CITY OF PALATKA
PLANNING BOARD AGENDA
October 2, 2012

1. Call to Order.
2. Roll Call.
3. Approval of Minutes of the September 4, 2012 meeting.
4. Appeal procedures and ex parte communication.
5. **OLD BUSINESS**

Case 12-31: Administrative request to amend Comprehensive Plan Public Facilities Element Policy D.1.2.1 to provide for exceptions, based on economic development and system efficiency considerations, to the requirement that properties receiving City water or sewer that are contiguous to the city limits be annexed, and the requirement that properties receiving City sewer service be within the City limits (tabled from September meeting).

Case PB 12-38 An administrative request to amend Zoning Code Sec. 94-145, 94-146, 94-148, 94-149, 94-150, 94-152, 94-154, 94-155, to provide for height limits in various zoning districts, and to revise height limit for Planned Industrial Development District Sec. 94-163 (tabled from September meeting).

Case 12-42: An administrative request to amend the Comprehensive Plan Future Land Use Map designation for 301 River St. (Riverfront Park) from RL (Residential, Low) and COM (Commercial) to REC (Recreation), to amend the zoning designation from DR (Downtown Riverfront) to ROS (Recreation/Open Space District), and to amend ROS zoning district text to allow for restaurants and recreation-oriented private concessions by conditional use.

6. **NEW BUSINESS**

Case 12-50: Administrative request to annex the following properties into the Palatka city limits, amending the Future Land Use Map and rezoning as listed below:

Location		Future Land Use Map Category		Zoning	
		Current Putnam Co.	Proposed City	Current Putnam Co.	Proposed City
1	1107 Old Jacksonville Rd	US (Urban Service)	RL (Residential Low)	R-2 (Residential, Mixed use)	R-1A (Single-family Residential)
2	2806 Lane St.	US (Urban Service)	RL (Residential Low)	R-1A (Residential Single-family)	R-1A (Single-family Residential)
3	410 Mission Rd.	US (Urban Service)	RM (Residential Medium)	R-1A (Residential Single-family)	R-2 (Two-family Residential)
4	3205 St. Johns Ave.	US (Urban Service)	RL (Residential Low)	R-1A (Residential Single-family)	R-1A (Single-family Residential)
5	3435 Crill Ave.	UR (Urban Reserve)	RL (Residential Low)	R-1A (Residential Single Family) AG	R-1A (Single-family Residential)

				(Agriculture)	
6	311 Poinsetta Ave.	US (Urban Service)	RH (Residential High)	RMH (Residential, Mobile Home)	R-4 (Mobile Home/Conventional home Residential)
7	3321 Weaver Rd.	US (Urban Service)	RL (Residential Low)	R-1A (Residential Single-family)	R-1A (Single-family Residential)
8	209 Bates Ave.	US (Urban Service)	RL (Residential Low)	R-1A (Residential Single-family)	R-1A (Single-family Residential)
9	2407 Tommy Ave.	UR (Urban Reserve)	RL (Residential Low)	R-1A (Residential Single-family)	R-1A (Single-family Residential)

Case 12-51: Administrative request for a text amendment to the zoning code regarding Downtown residential density, design and locational Standards.

Case 12-43: Consideration of revocation of conditional use for outdoor shooting range located at 404 N. Moody Rd. based on City Attorney findings pertaining to local regulation of existing shooting ranges (Florida Statute 790.333).

7. **Other Business: None**

8. **ADJOURNMENT**

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

Case 12-31
Request to Amend Comprehensive Plan Text
Public Facilities Element
(Exceptions to Required Annexation for Water and Sewer Connection)
Applicant: Building and Zoning Dept.

STAFF REPORT

DATE: September 25, 2012

TO: Planning Board Members

FROM: Thad Crowe, AICP, Planning Director

APPLICATION REQUEST

To consider an administrative text amendment to Comprehensive Plan Public Facilities Element Policy D.1.2.1 to provide for exceptions, based on economic development, environmental, system revenue, urban sprawl, and system efficiency considerations, to the requirement that properties receiving City water or sewer that are contiguous to the city limits be annexed, and the requirement that properties receiving City sewer service be within the City limits. Public notice included legal advertisement.

APPLICATION BACKGROUND

This application was tabled twice by the Board during recent months at the request of Staff to allow for Staff to explore the issues surrounding this matter with the new City Manager. The applicant is being put back before the Board with the additional criteria shown above in underlined text.

The City of Palatka is the sole provider of central water and sewer service in the Palatka urban area. As interpreted from the following Comprehensive Plan policy, sewer service is only provided within the City limits, while water service is available for properties outside the City with the requirement that if and when such properties become contiguous to the city limits they must annex into the city.

> ***Public Facilities Element Policy D.1.2.1***
> *The City of Palatka shall establish a coordinating relationship with the Putnam County Board of County Commissioners to discuss future development plans adjacent to City borders and to discuss the City supporting development beyond their border with water/sewer service. Areas served by Palatka water and sewer will be annexed into the City; however, the distribution of potable water for areas outside of City limits is conditioned upon annexation only when those properties become contiguous.*

There has been an ongoing dialogue among elected officials and staff about water and sewer provision and annexation for a number of years. Some see water and sewer service provision as one of the few incentives that the City has to encourage property owners to annex into the City – such incentives are important to overcome the economic fact that annexation results in additional City taxes. Others make the argument that denying urban service provision hampers economic development within the urban area, which may ultimately dampen the City's ability to expand through annexation. Other problems go with both sides of the discussion,

from the need for expensive expansions to the utility system[1] that go with system growth to the problem of the status quo not addressing septic tank proliferation and continuation.

At the request of the former City Manager, staff has developed a middle ground approach for the Board's consideration that would provide the City with the alternative approach of allowing on a case-by-case basis: a) sewer service outside the City; and b) water service outside the City without required annexation when city limit contiguity occurs. Such exceptions would be allowed only when a meaningful and substantive outcome will result in the area of system efficiency, economic development, environmental improvement, or system revenue increase, and such exceptions do not promote urban sprawl. Such exceptions would be needed when a property owner either was not contiguous and thus could not annex and receive sewer service, or when a contiguous property owner did not want to annex into the City, for taxation or other reasons.

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.

The potential of urban sprawl must be examined in the context of this amendment. It is possible that providing water and sewer service in outlying areas could create urban sprawl and work against infill and downtown revitalization, when the following urban sprawl tests are examined.

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

The City is already required to discourage urban sprawl in all of its actions by Future Land Use Element Policy A.1.6. However a decision regarding urban services is not subject to state and agency scrutiny, which in the past has provided a base level of urban sprawl review. It is recommended including language with this policy that reinforces the need with each service provision decision to consider urban sprawl impacts.

[1] While the sewer system is currently just at 50% of capacity, the potential service area covers an area that is almost three times the City's population, and serving this larger area would require a new sewer plant.

On the issue of water and sewer provision in relation to annexation, there are no relevant Comprehensive Plan policies other than the policy proposed for amendment. The policies below guide the City to plan for future system growth and encourage infill and discourage urban sprawl.

Policy D.1.1.2 *9J-5.011 (2)(c)2*

All improvements for replacement, expansion, or increase in capacity of facilities shall be compatible with the adopted level of service standards for the facilities and that distribution of these facilities/services is consistent with the Future Land Use Map.

Policy D.1.2.2

Upon reaching ninety (90) percent of system capacity, the City Commission shall review the City's current debt service (for consideration of issuing bonds), federal/State grant potential and other sources of funding to determine future policies relating to system expansion.

Policy D.1.4.2 *93-5.011 (2)(c)*

Within twelve (12) months, ~~t~~the City shall adopt zoning incentives, including a density bonus, for development in-fill within areas already serviced by City water/sewer systems.

Objective A.1.6 *9J-5.006(3)(b)7*

Upon Plan adoption, the City shall discourage urban sprawl. Land Development Regulations shall be adopted that implement the following policies:

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.

STAFF RECOMMENDATION

Staff recommends the following revised policy:

Public Facilities Element Policy D.1.2.1

The City of Palatka shall establish a coordinating relationship with the Putnam County Board of County Commissioners to discuss future development plans adjacent to City borders and to discuss the City supporting development beyond their border with water/sewer service. Areas served by Palatka water and sewer will be annexed into the City; however, the distribution of potable water for areas outside of City limits is conditioned upon annexation only when those properties become contiguous. Annexation of property receiving water or sewer service shall not be required if provision of service to a property, in substantive terms, improves the efficiency of the collection system, supports the system through additional service and user fees, achieves environmental protection, ~~or~~ and promotes economic development; and does not promote urban sprawl.

ATTACHMENT – LETTER OF SUPPORT FROM CHAMBER OF COMMERCE

Putnam County
CHAMBER OF COMMERCE

September 24, 2012

The Honorable Vernon Myers
Mayor of Palatka
201 North 2nd Street
Palatka, Florida 32177

Dear Mayor Myers:

Please accept this letter of support from the Putnam County Chamber of Commerce for a proposed administrative text amendment to the Comprehensive Plan, Public Facilities Element Policy D.1.2.1. which would provide exceptions, based on economic development and system efficiency considerations, to the requirement that properties receiving City water or sewer that are contiguous to the city limits be annexed, and the requirement that properties receiving City sewer service be within the City limits.

An objective of the Chamber for many years has been to promote forward-thinking planning and strategic positioning of the County and City governments, with respect to the economical and efficient provision of potable water distribution and wastewater collection, transmission, and treatment facilities, necessary to insure that Putnam County, and its municipalities, are desirable locations for the establishment of new, or the expansion of existing, industrial/manufacturing businesses; as well as to support the expansion of other commercial and residential development in an orderly and cost-effective fashion.

Providing water and waste water services without requiring annexation is a great step in the right direction. Perhaps in the near future a Master Plan could be developed and used as a prospecting tool to attract new businesses. We have an opportunity to prepare for and take steps necessary to attract the type of economic development we want, or to sit back and let things happen to us and around us.

As we come out of this recession, Putnam County can put itself in a position to attract investment if utility expansion to potential development areas is planned and ready to be implemented with costs and schedules prepared. Confidence that a definable and predictable long-term plan is in place removes uncertainty from those considering investment and makes us an attractive location.

Preparedness allows us the greatest control of the type and character of future development and affords the greatest opportunity for attracting those industries that provide the greatest sustainable economic benefit to current and future residents.

We commend you for consideration of these changes that would facilitate expansion of services without annexation and the positive impact this can have for economic development of our community.

Sincerely,

Dana C. Jones
President

FACP
Florida Association of Chamber Professionals
CERTIFIED CHAMBER OF COMMERCE

1100 Reid Street, Palatka FL 32177
(386) 328-1503
chamber@pcccfl.org
putnamcountychamber.com

ACCREDITED
☆ ☆ ☆ ☆

Case 12-38
Request to Amend Comprehensive Plan Text
Provide or Revise Height Limits for Certain Zoning Categories
Applicant: Building and Zoning Dept.

STAFF REPORT

DATE: September 25, 2012

TO: Planning Board Members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

To consider an administrative text amendment to the Zoning Code, specifically to Chapter 94 Zoning, Article III Districts, regarding zoning district building heights. Public notice included legal advertisement.

APPLICATION BACKGROUND

At the June 5, 2012 meeting the Board recommended approval of removing height limits in future land use map (FLUM) categories. The purpose of this was to eliminate conflict between FLUM and zoning height limits and to provide a single set of zoning height limits. The following table shows height limits for structures as set forth for FLUM categories as well as for zoning categories. After discussions with objecting state agencies, Staff is proposing in a companion amendment (also on this month's agenda) to amend the comprehensive plan to replace FLUM height limits with Floor Area Ratios. The following table shows current FLUM and zoning code height limits.

Table 1: Comprehensive Plan and Zoning Code Structure Height Limits

FLUM category	FLUM Height Limit	Zoning Category	Zoning Ht. Limit
Residential	None	R1AA, R-1A, R-1, R-2	35 feet
		R-3	None
		R-4	None
		HD (historic)	*
Commercial	40 feet	C-1A	35 feet
		C-1,	None
		C-2, C-3	None
		DB & DR (downtown)	60 feet
Industrial	45 feet	M-1	50 feet
		PID (industrial)	45 feet
Recreation	None	ROS	None
Public Buildings & Grounds	40 feet	PBG-1	None
Other Public Facilities	None	PBG--2	None
		AP-1 & AP-2 (airport)	Det. By FAA
Conservation	None	CON	20 feet
Agriculture	None	OR	35 feet
All FLUMs		PUD	*

** Historic district and PUD height limits are controlled by design and compatibility criteria [Municipal Code Sec. 54-79 & Sec. 94-236(e)]*

The table below shows height limits for other comparable jurisdictions. Palatka height limits are generally lower than other towns, with the notable exception of multi-family height, which is governed only by minimum open space and building setbacks (to be discussed later in this report).

Table 2: Zoning Height Limits for Comparable Jurisdictions

Town	Single-Fam. Height Max.	Multi-Fam. Height Max.	Commercial Height Max.	Industrial Height Max.	Intensive Comm./ Ind. Height Max	Downtown Height Max.
Arcadia	35'	50'	60'	100'	60'/100'	60'
Brooksville	35'	48'	48'	48'	48'	48'
DeLand	35'	65'	55'	65'	80'	80'
Dunedin	35'	50'	50'	50'	60'	52'
Dunellon	40'	50'	50'	50'	60'	50'
Eustis	35'	45'	35'	35'	35'	74'
Lake Wales	35'	45'	45'	45'	45'	45'
Leesburg	35'	45'	40'	40'	72'	100'
Mt. Dora	35'	35'	35'	150*	35'	35'
Ocala	35'	50'	35'	35'	50'/150'	150'
Oviedo	35'	35'	35'	35'	35'	65'
Palatka	35'	None **	35'	45'	50'	60'
Sebring	35'	45'	50'	50'	50'	50'
Average	**35'**	**47'**	**44'**	**58'**	**58'**	**67'**

** Employment Center future land use map category (Industrial Park)*
*** Height limit determined by setbacks – twice the front/rear setback and three times the side setback*

Higher height limits provide the potential to maximize use of property. While usually the restrictions of the Americans with Disabilities Act (ADA) discourage upper floor development, there are opportunities for multi-story office, commercial, or multi-family development. Taller buildings can provide more open/green space, when required. Generally a 35-foot height limit equates to two stories, a 48-foot height limit allows three stories, and a 60-foot height limit allows four stories (height is measured from the curb level to the mean point of the roof between eaves and high point. Building height is subject to variance requests, but the variance criteria would typically not justify taller buildings as they are based on peculiar physical characteristics of property.

Staff believes that an appropriate community standard for height for the City would be a cap of 60-feet, allowable in the downtown and Public Buildings and Grounds zoning districts. This recognizes the role of downtown as the historic center of intensity within the City, and also recognizes the potential for taller public and College buildings.

Table 3 summarizes the following recommended zoning district height limits (shown in shaded text).

Table 3: Comprehensive Plan and Zoning Code Structure Height Limits

FLUM category	Zoning Category	Zoning Ht. Limit	Proposed Zoning Ht. Limit **
Residential	R1AA, R-1A, R-1, R-2	35 feet	35 feet
	R-3	None	60 feet
	R-4	None	35 feet
	HD (historic)	*	* AND 45 feet
Commercial	C-1A	35 feet	35 feet
	C-1,	None	35 feet
	C-2, C-3	None	48 feet
	DB & DR (downtown)	60 feet	60 feet
Industrial	M-1	50 feet	48 feet
	PID (industrial)	45 feet	48 feet
Recreation	ROS	None	35 feet
Public Buildings & Grounds	PBG-1	None	60 feet
Other Public Facilities	PBG--2	None	35 feet
	AP-1 & AP-2 (airport)	Det. By FAA	Det. By FAA
Conservation	CON	20 feet	20 feet
Agriculture	OR	35 feet	35 feet
PUD		*	* AND 60 feet

** Historic district and PUD height limits are controlled by design and compatibility criteria [Municipal Code Sec. 54-79 & sec. 94-157)*

*** Height of limited architectural features not used for human habitation such as church spires or height of performing arts venues utilizing interior "fly space" may exceed maximum heights by not more than 50%*

"Sliding Scale" Height Limits

Palatka's current multi-family height standards linked to lot coverage are shown below [Sec. 94-145(3)(f)f.] The standard below requires more open space as buildings get taller.

d. Maximum lot coverage for structures:

1. *Up to 35 feet in height: 35 percent.*
2. *Thirty-six to 50 feet in height: 30 percent.*
3. *Fifty-one to 75 feet in height: 25 percent.*
4. *Seventy-six to 100 feet in height: 20 percent.*
5. *Over 100 feet in height: 15 percent.*

This standard limits building footprints more as they grow taller, since taller buildings can provide more square footage with smaller building footprints. This limitation does not translate to more green space, as open space includes paved areas, stormwater ponds, etc. To "soften" the visual impacts of taller buildings Staff recommends the alternative approach of minimum pervious areas (landscape area) for taller buildings. The base standard of 35% lot coverage by building footprint at a 35-foot height roughly equates to 25% pervious surface coverage when parking is taken into account. Requiring an additional percentage point for each foot in height over the 35-foot height limit would require 38% minimum pervious surface for a 48-foot tall building and 50% minimum pervious surface for a 60-foot tall building.

In addition, current standards prescribe that larger the lot is, the taller a multi-family structure can be – multi-family height is limited by the following yard/setback standards found in Sec. 94-145(3)(f)f. as noted below.

f. Minimum yards
1. *Front: 25 feet or one-half the height of the structure, whichever is greater.*
2. *Side: Ten feet plus one foot for each three feet of structure height over 35 feet.*
3. *Rear: 15 feet or one-half the height of the structure, whichever is greater.*

These provisions require that as multi-family building height increases, the setbacks from property lines increase. A four-story/60-foot tall building would increase the setbacks for a 35-foot tall building from a 25-foot to a 30-foot front and rear yard setback and a 10-foot to an 18.3-foot side setback. A property that provided 50-foot front and rear setbacks and 33-foot side setbacks could have up to a 100-foot tall structure. The intent of this standard is to lessen the visual impact of tall buildings by backing them away from streets and adjoining property lines. These yard/setback adjustments produce small results – an extra five foot front and rear setback for a 60 foot (four/five-story building) and an extra 25 feet for a 100-foot (eight/nine-story building). Staff believes that the setback standards should be foot-for-foot (height-to-setback) for height that exceeds the base 35-foot height limit, to provide for more meaningful buffering for taller apartment buildings. (Staff would not recommend applying this standard to the front setback to encourage more "pedestrian emphasis" by allowing buildings closer to the street which would also pull the architecture to the street and push the parking to the sides and rear.) Revised rear and side setback standards for taller buildings would for a 48-foot tall building require a 28-foot rear setback (13 feet beyond the 15-foot required setback) and a 23-foot side setback (13 feet beyond the10-foot required setback), and for a 60-foot tall building would require a 40-foot rear setback and 35-foot side setback for a 60-foot tall building.

Staff further believes that the revised multi-family height-related development standards should apply to not just multi-family uses but also to other nonresidential buildings that exceed 35 feet when such buildings are located adjacent to any residential zoning district, except for development in the downtown district (the historic downtown development pattern results in buildings covering much of their lots with little ability to increase setbacks).

d. ~~Maximum~~ Minimum ~~lot coverage~~ pervious surface coverage for ~~structures~~development:
1. *Up to 35 feet in structure height: ~~35~~ 25 percent minimum pervious surface.*
2. *~~Thirty-six to 50 feet in height: 25 percent~~ Over 35 feet in structure height: one percent additional pervious surface for each additional foot of structure height.*
3. *~~Fifty-one to 75 feet in height: 25 percent.~~*
4. *~~Seventy-six to 100 feet in height: 20 percent.~~*
5. *~~Over 100 feet in height: 15 percent.~~*

f. Minimum yards
1. *Front: (no change).*
2. *Side: (Required setback) plus one foot for each ~~three feet~~ foot of structure height over 35 feet.*
3. *Rear: (Required setback) or one~~-half~~ foot for each foot of ~~the~~ height of the structure~~, whichever is greater~~.*

PROJECT ANALYSIS

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

The planning board shall consider and study:

a. The need and justification for the change.

Staff comments: the following justifications are applicable.

- The amendment would provide height limits for all zoning districts in a rational and consistent manner
- The amendment would allow for a higher (60-foot) height limit for more intensive zoning districts like the downtown and Public Buildings and Facilities districts.
- The amendment would provide further protection for single-family and two-family residential neighborhoods from taller nonresidential and multi-family buildings by requiring that such buildings provide more green space and be pushed back from rear and side property lines.

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

The following Comprehensive Plan policies (shown in *italics*) are applicable to this amendment.

Policy A.1.3.2 *9J-5.006(3)(c)2, 7*

By June 2008, the Building Official shall review the City's Zoning Code and Subdivision Regulation to ensure that current buffering and separation standards between land uses of different densities or intensities of use remain sufficient to ensure compatibility between uses, or mitigate the effects of more dense / intense uses on less dense / intense uses.

STAFF RECOMMENDATION

Staff recommends the following revised height limits as shown in shaded text for zoning categories, and also recommends the zoning code text changes following the table, applicable for nonresidential development adjacent to single and two-family residential zoning districts.

FLUM category	Zoning Category	Proposed Zoning Ht. Limit **
Residential	R1AA, R-1A, R-1, R-2	35 feet
	R-3	60 feet
	R-4	35 feet
	HD (historic)	* AND 45 feet
Commercial	C-1A	35 feet
	C-1,	35 feet
	C-2, C-3	48 feet
	DB & DR (downtown)	60 feet
Industrial	M-1	48 feet
	PID (industrial)	48 feet
Recreation	ROS	35 feet
Public Buildings & Grounds	PBG-1	60 feet
Other Public Facilities	PBG--2	35 feet
	AP-1 & AP-2 (airport)	Det. By FAA
Conservation	CON	20 feet
Agriculture	OR	35 feet
PUD		* AND 60 feet

d. ~~Maximum~~ Minimum ~~lot coverage~~ pervious surface coverage for ~~structures~~development:

1. *Up to 35 feet in structure height: ~~35~~ 55 percent impervious surface.*
2. *~~Thirty-six to 50 feet in height: 25 percent~~ Over 35 feet in structure height: one percent less in additional impervious surface for each additional foot of structure height.*
3. *~~Fifty-one to 75 feet in height: 25 percent.~~*
4. *~~Seventy-six to 100 feet in height: 20 percent.~~*
5. *~~Over 100 feet in height: 15 percent.~~*

f. Minimum yards

1. *Front: (no change).*
2. *Side: (Required setback) plus ~~one~~ two ~~foot~~ feet for each three feet of structure height over 35 feet.*
3. *Rear: (Required setback) or one ~~half~~ foot for each foot of ~~the~~ height of the structure, whichever is greater.*

Case 12-42: 301 River St. & 101 N. 1st St (Riverfront Park) Request to Amend Comprehensive Plan Map from RL to REC, Rezone from DB to ROS, and Revise Conditional Uses for ROS Category

Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: September 25, 2012

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

To annex, amend Comprehensive Plan Future Land Use Map (FLUM) from RL (Residential, Low Density) and COM (Commercial) to REC (Recreation). Public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet). City departments had no objections to the proposed actions.

Figure 1: Site and Vicinity Map

APPLICATION BACKGROUND

The existing Riverfront Park provides an area of green space that runs approximately 1,800 feet along the river, from the US 17 bridge south. For unknown reasons the park south of Lemon St. (St. Johns Ave.) was put into the Residential Low Density future land use map category (south of St. Johns Ave.) and in the Commercial category (north of St. Johns Avenue). This is a "housekeeping" measure intended to put the park into the appropriate FLUM category, and staff will follow up at a future meeting with a similar amendment to change the northern part of the park between the US 17 bridge and Lemon St from Commercial to REC as well. Staff had previously presented this as an amendment to the PB (Public Buildings and Facilities) FLUM and has decided to instead utilize the REC FLUM category due to Planning Board concerns about potentially inappropriate development in the PB FLUM category. Staff has also added rezoning the property to the ROS (Recreation and Open Space) zoning district and providing some clarifying text revisions in this category to reflect uses that are anticipated in the Riverfront Master Plan area.

Table 1: Use Classifications

Property	FLUM	Zoning	Existing Use
Site	COM (Commercial) RL (Residential, Low Density)	DR (Downtown Riverfront)	Riverfront Park
Property to North	COM (Commercial)	DR (Downtown Riverfront)	US 17 & motel
Property to South	RL (Residential, Low Density)	R-1A (Residential, Single-Family)	Single-Family Dwelling Dock
Property to West	COM (Commercial) RH (Residential High Density)	DR (Downtown Riverfront)	Undeveloped Office
Property to East	County	County	St. Johns River

Figure 2 (above) Park from Lemon/Memorial

Figure 3 (below(: Park from River St

PROJECT ANALYSIS

Future Land Use Analysis

Criteria for consideration of comprehensive plan amendments under F.S. 163-3187 are 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 does not conflict with goals, objectives and policies of the Comprehensive Plan. The following FLUM category would be appropriate for this park.

Policy A.1.9.3

3. Recreation (158 acres)

Land designated for recreation is intended for a variety of leisure time activities. Included in this land use classification are both resource-based and activity-based sites and facilities. Resource-based sites and facilities are oriented toward natural resources; activity-based sites and facilities are those that require major development for the enjoyment of a particular activity. Activity-based sites and facilities include ball fields, golf courses, tennis courts, etc.; resource-based facilities include lakes, trails, picnic areas, etc.

New recreational facilities must be sited in locations which are compatible or can be made compatible with adjacent land uses.

Impervious surface land coverage of recreation land use shall not exceed 50 percent for active recreational development; 10 percent for passive recreational development.

Staff Comment: Staff believes that the REC category is appropriate for this property as it allows for a wide range of recreational activities. To ensure that the REC category is consistent with the uses anticipated in the Riverfront Master Plan, Staff believes it would be appropriate to add language to the policy above that would allow within the Recreation FLUM category public museums, education centers, and limited privately-run concessions limited to restaurants and recreation-related activities.

The ROS zoning category is shown below.

Sec. 94-152. - ROS recreation/open space district.

(a) Intent. The ROS district includes lands used for activities that are associated with recreation, whether in public and/or private ownership. Open space managed by the state, county or city is also included in this district.

(b) Permitted principal uses and structures. Permitted principal uses and structures in the ROS district are as follows:

(1) Private camps, camping grounds, and recreational exhibits and areas.
(2) Public or private playgrounds and playfields.
(3) Country clubs, including golf courses and playing courts.
(4) Marinas.
(5) Fairgrounds.
(6) Open space, including natural vegetation and landscaping, water bodies, etc.

(c) Permitted accessory uses and structures. Permitted accessory uses and structures in the ROS district are as follows:
(1) Storage buildings for recreational equipment.
(2) Meeting facilities.
(d) Conditional uses. (Conditional uses are permissible after public notice and hearing.) Conditional uses in the ROS district are as follows: Essential services, subject to buffering.
(e) Development specifications. Development specifications for the ROS district are as follows:
(1) Impervious surface land coverage in this district shall not exceed 50 percent for active recreational development, and ten percent for passive recreational development.
(2) All construction shall be on continuous perimeter poured concrete footers measuring a minimum of 24 inches wide by eight inches deep. All construction also shall include a continuous masonry enclosure wall from the ground to the bottom exterior of the floor system.
(f) Permitted signs. Directional signs, ground signs, and wall signs.

Staff Comment: Staff believes that the Riverfront Park as it is currently functions and as anticipated in the Riverfront Master Plan generally comports with this zoning district with a similar recommendation that a public museum, education center, and limited privately-run concessions limited to a restaurant and recreation-related activities be added as permitted uses.

Provide analysis of the availability of facilities and services.
Staff Comment: the property is in close proximity to a range of urban services and infrastructure.

Provide analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
Staff Comment: not applicable as the site is developed with a park.

Provide analysis of the minimum amount of land needed as determined by the local government.
Staff Comment: not applicable, as this is to be determined at the next revision of the overall Comprehensive Plan.

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

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

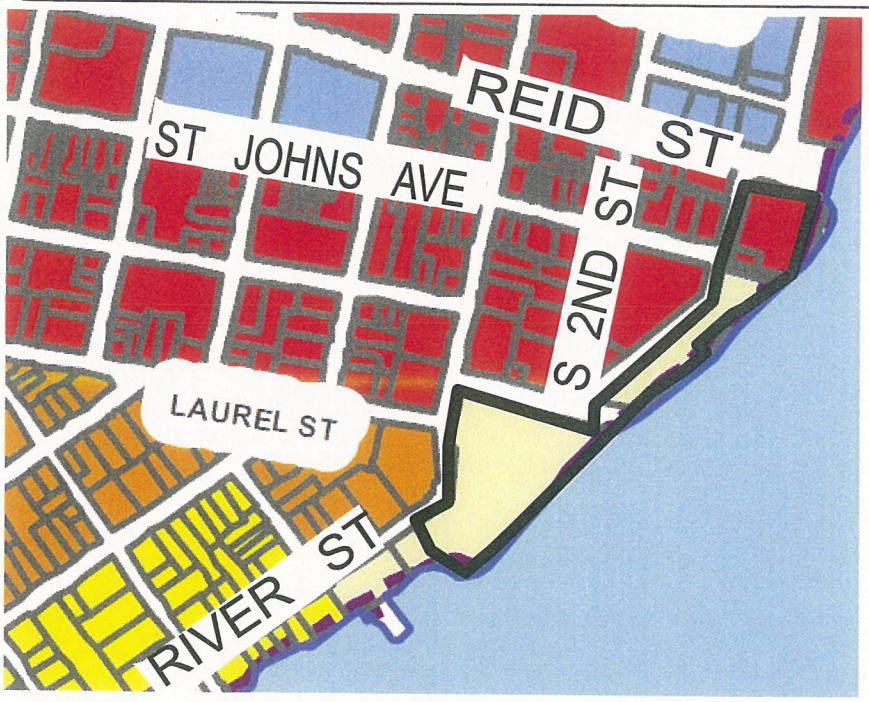
Staff Comment: the park use does not represent urban sprawl.

STAFF RECOMMENDATION

As demonstrated in this report, this application meets applicable future land use map amendment criteria. Staff recommends approval of amending the future land use map category to REC, rezoning the property to ROS, and adding the following conditional uses to the REC zoning category: restaurants and recreation-oriented private concessions.

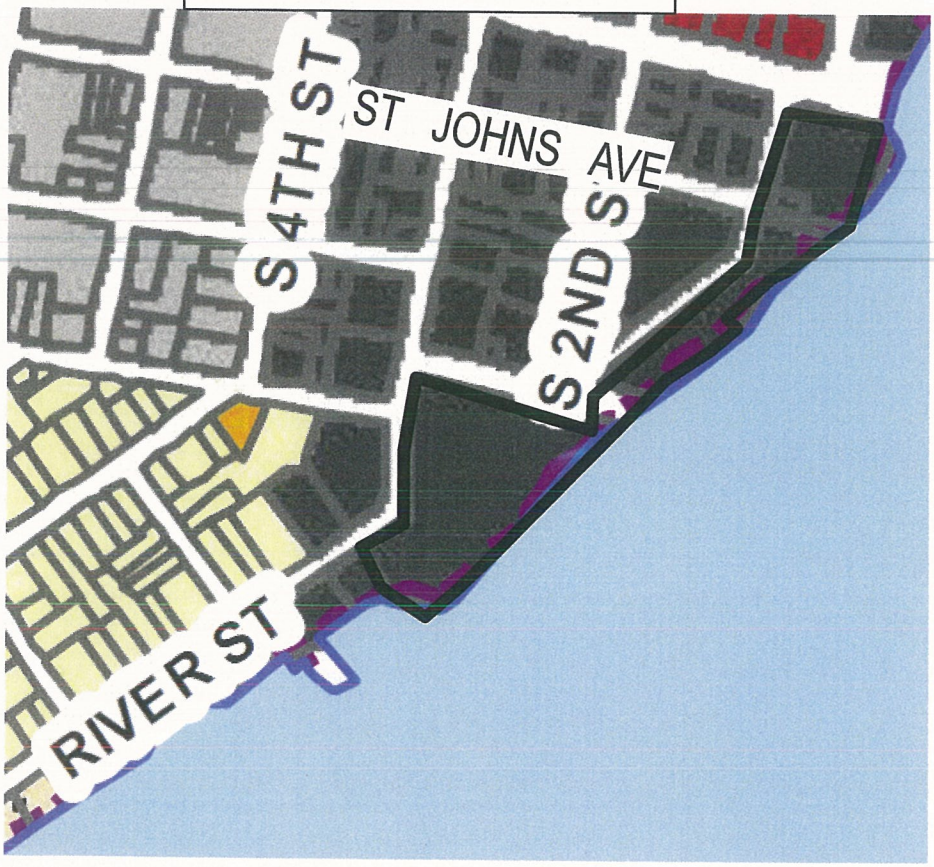
ATTACHMENTS: FLUM & ZONING MAPS

FUTURE LAND USE MAP



RL
RM
RH
PB
COM

ZONING MAP



C-2
DB
DR
R-3
R-1

Case 12-50: Multiple Locations
Request to Annex, Amend Future Land Use Map and Rezone
Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: September 25, 2012

TO: Planning Board members

FROM: Thad Crowe, AICP, Planning Director

APPLICATION REQUEST

To annex, amend FLUM, and rezone the following properties as noted below. Public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet). City departments had no objections to the proposed actions.

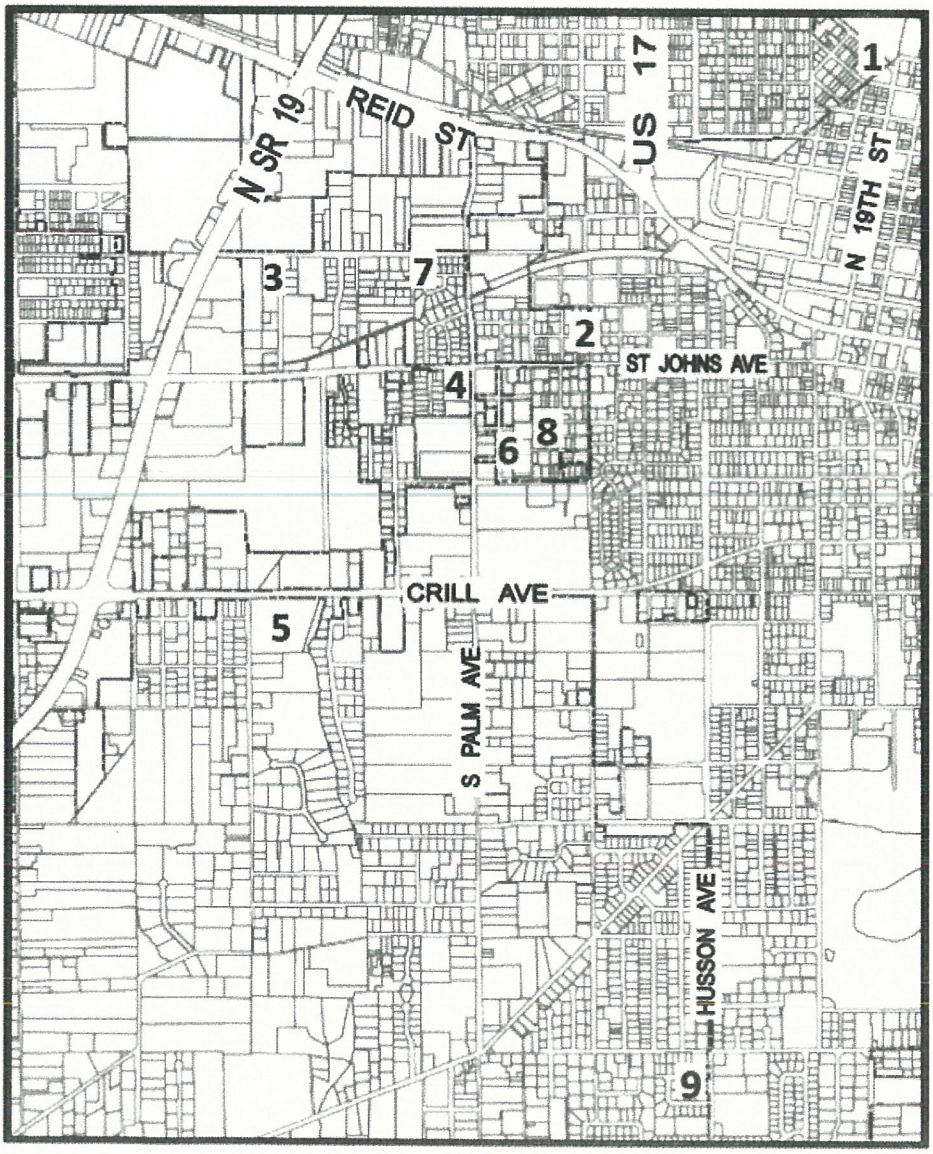


Figure 1: Site and Vicinity Map

APPLICATION BACKGROUND

The properties under consideration currently have County single-family land use and zoning. Staff has field-checked each property to determine use and and reviewed the current County FLUM and zoning classifications to determine the appropriate City designation. All properties are single-family residences except for the Crill Avenue property (church), the Mission Dr. property (duplex), and the Poinsetta Ave. property (small mobile home park).

The properties and their current and proposed FLUM and zoning classifications are shown below.

	Location	Future Land Use Map Category		Zoning	
		Current Putnam Co.	Proposed City	Current Putnam Co.	Proposed City
1	1107 Old Jacksonville Rd	US (Urban Service)	RL (Residential Low)	R-2 (Residential, Mixed use)	R-1A (Single-family Residential)
2	2806 Lane St.	US (Urban Service)	RL (Residential Low)	R-1A (Residential Single-family)	R-1A (Single-family Residential)
3	410 Mission Rd.	US (Urban Service)	RM (Residential Medium)	R-1A (Residential Single-family)	R-2 (Two-family Residential)
4	3205 St. Johns Ave.	US (Urban Service)	RL (Residential Low)	R-1A (Residential Single-family)	R-1A (Single-family Residential)
5	3435 Crill Ave.	UR (Urban Reserve)	RL (Residential Low)	R-1A (Residential Single Family) AG (Agriculture)	R-1A (Single-family Residential)
6	311 Poinsetta Ave.	US (Urban Service)	RH (Residential High)	RMH (Residential, Mobile Home)	R-4 (Mobile Home/Conventional home Residential)
7	3321 Weaver Rd.	US (Urban Service)	RL (Residential Low)	R-1A (Residential Single-family)	R-1A (Single-family Residential)
8	209 Bates Ave.	US (Urban Service)	RL (Residential Low)	R-1A (Residential Single-family)	R-1A (Single-family Residential)
9	2407 Tommy Ave.	UR (Urban Reserve)	RL (Residential Low)	R-1A (Residential Single-family)	R-1A (Single-family Residential)

All of these properties are subject to pre-annexation agreements that require annexation when properties become contiguous with the City. The exception is the Tommy Ave. property which does not have a pre-annexation agreement but is now required to hook up to City water. Staff is presenting these applications as administrative actions, as opposed to an action by each property owner, due to the rationale presented below.

1. Hardship. Most property owners annexing into the City do so because they are compelled to due to the failure of septic tanks or wells and the Health Dept. requirement that they hook up to city utilities when such lines are within 250 feet of the property. The cost of hooking up to City utilities approaches up to $6,000 depending on whether both water and sewer are required. The additional $1,130 for the FLUM amendment and rezoning is an additional burden. Staff has reduced the costs of this legal advertisement by combining these properties into one ad. The taxes collected from such properties will defray the administrative expense fairly quickly.

2. Comprehensive Plan Support. Public Facilities Element Policy D.1.2.1 directs the City to proactively annex properties served by water and sewer into the City. Language in the adopted Evaluation and Appraisal Report of the Comprehensive Plan compels the City to again proactively work to diminish and eventually eliminate enclaves. City staff believes this directive is sufficient to submit these actions as administrative applications.

3. Economic Development. By encouraging voluntary annexation and requiring annexation of agreement properties, the City is working to increase utility and other service provision efficiency, enhance system revenues, and encourage growth.

PROJECT ANALYSIS

Annexation Analysis

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

Contiguity. F.S. 171.031 provides a definition for contiguous and requires that boundaries of properties proposed for annexation must be coterminous with a part of the municipality's boundary. All properties are contiguous to the City limits, either directly contiguous to a parcel within the City (# 3, 9) or across the street from properties within the City (# 1, 2, 4, 5, 6, 7, 8). F.S. 171.031(11) clarifies that *"the separation of the territory sought to be annexed from the annexing municipality by a...right-of-way...shall not prevent annexation under this act, provided the presence of such a division does not, as a practical matter, prevent the territory sought to be annexed and the annexing municipality from becoming a unified whole with respect to municipal services or prevent their inhabitants from fully associating and trading with each other, socially and economically."* The properties that are contiguous by virtue of being across a street from the City provide every potential for full integration with the City.

Compactness. The statute also provides a definition for compactness that requires an annexation to be for properties in a single area, and also precludes any action which would create or increase enclaves, pockets, or finger areas in serpentine patterns. Annexing the properties meets the standard of compactness as it is does not create an enclave, pocket, or finger area but in fact reduces the enclaves that occur east of SR 19.

Future Land Use Analysis

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

List Goals, Objectives, and Policies of the Comprehensive Plan that support the proposed amendment.
The proposed amendments are in keeping with the following objective and policies of the Comprehensive Plan, and do not conflict with other plan elements.

Policy A.1.9.3

A. Land Use Districts

1. Residential

Residential land use is intended to be used primarily for housing and shall be protected from intrusion by la uses that are incompatible with residential density. Residential land use provides for a variety of land u densities and housing types.
Low Density (1730acres) - provides for a range of densities up to 5 units per acre.
Medium Density (231 acres) - provides for a range of densities up to 10 units per acre.

Staff Comment: the properties are now either in the County's Urban Reserve FLUM category (1 to 4 units per acre) or the Urban Service category (1 to 9 unit per acre). The higher density provided by the Urban Service category is justified for the Poinsetta Ave. and Mission Rd. properties as they are respectively a small lot mobile home development with densities exceeding 20 units per acre and a duplex development with 8.5 units per acre. While the Poinsetta Ave. property would be an isolated Residential, High FLUM designation, this category's density of 18 units per acre generally accommodates existing density, and the property provides a transition between the more intensive adjacent Commercial designation along S. Palm Ave. and the less intensive RL of the incorporated residential properties in the vicinity. The FLUM density of up to 10 units per acre afforded by the RM FLUM category is in keeping with the existing density of this small duplex development, and this FLUM also serves as a transition between a Commercial FLUM north of Weaver Rd. and the adjacent single-family residential neighborhood. The other Urban Service properties are single-family uses that are better suited for the Residential Low FLUM category and are also adjacent to existing RL areas to provide for some continuity in land use designation.

Provide analysis of the availability of facilities and services.
Staff Comment: the properties are in close proximity to urban services and infrastructure including city water and sewer lines.

Provide analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
Staff Comment: The properties are in residential neighborhoods which are suitable for the proposed residential FLUM designations. Staff is not aware of any soil or topography conditions that would present problems for development, nor of any natural or historic resources on this developed site.

Provide analysis of the minimum amount of land needed as determined by the local government.
Staff Comment: not applicable, as this is to be determined at the next revision of the overall Comprehensive Plan.

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

- *Low-intensity, low-density, or single-use development or uses*
- *Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*
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- *Development that fails to provide a clear separation between rural and urban uses.*

- *Development that discourages or inhibits infill development and redevelopment.*
- *Development that fails to encourage a functional mix of uses.*
- *Development that results in poor accessibility among linked or related land uses.*

Staff Comment: the location of these properties within the City's urbanized area ensures that urban services are available. These uses do not represent urban sprawl.

Rezoning Analysis

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

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

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

Staff Comment: as previously noted, the application is not in conflict with the Comprehensive Plan.

b. The existing land use pattern.

Staff Comment: The properties are located in established residential neighborhoods.

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

Staff Comment: With the exception of the Mission Rd. and Poinsetta Ave. properties the proposed FLUM designations for the other properties are not isolated districts. As stated, the more intensive of the respective R-2 (two-family residential) and R-4 (mobile home/conventional home residential) reflect the actual development density and also function as transitional zoning districts between single-family zoned property and commercially zoned properties.

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

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

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

Staff Comment: See response to c. above.

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

Staff Comment: Conditions have not changed.

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

Staff Comment: Properties proposed for amendment are generally compatible with the neighborhood.

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

Staff Comment: in terms of traffic concurrency, impacted roadways are not considered failing and have capacity for future development.

i. Whether the proposed change will create a drainage problem.
Staff Comment: all development and redevelopment must meet City and water management district stormwater retention requirements. No drainage problems are anticipated for these already-existing uses.

j. Whether the proposed change will seriously reduce light and air to adjacent areas.
Staff Comment: The already-developed properties do not have excessive height, density, or intensity to reduce light and air to existing adjacent areas.

k. Whether the proposed change will adversely affect property values in the adjacent area.
Staff Comment: see response to g. above.

l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.
Staff Comment: based on the previous responses, the changes will not negatively affect the development of adjacent properties.

m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.
Staff Comment: providing a FLUM and zoning designations to properties that are similar to the designation of surrounding properties and are similar to the existing County FLUM and 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.
Staff Comment: Not applicable as the City commercial land use and zoning will be similar as the current County classifications.

o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
Staff Comment: the properties are not out of scale with the neighborhood and City.

p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.
Staff Comment: not applicable.

q. The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district.
Staff Comment: not applicable.

STAFF RECOMMENDATION

As demonstrated in this report, this application meets applicable annexation, future land use amendment, and rezoning criteria. Staff recommends approval of the annexation, amendment of future land use map category, and rezoning for multiple properties identified in Table 1.

City of Palatka
Building & Zoning
201 N. 2nd Street
Palatka, Florida 32177
386-329-0103 • Fax 386-329-0172

DATE: September 25, 2012

TO: Planning Board Members

FROM: Thad Crowe, AICP
Planning Director

RE: Case # 12-51 – Mixed Use Criteria for Downtown Zoning Districts

Staff requests the tabling of this item to the November meeting to allow for additional time to research this effort.

City of Palatka
Building & Zoning
201 N. 2nd Street
Palatka, Florida 32177
386-329-0103 • Fax 386-329-0172

DATE: September 25, 2012

TO: Planning Board Members

FROM: Thad Crowe, AICP
Planning Director

RE: Case # 12-43 – Consideration of Revocation of Conditional Use for Outdoor Shooting Range Located at 404 N. Moody Rd

The City Attorney will report on this matter at the meeting.