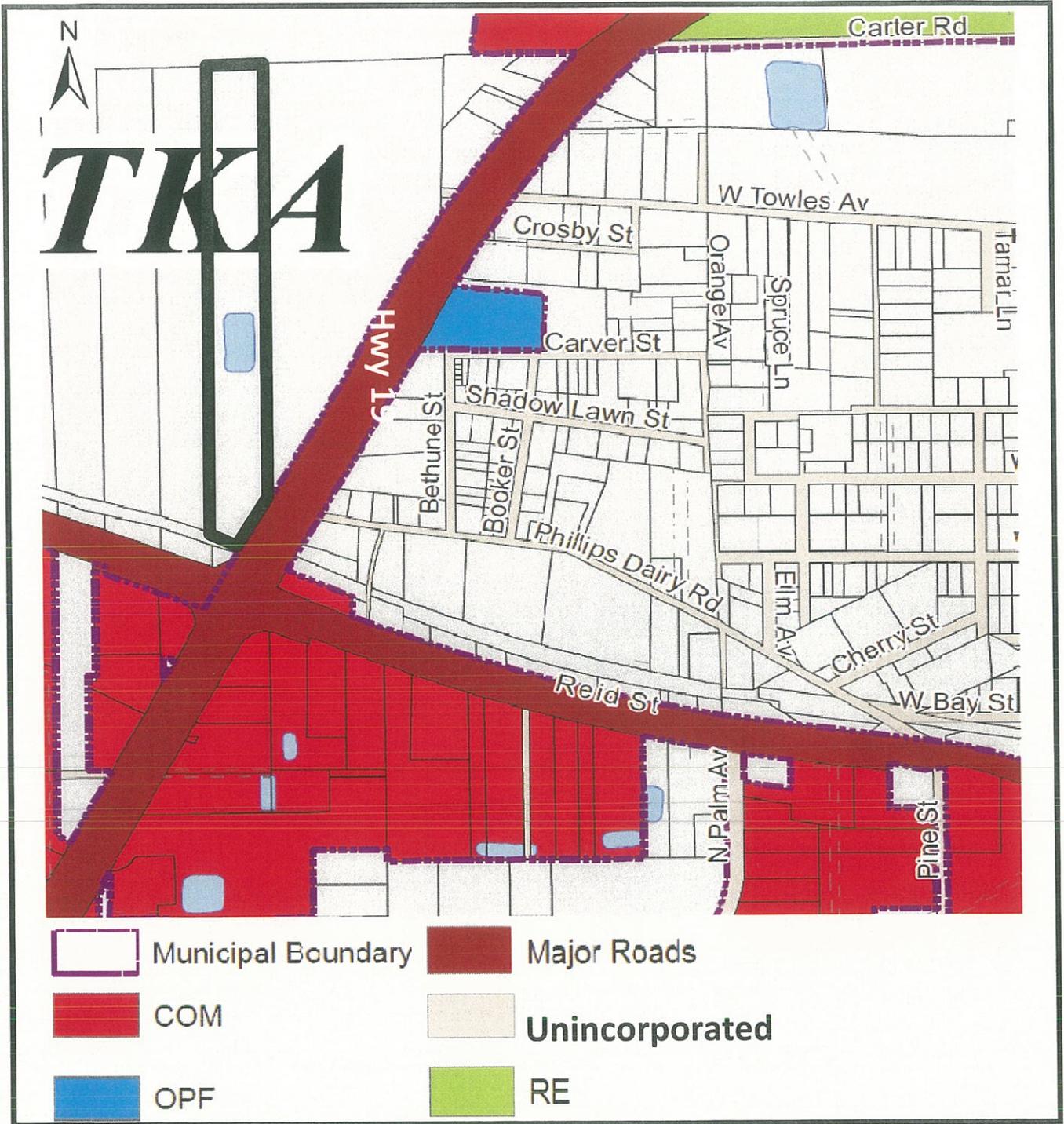
Site	Current FLUM	Proposed FLUM
Abundant Life Ministries Church 890 N. SR 19	(County) US and PF	PB

Abundant Life Ministries Church

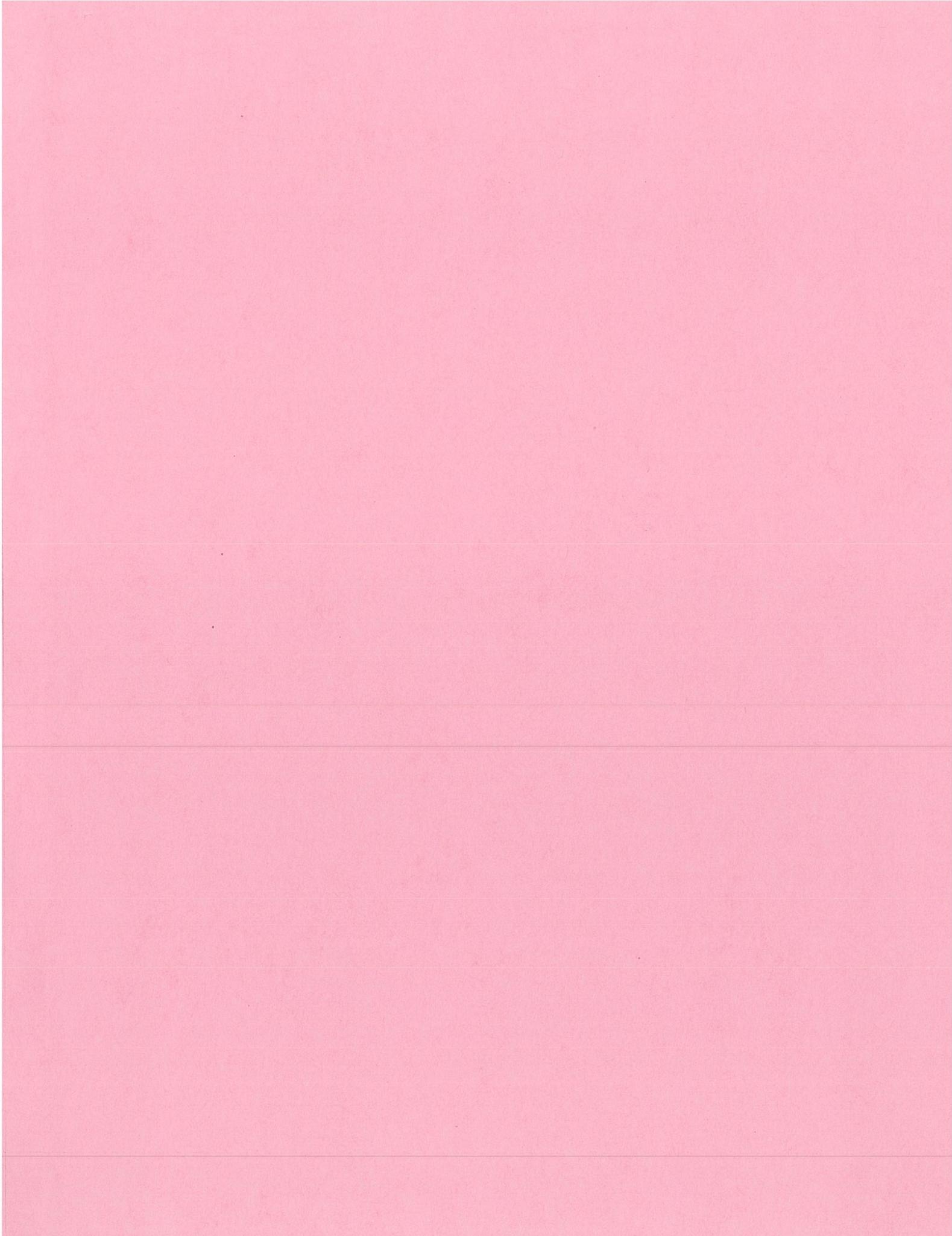


Site	Current FLUM	Proposed FLUM
Abundant Life Ministries Church 890 N. SR 19	(County) US and PF	PB

Abundant Life Ministries Church



Site	Current FLUM	Proposed FLUM
Abundant Life Ministries Church 890 N. SR 19	(County) US and PF	PB



Case 11-20
Request to Annex,
Amend FLUM from County US to IN, &
Rezone from County IL to M-1
Parcel E. of N. Moody Rd., S. of Reid St.
Applicant: Building and Zoning Dept.

STAFF REPORT

DATE: May 31, 2011

TO: Planning Board members

FROM: Thad Crowe, AICP, Planning Director

APPLICATION REQUEST

To annex, amend FLUM from County US (Urban Services) to IN (Industrial), and rezone from County IL (Industrial, Light) to M-1 (Light Industrial). Required public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet).

APPLICATION BACKGROUND

The property is located on the east side of N. Moody Rd., approximately 600 feet south of Reid St. It is a large cleared area, purchased by the City for the purpose of protecting the airport runway approach from inappropriate development.

The table below site and surrounding property use classifications (see also attached maps).

Table 1: Use Classifications

Property	FLUM	Zoning	Existing Use
Site	(County) US (Urban Services)	IL (Light Industrial)	undeveloped
Property to North	(County) US (Urban Services)	C-2 (Commercial, General, Light) C-4 (Commercial, Intensive)	undeveloped propane business single-family residence
Property to South	(County) US (Urban Services)	IL (Light Industrial)	undeveloped
Property to West	OPF (Other Public Facilities)	IL (Light Industrial)	Airport (runway)
Property to East	(County) US (Urban Services)	IL (Light Industrial)	undeveloped

PROJECT ANALYSIS

Annexation Analysis

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

Contiguity. F.S. 171.031 provides a definition for contiguous and requires that the boundary of the property proposed for annexation must be coterminous with a part of the municipality’s boundary. The definition further states that a road that comes between the property boundary and the municipal boundary shall not prevent annexation. This property is contiguous to the city limits, which are immediately to the east and the west.

Compactness. The statute also provides a definition for compactness that requires an annexation to be for a piece of property in a single area, and also precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns. Annexing this property meets the standard of compactness. The enclave that has been previously created along the east side of this portion of Moody Rd., with the City to the east, west, and south will be reduced in size.

Future Land Use Analysis

Florida House Bill 7129, recently signed by the Governor, provides amended criteria for consideration of comprehensive plan amendments under F.S. 163-3187, shown in italics below (staff response follows each criterion, and comprehensive plan extracts are underlined).

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

The application 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

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

A. Land Use Districts

3. 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.

The property is suited for the Industrial FLUM category due to its proximity to the Airport and the concentration of existing industrial uses in the vicinity.

Provide analysis of the availability of facilities and services.

The property is in close proximity to urban services and infrastructure. A 12-inch water line runs along Reid St., approximately 600 feet north of the property. A four-inch sewer line runs along Reid St., also immediately adjacent to the property. The City has an ongoing expansion program for the sewer system and property owners must hook up to City sewer when the lines reach their property. The City's Kay Larkin fire station is approximately 1,500 feet south of the property on N. Moody Rd., the main library approximately 1.5 mile from the property, and the police station is less than two miles from 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.

There is potential for septic tank failure and environmental degradation – City FLUM designation carries with it the eventual connection to City sewer, which is not an option for County FLUMs.

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

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.*

The area is primarily industrial due to the proximity to the Airport, which provides opportunities for aviation and transport-related industries as well as noise impacts that would impact residential uses.

- *Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*

The location is not a rural area and is within the Palatka urban area.

- *Radial, strip, isolated, or ribbon development patterns.*

This property is within a generalized industrial area and does not constitute these types of development patterns.

- *Development that fails to adequately protect and conserve natural resources and agricultural activities.*

The property does not contain any sensitive natural resources and is not used for agricultural purposes.

- *Development that fails to maximize use of existing and future public facilities and services.*

This property is well-situated to utilize 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.*

Given its location with an urban service area, this property can be efficiently served.

- *Development that fails to provide a clear separation between rural and urban uses.*

This property is within an urban area.

- *Development that discourages or inhibits infill development and redevelopment.*

Not applicable as this property is within a developed urban area.

- *Development that fails to encourage a functional mix of uses.*

Not applicable as this property is a single parcel.

- *Development that results in poor accessibility among linked or related land uses.*

Not applicable as this property is a single parcel.

Rezoning Analysis

Per Section 94-38 of the Zoning Code, the Planning Board must study and consider the proposed zoning amendment in relation to the following criteria, which are shown in *italics* (staff response 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.

As previously noted, the application is in keeping with the Comprehensive Plan.

b. The existing land use pattern.

The property is consistent with the current County and proposed City commercial FLUM and zoning designation.

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

As part of the industrial area around the Airport this property will not be an isolated district.

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

Not applicable as the property will be utilized for nonresidential purposes.

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

See response to c. above.

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

Conditions have not changed.

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

There is only one adjacent residence, which is a nonconforming use under it's County zoning and FLUM. There are no residential areas nearby to impact.

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

The development potential of this relatively small property will not excessively increase traffic congestion.

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

The development potential of this relatively small property will not create a drainage problem, and the property is subject to City and water management district drainage regulations.

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

Changes affecting light and air provision to adjacent areas will be marginal.

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

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.

This action continues the industrial zoning allowed under the County FLUM and zoning and will not be a deterrent to adjacent properties.

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

Providing a zoning designation to a property that is compatible with the FLUM, zoning, and existing use of adjacent 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.

Not applicable as the City industrial zoning will be the same as the current County zoning.

o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
See response to g. above.

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

While it is not impossible to find other sites for industrial use in the City, it is appropriate for this property to have commercial FLUM and zoning.

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.

Not applicable.

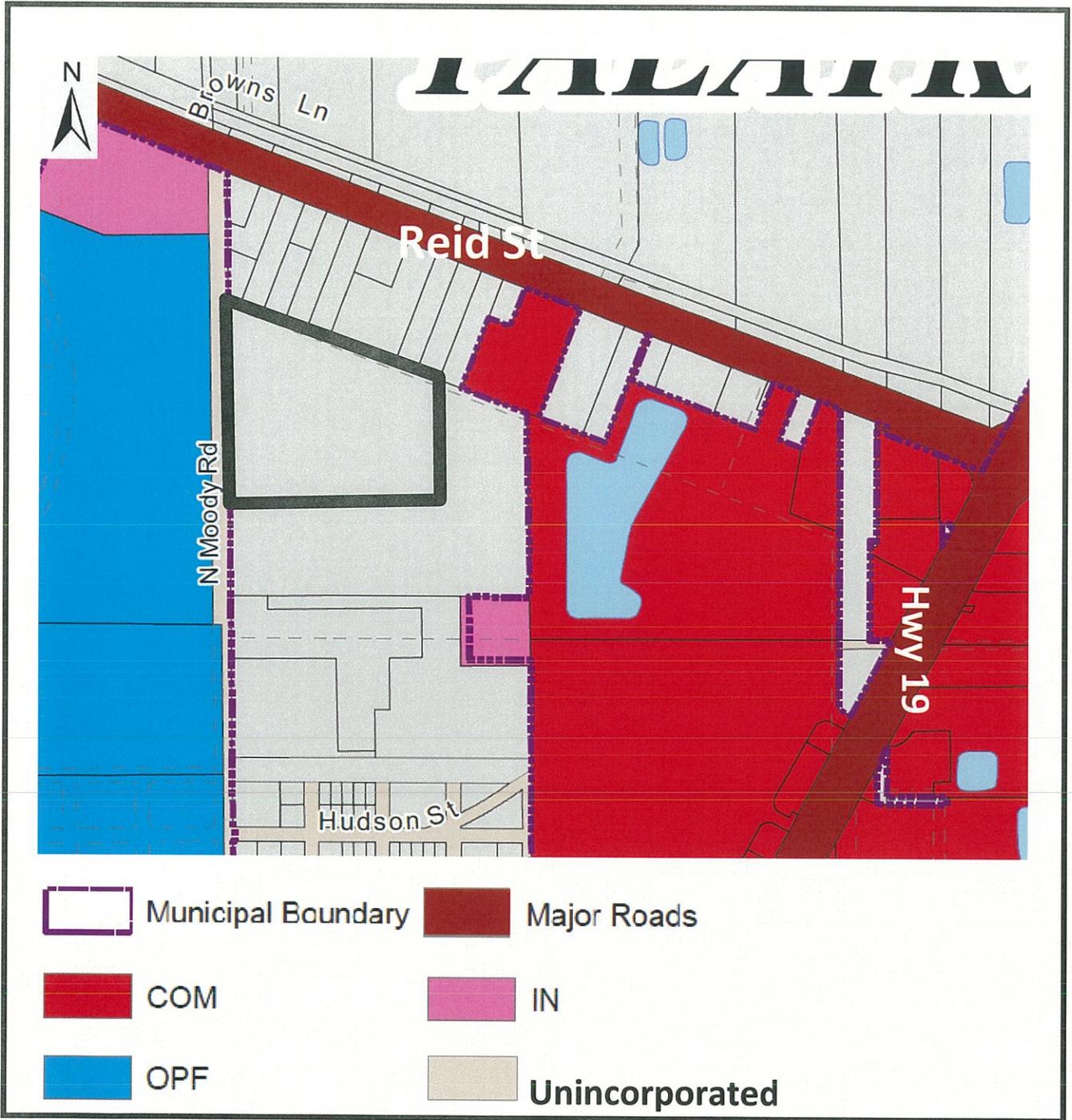
STAFF RECOMMENDATION

As demonstrated in this report, this application meets applicable annexation, future land use amendment, and rezoning criteria. Staff recommends approval of Case 11-20: annexation, amendment of future land use map category to IN, and rezoning to M-1 for Parcel # 02-10-26-0000-0420-0010, located on N. Moody Rd.



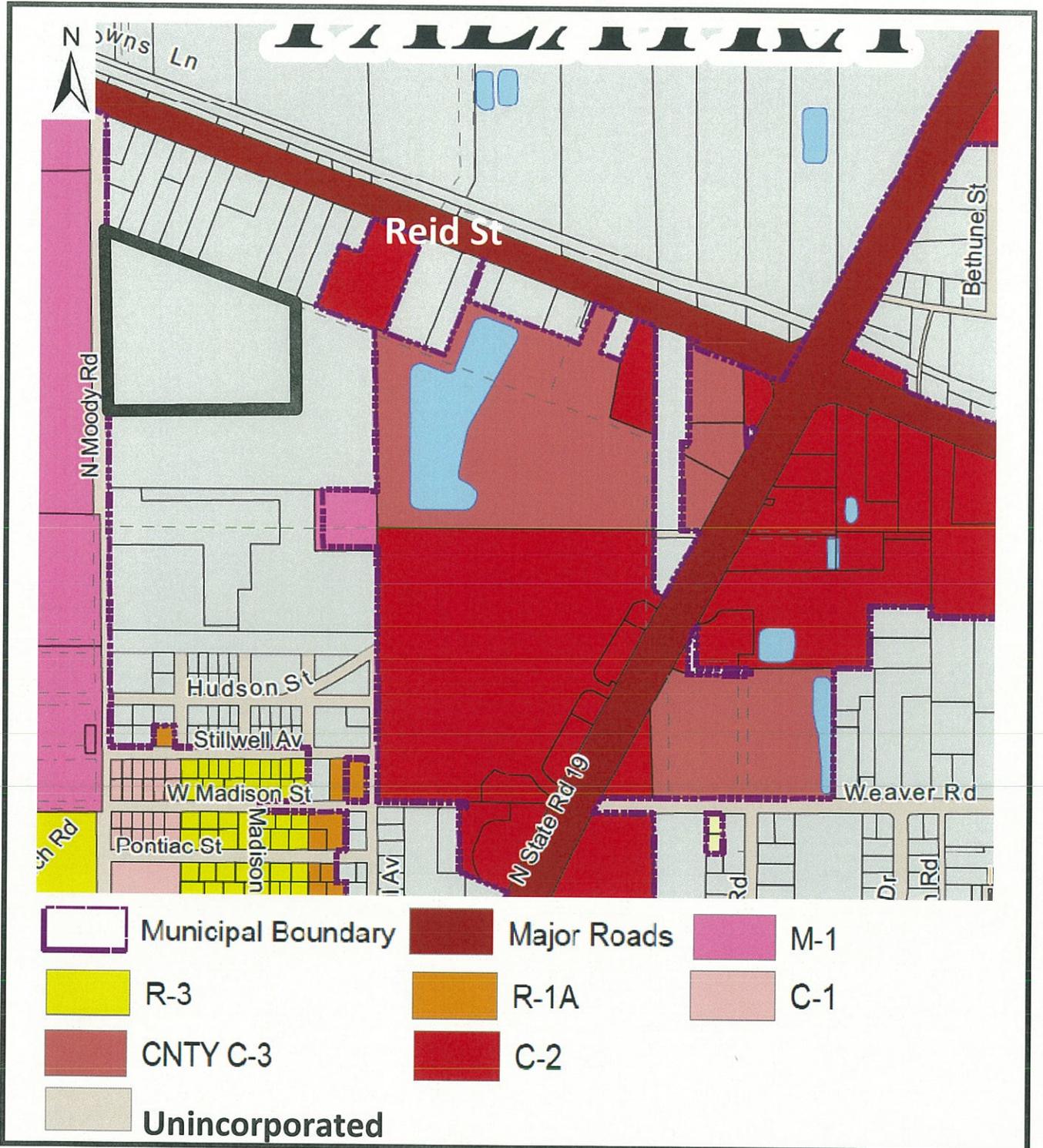
Site	Current FLUM	Proposed FLUM
East side Moody Rd. N. Moody Rd.	(County) US	IN

East Side Moody Road

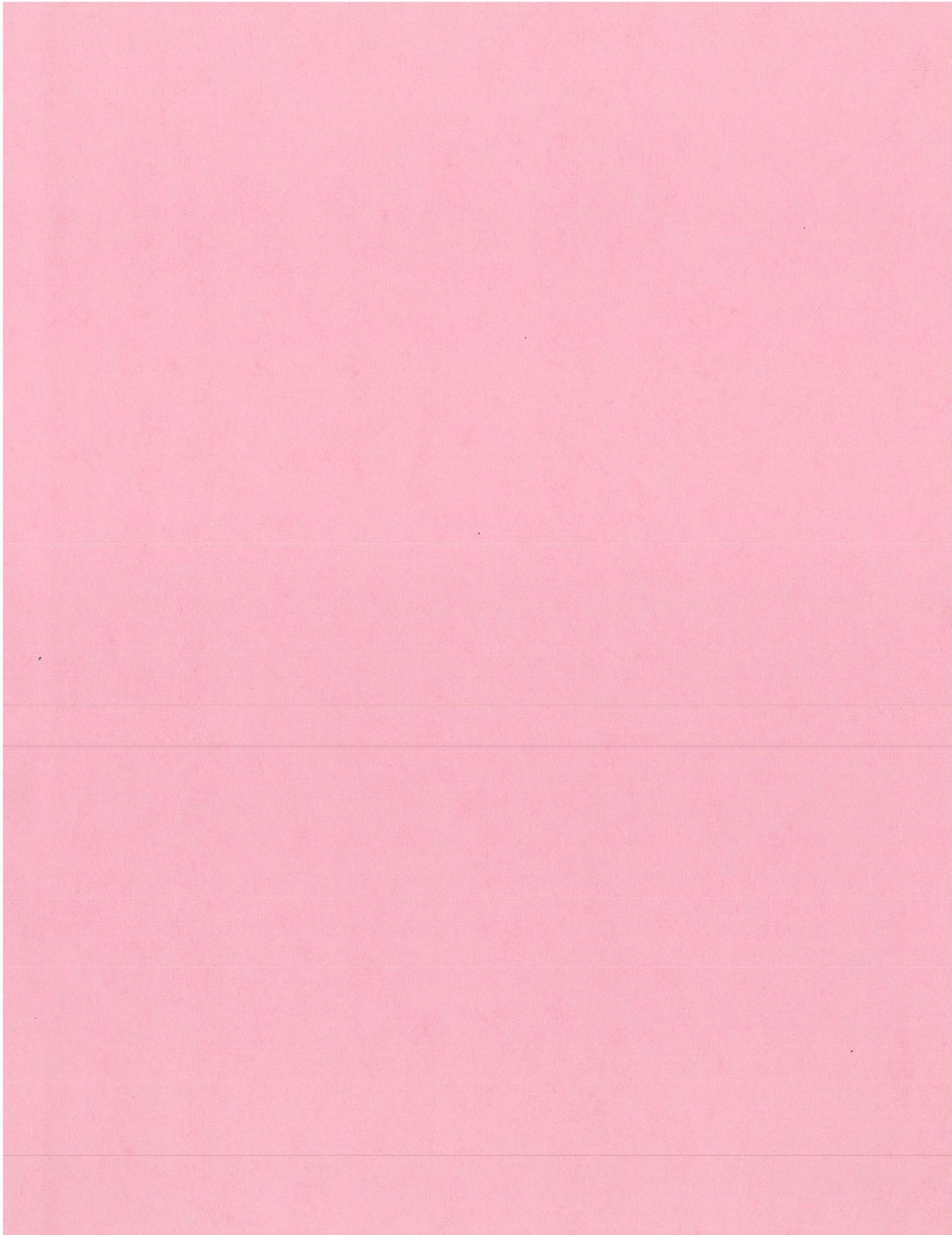


Site	Current FLUM	Proposed FLUM
East side Moody Rd. N. Moody Rd.	(County) US	IN

East Side of Moody Road



Site	Current Zoning	Proposed Zoning
East side Moody Rd. N. Moody Rd.	County IL	M-1



Case 11-21
Request to Annex,
Amend FLUM from County US to IN, &
Rezone from County IL to M-1
701 N. Moody Rd. (Airport Industrial Park)
Applicant: Charles Sullivan

STAFF REPORT

DATE: May 31, 2011

TO: Planning Board members

FROM: Thad Crowe, AICP, Planning Director

APPLICATION REQUEST

To annex, amend FLUM from County US (Urban Services) to IN (Industrial), and rezone from County IL (Industrial, Light) to M-1 (Light Industrial). Required public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet).

APPLICATION BACKGROUND

The property, known as the Airport Industrial Park, is located on the east side of N. Moody Rd., approximately 1/3 mile south of Reid St. The Airport Industrial Park includes 11 buildings that house existing small businesses such as a propane gas company, deck builder, metal fabricator, and others. The owner of the property is interested in annexation to further develop the partially developed property and provide better infrastructure for tenants, particularly sewer services.

The table below site and surrounding property use classifications (see also attached maps).

Table 1: Use Classifications

Property	FLUM	Zoning	Existing Use
Site	(County) US (Urban Services)	IL (Light Industrial)	industrial park
Property to North	(County) US (Urban Services)	IL (Light Industrial)	undeveloped
Property to South	(County) US (Urban Services)	IL (Light Industrial)	undeveloped
Property to West	OPF (Other Public Facilities)	IL (Light Industrial)	Airport
Property to East	IN (Industrial) COM (Commercial)	IL (Light Industrial) C-2 (Intensive Commercial)	existing industrial use Palatka Mall

PROJECT ANALYSIS

Annexation Analysis

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

Contiguity. F.S. 171.031 provides a definition for contiguous and requires that the boundary of the property proposed for annexation must be coterminous with a part of the municipality’s boundary. This property is contiguous to the city limits, which are immediately to the east and the west.

Compactness. The statute also provides a definition for compactness that requires an annexation to be for a piece of property in a single area, and also precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns. Annexing this property meets the standard of compactness. The enclave that has been previously created along the east side of this portion of Moody Rd., with the City to the east, west, and south will be reduced in size.

Future Land Use Analysis

Florida House Bill 7129, recently signed by the Governor, provides amended criteria for consideration of comprehensive plan amendments under F.S. 163-3187, shown in italics below (staff response follows each criterion, and comprehensive plan extracts are underlined).

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

The application 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

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

A. Land Use Districts

3. 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.

The property is suited for the Industrial FLUM category due to its proximity to the Airport and the concentration of existing industrial uses in the vicinity.

Provide analysis of the availability of facilities and services.

The property is in close proximity to urban services and infrastructure. A six-inch water line runs to the fire station, which is across N. Moody Rd. from the property. An eight-inch sewer line runs behind the fire station. The City's Kay Larkin fire station across the street, the main library approximately 1.2 miles from the property, and the police station is less than two miles from 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.

There is always potential for septic tank failure and environmental degradation – City FLUM designation carries with it the eventual connection to City sewer, which is not an option for County FLUMs.

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

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.*

The area is primarily industrial due to the proximity to the Airport, which provides opportunities for aviation and transport-related industries as well as noise impacts that would impact residential uses.

• *Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*

The location is not a rural area and is within the Palatka urban area.

• *Radial, strip, isolated, or ribbon development patterns.*

This property is within a generalized industrial area and does not constitute these types of development patterns.

• *Development that fails to adequately protect and conserve natural resources and agricultural activities.*

The property does not contain any sensitive natural resources and is not used for agricultural purposes.

- *Development that fails to maximize use of existing and future public facilities and services.*

This property is well-situated to utilize 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.*

Given its location with an urban service area, this property can be efficiently served.

- *Development that fails to provide a clear separation between rural and urban uses.*

This property is within an urban area.

- *Development that discourages or inhibits infill development and redevelopment.*

Not applicable as this property is within a developed urban area.

- *Development that fails to encourage a functional mix of uses.*

Not applicable as this property is a single parcel.

- *Development that results in poor accessibility among linked or related land uses.*

Not applicable as this property is a single parcel.

Rezoning Analysis

Per Section 94-38 of the Zoning Code, the Planning Board must study and consider the proposed zoning amendment in relation to the following criteria, which are shown in *italics* (staff response 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.*

As previously noted, the application is in keeping with the Comprehensive Plan.

- b. The existing land use pattern.*

The amendment is consistent with the use of the property as well as current County and proposed City commercial FLUM and zoning designations.

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

As part of the industrial area around the Airport this property will not be an isolated district.

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

Not applicable as the property will be utilized for nonresidential purposes.

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

See response to c. above.

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

Conditions have not changed.

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

There are no residential areas nearby to impact.

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

Traffic impacts of small-scale industrial uses will be minimal.

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

The property is subject to City and water management district drainage regulations.

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

Changes affecting light and air provision to adjacent areas will be marginal.

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

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.

This action continues the industrial zoning allowed under the County FLUM and zoning and will not be a deterrent to adjacent properties.

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

Providing a zoning designation to a property that is compatible with the FLUM, zoning, and existing use is not a grant of special privilege.

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

Not applicable as the City industrial zoning will be the same as the current County zoning.

o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
See response to g. above.

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

While it is not impossible to find other sites for industrial use in the City, it is appropriate for this property to have commercial FLUM and zoning.

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.

Not applicable.

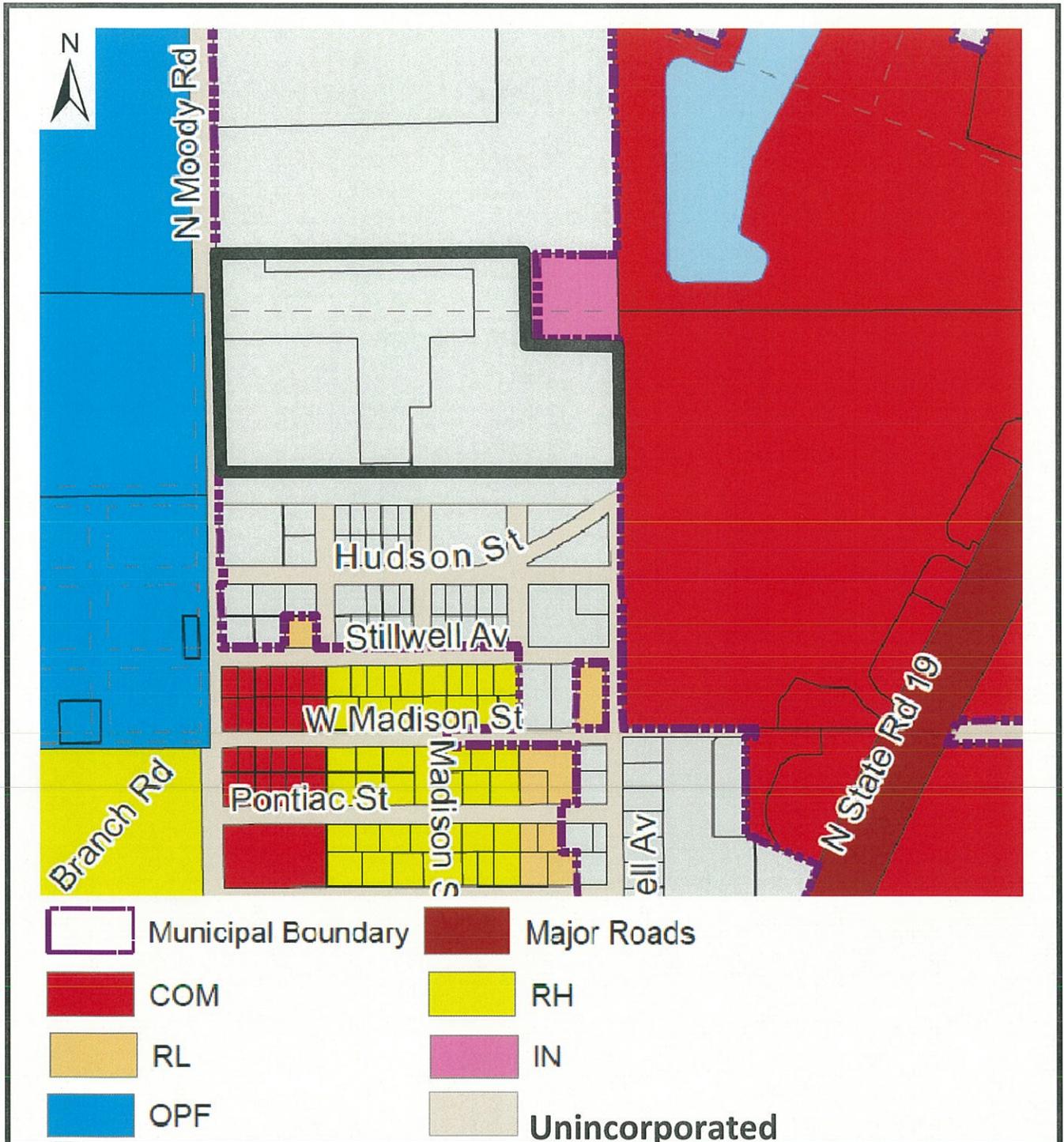
STAFF RECOMMENDATION

As demonstrated in this report, this application meets applicable annexation, future land use amendment, and rezoning criteria. Staff recommends approval of Case 11-21: annexation, amendment of future land use map category to IN, and rezoning to M-1 for 701 N. Moody Rd.



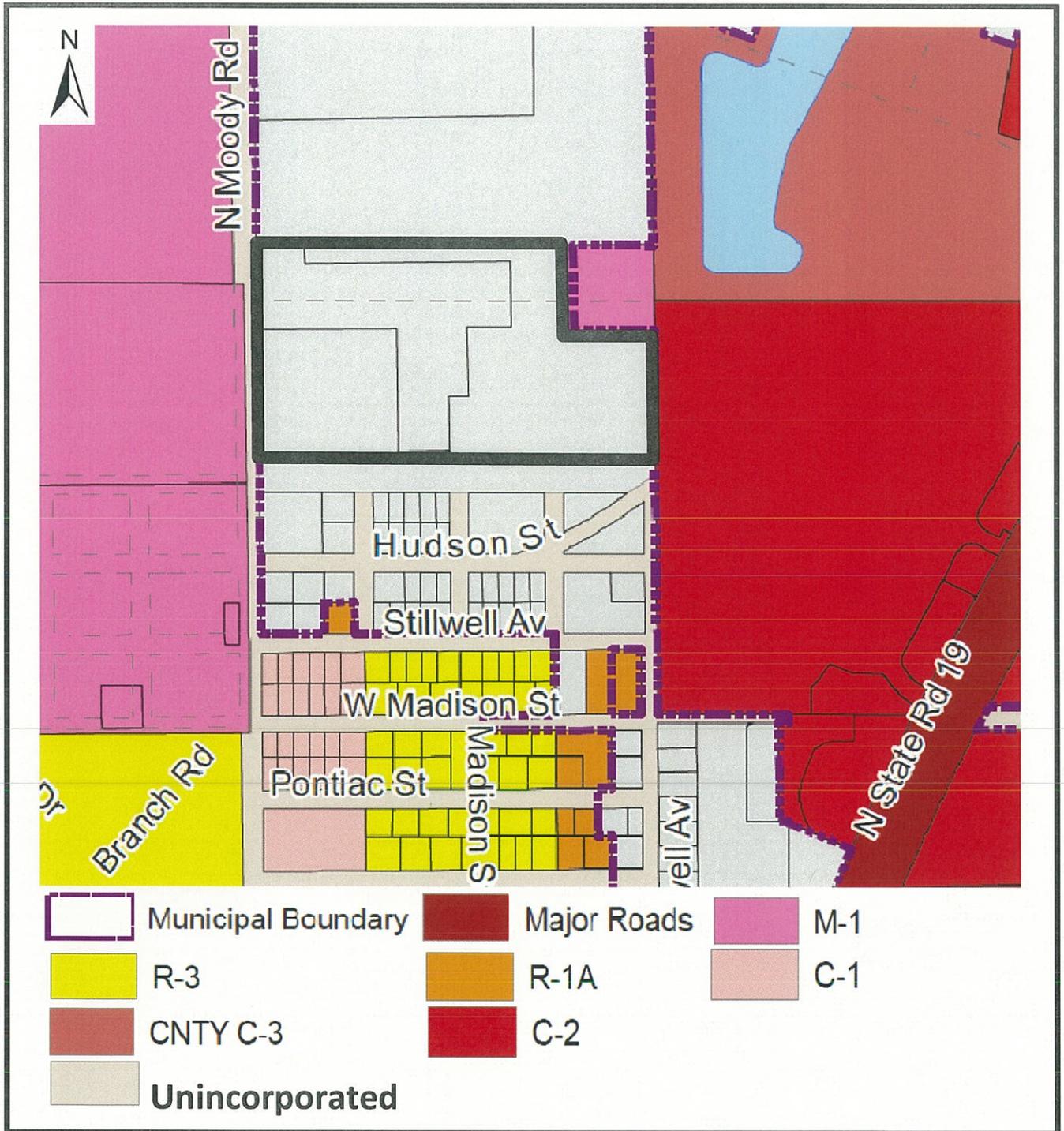
Site	Current FLUM	Proposed FLUM
Airport Industrial Park 701 N. Moody Rd	(County) US	IN

Airport Industrial Park

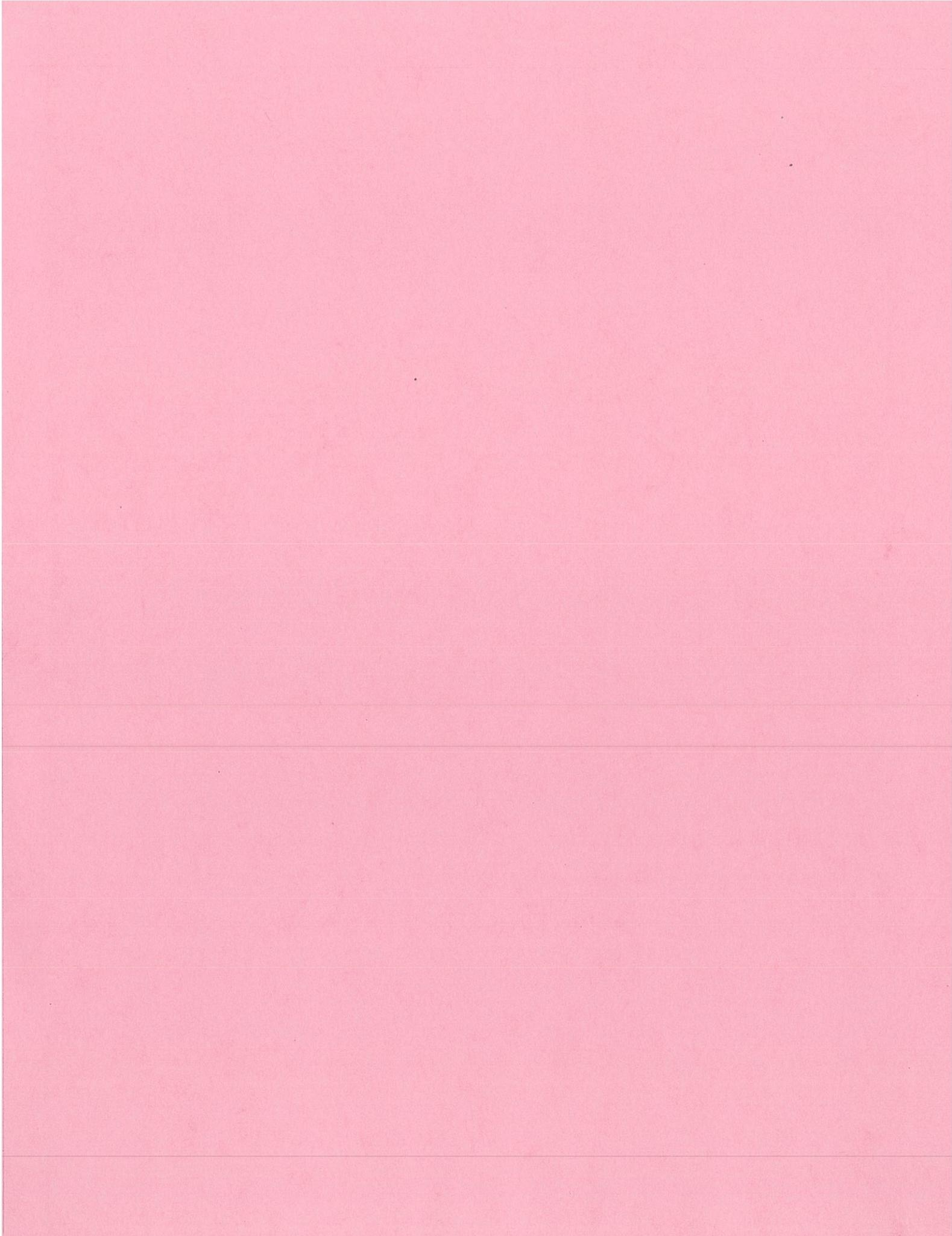


Site	Current FLUM	Proposed FLUM
Airport Industrial Park 701 N. Moody Rd	(County) US	IN

Airport Industrial Park



Site	Current Zoning	Proposed Zoning
Airport Industrial Park 701 N. Moody Rd	(County) IL	M-1



Case 11-22
Request to Annex,
Amend FLUM from County US to RH, &
Rezone from County R-3 to R-3
Hudson St. Properties
Applicant: Kenneth Schweng

STAFF REPORT

DATE: May 29, 2011

TO: Planning Board members

FROM: Thad Crowe, AICP, Planning Director

APPLICATION REQUEST

To annex, amend Future Land Use Map (FLUM) from County US (Urban Services) to RH (Residential High Density), and rezone from County R-3 Residential, Multiple Family) to R-3 (Multi-Family Residential). Required public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet).

APPLICATION BACKGROUND

The property is just north of the Ridgedale neighborhood, located east of N. Moody Rd. and west of the Palatka Mall. Hudson Street is a local street connecting N. Moody Rd with the rear driveway of the Palatka Mall.

Most of the Ridgedale neighborhood has a City FLUM of Residential High Density and a zoning classification of R-3. Another amendment on this agenda involves an existing single-family home at 300 Stillwell Ave., requesting single-family FLUM and zoning along with annexation.

Hudson St. is divided into an area zoned by the County for single-family use on the west side, and an area zoned by the County for multi-family on the east side. The table below site and surrounding property use classifications (see also attached maps).

Table 1: Use Classifications

Property	FLUM	Zoning	Existing Use
Site	(County) US (Urban Services)	(County) R-1A (Single Family)	undeveloped
Property to North	(County) US (Urban Services)	(County) R-1A (Single Family)	industrial (Airport Industrial Park)
Property to South	(County) US (Urban Services)	R-3 (Multi-Family Residential)	single family residences
Property to West	(County) US (Urban Services)	(County) R-1A (Single Family)	single family residences
Property to East	(County) US (Urban Services)	(County) R-3 (Multiple Family)	commercial (Palatka Mall)

PROJECT ANALYSIS

Annexation Analysis

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

Contiguity. F.S. 171.031 provides a definition for contiguous and requires that the boundary of the property proposed for annexation must be coterminous with a part of the municipality’s boundary. This property is contiguous to the city limits, which are immediately to the east. Therefore this property is considered to be contiguous.

Compactness. The statute also provides a definition for compactness that requires an annexation to be for a piece of property in a single area, and also precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns. Annexing this property meets this standard of compactness. The enclave that has been previously created along the east side of this portion of Moody Rd., with the City to the east, west, and south will be reduced in size.

Future Land Use Analysis

Florida House Bill 7129, recently signed by the Governor, provides amended criteria for consideration of comprehensive plan amendments under F.S. 163-3187, shown in italics below (staff response follows each criterion, and comprehensive plan extracts are underlined).

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

The application is in keeping with the following Comprehensive Plan policy and does not conflict with other plan elements.

Policy A.1.9.3

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

A. Land Use Districts

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.

High Density (477 acres) - provides for a range of densities up to 18 units per acre.

The location of the property adjacent to a mall and industrial park is suitable for higher density residential due to the close proximity of major employers such as the Palatka Mall and other commercial and industrial businesses.

Provide analysis of the availability of facilities and services.

The property is in close proximity to urban services and infrastructure. A four-inch water line runs along Stillwell Ave. and a six-inch water line runs to the nearby fire station on N. Moody Rd. An eight-inch sewer line runs up the north-south segment of Stillwell Ave. and an eight-inch sewer line runs behind the fire station. The City has an ongoing expansion program for the sewer system and property owners must hook up to City sewer when the lines reach their property. The City's Kay Larkin fire station is less than ¼ mile from the property, the main library is approximately one mile from the property, and the police station is approximately two miles from 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.

Assigning a City FLUM category to the property is appropriate given the potential for septic tank failure and environmental degradation – City FLUM designation carries with it the eventual connection to City sewer and water, which is not an option for County FLUMs.

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

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.*

The FLUM and zoning provide for higher-density residential development.

• *Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*

The location is not a rural area and is within the Palatka urban area.

• *Radial, strip, isolated, or ribbon development patterns.*

Not applicable since this is not commercial development.

• *Development that fails to adequately protect and conserve natural resources and agricultural activities.*

Not applicable since this is existing development.

• *Development that fails to maximize use of existing and future public facilities and services.*

This property is well-situated to utilize 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.*

Given its location with an urban service area, this property can be efficiently served.

- *Development that fails to provide a clear separation between rural and urban uses.*

This property is within an urban area.

- *Development that discourages or inhibits infill development and redevelopment.*

Not applicable as this property is within a developed urban area.

- *Development that fails to encourage a functional mix of uses.*

Not applicable as this property in close proximity to a variety of non-residential uses.

- *Development that results in poor accessibility among linked or related land uses.*

See above.

Rezoning Analysis

Per Section 94-38 of the Zoning Code, the Planning Board must study and consider the proposed zoning amendment in relation to the following criteria, which are shown in *italics* (staff response 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.

As previously noted, the application is in keeping with the Comprehensive Plan.

b. The existing land use pattern.

The property is consistent with the current County and proposed City single-family residential FLUM and zoning designation.

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

The property is large enough to constitute a stand-alone residential district, and also provides potential linkages to nearby uses such as the Palatka Mall.

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

An assessment of the City's concurrency system indicates that there is adequate available capacity for schools, utilities, and traffic.

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

See response to c. above.

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

Conditions have not changed.

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

The change will not adversely affect living conditions as screening and buffering will help to mitigate impacts to the nearby single-family uses .

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

The City's concurrency system, Subdivision Regulations, and Zoning Code will require improvements to address potential traffic impacts.

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

Any projects must meet City and water management district drainage regulations.

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

The City's Tree Preservation and landscape ordinance, as well as maximum lot coverage standards and height restrictions will help to mitigate such impacts.

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

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.

Given the various development standards and mitigation requirements, developments will not be a deterrent for adjacent properties.

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

Providing a zoning designation to a property that the same as the current County zoning is not a grant of special privilege.

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

Not applicable as the City multi-family zoning will be the same as the current County zoning.

o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
See response to g. above.

p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.
Not applicable due to existing use.

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.
Not applicable.

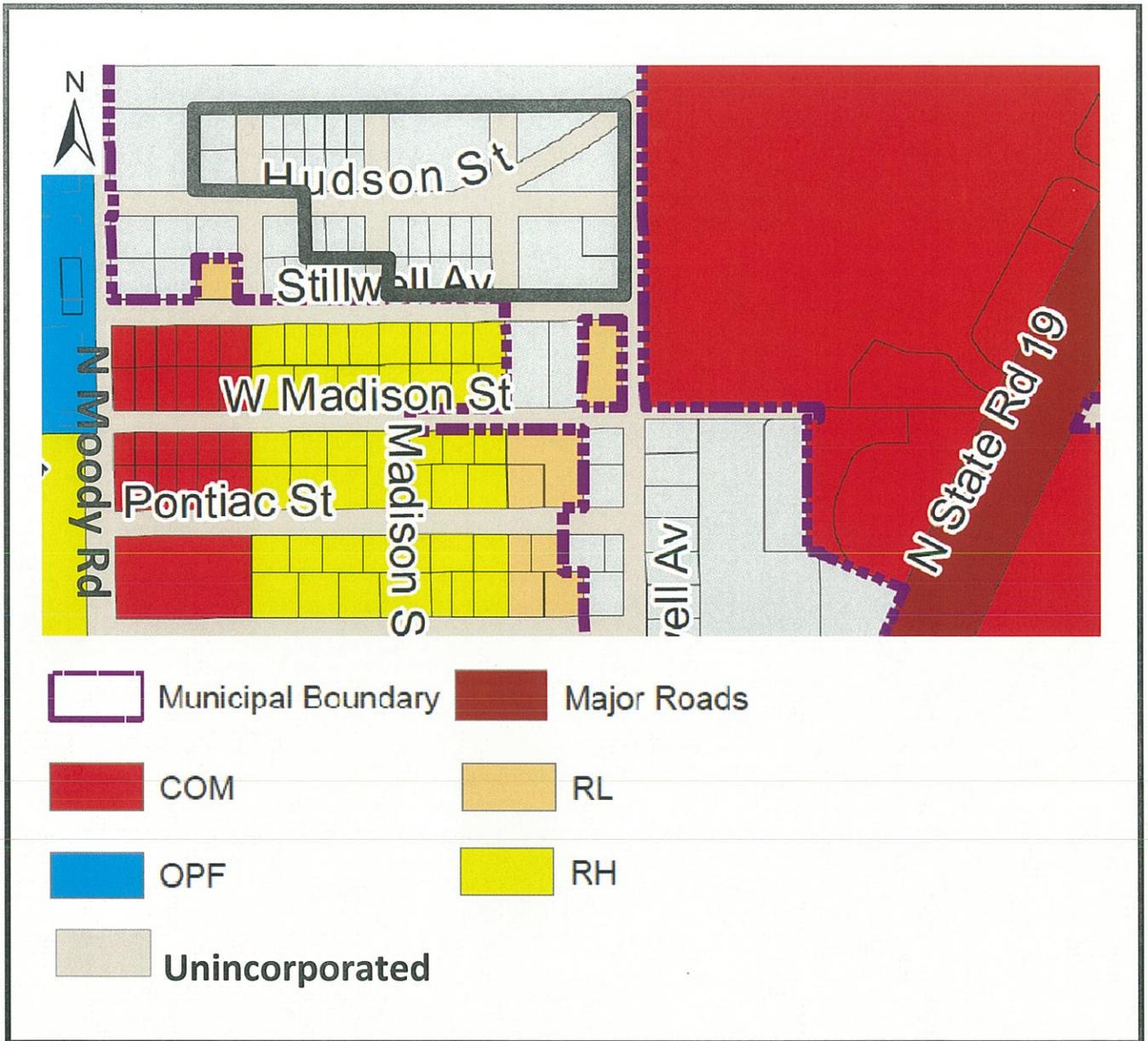
STAFF RECOMMENDATION

As demonstrated in this report, this application meets applicable criteria for annexation, future land use amendment, and rezoning. Staff recommends approval of Case 11-22: annexation, amendment of Future Land Use Map category to RH, and rezoning to R-3 for the Hudson Street properties.



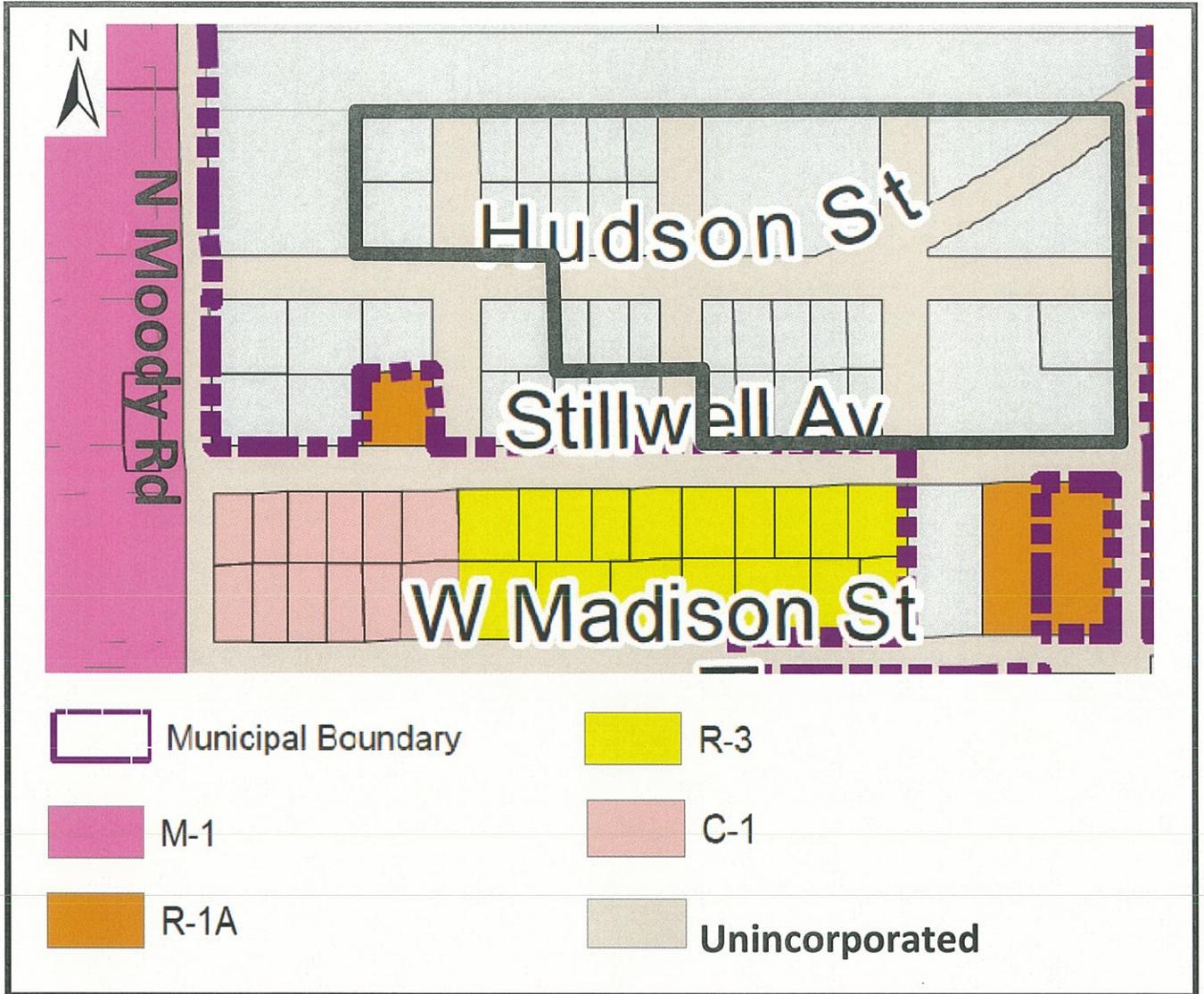
Site	Current FLUM	Proposed FLUM
Hudson St. Properties	(County) US	RH

Hudson Street Properties

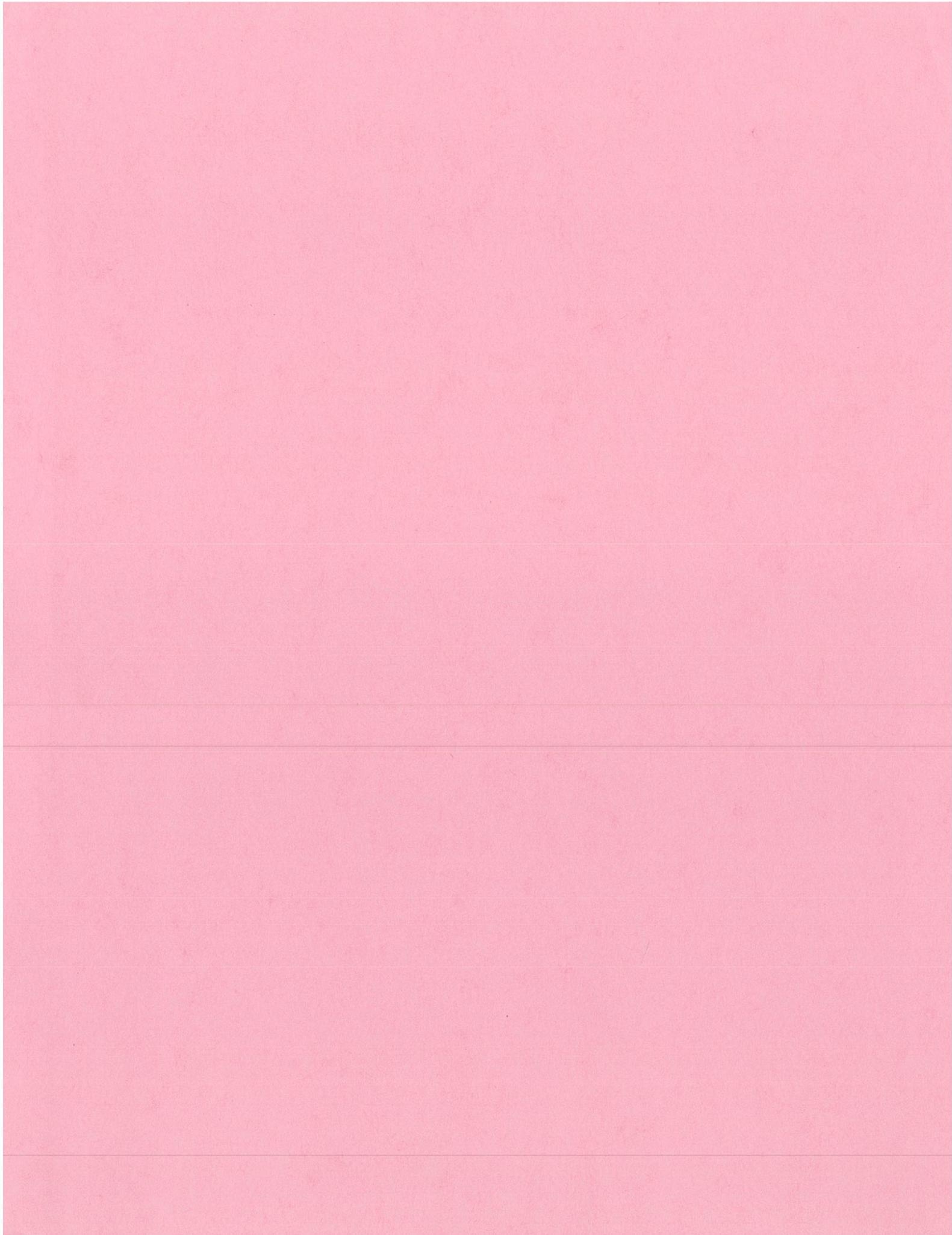


Site	Current FLUM	Proposed FLUM
Hudson St. Properties	(County) US	RH

Hudson Street Properties



Site	Current Zoning	Proposed Zoning
Hudson St. Properties	County R-3	R-3



Case 11-23
Request to Annex,
Amend FLUM from County PF to PBG, &
Rezone from County R-2 & AG to C-1
908 N. Hwy 19
Applicant: Palatka Baptist Temple

STAFF REPORT

DATE: May 31, 2011

TO: Planning Board members

FROM: Thad Crowe, AICP, Planning Director

APPLICATION REQUEST

To annex, amend FLUM from County PF (Public Buildings, Grounds, Facilities) to PBG (Commercial), and rezone from County R-2 (Residential 2, Mixed) and Ag to C-1 (General Commercial). Required public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet).

APPLICATION BACKGROUND

This property is located on the west side of N. Hwy 19, just north of the intersection of Reid St. It is developed with an existing church, which also runs a school. The table below site and surrounding property use classifications (see also attached maps).

Table 1: Use Classifications

Property	FLUM	Zoning	Existing Use
Site	County PF (Public Bldgs, Grounds, Facilities)	County R-2 (Residential, Mixed) Ag	church
Property to North	County US (Urban Service)	Ag	undeveloped
Property to South	County PF (Public Bldgs, Grounds, Facilities)	C-2 (Commercial General, Light)	church
Property to West	County PF (Public Bldgs, Grounds, Facilities)	C-2 (Commercial General, Light)	church
Property to East	County CR (Commercial)	C-3 (Commercial General)	auto repair garage

PROJECT ANALYSIS

Annexation Analysis

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

Contiguity. F.S. 171.031 provides a definition for contiguous and requires that the boundary of the property proposed for annexation must be coterminous with a part of the municipality’s boundary. The definition further states that a road that comes between the property boundary and the municipal boundary shall not prevent annexation. This property will be contiguous to the city limits, which will run along the west side of N. Hwy 19 with the simultaneous annexation of the Abundant Life Church to the south.

Compactness. The statute also provides a definition for compactness that requires an annexation to be for a piece of property in a single area, and also precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns. Annexing this property meets the standard of compactness.

Future Land Use Analysis

Florida House Bill 7129, recently signed by the Governor, provides amended criteria for consideration of comprehensive plan amendments under F.S. 163-3187, shown in italics below (staff response follows each criterion, and comprehensive plan extracts are underlined).

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

The application 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

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

A. Land Use Districts

5. Public Buildings and Grounds (11 acres)

Lands designated in this category of use include a broad variety of public and quasi-public activities such as schools, churches, government buildings, hospitals, etc. The intensity of development in this land use category, as measured by impervious surface, shall not exceed 65 percent. The maximum height shall not exceed 40 feet.

The property is appropriate for this public/quasi-public category as it is an existing church.

Provide analysis of the availability of facilities and services.

The property is in close proximity to urban services and infrastructure. A 12-inch water line runs along N. Hwy 19., immediately adjacent to the property. A two-inch sewer line runs along N. Hwy 19, also immediately adjacent to the property. The City has an ongoing expansion program for the sewer system and property owners must hook up to City sewer when the lines reach their property. The City's Kay Larkin fire station and main library are both approximately one mile from the property, and the police station is less than two miles from 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.

Assigning a FLUM category to this property provides protection from the ongoing potential for septic tank failure and environmental degradation – City FLUM designation carries with it the eventual connection to City sewer, which is not an option for County FLUMs.

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

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.*

Not applicable as the property is located within an established and mostly developed area.

- ~~*Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*~~

The location is not a rural area and is in fact within the Palatka urban area.

- *Radial, strip, isolated, or ribbon development patterns.*

While Hwy. 19 does have characteristics of a strip commercial development pattern, it is an established and developed corridor that has been developed in accordance with long-standing zoning and FLUM categories of the City and the County.

- *Development that fails to adequately protect and conserve natural resources and agricultural activities.*

Not applicable since this is existing development.

- *Development that fails to maximize use of existing and future public facilities and services.*

This property is well-situated to utilize 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.*

Given its location with an urban service area, this property can be efficiently served.

- *Development that fails to provide a clear separation between rural and urban uses.*

This property is within an urban area.

- *Development that discourages or inhibits infill development and redevelopment.*

Not applicable as this property is within a developed urban area.

- *Development that fails to encourage a functional mix of uses.*

Not applicable as this property is a single parcel.

- *Development that results in poor accessibility among linked or related land uses.*

Not applicable as this property is a single parcel.

Rezoning Analysis

Per Section 94-38 of the Zoning Code, the Planning Board must study and consider the proposed zoning amendment in relation to the following criteria, which are shown in *italics* (staff response 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.

As previously noted, the application is in keeping with the Comprehensive Plan.

b. The existing land use pattern.

The property is an existing use and is consistent with the current County and proposed City commercial FLUM and zoning designation.

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

Along with the Abundant Life church, this property forms a small cluster of quasi-public uses that is not an isolated district.

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

Not applicable as the property will be utilized for nonresidential purposes.

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

See response to c. above.

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

Conditions have not changed.

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

A church use is appropriate for this location on a major six-lane state road.

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

Not applicable as this is an existing use that already has traffic impacts.

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

As an already developed property, changes affecting drainage will be marginal.

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

As an already developed property, changes affecting light and air provision to adjacent areas will be marginal.

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

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.

Since no change is proposed from the County zoning, this action will not be a deterrent to improvement 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.

Providing a zoning designation to a property that is compatible with the FLUM, zoning, and existing use of adjacent 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.

Not applicable as the City public zoning will be similar to the current County zoning.

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

See response to g. above.

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

While it is not impossible to find other sites for public/quasi-public use in the City, it is appropriate for this property to have such a FLUM and zoning district.

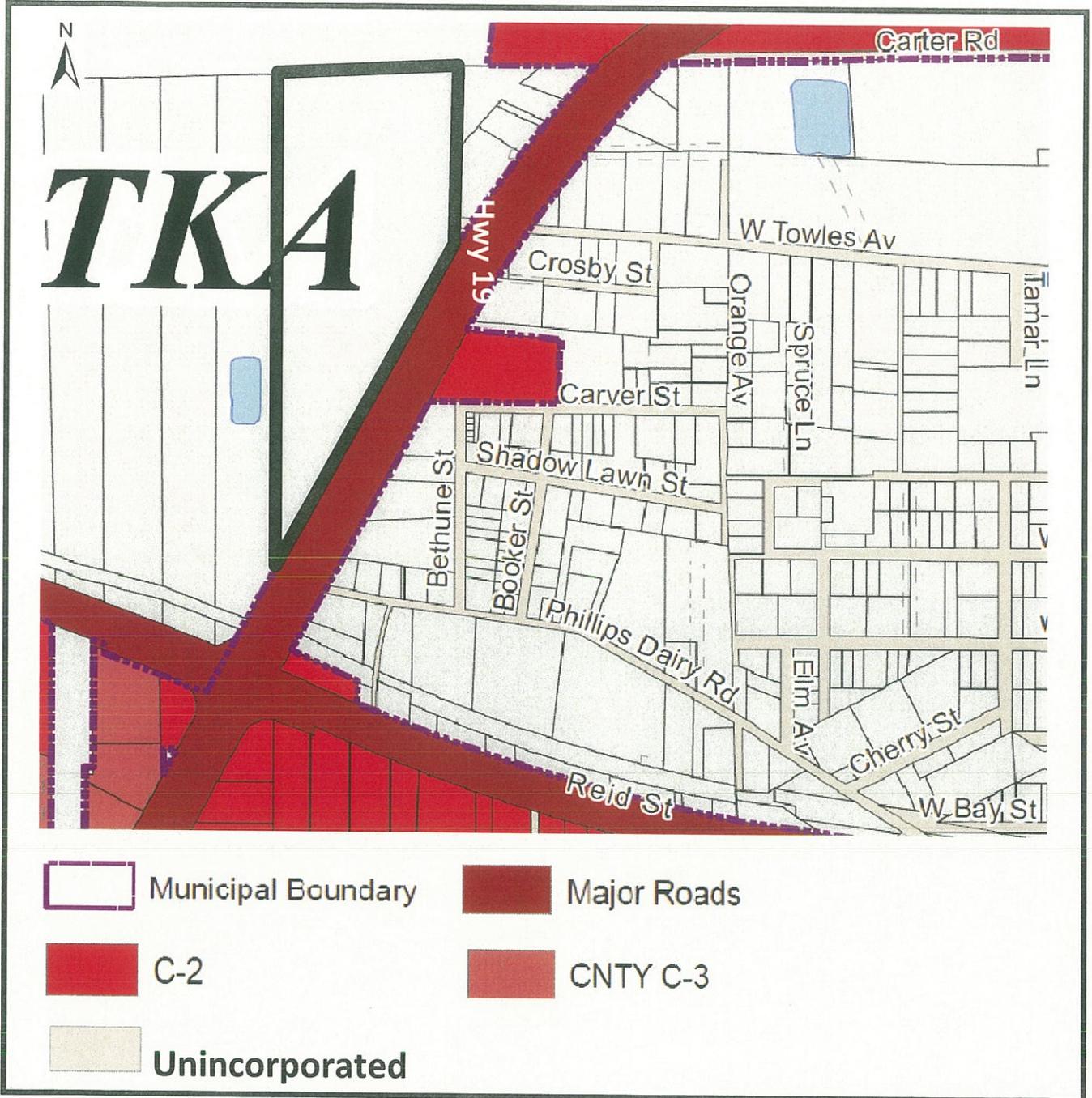
q. The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district.

Not applicable.

STAFF RECOMMENDATION

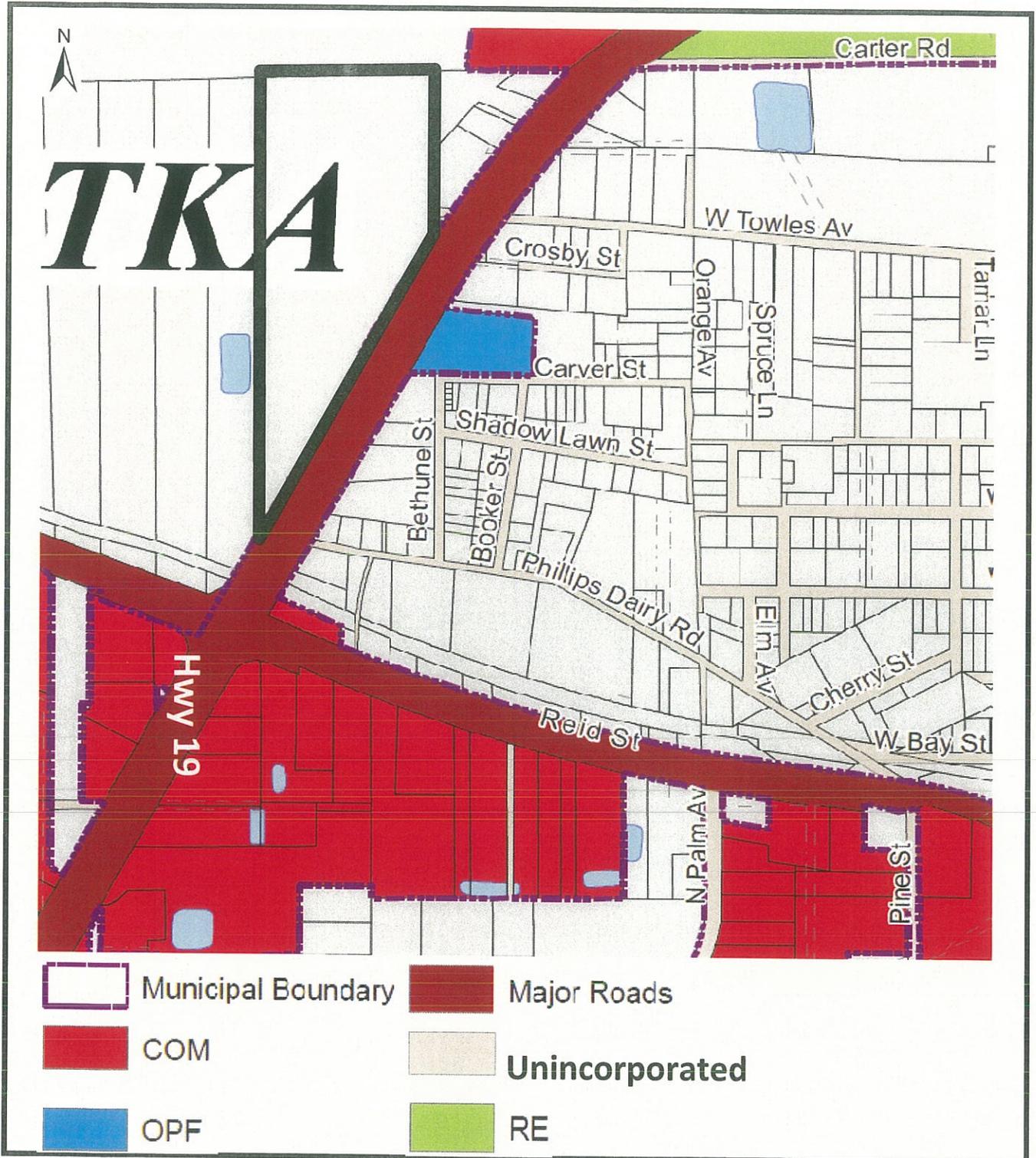
As demonstrated in this report, this application meets applicable annexation, future land use amendment, and rezoning criteria. Staff recommends approval of Case 11-23: annexation, amendment of future land use map category to PB, and rezoning to C-1 for 908 N. Hwy. 19.

Palatka Baptist Temple



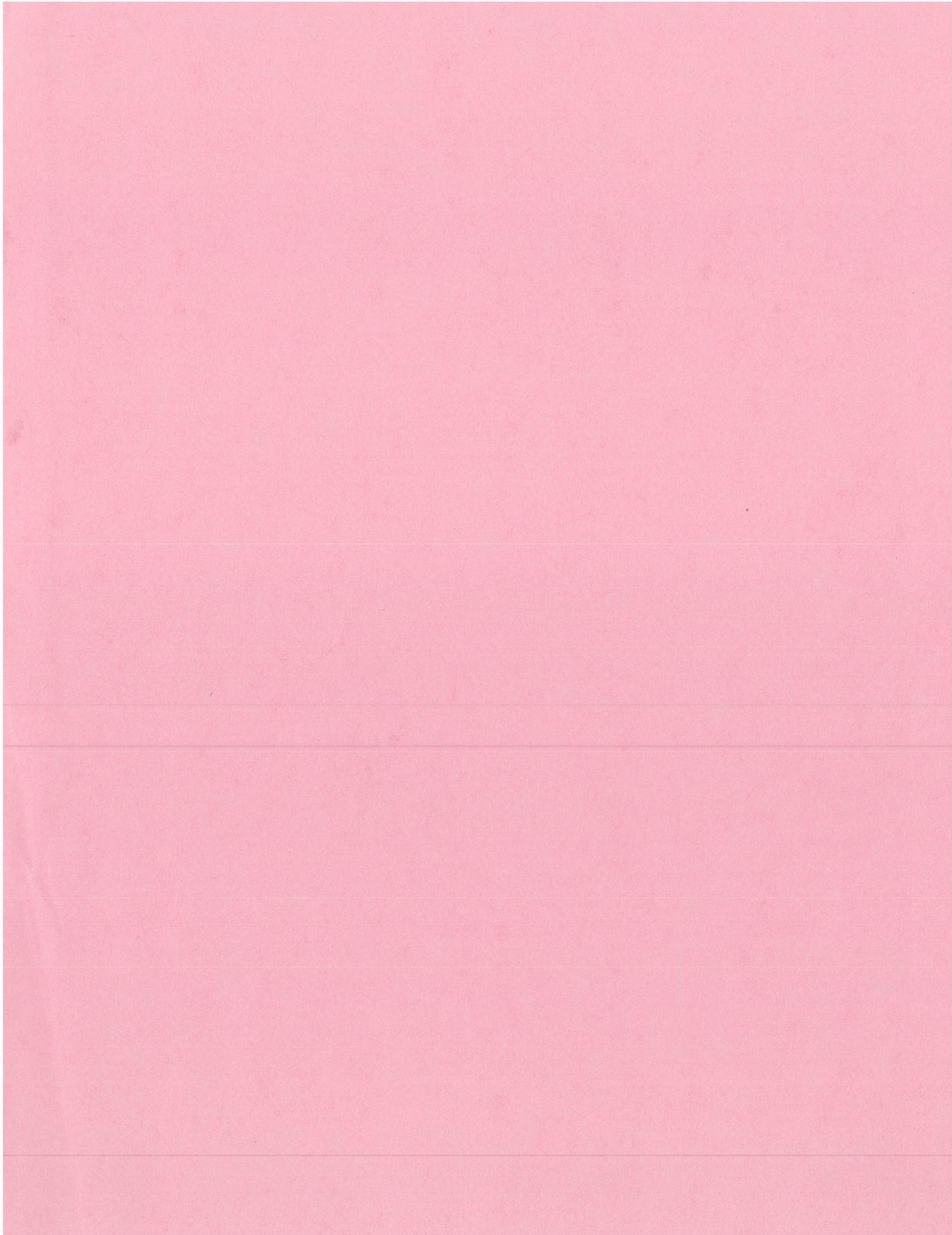
Site	Current FLUM	Proposed FLUM
Palatka Baptist Temple 908 N. SR 19	(County) PF	PB

Palatka Baptist Temple



- Municipal Boundary
- COM
- OPF
- Major Roads
- Unincorporated
- RE

Site	Current FLUM	Proposed FLUM
Palatka Baptist Temple 908 N. SR 19	(County) PF and US	PB



Case 11-17
Request to Annex,
Amend FLUM from County CR to COM, &
Rezone from County C-2 to C-1
102 Phillips Dairy Rd.
Applicant: Kenneth W. Schwing

STAFF REPORT

DATE: May 31, 2011

TO: Planning Board members

FROM: Thad Crowe, AICP, Planning Director

APPLICATION REQUEST

To annex, amend FLUM from County CR (Commercial) to COM (Commercial), and rezone from County C-2 Commercial General, Light) to C-1 (General Commercial). Required public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet).

APPLICATION BACKGROUND

Phillips Dairy Rd. parallels and is just north of Reid Street, running around ½ mile between Reid St. and N. Hwy 19. The formerly rural street has residences mixed with undeveloped properties on the north side of the street, and intensive uses such as an auto salvage yard and an oil company transfer site on the south side of the street. The area north of Reid Street is in the unincorporated County, with some exceptions occurring further north on N. Hwy 19 and US 17 (the County Jail and industrial properties nearby).

The table below site and surrounding property use classifications (see also attached maps).

Table 1: Use Classifications

Property	FLUM	Zoning	Existing Use
Site	(County) CR (Commercial)	C-2 (General Commercial, Light)	vacant single-family home
Property to North	(County) CR (Commercial)	C-2 (General Commercial, Light)	equipment rental business
Property to South	(County) CR (Commercial)	IL (Light Industrial)	oil company
Property to West	(County) US – across Hwy 19	C-2 (General Commercial, Light)	church
Property to East	County) US	(County) R-2 (Residential-Mixed)	single-family residence

PROJECT ANALYSIS

Annexation Analysis

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

Contiguity. F.S. 171.031 provides a definition for contiguous and requires that the boundary of the property proposed for annexation must be coterminous with a part of the municipality’s boundary. The definition further states that a road that comes between the property boundary and the municipal boundary shall not prevent annexation. This property will be contiguous to the city limits, which will run along the west side of N. Hwy 19 with the simultaneous annexation of the Abundant Life Church and Baptist Temple.

Compactness. The statute also provides a definition for compactness that requires an annexation to be for a piece of property in a single area, and also precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns. Annexing this property meets the standard of compactness.

Future Land Use Analysis

Florida House Bill 7129, recently signed by the Governor, provides amended criteria for consideration of comprehensive plan amendments under F.S. 163-3187, shown in italics below (staff response follows each criterion, and comprehensive plan extracts are underlined).

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

The application 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

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

A. Land Use Districts

2. Commercial (1,210 acres)

Land designated for commercial use is intended for activities that are predominantly associated with the sale, rental, and distribution of products or the performance of service. Commercial land use includes offices, retail, lodging, restaurants, services, commercial parks, shopping centers, or other similar business activities. Public/Institutional uses and recreational uses are allowed within the commercial land use category. The intensity of commercial use, as measured by impervious surface, should not exceed 70 percent of the parcel. The maximum height should not exceed 40 feet. Land Development Regulations shall provide requirements for buffering

commercial land uses (i.e., sight access, noise) from adjacent land uses of lesser density or intensity of use. See Policy A.1.3.2.

Given that the property fronts on a six-lane state highway with industrial uses to the south and general commercial land use and zoning along this road corridor, it is suited for the Commercial FLUM category.

Provide analysis of the availability of facilities and services.

The property is in close proximity to urban services and infrastructure. A 12-inch water line runs along N. Hwy 19., immediately adjacent to the property. A two-inch sewer line runs along N. Hwy 19, also immediately adjacent to the property. The City has an ongoing expansion program for the sewer system and property owners must hook up to City sewer when the lines reach their property. The City's Kay Larkin fire station and main library are both approximately one mile from the property, and the police station is less than two miles from 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.

Assigning a City FLUM category to the property is appropriate given that the small size of the lots in this neighborhood are more in keeping with an urban designation. Also with small lots there is potential for septic tank failure and environmental degradation – City FLUM designation carries with it the eventual connection to City sewer, which is not an option for County FLUMs.

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

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.*

The property and the properties around it present a variety of residential, commercial, and industrial uses – not a hallmark of urban sprawl.

- *Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*

The location is not a rural area and is within the Palatka urban area.

- *Radial, strip, isolated, or ribbon development patterns.*

This property is located close to a major intersection (Reid St. and N. Hwy 19) and therefore will be part of the commercial node at this intersection. Nodal development patterns are not considered to be strip/ribbon development.

- *Development that fails to adequately protect and conserve natural resources and agricultural activities.*

Not applicable since this is existing development.

- *Development that fails to maximize use of existing and future public facilities and services.*

This property is well-situated to utilize 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.*

Given its location with an urban service area, this property can be efficiently served.

- *Development that fails to provide a clear separation between rural and urban uses.*

This property is within an urban area.

- *Development that discourages or inhibits infill development and redevelopment.*

Not applicable as this property is within a developed urban area.

- *Development that fails to encourage a functional mix of uses.*

Not applicable as this property is a single parcel.

- *Development that results in poor accessibility among linked or related land uses.*

Not applicable as this property is a single parcel.

Rezoning Analysis

Per Section 94-38 of the Zoning Code, the Planning Board must study and consider the proposed zoning amendment in relation to the following criteria, which are shown in *italics* (staff response 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.

As previously noted, the application is in keeping with the Comprehensive Plan.

b. The existing land use pattern.

The property is an existing use and is consistent with the current County and proposed City commercial FLUM and zoning designation.

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

As part of the commercial node around the intersection of Reid St. and N. Hwy 19, this property will not be an isolated district.

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

Not applicable as the property will be utilized for nonresidential purposes.

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

See response to c. above.

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

Conditions have not changed.

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

The single-family use of this property is not viable given its location on a major six-lane state road. The property will be required to provide buffering for adjacent residential development to the east.

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

The small-scale nature of the proposed business will not excessively increase traffic congestion.

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

As an already developed property, changes affecting drainage will be marginal.

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

As an already developed property, changes affecting light and air provision to adjacent areas will be marginal.

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

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.

This change will allow for the use of a currently abandoned residence for commercial purposes, to the benefit of the neighborhood.

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

Providing a zoning designation to a property that is compatible with the FLUM, zoning, and existing use of adjacent 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.

Not applicable as the City commercial zoning will be the same as the current County zoning.

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

See response to g. above.

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

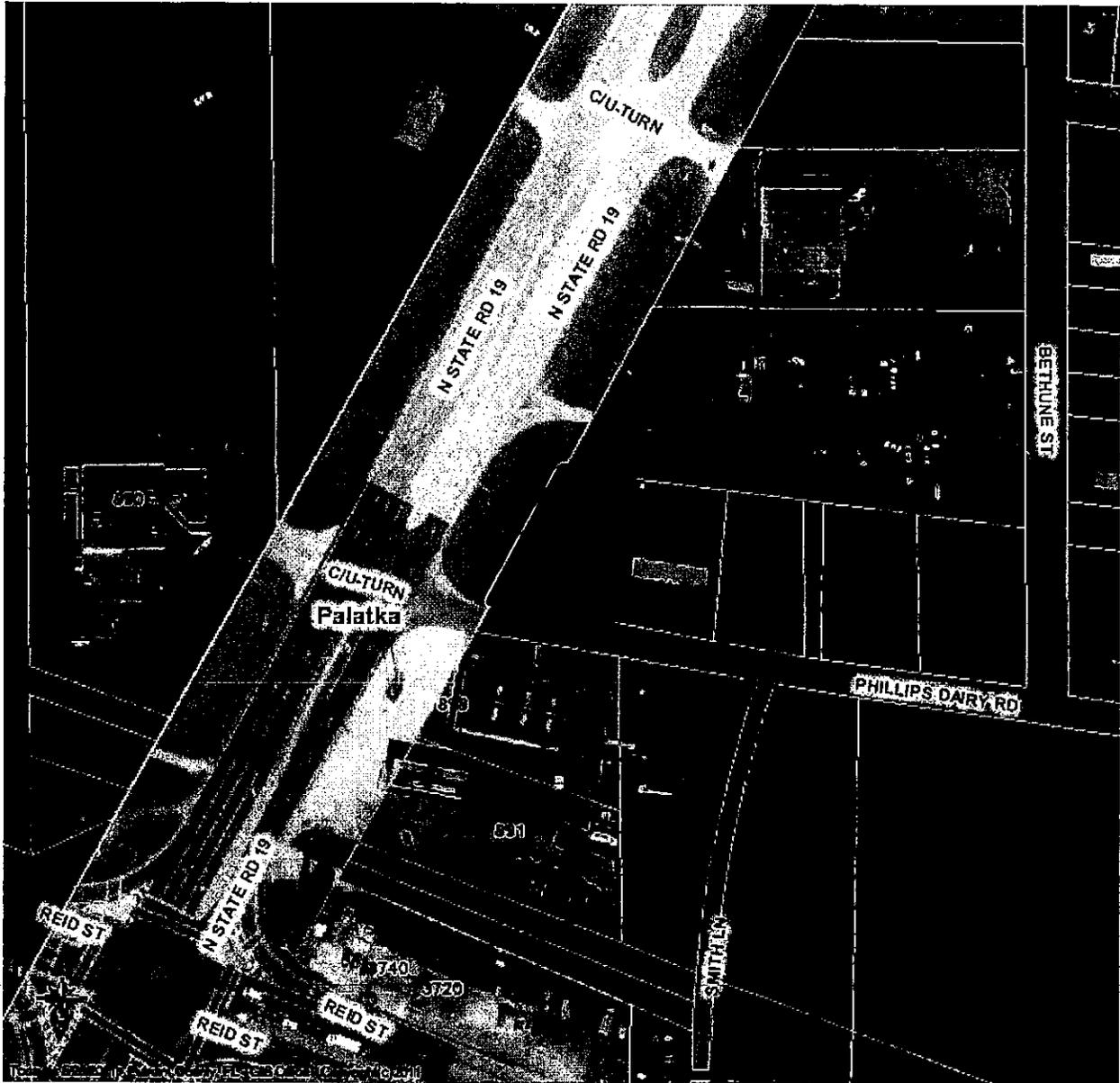
While it is not impossible to find other sites for commercial use in the City, it is appropriate for this property to have commercial FLUM and zoning.

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.

Not applicable.

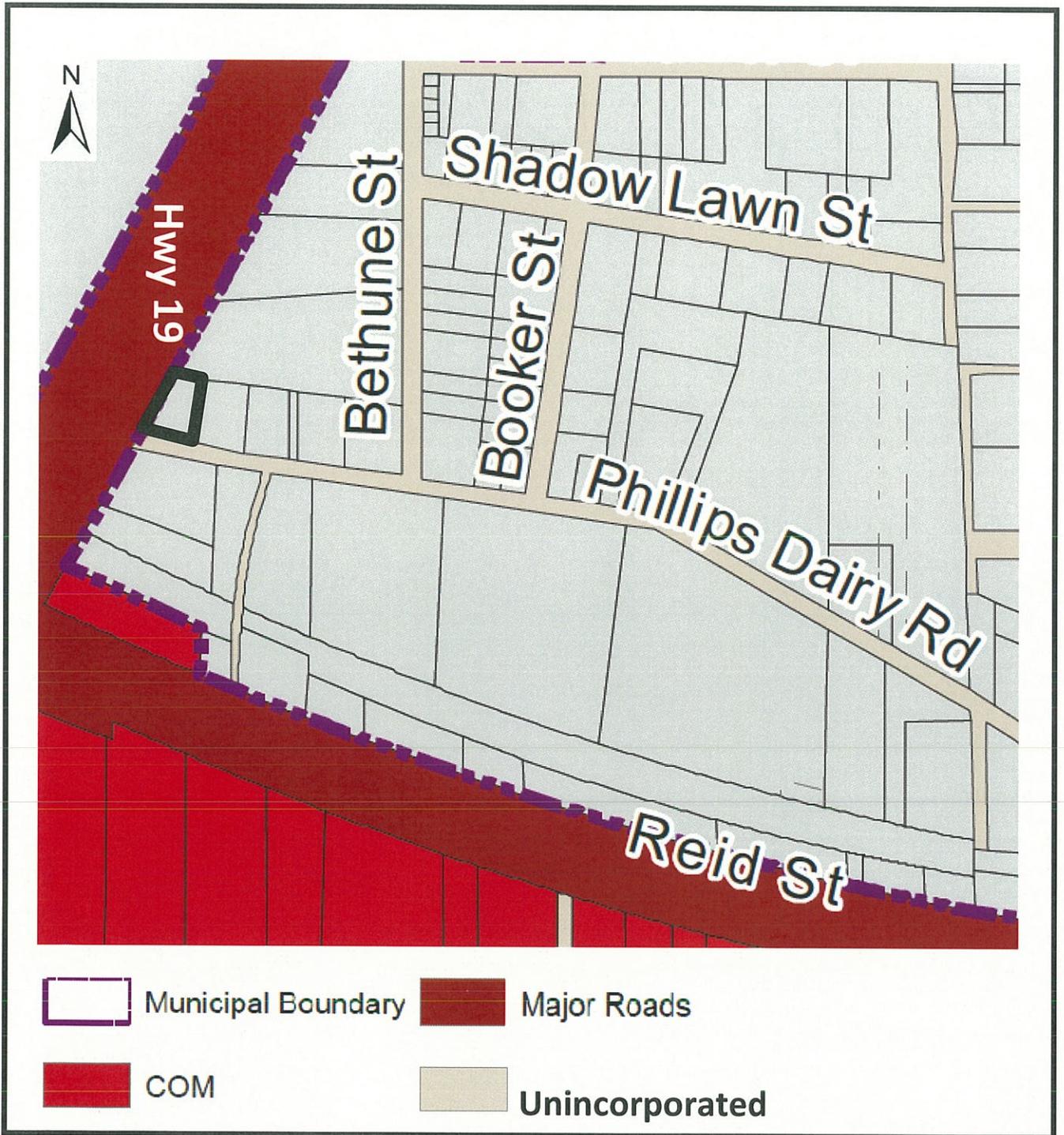
STAFF RECOMMENDATION

As demonstrated in this report, this application meets applicable annexation, future land use amendment, and rezoning criteria. Staff recommends approval of Case 11-17: annexation, amendment of future land use map category to COM, and rezoning to C-1 for 102 Phillips Dairy Rd.



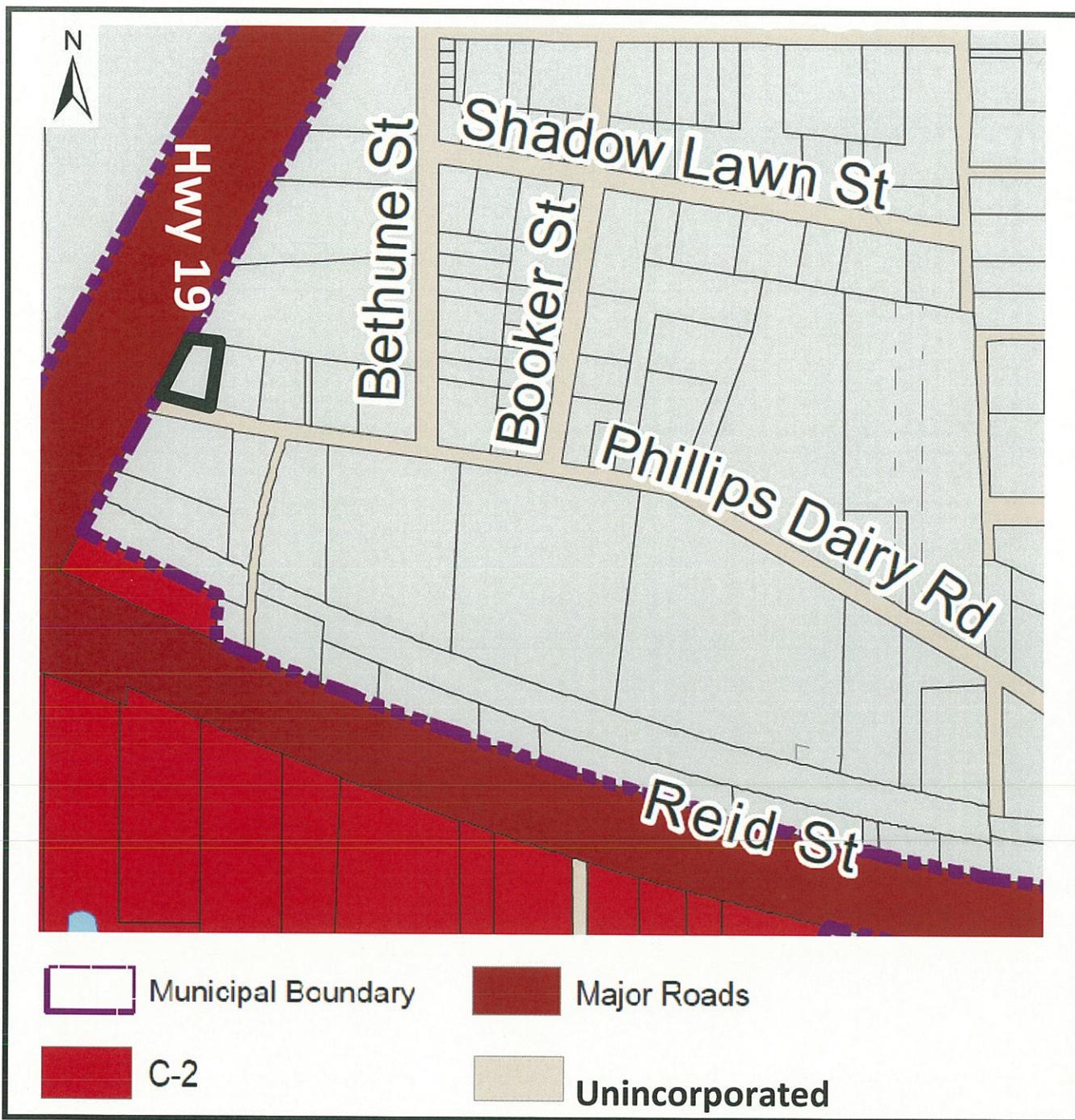
Owner	Current FLUM	Proposed FLUM
SCHWING KENNETH W + DIANE M H/W 102 Phillips Dairy Rd.	(County) CR	COM

102 Phillips Dairy Rd.



Owner	Current FLUM	Proposed FLUM
SCHWING KENNETH W + DIANE M H/W 102 Phillips Dairy Rd.	(County) CR	COM

102 Phillips Dairy Rd.



Owner	Current FLUM ²	Proposed FLUM ²
SCHWING KENNETH W + DIANE M H/W 102 Phillips Dairy Rd.	(County) CR- C-2	COM- C-1

Case 11-24

**Request to Amend Comprehensive Plan Text
(Downtown Residential and Water System Connection Timeframe)
Applicant: Building and Zoning Dept.**

STAFF REPORT

DATE: June 1, 2011

TO: Planning Board members

FROM: Thad Crowe, AICP, Planning Director

APPLICATION REQUEST

To consider the following administrative text amendments to the Comprehensive Plan:

- 1) Revise Policy D.1.9.3 to allow for residential uses in the Commercial land use category, limited to Downtown zoning districts, subject to density, design and locational limitations.
- 2) Revise Policy D.1.4.3 of the Public Facilities Element to change the timeframe of required connection to City water system for properties within 250 feet of a City water line from 90 days to one year.

Required public notice included legal advertisement.

APPLICATION BACKGROUND

Downtown Residential. The City's intent with the Riverfront Master Plan, and with downtown redevelopment policy in general, has been to allow and encourage residential uses downtown. The downtown area includes the Downtown Business and Downtown Riverfront zoning districts, both of which are in the Commercial FLUM category. Policy D.1.9.3 provides descriptions of the City's Future Land Use Map (FLUM) categories, with proposed changes to the policy are shown in underlined text:

Land designated for commercial use is intended for activities that are predominantly associated with the sale, rental, and distribution of products or the performance of service. Commercial land use includes offices, retail, lodging, restaurants, services, commercial parks, shopping centers, or other similar business activities. Public/Institutional uses and recreational uses are allowed within the commercial land use category. Residential uses are allowed within Downtown zoning districts, at an overall density of 20 units per acre and subject to additional project density, design and locational standards set forth in these zoning districts. The intensity of commercial use, as measured by impervious surface, should not exceed 70 percent of the parcel. The maximum height should not exceed 40 feet. Land Development Regulations shall provide requirements for buffering commercial land uses (i.e., sight access, noise) from adjacent land uses of lesser density or intensity of use. See Policy A.1.3.2.

Water System Connection Timeframe. In consultation with the City Manager, Staff has determined that the 90-day timeframe often constitutes a hardship on property owners who annex into the City and property owners who are adjacent to water line that have been extended by the City. Hookup and impact fees start at approximately \$1,000 and can be much more with multiple fixtures, or when road or stream crossings are required. The twelve-month period will provide property owners more time to finance such costs. The recommended changes to the policy below are shown in ~~stricken~~ and underlined text.

Policy D.1.4.3

No new private well shall be allowed within 250 feet of an existing potable water distribution line. In cases where there are existing private wells, the Building Official shall notify the applicant that the facility will be required to convert to the City water system within ~~ninety (90) days~~ twelve months of a distribution line reaching within two hundred fifty (250) feet of the subject property line. Within twelve (12) months, the City shall adopt the distance criteria of this policy into the requirements of the City Land Development Regulations and shall be enforced by the Building Official during the building permit process.

PROJECT ANALYSIS

Florida Statutes do not provide specific criteria for the review of text amendments, other than the requirement that amendments to the Future Land Use Element (FLUE) must discourage the proliferation of sprawl, and that any such amendments must be in keeping with other Goals, Objectives, and Policies of the Plan. Neither text amendment furthers urban sprawl, and in fact the amendments encourage the antithesis of sprawl – compact development by allowing for mixed use development; and efficient service provision through an annexation incentive.

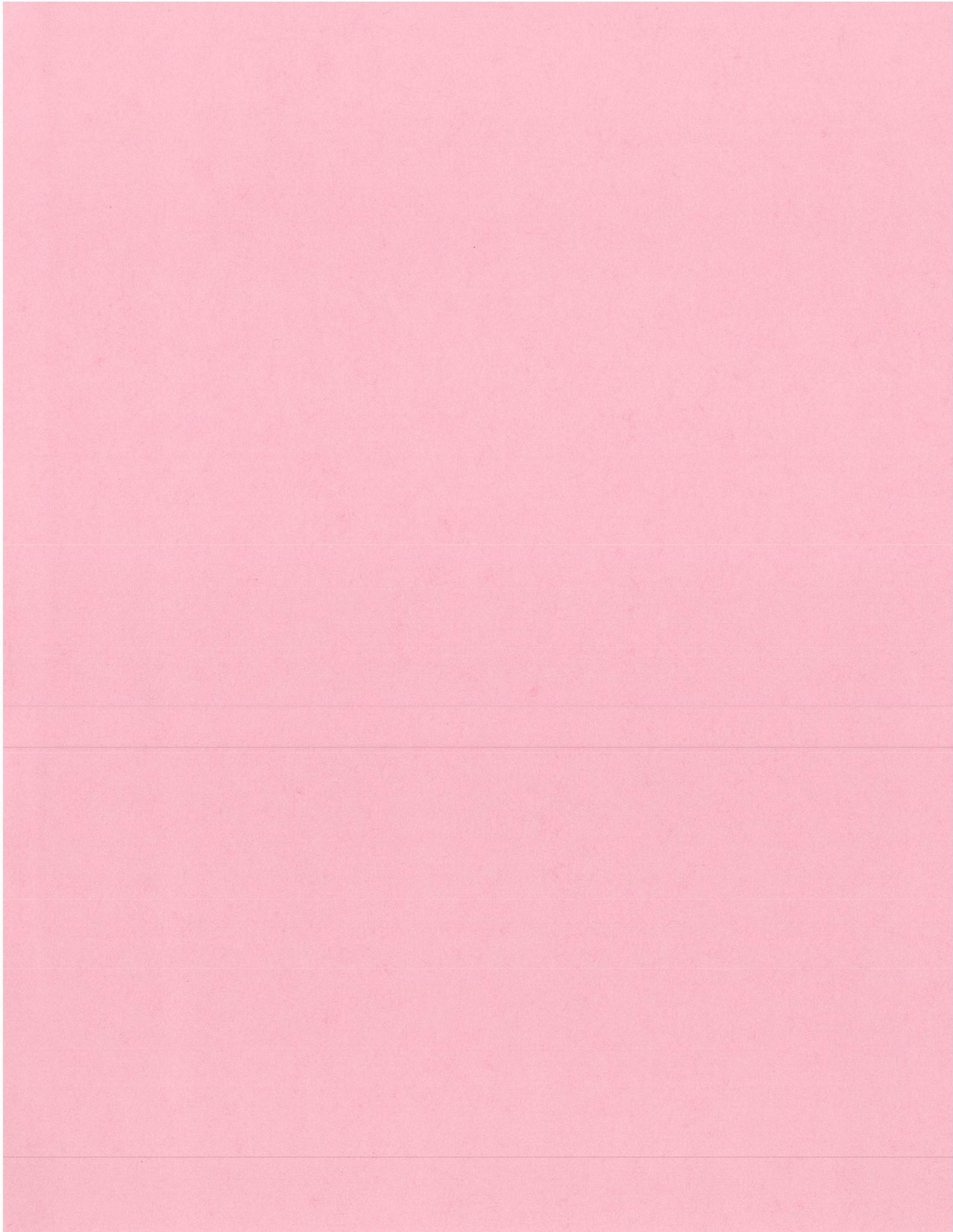
The amendments do not conflict with Goals, Objectives, and Policies of the Comprehensive Plan. Both are in keeping with the following FLUE objective.

Objective A.1.8 *Upon Plan adoption, The City shall establish a program that provides the means for innovative development planning. The end goals of the program are to provide:*

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

STAFF RECOMMENDATION

These proposed text amendments are in keeping with the Comprehensive Plan. Staff recommends approval of Case 11-24, Downtown Residential and Water System Connection Timeframe text amendments.



Case 11-25

Request to Amend Municipal Code
(Setback Encroachment, Allowable Sign Types, Sign Variance
Criteria, and Sewer Impact Fee Revision)
Applicant: Building and Zoning Dept.

STAFF REPORT

DATE: June 1, 2011

TO: Planning Board members

FROM: Thad Crowe, AICP, Planning Director

APPLICATION REQUEST

To consider the following administrative text amendments to the Municipal Code:

1. Amend Section 94-114(d)(1) of the Palatka Municipal Code to allow for the limited encroachment of nonconforming structures into setbacks through the Conditional Use process, with specific approval criteria including consideration of adverse impacts to surrounding properties.
2. Amend Section Sec. 94, Division 2, Schedule of Districts of the Palatka Municipal Code to allow for additional sign types in non-residential zoning districts.
3. Amend Section 94-67 of the Palatka Municipal Code to clarify applicability of variances, and provide specific variance criteria.
4. Amend Appendix A of the Palatka Municipal Code Fee Schedule pertaining to Sewer Impact Fees (Section 54-157).

Required public notice included legal advertisement.

APPLICATION BACKGROUND

Setback Encroachment

This issue came to light when a property owner requested a variance to allow for the addition of front porch to an existing single-family home in a R-2 (Two Family Residential) zoning district. The porch would intrude into the front setback, thus requiring a variance. However the existing structure already encroaches into the 15-foot front setback (one corner of front wall of the structure is 14.1 feet from the front property line and the front wall of the structure then angles to a point that is 15.9 feet from the setback of the other front corner of the house). Sec. 94-114(d)(1) addresses nonconforming structures and notes the following:

Where a lawful structure exists at the effective date of adoption or amendment of the ordinance codified in this chapter that could not be built under the terms of this chapter by reason of restriction on area, lot coverage, height, yards or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

(1) No such structure may be enlarged or altered in a way which increases its nonconformity.

Therefore this structure is a nonconforming structure which cannot be enlarged in a way that increases its nonconformity. Additionally, Sec. 94-67 notes that variances may be granted on development standards requirements only, and 94-114(d)(1) above is not a development standard.

Staff believes that a requested action like this front porch addition is supportable for the following reasons:

- Adding a front porch would not adversely impact neighbors as it would not encroach on surrounding structures.
- The request is not inconsistent with the Comprehensive Plan.
- Front porches are in keeping with the character of the neighborhood and the adjacent historic district (the structure is across the street from the North Historic District).
- This particular house predates the development standards of the Zoning Code.
- Front porches are in keeping with accepted sound planning and design standards pertaining to walkability, CPTED, and pedestrian-oriented urban design.

Staff has reviewed codes from other comparable jurisdictions and have found precedents in other cities that would allow an action like this. Sanford allows enlargement of structures that predate such development standards through the conditional use process. Ft. Pierce allows such an action through approval by the Board of Adjustment which uses review criteria pertaining to impacts on surrounding properties as well as a limitation on size. St. Petersburg allows such an action with limitations on size, height, and distance of the addition to property lines.

~~Staff proposes to amend the Code to allow for limited encroachment into setbacks. Such approvals would require compliance with criteria to minimize potential impacts on adjoining properties and the public welfare in general. Staff offers the following subsection to Section 94-114 (Nonconforming lots, structures and uses).~~

(j) Enlargement or alteration of a nonconforming structure. The Zoning Board of Appeals is authorized to permit the enlargement or alteration of a nonconforming structure, except any sign, as a variance upon application, notice by posting property, and public hearing, upon finding and determining the following:

- (1) The granting of the variance will not adversely affect the public interests;*
- (2) Such enlargement or alteration is in harmony with the purpose and intent of this chapter and all amendments thereof;*
- (3) The enlargement or alteration, if allowed, will not violate any height, yard, setback, area or density limitations imposed by the zoning district in which the property is located, or if the enlargement or alteration would increase such violation, such enlargement or alteration would not adversely affect traffic flow, safety and*

control, pedestrian safety and convenience or visibility at any street intersections, drives, rights-of-way, curbcuts or crosswalks;

(4) Such enlargements or alteration shall be compatible with adjacent properties and other properties within that zoning district;

(5) If in a commercial, business or industrial zone, that adequate buffers are provided between such structures and adjacent residential areas;

(6) That adequate off-street parking shall be provided for any multifamily, commercial, industrial or business use upon the property; and

(7) The enlargement or alteration will not increase gross floor area of the principal structure by more than fifty (50) per cent.



Allowable Sign Types

The Municipal Code regulates signs in two chapters: Chapter 62 (Signs) and Chapter 94 (Zoning Code). Chapter 62 defines sign types and provides detailed sign standards including maximum size and height. Chapter 94 references allowable signs in each zoning district under a subsection titled "Permitted Signs."

In general, each place of business is allowed two sign types. Sign types are as follows.

- Awning sign (AS)
- Banner sign (BS)
- Billboard (BB)
- Bracket sign (similar to projecting sign) (BR)
- Changeable copy sign (manual) (CM)
- Changing sign (electronic) (CE)
- Directional sign (vehicular or pedestrian traffic pattern or route) (DS)
- Flashing sign (FS)
- Ground sign (GS)
- Marquee sign (attached to canopy or covered structure projecting from building) (MS)
- Pole sign (PS)
- Political sign (PO)
- Portable sign (PT)
- Projecting sign (affixed to building and projecting out) (PJ)
- Real estate sign (RS)
- Roof sign (RO)
- Sandwich sign (SS)
- Snipe sign (SN)
- Temporary sign (TS)
- Wall sign (WS)

Chapter 64 provides the following limitations on signs.

- Billboards allowed only in M-1 (Industrial) zoning districts.
- Political signs allowed in any zoning district with timeframe limitations (50 days prior to primary elections, removed within 14 days after election)

Other than these two specifications and the allowable signs shown in the table below, no signs are currently allowed within the City. Staff has determined that past sign permits have been issued in error.

The following table shows allowable sign types by zoning district and also shows signs that Staff proposes to add as additional allowable sign types in each district.

Zoning District	Current Allowable Sign Types	Proposed Additional Sign Types
C-1A (Neighborhood Commercial)	None	AS, BR, DS*, GS, MS, PJ, WS
C-1 (General Commercial)	Wall Signs	AS, BR, BS**, DS*, GS, MS, PJ, PS, TS**, WS
C-2 (Intensive Commercial)	Wall Signs	AS, BR, BS**, DS*, GS, MS, PJ, PS, TS**, WS
M-1 (Light Industrial)	Wall Signs	AS, BR, BS**, DS*, GS, MS, PJ, PS, TS**, WS
ROS (Recreation/Open Space)	None	DS*, GS, WS
PBG-1 (Public Buildings and Grounds)	None	DS*, GS, WS
PBG-2 (Other Public Facilities)	None	DS*, GS, WS
CON (Conservation)	None	DS*, GS, WS
HD (Historic District)	None	DS*, GS, WS
PUD (Planned Unit Development)	None	DS*, GS, WS
AP-1 (Airport Related)	Limited by FAA	DS*, GS, WS
AP-1 (Airport Related)	Limited by FAA	DS*, GS, WS
DR (Downtown Riverfront)	A-frame, Sandwich Sign, Menu Board	AS, GS, PJ, WS
DB (Downtown Business)	A-frame, Sandwich Sign, Menu Board	AS, GS, PJ, WS

* One directional sign per access drive entrance into a commercial, office or industrial development not to exceed four feet in height or four square feet.

** subject to Chapter 30-172 standards regarding temporary store window signs and Chapter 50-244 regarding temporary signs/banners associated only with special events.

Staff's recommendations tie the intensity of the zoning district to the allowable signage. For example, pole signs would only be allowed in General Commercial, Intensive Commercial, and Light Industrial due to the higher intensity of such districts and the typical location along busier streets.

Sign Variance Criteria

The Municipal Code does not allow for variances from maximum sign size and height. Chapter 94, Article III, Division 2, Section 94-67 states that variances may be granted on development standards requirements only as noted below (underlining emphasis added).

Sec. 94-67. Variances generally.

The board of zoning appeals may authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest, where, owing to special conditions, literal enforcement of the provisions of this chapter will result in unnecessary hardship, and so that the spirit of this chapter shall be observed and substantial justice done. Variances may be granted on development standards requirements only.

Development standards are a specific subcategory under each zoning district and include dimensional elements including maximum density, minimum lot area, minimum lot width, maximum lot coverage, maximum structure height, minimum yards, and required foundation walls. Maximum sign size for pole signs is found in a different Chapter (64) of the Municipal Code and is not listed as a development standard. Therefore sign size is not eligible for consideration of a variance. Again, past sign variances were issued in error.

Staff recommends the following sign size and height variance criteria, which are fairly standard in other communities.

1. That sign size or height limitations cause an exceptional and unique hardship.
2. That the unique hardship is not due solely to the owner's actions.
3. That the variance authorized will be compatible with the physical characteristics of the neighborhood.

Sewer Impact Fee Revision

The calculation of this fee as determined in the 2007 Impact Fee study came from three areas: the value of unused sewer capacity, the value of a new sewer plant, and the value of the primary transmission system. The recent determination that a sewer plant is not required results in the reduction of the sewer impact fee.

Chapter 54 (Planning), Article IV (Impact Fees), Sec. 54-157. Adoption of sewer impact fees.

(a) All sewer system impact construction occurring within the city shall pay the sewer impact fees of \$1,690.00 per ERC according to the following schedule:

Single-family residential (including mobile homes):

3/4 inch meter: ~~\$1,690.00~~ \$1,275.00 per dwelling unit.

1 inch meter: ~~\$2,810.00~~ \$2,120.00 per dwelling unit.

2 inch meter: ~~\$3,380.00~~ \$2,550.00 per dwelling unit.

Multifamily dwelling unit: ~~\$1,352.00~~ \$1,020.00 per dwelling unit.

Commercial: ~~\$169.00~~ \$127.00 per fixture.

PROJECT ANALYSIS

Per Section 94-38 of the Zoning Code, the Planning Board must study and consider the proposed zoning amendment in relation to the following criteria (if applicable), which are shown in *italics* (staff response 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.

As previously noted, the application is in keeping with the Comprehensive Plan. The first policy supports changes pertaining to sign code revisions, and the second policy supports the setback/nonconforming structure enlargement revision.

Policy A.1.1.5

9J-5.006(3)(c)1

Upon Plan adoption, the City Building Official shall review the City Zoning Code to ensure that current signage regulations preserve the character of the City. Where, through citizen participation, it is determined that current signage regulations regarding location, size, height, motion, etc., should be revised, changes to the current regulation shall, be discussed in public hearing and proposed changes considered for adoption by the City Commission. By June 2008, the City shall review the land development regulations to ensure that signage maintains the character of the City and does not adversely impact adjoining properties, public rights-of-way, and the St. Johns River.

Policy A.1.6.1

9J-5.006(3)(c)

Provide incentives which direct development to infill in areas of the City with in-place water/sewer lines and paved road. These incentives may include, but not be limited to providing additional permitted land uses through special use designations under the City Zoning Code such as approved "mother-in-law" units with separate kitchens or home office operations for limited business activities.

b. The existing land use pattern.

Not applicable.

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

Not applicable.

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

Not applicable.

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

Not applicable.

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

While conditions have not changed regarding the sign code, it is obvious that to succeed businesses must be allowed to have signage – this code revision corrects an error. Regarding the setback/nonconforming structure enlargement revision, it should be noted that the Code favors suburban development and penalizes older areas of the City where blanket setbacks and smaller lots prevent the reasonable improvement of older structures. The change in this case is the need to nurture and encourage infill and redevelopment in older neighborhoods.

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

Regarding the sign code changes, such changes will simply allow what has been previously permitted in the past. Regarding the setback/nonconforming structure enlargement revision, the criteria for consideration serve to protect the surrounding neighborhood.

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

Not applicable.

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

Not applicable.

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

As an already developed property, changes affecting light and air provision to adjacent areas will be marginal.

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

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.

See response to g. above.

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

These changes apply to many and multiple properties, and do not constitute a grant of special privilege.

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

Not applicable.

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

See response to g. above.

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

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.

Not applicable.

STAFF RECOMMENDATION

These proposed Zoning Code text amendments are in keeping with applicable criteria. Staff recommends approval of Case 11-25, Setback Encroachment, Allowable Sign Types, Sign Variance Criteria, and Sewer Impact Fee Revision.