

VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

PHIL LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



MICHAEL J. CZYMBOR
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
FINANCE DIRECTOR

GARY S. GETCHELL
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT.

DONALD E. HOLMES
CITY ATTORNEY

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

AGENDA

CITY OF PALATKA

February 28, 2013

CALL TO ORDER:

- a. Invocation – The Reverend Ted Stackpole, Senior Pastor; First Assembly of God
- b. Pledge of Allegiance
- c. Roll Call

APPROVAL OF MINUTES – 1/29/13 Workshop & 2/14/13 Regular Meetings

1. PUBLIC RECOGNITION/PRESENTATIONS:

- a. **PROCLAMATION:** Azalea Days - March 1 – 3, 2013 – Sam Deputy, Azalea Festival Chair
- b. **BUDGET SUMMARY REPORT** – Matt Reynolds, Finance Director
- c. **STUDENT OF THE MONTH** – February, 2013 – Mayor Myers & Commissioner Norwood

Jaycee Stackpole

Carly Maddox

Johnathan Givens

Alexcia Roberts

Madisyn Menefee

Ian Watt

Jaischa Childs

Alonzo Hall

Javon Williams

Sydney Baker

Kelly Jacobs

Erica Brown

Beasley Middle School

Browning Pearce Elementary School

Children's Reading Center Charter School

E.H. Miller School

James A. Long Elementary School

Jenkins Middle School

Kelley Smith Elementary School

Mellon Elementary School

Moseley Elementary School

Palatka High School

Peniel Baptist Academy

Putnam Academy of Arts & Sciences, Inc.

2. PUBLIC COMMENTS - (Speakers limited to three minutes – no action taken on items)

3. CONSENT AGENDA:

- *a. **Adopt Resolution No. 2013-9- 81** authorizing the City of Palatka to apply for a Lowes Community Grant to make planned improvements to the Old Palatka Waterworks Environmental Center and authorizing the City Manager to work with the Waterworks Committee on permits and implementation
- *b. **Adopt Resolution No. 2013–9-82** authorizing the execution of an Office of Greenways & Trails Recreational Trails Program 2012-B Mini-Cycle Grant Application for Trailhead Improvements at the Palatka Riverfront Park
- *c. **Adopt Resolution No. 2013 – 9 - 83** declaring Airport and Police Dept. surplus property for disposition
- *d. **Reappoint Emily Blevins and Dr. Gilbert Evans to the Palatka Housing Authority Board** for respective four years terms to expire 4/12/17 (sole applicants – incumbents)
- *e. **Accept Mary Kay Engleking's Resignation from the Palatka Tree Committee eff. 2/14/13 and appoint Keith Valentine to the Palatka Tree Committee** effective immediately, to serve at the pleasure of the Commission (no set term)
- *f. **Approve re-sale, service and consumption of alcoholic beverages at the Palatka Municipal Golf Course** on Sunday, March 10 and Sunday, March 17 from 7:00 a.m. to 1:00 p.m. for the Palatka Regular and Senior Azalea Golf Tournaments, per City Manager/City Attorney Recommendation

AGENDA - CITY OF PALATKA
February 14, 2013
Page 2

3. CONSENT AGENDA:

***g. Approve special request items for Special Events Permit #13-09 for the 60th Annual Mug Race – Palatka Yacht Club, applicant; May 3, 2013 from 4:30 pm to 9:00 pm:**

1. Allow sales/consumption of alcoholic beverages on public property/right-of-way – 2nd Street east to Riverfront and along Memorial Drive/River Street south to Boathouse Marina
2. Approve request to exceed allowable noise levels

***h. Approve special request items for Special Events Permit #13-17 – Palatka Main Street, Applicant**

1. Allow sales/consumption of alcoholic beverages on public property/right-of-way on 100 Block of Reid Street for “Outdoor Movie” event on April 20, 2013 from 6:00 pm to 10:00 pm;
2. Approve request to exceed allowable noise levels on April 20 for 100 Block Outdoor Movie Event from 6:00 pm to 10:00 pm and April 21 for Amphitheater Sunrise Service from 6:30 am – 8:00 am

*** 4. THIS ITEM PULLED FROM THE AGENDA**

***/** 5. RESOLUTION No. 2013-9-85 adopting the Open Invitation for Development Proposals for the approximately 2.5 acres of City-owned property within the Community Redevelopment Area and authorizing its advertisement and dissemination – Adopt**

PUBLIC HEARINGS:

*** 6. ORDINANCE – 100 Kelley Smith School Rd. and 119 & 121 Round Lake Road - Planning Board Recommendation to Annex, amend the Future Land Use Map & Element from Putnam Co. Urban Reserve to City of Palatka Residential, Low Density and Rezone from Putnam Co. R-3 (Residential – 6 units per acre) to City of Palatka R-2 (two-family residential) – Billy & Betty Russ, Owners/Applicants**

- *a. ANNEXATION ORDINANCE – 2nd Reading, Adopt**
- *b. FUTURE LAND USE AMENDMENT ORDINANCE - Adopt**
- *c. REZONING ORDINANCE – 2nd Reading, Adopt**

*** 7. ORDINANCE amending Chapter 94 of the Zoning Code of Ordinances to allow temporary outdoor sales in C-2 Zoning Districts – 2nd Reading, Adopt**

*** 8. ORDINANCE amending Palatka Municipal Code Sections 94-161 & 94-162 providing for additional accessory uses in Downtown zoning districts – 2nd Reading, Adopt**

9. CITY MANAGER & ADMINISTRATIVE REPORTS

10. COMMISSIONER COMMENTS

11. ADJOURN

***Attachment **Separate Cover**

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

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY CLERKS OFFICE AT 328-0100 AT LEAST 24 HOURS IN ADVANCE TO REQUEST ACCOMMODATIONS.

Upcoming Events:

March 1 – Azalea Festival Mayor’s Reception
March 2 & 3 – Florida Azalea Festival
March 18 & 19 – FLC Legislative Action Day, Tallahassee
April 20 – MOD March for Babies
May 24 thru 27 – Blue Crab Festival
May 27 – City Offices closed to observe Memorial Day Holiday

Board Openings:

Code Enforcement Board: 2 Vacancies (Arch. & Sub Contr.)

CITY OF PALATKA



Proclamation

WHEREAS, on March 22, 1936, the Palatka Floral Committee held a local flower and plant show at the Ravine Gardens, which they named "The Azalea Festival" at the suggestion of Miss Susie Walton, a member of the Committee. Also on March 22, 1936, thousands of Shriners from all over the Southeastern United States participated in the first annual "All Florida Shrine Day" also held at the Palatka Ravine Gardens. This event as such a huge success, it returned to the Ravine Gardens the following year, and was held in conjunction with the Junior Chamber of Commerce's "Jaycees Day" and Southeastern Conference, also held at the Ravine Gardens; and

WHEREAS, in 1938, the Jaycees changed the name of their event to The Azalea Festival, again held at the Gardens in conjunction with "All Florida Shrine Day." The event included a beauty pageant, and on February 20, 1938, Miss Geraldine Meyer of St. Petersburg was chosen from a field of 10 contestants and crowned as the first Azalea Queen; and

WHEREAS, throughout the years, Fifty-Eight women have been crowned Azalea Queen or Miss Azalea, as the title was come to be known. The pageant has seen two of its queens crowned as Miss Florida, and one, Miss Tara Dawn Holland, was also crowned as Miss America in 1997; and

WHEREAS, throughout the years, the Jaycees Azalea Festival, always held in early March in conjunction with Shrine Day and the Azalea Queen pageant, grew and changed, and was held annually except for 3 years during WWII, and 6 years during the 1950's, until the Palatka Jaycees was disbanded, after the 1996 Azalea Festival. Throughout the years, many events were added, such as a parade, ski shows, the Azalea Ball, a golf tournament, a baseball tournament, a bass tournament, fireworks, a juried art show and sale, and boat races and regatta; and

WHEREAS, In 1997, the Putnam County Scholarship Foundation took over sponsorship of the Festival, and kept the tradition of the festival through the 2003 festival season, and in 2005 the Palatka Main Street Board of Directors trademarked the name and organized the 59th Palatka Azalea Festival. The 2013 Palatka Azalea Festival, organized by Downtown Palatka Inc., marks the 67th Festival held, which makes it one of the oldest Festivals in Florida.

NOW, THEREFORE, I, Vernon Myers, together with the members of the Palatka City Commission, do hereby proclaim March 1 through March 3, 2013 as

67th ANNUAL FLORIDA AZALEA FESTIVAL DAYS

in the City of Palatka, and urge all citizens to take part in the planned events, fun and festivities of this, one of Florida's oldest and most time-honored festivals, and to thank its organizers, both past and present, for their hard work and contribution to our community's history and heritage.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the City of Palatka, Florida on this 28th day of February, in the Year of Our Lord Two Thousand Thirteen.

Commissioners:
Mary Lawson Brown
Allegra Kitchens
Phil Leary
James Norwood, Jr.

PALATKA CITY COMMISSION

By: Vernon Myers, MAYOR



Agenda
Item

1b



CITY of Palatka FLORIDA

AGENDA ITEM

SUBJECT: Budget Summary (October – January 2013)

DEPARTMENT: Finance

ATTACHMENTS: Ordinance Resolution Motion
 Support Documents Other

SUMMARY: Budget Summary Report for October through January 2013. See attached report.

RECOMMENDED ACTION: No action requested

DEPARTMENT HEAD

Submitted: Matt Reynolds Date: 02-15-13
Requested Agenda: Regular - Reports Date: 02-28-13

FINANCE DEPARTMENT Budgeted Yes No N/A *MR* Date: 02-15-13

CITY ATTORNEY Approved as to Form and Correctness Date: _____

CITY MANAGER Approved Agenda Item For: *CM* Date: 2/19/13

COMMISSION ACTION: Approved as Recommended Disapproved
 Approved With Modification Tabled To Time Certain
 Other

DISTRIBUTION: CA CC CM CD FI FD GC HR MD PD PR UD

Budget Report

October-January 2013

Overall:

This budget report covers the months of October through January which is the first third of the fiscal year (33.33%). We will be presenting a monthly budget report to the commission in the future in order to keep the City Commission informed as to the status of the revenues and expenditures of the City.

General Fund:

Revenues (page 1)

Revenue Sources above 33.33%:

Total Operating Revenues were at 44.40% which is primarily due to the timing of the receipts of property taxes. Property taxes are disbursed by the Putnam County Tax Collector beginning in November and continuing through June, however the vast majority of property taxes are received by the end of February. This causes a spike in the property taxes line early in the year which will level out as the year progresses.

Communication Service Taxes were 54.65% due to a correction by the Department of Revenue to our monthly disbursement in December. Franchise fees were at 57.16% due to the lump sum payment of one year's worth of franchise fees by Clay Electric. Transfers In were at 61.96% due to the receipt of \$400,000 of the \$500,000 from the Gas Authority that was requested for this fiscal year. The Gas Authority agreed to transfer \$100,000 a month for the first five months of the fiscal year, which means the Transfers In line will remain elevated and eventually level out as the year progresses.

Revenue Sources below 33.33%:

Local option taxes which are comprised of gas and fuel taxes and discretionary sales surtax were at 27.72%. This was primarily due to the Discretionary sales surtax revenue line which is the revenue stream that funds the Better Place program located within the General Fund. It was at 29.45% which is approximately 3.5% below budget. This revenue line will continue to be monitored and expenditures may need to be adjusted in order to account for the lower than expected revenue. If this revenue stream continues to remain roughly 3.5% below budget, the difference between the actual and budget at year end will be -\$24,880.

Licenses and Permits were at 20.63% which is approximately 13% below budget. If this trend continues, the difference between actual and budget at year end will be -\$24,105.

State and Federal grants were well below budget at 3.13%, however since the revenues are based upon expenditures for these grant projects this line being below budget does not adversely affect the operations of the General Fund.

State Shared revenues were slightly below budget at 31.77%. This was due to the Half-Cent Sales Tax revenue line being at 28.81% which is approximately 4.5% below budget. If this trend continues, the difference between actual and budget at year end will be -\$17,689.

Grants from Local Units were at 24.79% which is approximately 7.5% below budget. The only revenue line under this section is HIDTA, which is a type of Police Overtime reimbursement. If this trend continues, the difference between actual and budget at year end will be -\$491.

Shared Revenues for Local Units were at 3.78% which is approximately 30% below budget. This was due to \$25,000 being budgeted for an expected payment from Putnam County in regards to the Crestwood Nursing Home property on Palm Ave. For approximately 30 years, the County has paid the City \$5,000 as a form of Payment in Lieu of Taxes (PILOT) for Crestwood Nursing Home which is located in the old hospital building off Palm Ave. The City originally gave the piece of land that this building is located on to the County in the 1950's in order for the County to build a hospital. Once the new hospital was built on the west side of town and the old hospital off Palm Ave was closed, a nursing home company began renting the building from the County for which they pay a monthly rent, however since the County owns the land they do not pay property taxes on the land or the building. In the 1980's, the County agreed to pay the City \$5,000 a year. It has remained the same amount ever since, however during the budget season last year it was estimated that we would be able to get the County to pay an increased amount. This does not appear that it will come to fruition so this amount may need to be reduced back to \$5,000.

Charges for Services were at 24.28% which is approximately 9% below budget. This was primarily due to Cemetery Services and Cemetery Vault sales being well below budget at 11.97% and 18.11%, respectively. If this trend continues, the difference between actual and budget will be -\$25,675.

Fines and Forfeits were approximately 24.5% below budget. This was primarily due to Red Light Camera Fines being well below budget at 5.37%. This was due to the budget being based upon the red light program being active for the entire fiscal year. Since all 4 cameras did not get up and running until December, it is still difficult to determine how actual vs. budget will be at year end. This revenue stream will continue to be monitored and adjustments will be made if needed. Any adjustments to the revenue will not adversely affect the operations of the General Fund since all of the proceeds were budgeted for reserves and a one-time capital expense to purchase police vehicles in August 2013; however this capital expense can be removed in favor of another lease which will not impact this FY budget.

Miscellaneous Revenues were also below budget at 24.13%. This was primarily due to the sale of Cemetery lots being approximately 20% below budget. If this trend continues, the difference between actual and budget at year end will be -\$16,650.

If all of the trends mentioned above continue, the total impact to the revenues would be approximately -\$129,500.

We will continue to monitor all revenue sources and will be preparing budget amendments throughout the year to ensure that the budgeted amounts are as accurate as possible.

Expenditures (page 2): The only departments that were over the 33.33% mark were City Hall (City Manager's Office, City Clerk's Office and Finance Department), Fire Department, Parks and Recreation and Price Martin Center. City Hall exceeded budget due to building maintenance and operating supplies; there were several large non-recurring expenses incurred however as the year progresses the percent expended will decrease back to being within the proper range. All other departments within the General Fund were under the 33.33% mark.

Airport Fund:

Revenues (page 3): Total operating revenues were under the 33.33% mark. This was primarily due to hangar rentals being at 25.79% as well as 100 octane low lead aviation fuel sales at 29.72%. Total other revenues were also below the 33.33% mark due to the sale of surplus materials (millings, lime rock, timber and clean fill sand) just getting underway.

Grants were also well below budget at 2.07%, however since the revenues are based upon the expenditures for grant projects this line being below budget does not adversely affect the operations of the Airport.

As with the General Fund, we will continue to monitor all revenue sources and will be preparing budget amendments throughout the year to ensure that the budgeted amounts are as accurate as possible.

Expenditures (page 4): Personnel services exceeded the 25% mark due to changes in personnel which were not anticipated during the budget process. Operating supplies were below 25%.

Operating and other revenues exceeded personnel and operating expenditures through January by \$114,074.

TIF Fund:

Revenues (page 5): Revenues were well above the 33.33% due to the County's entire share of the annual property taxes being received in December. A portion of the City's share will be transferred every month throughout the fiscal year until the total amount of the City's share has been transferred.

Expenditures (page 6): The total expenses for the Downtown, North and South Historic Districts were all under the 33.33% mark. Transfers out were slightly above the 33.33% mark due to the reimbursement of the Mainstreet Manager's salary to the General Fund being completed in December. This percentage will fall back within the proper range as the year progresses.

Water Fund:

Revenues (page 7): Charges for service were very slightly below the 33.33% mark. Other Revenues were approximately 2% below budget due to the Communication Tower Lease line. This is due to payment structure of two of the companies that lease space on the tower. Both companies pay yearly which has not occurred yet. This revenue line will return to the proper percentage when payment is made.

Expenditures (page 8): Personnel expenses for the water plant, sewer plant, water and sewer distribution and water administration departments were all above 33.33%. This was primarily due to two quarterly payments for workers comp being made in the first quarter as well as a majority of the holiday pay being expended due to Thanksgiving and Christmas. These percentages should fall back within the proper range as the year progresses.

Operating expenses in the water and sewer distribution department were approximately 4% over budget due to both the equipment and vehicle maintenance expenditure lines being over 50%.

Charges for service and other revenues exceeded expenditures through January by \$77,091.

Golf Course Fund:

Revenues (page 9): Operating revenues for the golf course were below the 33.33% mark due to revenues from all revenue sources (rounds of golf, cart rentals, locker rentals, pro shop sales, snack bar sales, liquor sales and beer sales) not meeting projections. The one exception was memberships which was 61.34%. The revenue collected from memberships through January of this fiscal year has increased by approximately \$12,000 when compared to the revenues collected through January of last fiscal year. We are continuing to monitor the revenues at the Golf Course very closely and will be adjusting the budgeted amounts as needed throughout the year to ensure that we present the Commission with the most accurate information available.

Expenditures (page 10): Operating expenses for both the course maintenance and club house departments exceeded the 33.33% mark. Capital Expenses for the course maintenance department was at 82.30% due to a large one-time capital expense to repair the well on hole #3 which will be used to water the greens. As previously stated, we are closely monitoring the Golf Course Fund and will be making adjustments as needed.

Revenues exceeded expenditures through January by \$5,922 however once the debt service payment is made in March the expenditures will begin exceeding revenues.

Sanitation Fund:

Revenues (page 11): Charges for service were .05% over of the 33.33% mark.

Expenditures (page 12): Total expenditures for the sanitation fund were below the 33.33% mark. The operating expenses in the maintenance department exceeded 33.33% due to two quarterly payments for liability insurance being made in October and December. Personnel expenses for the sanitation department exceeded 33.33% due to the sale of vacation time by the sanitation supervisor. Debt service was at 100% due to the final payments on the garbage truck loan being made in October.

Revenues exceeded expenditures through January by \$47,899.

CDBG Fund:

Revenues (page 13): Other revenues were at approximately 100% due to the final payments being made on a mortgage in relation to a CDBG grant project from 1993.

Expenditures (page 14): There are no expenditures budgeted for this year.

City of Palatka

GENERAL FUND REVENUES
BUDGET SUMMARY
33.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 REV YTD	2013 BUDGET	YTD REVENUES	UNCOLLECTED	PERCENT COLLECTED
	TOTAL PROPERTY TAXES	3,201,120	2,156,143.37	3,189,697	2,436,982.88	752,714.12	76.40%
	TOTAL LOCAL OPTION TAXES	1,268,279	362,206.16	1,292,063	358,160.95	933,902.05	27.72%
	TOTAL UTILITY SERVICE TAXES	844,948	302,926.29	841,724	301,484.93	540,239.07	35.82%
	TOTAL COMMUNICATION SERV TAXES	193,731	65,274.00	108,716	59,414.00	49,302.00	54.65%
	TOTAL LICENSES/PERMITS	154,083	44,831.30	185,422	38,249.14	147,172.86	20.63%
	TOTAL FRANCHISE FEES	819,899	313,203.60	811,541	463,840.23	347,700.77	57.16%
	TOTAL STATE/FEDERAL GRANTS	666,309	70,988.83	1,134,849	35,550.85	1,099,298.15	3.13%
	TOTAL STATE SHARED REVENUES	756,034	260,992.72	826,388	262,565.37	563,822.63	31.77%
	TOTAL GRANTS FROM LOCAL UNITS	6,857	3,273.74	6,547	1,622.84	4,924.16	24.79%
	TOTAL SHARED REV LOCAL UNITS	11,500	2,464.07	28,500	1,076.92	27,423.08	3.78%
	TOTAL CHARGES FOR SERVICES	161,618	62,219.90	224,850	54,594.46	179,225.54	24.28%
	TOTAL FINES & FORFEITS	115,084	20,257.24	652,988	56,518.98	596,469.02	8.66%
	TOTAL MISCELLANEOUS REVENUES	260,645	68,769.12	235,088	56,715.16	177,912.84	24.13%
	TOTAL TRANSFERS IN	764,709	0.00	815,000	505,000.00	310,000.00	61.96%
	TOTAL REIMBURSEMENTS	380,000	88,750.00	379,787	133,430.98	246,356.02	35.13%
	TOTAL OPERATING REVENUES	9,604,816	3,822,300.34	10,733,160	4,765,207.69	5,976,462.31	44.40%
	TOTAL CASH BALANCE FORWARD	982,655	0.00	1,117,429	0.00	1,117,429.00	0.00%
	TOTAL REVENUES	10,587,471	3,822,300.34	11,850,589	4,765,207.69	7,093,891.31	40.21%

City of Palatka

GENERAL FUND EXPENDITURES
BUDGET SUMMARY
33.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 EXP YTD	2013 BUDGET	YTD EXPENDITURES	OUTSTANDING ENCUMBRANCES	AVAILABLE BUDGET	PERCENT EXPENDED
PERSONNEL & OPERATING EXPENSES								
	CITY HALL	821,476	301,830.06	794,738	280,103.85	4,243.07	510,391.08	35.24%
	INFORMATION TECHNOLOGY	3,303	0.00	142,928	38,191.38	6,839.38	97,897.24	26.72%
	LEGAL COUNSEL	57,205	15,775.55	57,742	15,906.53	0.00	41,835.47	27.55%
	OTHER GOVT SERVICES	152,949	5,988.56	63,563	6,600.31	729.12	45,425.57	10.38%
	BUILDING & ZONING	338,421	121,702.29	385,845	114,315.30	2,623.99	268,905.71	29.63%
	POLICE DEPARTMENT	3,298,736	1,093,654.41	3,664,819	981,507.85	12,836.30	2,670,474.85	26.78%
	CODE ENFORCEMENT	0	0.00	0	0.00	0.00	0.00	0.00%
	FIRE DEPARTMENT	1,800,475	582,674.45	1,748,774	592,200.09	5,997.96	1,150,575.95	33.86%
	STREETS	503,083	196,790.41	501,739	148,032.52	6,880.42	346,826.06	29.50%
	CEMETERY	152,600	45,560.00	139,747	47,476.94	2,743.98	89,526.08	33.97%
	CULTURAL SERVICES	6,550	7,649.94	11,468	2,857.43	553.00	8,057.57	24.92%
	BRONSON HOUSE	54,130	16,331.47	67,580	21,986.00	0.00	45,594.00	32.53%
	PARKS AND RECREATION	359,037	123,005.61	362,575	130,109.76	502.02	231,963.22	35.88%
	PRICE MARTIN CENTER	30,074	9,387.67	21,555	8,771.30	194.04	12,589.66	40.69%
	BETTER PLACE PLAN	1,699,187	454,110.22	2,055,212	148,981.75	316,222.08	1,590,008.17	7.25%

	OPERATING EXPENSES SUBTOTAL	9,277,226	2,974,460.64	10,018,285	2,537,041.01	360,365.36	7,110,070.63	25.32%

	TRANSFERS	0	0.00	380,160	125,996.72	0.00	254,163.28	33.14%

	TRANSFERS & OPERATING SUBTOTAL	9,277,226	2,974,460.64	10,398,445	2,663,037.73	360,365.36	7,364,233.91	25.61%

	CONTINGENCIES RESERVES	547,600	0.00	304,772	0.00	0.00	324,090.00	0.00%
		762,645	0.00	1,147,372	0.00	0.00	1,147,372.00	0.00%

	TOTAL EXPENDITURES	10,587,471	2,974,460.64	11,850,589	2,663,037.73	360,365.36	8,835,695.91	22.47%

City of Palatka

AIRPORT REVENUES
BUDGET SUMMARY
33.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 REV YTD	2013 BUDGET	YTD REVENUES	UNCOLLECTED	PERCENT COLLECTED
	TOTAL GRANTS	3,999,674	1,930,486.00	2,033,507	42,093.33	1,991,413.67	2.07%
	TOTAL OPERATING REVENUES	822,682	256,082.09	889,314	270,747.75	613,169.25	30.44%
	TOTAL OTHER REVENUES	130,870	127,190.82	263,000	62,756.94	200,243.06	23.86%
	TOTAL TRANSFERS	0	0.00	0	0.00	0.00	0.00%
	TOTAL CASH BALANCE FORWARD	61,955	0.00	-86,764	0.00	-86,764.00	0.00%
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	TOTAL REVENUES	5,015,181	2,313,758.91	3,099,057	375,598.02	2,718,061.98	12.12%

City of Palatka

AIRPORT EXPENDITURES
BUDGET SUMMARY
33.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 EXP YTD	2013 BUDGET	YTD EXPENDITURES	OUTSTANDING ENCUMBRANCES	AVAILABLE BUDGET	PERCENT EXPENDED
	TOTAL PERSONNEL EXPENSES	155,465	48,840.76	133,346	52,070.09	0.00	81,275.91	39.05%
	TOTAL OPERATING EXPENSES	669,770	180,112.81	661,814	167,361.35	195.00	486,860.65	25.29%
	TOTAL CAPITAL EXPENSES	4,087,484	2,859,907.18	2,162,659	490,964.07	729,951.42	941,743.51	22.70%
	TOTAL DEBT SERVICE	217,616	0.00	210,381	0.00	0.00	210,381.00	0.00%
	TOTAL TRANSFERS, CONTINGENCIES & RESERVES	-115,154	0.00	-69,143	0.00	0.00	-67,143.00	0.00%
	TOTAL EXPENDITURES	5,015,181	3,088,860.75	3,099,057	710,395.51	730,146.42	1,653,118.07	22.92%

City of Palatka

TIF REVENUES
BUDGET SUMMARY
33.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 REV YTD	2013 BUDGET	YTD REVENUES	UNCOLLECTED	PERCENT COLLECTED
	TOTAL PROPERTY TAXES	452,393	448,521.89	379,410	248,676.88	130,733.12	65.54%
	TOTAL OTHER REVENUES	0	0.00	0	0.00	0.00	0.00%
	TOTAL CASH BALANCE FORWARD	625,752	0.00	474,495	0.00	474,495.00	0.00%
	TOTAL REVENUES	1,078,145	448,521.89	853,905	248,676.88	605,228.12	29.12%

City of Palatka

TIF EXPENDITURES
BUDGET SUMMARY
33.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 EXP YTD	2013 BUDGET	YTD EXPENDITURES	OUTSTANDING ENCUMBRANCES	AVAILABLE BUDGET	PERCENT EXPENDED
	TOTAL EXPENSES- DOWNTOWN	795,624	94,100.48	187,015	51,675.70	6,321.00	129,018.30	27.63%
	TOTAL EXPENSES-SOUTH HISTORIC	199,603	10,275.00	144,583	8,023.00	0.00	136,560.00	5.55%
	TOTAL EXPENSES-NORTH HISTORIC	82,918	38,154.00	68,866	0.00	12,810.00	56,056.00	0.00%
	TOTAL TRANSFERS OUT	0	0.00	330,098	120,097.64	0.00	210,000.36	36.38%
	TOTAL CONTINGENCIES & RESERVES	0	0.00	123,343	0.00	0.00	123,343.00	0.00%
<hr/>								
	TOTAL EXPENDITURES	1,078,145	142,529.48	853,905	179,796.34	19,131.00	654,977.66	21.06%

City of Palatka

WATER FUND REVENUES
BUDGET SUMMARY
33.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 REV YTD	2013 BUDGET	YTD REVENUES	UNCOLLECTED	PERCENT COLLECTED
	TOTAL GRANTS	2,487,250	940,115.11	0	0.00	0.00	0.00%
	TOTAL CHARGES FOR SERVICES	3,879,810	1,264,144.99	4,026,971	1,336,199.70	2,690,771.30	33.18%
	TOTAL OTHER REVENUES	130,143	25,951.00	88,822	27,702.13	61,119.87	31.19%
	TOTAL TRANSFERS IN	252,680	0.00	100,000	0.00	100,000.00	0.00%
	TOTAL CASH BALANCE FORWARD	342,117	0.00	262,735	0.00	262,735.00	0.00%

	TOTAL REVENUES	7,092,040	2,230,211.10	4,478,528	1,363,901.83	3,114,626.17	30.45%

City of Palatka

WATER FUND EXPENDITURES
BUDGET SUMMARY
33.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 EXP YTD	2013 BUDGET	YTD EXPENDITURES	OUTSTANDING ENCUMBRANCES	AVAILABLE BUDGET	PERCENT EXPENDED
	TOTAL PERSONNEL EXPENSES-WATER	430,165	148,935.31	458,929	170,207.95	0.00	288,721.05	37.09%
	TOTAL OPERATING EXPENSES-WATER	523,094	165,252.83	613,742	156,816.20	17,812.32	439,113.48	25.55%
	TOTAL CAPITAL EXPENSES-WATER	19,250	19,250.00	69,000	14,841.00	9,548.58	44,610.42	21.51%
	TOTAL PERSONNEL EXPENSES-SEWER	543,569	185,589.06	525,324	177,733.13	0.00	348,390.87	33.83%
	TOTAL OPERATING EXPENSES-SEWER	394,950	114,307.35	370,920	112,742.45	11,627.50	245,750.05	30.40%
	TOTAL CAPITAL EXPENSES-SEWER	2,708,371	1,128,042.07	0	46,551.39	0.00	-46,551.39	0.00%
	TOTAL PERSONNEL EXPENSES-M&S	697,900	233,653.29	708,483	249,481.11	0.00	459,001.89	35.21%
	TOTAL OPERATING EXPENSES-M&S	80,792	33,528.81	110,840	41,496.21	6,447.19	62,896.60	37.44%
	TOTAL CAPITAL EXPENSES-M&S	122,478	41,874.22	85,500	21,751.41	20,626.98	43,121.61	25.44%
	TOTAL PERSONNEL EXPENSES-ADMIN	126,534	40,436.07	128,358	44,145.30	0.00	84,212.70	34.39%
	TOTAL OPERATING EXPENSES-ADMIN	99,831	27,310.62	103,531	21,901.51	19,817.72	61,811.77	21.15%
	TOTAL CAPITAL EXPENSES-ADMIN	0	0.00	0	0.00	0.00	0.00	0.00%
	TOTAL DEBT SERVICE	802,713	142,476.50	812,871	142,476.50	0.00	670,394.50	17.53%
	TOTAL TRANSFERS OUT	260,000	65,000.00	260,000	86,666.67	0.00	173,333.33	33.33%
	TOTAL CONTINGENCIES & RESERVES	282,393	0.00	231,030	0.00	0.00	231,030.00	0.00%
	TOTAL EXPENDITURES	7,092,040	2,345,656.13	4,478,528	1,286,810.83	85,880.29	3,105,836.88	28.73%

City of Palatka

GOLF COURSE REVENUES
BUDGET SUMMARY
33.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 REV YTD	2013 BUDGET	YTD REVENUES	UNCOLLECTED	PERCENT COLLECTED
	TOTAL OPERATING REVENUES	752,564	184,339.87	661,225	197,758.29	463,466.71	29.91%
	TOTAL OTHER REVENUES	0	1,093.46	3,500	4,054.01	-554.01	115.83%
	TOTAL TRANSFERS IN	0	0.00	181,890	60,630.00	121,260.00	33.33%
	TOTAL CASH BALANCE FORWARD	-968,821	0.00	-1,413,684	0.00	-1,413,684.00	0.00%
	TOTAL REVENUES	-216,257	185,433.33	-567,069	262,442.30	-829,511.30	-46.28%

City of Palatka

GOLF COURSE EXPENDITURES
BUDGET SUMMARY
33.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 EXP YTD	2013 BUDGET	YTD EXPENDITURES	OUTSTANDING ENCUMBRANCES	AVAILABLE BUDGET	PERCENT EXPENDED
	TOTAL PERSONNEL EXPENSES-MAINT	9,000	904.90	4,450	1,409.82	0.00	3,040.18	31.68%
	TOTAL OPERATING EXPENSES-MAINT	230,384	78,734.39	243,364	93,425.77	8,593.77	141,344.46	41.92%
	TOTAL CAPITAL EXPENSES-MAINTEN	8,500	0.00	18,150	0.00	14,937.32	3,212.68	82.30%
	TOTAL PERSONNEL-CLUB HOUSE	22,000	6,430.30	25,800	6,698.10	0.00	19,101.90	25.96%
	TOTAL OPERATING-CLUB HOUSE	450,790	175,209.36	503,139	154,986.62	38,250.68	309,901.70	38.41%
	TOTAL CAPITAL-CLUB HOUSE	0	0.00	0	0.00	0.00	0.00	0.00%
	TOTAL DEBT SERVICE	181,890	0.00	181,890	0.00	0.00	181,890.00	0.00%
	TOTAL TRANSFERS, CONTINGENCIES & RESERVES	0	0.00	-1,543,862	0.00	0.00	-1,543,862.00	0.00%
	TOTAL EXPENDITURES	902,564	261,278.95	-567,069	256,520.31	61,781.77	-885,371.08	-56.13%

City of Palatka

SANITATION FUND REVENUES
 BUDGET SUMMARY
 33.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 REV YTD	2013 BUDGET	YTD REVENUES	UNCOLLECTED	PERCENT COLLECTED
	TOTAL CHARGES FOR SERVICE	1,549,722	514,094.39	1,539,656	513,959.07	1,025,696.93	33.38%
	TOTAL OTHER REVENUES	8,902	2,228.97	0	0.00	0.00	0.00%
	TOTAL CASH BALANCE FORWARD	0	0.00	6,495	0.00	6,495.00	0.00%
	TOTAL REVENUES	1,558,624	516,323.36	1,546,151	513,959.07	1,032,191.93	33.24%

City of Palatka

SANITATION FUND EXPENDITURES

BUDGET SUMMARY

33.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 EXP YTD	2013 BUDGET	YTD EXPENDITURES	OUTSTANDING ENCUMBRANCES	AVAILABLE BUDGET	PERCENT EXPENDED
	TOTAL PERSONNEL SERVICES-MAINT	192,283	52,033.14	162,056	42,553.26	0.00	119,502.74	26.26%
	TOTAL OPERATING EXPENSES-MAINT	8,770	3,347.05	7,973	2,838.22	0.00	5,134.78	35.60%
	TOTAL CAPITAL EXPENSES-MAINT	0	0.00	0	0.00	0.00	0.00	0.00%
	TOTAL PERSONNEL-SANITATION	538,257	186,930.86	576,531	202,633.33	0.00	373,897.67	35.15%
	TOTAL OPERATING-SANITATION	545,988	192,891.13	566,965	173,329.48	26,422.97	367,212.55	30.57%
	TOTAL CAPITAL-SANITATION	0	0.00	0	0.00	0.00	0.00	0.00%
	TOTAL DEBT SERVICE	124,547	41,043.23	13,040	13,038.97	0.00	1.03	99.99%
	TOTAL TRANSFERS OUT	95,000	23,750.00	95,000	31,666.67	0.00	63,333.33	33.33%
	TOTAL CONTINGENCIES & RESERVES	0	0.00	124,586	0.00	0.00	124,586.00	0.00%
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	TOTAL EXPENDITURES	1,504,845	499,995.41	1,546,151	466,059.93	26,422.97	1,053,668.10	30.14%

City of Palatka

CDBG REVENUES
BUDGET SUMMARY
33.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 REV YTD	2013 BUDGET	CURRENT YTD REVENUES	UNCOLLECTED	PERCENT COLLECTED
	TOTAL GRANTS	560,903	2,333.33	0	7,000.07	-7,000.07	0.00%
	TOTAL OTHER REVENUES	5,113	4.41	2,134	2,122.56	11.44	99.46%
	TOTAL CASH BALANCE FORWARD	33,546	0.00	35,980	0.00	35,980.00	0.00%
	TOTAL REVENUES	599,562	2,337.74	38,114	9,122.63	28,991.37	23.94%

City of Palatka

CDBG EXPENDITURES
BUDGET SUMMARY
33.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 EXP YTD	2013 BUDGET	YTD EXPENDITURES	OUTSTANDING ENCUMBRANCES	AVAILABLE BUDGET	PERCENT EXPENDED
	TOTAL OPERATING EXPENSES	18,667	16,333.31	0	0.00	0.00	0.00	0.00%
	TOTAL CAPITAL EXPENSES	0	0.00	0	0.00	0.00	0.00	0.00%
	TOTAL TRANSFERS OUT	544,916	0.00	0	0.00	0.00	0.00	0.00%
	TOTAL CONTINGENCIES & RESERVES	35,979	0.00	38,114	0.00	0.00	38,114.00	0.00%
	TOTAL EXPENDITURES	599,562	16,333.31	38,114	0.00	0.00	38,114.00	0.00%

Agenda Item

3a



AGENDA ITEM

SUBJECT: A Resolution of the City of Palatka, Florida, authorizing the City of Palatka to apply for a Lowes Community Grant to fund planned improvements to the Old Palatka Waterworks Environmental Education Center, and authorizing the City Manager to work with the Waterworks Committee and Keep Putnam Beautiful to permit and implement said improvements

DEPARTMENT: City Hall

ATTACHMENTS: [] Ordinance [x] Resolution [] Motion [] Support Documents [] Other

SUMMARY: In preparation for a Lowes Community Grant Application the Waterworks Volunteer Committee is recommending the City apply for a grant for the Waterworks Environmental Education facility for 2013. The committee wishes to pursue the following improvements under the Lowes Community Grant Program.

- Remove exotic vegetation and silt from brick pond, channel and small wetland
• Repair the brick channel and spillway
• Remove the stairs accessible from Whitewater Drive to the Control Rooms
• Construct two (2) ADA accessible boardwalk to link the southern and northern sections
• Construct 470 linear feet of ADA accessible walks with handrail along northern edge of brick pond
• Construct 80 linear feet of ADA accessible walks along Whitewater Drive

City staff and the Water Works Committee recommend making application to the Lowes Community Grant Program. Mr. Dick Franz and Mrs. Shann Purinton will be present at the meeting to give a short presentation regarding the planned improvements.

RECOMMENDED ACTION: Adopt resolution No. 2013-9- _____ approving the proposed planned improvements and authorizing the submission of a grant to Lowes Community Grant Program to implement the above improvements.

DEPARTMENT HEAD: Submitted: Jonathan Griffith Date: 2-15-13 Requested Agenda: City Commission Date: 2-28-13

FINANCE DEPARTMENT: Budgeted [] Yes [] No [x] N/A Date: 2/22/13

CITY ATTORNEY: Approved as to Form and Correctness Date: _____

CITY MANAGER: Approved Agenda Item For: _____ Date: 2/20/13

COMMISSION ACTION: Approved as Recommended Disapproved
 Approved With Modification Tabled To Time Certain
 Other

DISTRIBUTION: CA CC CM CD FI FD GC HR MD PD PR UD

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RESOLUTION No. 2013 – 9 - 81

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE CITY OF PALATKA'S APPLICATION FOR A LOWES COMMUNITY GRANT TO FUND PLANNED IMPROVEMENTS TO THE OLD PALATKA WATERWORKS ENVIRONMENTAL EDUCATION CENTER; APPROVING SAID GRANT-FUNDED IMPROVEMENTS; AND AUTHORIZING THE CITY MANAGER TO WORK WITH KEEP PUTNAM BEAUTIFUL AND THE WATERWORKS COMMITTEE TO FACILITATE, PERMIT AND IMPLEMENT SAID GRANT AND IMPROVEMENTS..

WHEREAS, the Waterworks Environmental Education Center Volunteer Committee and Keep Putnam Beautiful wish to apply for Lowes Community Grant funds to make the following improvements:

1. Remove exotic vegetation and silt from brick pond, channel and small wetland;
2. Repair the brick channel and spillway;
3. Remove the stairs accessible from Whitewater Drive to the Control Rooms;
4. Construct two (2) ADA accessible boardwalk to link the southern and northern sections;
5. Construct 470 linear feet of ADA accessible walks with handrail along northern edge of brick pond;
6. Construct 80 linear feet of ADA accessible walks along Whitewater Drive (the **Projects**), and

WHEREAS, the City deems it necessary and in the best interest of the City that Keep Putnam Beautiful be authorized to submit an application for funding for said **Projects**.

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

1. That the City of Palatka is authorized to submit an application for Lowes Community Grant funds for Improvements to the Waterworks Environmental Education Center Facility.
2. That the City Manager is hereby authorized to work with the Waterworks Committee and Keep Putnam Beautiful to permit and implement the above improvements.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida this 28th day of February 2013.

CITY OF PALATKA

By: Its MAYOR

ATTEST:

CITY CLERK

**APPROVED AS TO FORM
AND CORRECTNESS:**

CITY ATTORNEY

*Agenda
Item*

36



AGENDA ITEM

SUBJECT: A Resolution of the City of Palatka, Florida, authorizing the City Manager and City Clerk to execute and attest an Office of Greenways and Trails (OGT)- Recreational Trails Program year 2012-B Mini Cycle Grant Application for Trailhead Improvements at the Palatka Riverfront Park

DEPARTMENT: City Hall

ATTACHMENTS: [] Ordinance [x] Resolution [] Motion [x] Support Documents [] Other

SUMMARY: Please see attached an OGT RCT Grant application for the 2012-B cycle. This application is for the construction of a Riverfront Park Trailhead. The trailhead facility will include restrooms, showers, a covered picnic area and concessions. This facility is the same facility the City is committed to constructing as its match commitment under the Fish and Wildlife Conservation Commission Florida Boating Improvement Grant.

Staff is proposing this project to the OGT, because we see it as a natural fit. The proposed trailhead would be centrally positioned as a hub for multiple trails including; the St. Johns River Paddling Trails (Blueway), Historic St. Johns River Bartram Trail, Lake Butler to St. August Rail to Trail, St. Johns River to Sea Loop, Florida National Scenic Trail, and the Future Palatka Historical and Cultural Loop. Furthermore, the site is conveniently located within close proximity to multiple sites with rich natural and historical contexts, including but not limited to; the Ravine State Gardens, Dunn's Creek State Park, Murphy's Island, Ocklawaha River, Ocala National Forest, Historic Bronson Mulholland House and Museum, and the Future St. Johns River Environmental Education Center.

While plans for the facility have not been finalized staff estimates the construction of this facility to cost approximately \$200,000.

RECOMMENDED ACTION: Adopt resolution No. 2013-9-82 authorizing the City Manager and City Clerk to execute and attest an Office of Greenways and Trails (OGT)- Recreational Trails Program year 2012-B Mini Cycle Grant Application for Trailhead Improvements at the City of Palatka Riverfront Park.

DEPARTMENT HEAD Submitted: Jonathan Griffith Date: 2-15-13 Requested Agenda: City Commission Date: 2-28-13
FINANCE DEPARTMENT Budgeted [] Yes [x] No [] N/A Date: 2/22/13
CITY ATTORNEY Approved as to Form and Correctness Date:
CITY MANAGER Approved Agenda Item For: Date: 2/21/13

COMMISSION ACTION: Approved as Recommended Disapproved
 Approved With Modification Tabled To Time Certain
 Other

DISTRIBUTION: CA CC CM CD FI FD GC HR MD PD PR UD

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RESOLUTION NO. 2013 – 9 - 82

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF GREENWAYS AND TRAILS RECREATIONAL TRAILS GRANT PROGRAM TO REQUEST ASSISTANCE FOR THE CONSTRUCTION OF A TRAILHEAD FACILITY AT THE CITY OF PALATKA RIVERFRONT PARK

WHEREAS, the City of Palatka owns and is responsible for the maintenance of Palatka's City Pier and riverfront park properties, which provide recreational facilities for use by the public; and

WHEREAS, demand for a regional recreational trail facility is increasing due to an influx of visitors from a much larger area than Palatka and Putnam County, due to the designation and implementation of the St. Johns River Paddling Trail, Palatka to Lake Butler cycling trail and Palatka to St. Augustine cycling trail; and

WHEREAS, the City is already pursuing the development of riverfront park restrooms and showers to service transient boaters; and

WHEREAS, the further development of a restroom and shower facility as a trailhead facility within the City of Palatka Riverfront Park to service regional boaters, paddlers, hikers and cyclists alike is appropriate; and

WHEREAS, it is in the best interest of the City of Palatka to pursue a grant agreement with the Office of Greenways and Trails for the design and construction of a regional trailhead facility.

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

1. That the Palatka City Commission confirms and approves the City of Palatka's grant application to OGT for the aforementioned grant funds for the Design and Construction of a regional trailhead facility; and
2. That the City Manager is hereby authorized to make application for OGT grant funds.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida, this 28th day of February, 2013.

CITY OF PALATKA

BY: Its MAYOR

ATTEST:

*Agenda
Item*

3c



CITY COMMISSION AGENDA ITEM

SUBJECT: A Resolution of the City of Palatka, Florida, declaring certain property to be surplus and directing the City Manager to dispose of surplus property in accordance with city administrative procedures

DEPARTMENT: Admin/City Manager

ATTACHMENTS: ___ Ordinance X Resolution ___ Motion
 x Support Documents ___ Other

SUMMARY: This is a request to adopt a resolution declaring certain Airport property (five regulators as listed in Exhibit A to the Resolution) and one PD 1999 Explorer as noted, as well as unclaimed property currently in the custody of the PD, which has been duly advertised as being in the custody of the Palatka Police Department, and remains unclaimed (as listed in Exhibit B to the Resolution).

RECOMMENDED ACTION: Adopt Resolution No. 2013-9-84 declaring the above described property as surplus property and authorizing the City Manager to dispose of said property in accordance with City administrative procedures.

DEPARTMENT HEAD Submitted: M.Czymbor/Getchell/Youell Date: 02/20/13
Requested Agenda Consent Date: 02/28/13

FINANCE DEPARTMENT Budgeted ___ Yes x No ___ N/A *[Signature]* Date: 2/22/13

CITY ATTORNEY Approved as to Form and Correctness Date:

CITY MANAGER Approved Agenda Item For: *[Signature]* Date: 2/12/13

COMMISSION ACTION: ___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

DISTRIBUTION: ___ APT ___ CA ___ CC ___ CM ___ FIN ___ FD ___ P&C ___ PD ___ PLN ___ S&S ___ W&S ___ WTP ___ WWTP

RESOLUTION NO. 2013 – 9 - 84

**A RESOLUTION OF THE CITY OF PALATKA, FLORIDA,
DECLARING CERTAIN PROPERTY TO BE SURPLUS AND
DIRECTING THE CITY MANAGER TO DISPOSE OF
SURPLUS PROPERTY IN ACCORDANCE WITH CITY
ADMINISTRATIVE PROCEDURES**

WHEREAS, Florida Statute 274.05 provides government units with the authority to classify as surplus any of it property that has not been otherwise lawfully disposed of, that is obsolete, or the continued use of which I uneconomical or inefficient, or which serves no useful function, and to dispose of said property through sale or donation;

WHEREAS, The City of Palatka (the City) owns certain Municipal Airport property as described more specifically in Exhibit “A” attached hereto, as well as miscellaneous unclaimed items of property currently in the custody of the Police Department, described more specifically in Exhibit “B” attached hereto, and one vehicle described as follows:

- (1) Police Dept. 1999 Ford Explorer; VIN 1FMZU32E6XUC03138 and

WHEREAS, this property has become obsolete over time, or in the case of the unclaimed property, remains unclaimed after property advertisement of same; and

WHEREAS, City Staff has recommended that the property be deemed surplus items; and

WHEREAS, the City Commission has determined that it is in the best interest of the City to declare the property described herein to be surplus property for disposal in accordance with administrative procedures.

NOW, THEREFORE, Be it resolved by the City Commission of the City of Palatka, Florida, as follows:

- Section 1: The above recitals are true and correct, and are incorporated herein by reference;
- Section 2: The property described herein and in Exhibits “A” and “B” is declared to be surplus property to be disposed of in accordance with administrative procedures;
- Section 3: The City Manager is hereby authorized to dispose of the surplus property in a manner consistent with administrative procedures, and to amend the City’s inventory accordingly.

PASSED AND ADOPTED this 10th Day of January, 2013, by the City Commission of the City of Palatka, Florida.

PALATKA CITY COMMISSION

By: _____
Its **MAYOR**

ATTEST:

CITY CLERK



EXHIBIT "A"

SURPLUS PROPERTY REQUEST

To: Michael J. Czymbor, City Manager
From: John Youell, Manager
Dept: Airport
CC: Betsy Driggers, City Clerk; Matt Reynolds, Finance Director
Date: 2/20/13

**This is a request to declare the following property as surplus, for disposal:
(attach extra sheet if necessary)**

<u>Item/Description</u>	<u>Quantity</u>	<u>Invent. Control/Serial No.</u>
1. (1) Siemens Constant Current Regulator	(1)	Serial # 20060213000006
2. (1) Crause-Hinds Constant Current Regulator	(1)	Serial # 714
3. (1) Crause-Hinds Constant Current Regulator	(1)	Serial # 716
4. (1) Crause-Hinds Constant Current Regulator	(1)	Serial # 717
5. (1) General Signal Constant Current Regulator	(1)	Serial # 84TS11498-3
6. _____		
7. _____		
8. _____		
9. _____		
10. _____		

DISPOSITION: All surplus property will be disposed of at on-line auction. If you have an alternative disposal request, please state your request here (attach another sheet if necessary):

2012 SURPLUS BIKE INVENTORY

EXHIBIT "B"

pg 1 of 2

Item #	Make	Model	Color	Gender	Serial Number
1	KULANA	MAKA MAKA	GREEN	F	SNFSD06484529
2	NEXT	POWER CLIMBER	GRAY/PINK	F	99321865
3	HUFFY	ULTRA TERRAIN	BLUE	M	0L99B03385
4	WESTERN FLYER	MOUNTAIN PEAK	PURPLE	F	931205505
5	ROADMASTER	MOUNTAIN FURRY	SILVER	M	SNFSD06JD9858
6	MONGOOSE	XR200	BLACK/SILVER	M	SNXDS08009760
7	ROADMASTER	MOUNTAIN SPORT SX	BLUE	F	BC1F044225
8	ROADMASTER	MOUNTAIN FURRY	PURPLE	F	SNFSD05F69370
9	CANYON RIVER	FS ELITE	BLUE	F	N/A
10	LAND RIDER	N/A	BRONZE	F	N/A
11	NEXT	ALL TERRAIN	RED/BLACK	M	N/A
12	HUFFY	BLACKWATER	BLUE	M	AL090036313
13	ROADMASTER	MOUNTAIN FURRY	PURPLE	F	SNFSD95L94214
14	NEXT	MOUNTAIN RIDGE	SILVER	M	69191270
15	NEXT	POWER CLIMBER	PINK	F	N/A
16	UNKNOWN	N/A	BLACK/RED	M	SNFSD06B53357
17	HUFFY	N/A	BLUE	M	N/A
18	ROADMASTER	MOUNTAIN FURRY	PURPLE	F	SNFSD05GHO520
19	LITE DRAFT	N/A	RED	M	ICSEL02209 G7B70-0
20	CALOI	RIO CRUZ	BLUE	M	02I0040048
21	HUFFY	STONE MOUNTAIN	PURPLE/SILVER	F	AL06J030672
22	QUASAR	RAPTER	RED	F	DMC06202673
23	FREE SPIRIT	N/A	BLUE	M	N/A
24	BRATZ	N/A	PURPLE	M	UV04201930
25	NEXT	TIARA	BLUE	F	N/A
26	NEXT	TROPICAL SPLASH	PURPLE	F	OCTD476030
27	NEXT	COBRA	RED	M	LWJE404778
28	THRUSTER	RAMPAGE	BROWN	M	546508
29	THRUSTER	CHAOS	BLACK	M	G1008155171
30	MONGOOSE	OUTERLIMIT	BLUE	M	SNFSD07GB5149
31	NEXT	GLAMOUR GIRL	SILVER/PURPLE	F	74412896
32	THRUSTER	RAMPAGE	BROWN	M	N/A
33	MALIBU	NA	PINK	F	77642876

2012 SURPLUS BIKE INVENTORY

Item #	Make	Model	Color	Gender	Serial Number
34	HUFFY	NA	BLUE	M	10018128
35	PACIFIC	YX2200	BLUE	M	H10435948
36	NEXT	POWER CLIMBER	BLUE/SILVER	M	DTCCH004373
37	NEXT	BRAKEPOINT	SILVER	M	59436613
38	ONYX	GENESIS 29	BLACK	M	GS110411643
39	NEXT	DXR	RED/BLACK	M	SAGLE02841
40	MONGOOSE	XR200	BLACK/SILVER	M	07M01263
41	VERTICAL	NA	GRAY/RED	M	DTCCA036545
42	MONGOOSE	OUTER LIMIT	BLUE	M	SNFSD10EW0120
43	HARO BIKES	NA	SILVER	M	02TD5029984
44	HUFFY	BACKWATER	BLACK	M	NA
45	MONGOOSE	OUTERLIMIT	GRAY/BLUE	M	SNFSD11KH5726
46	HUFFY	UPROAR	PURPLE/YELLOW	M	AL07J082775
47	HUFFY	NA	GREEN	F	SNHBB10H34774
48	HUFFY	ROCKTRAIL	PINK/BLACK	F	46637-9178612H0225
49	HELLO KITTY	NA	PURPLE	F	SNFSD10AU4423
50	HUFFY	NA	BRONZE	M	SNHBJ08D05690
51	SUMBER PARTY	NA	PINK	F	DWCG065666
52	THURSTER	CHAOS	BLACK	M	HG1007027927
53	TONY HAWK	HUCK JAM	CHROME	M	78553349
54	KENT	FREESTYLE	PURPLE/WHITE	M	G1007011746
55	MONGOOSE	FREESTYLE	PURPLE	F	SNFSD10DW2420
56	LAWN MOWER	WEED EATER	GREEN	N/A	041008M079541
58	WHEEL CHAIR	N/A	BLACK	N/A	N/A

X

Det. Mike Lassiter
1D12

Order Receipt

Palatka Daily News

P.O. Box 777
Palatka FL 32178

Phone: 386-312-5200

Fax: 386-312-5209

URL: www.palatkadailynews.com

Palatka Police Department
110 North 11th Street
PALATKA, FL 32177

Acct #: 00002781
Phone: (386)329-0115
Date: 12/21/2012
Ad #: 00008389
Salesperson: Ad Taker: 0051

Class: 0360

Ad Notes:

Sort Line: Notice is hereby given that I,

Description	Start	Stop	Ins.	Cost/Day	Amount
affi Affidavit					2.50
01 Palatka Daily News	12/22/2012	12/29/2012	2	31.90	63.81

Ad Text:

Payment Reference:

PUBLIC NOTICE

Notice is hereby given that I, Gary Getchell, Palatka Chief of Police, have the following lost or seized property in my possession: Assorted bicycles, a wheelchair and a lawn mower

Total:	66.31
Tax:	0.00
Net:	66.31
Prepaid:	0.00
Total Due	66.31

PUBLIC NOTICE

Notice is hereby given that I, Gary Getchell, Palatka Chief of Police, have the following lost or seized property in my possession: Assorted bicycles, a wheelchair, and a lawn mower.

Any person believing to be owners of any of this property must contact Detective Mike Lassiter at the Palatka Police Department, Monday through Friday, 9:00 a.m. - 5:00 p.m., with proof of ownership, and said property will be released to them.

Any property not claimed by Friday, February 1st, 2013, will be properly disposed of in accordance with current Florida Statutes.

**Gary Getchell,
Chief of Police
Palatka Police Department**

**12/22/12, 12/29/12
Legal No. 00008389**

Staff Report

Date: 02-12-13

To: City Commissioners

From: Gary S. Getchell, Chief of Police

Subject: Surplus of 1999 Ford Explorer



History:

The Palatka Police Department currently has a 4-door 1999 Ford Explorer in the fleet inventory which is not being used and needs to be declared as surplus.

Discussion:

Currently the Police Department has a 4-door 1999 Ford Explorer in the fleet inventory which is not being used. The vehicle identification number is 1FMZU32E6XUC03138. The vehicle has 91,975 miles on the odometer. The vehicle is fully functional and does not have any mechanical issues; however it is only in fair condition. The vehicle is white in color and currently striped for use as a police service aid vehicle and has a clear / amber colored light bar affixed to the top of it. According to the Kelly Blue Book, the vehicle in fair condition is valued at \$1,986.00 at private party value for sale. Attached to this staff report is the Kelly Blue Book Value sheet.

Recommendation:

It is recommended the vehicle be removed from the Police Department fleet inventory and sold on Government Deals.com. Once approved for surplus, the vehicle will be removed the Police Department's fleet inventory and placed on government deals.com.

*Agenda
Item*

3d



CITY COMMISSION AGENDA ITEM

SUBJECT: Re-appointment of Emily Blevins and Dr. Gilbert L. Evans to the Palatka Housing Authority Board.

DEPARTMENT: Admin/Clerk

ATTACHMENTS: Ordinance Resolution Motion
 Support Documents Other – Application

SUMMARY: Emily Blevins and Dr. Gilbert Evans' terms on the Palatka Housing Authority Board expire on April 12, 2013. They have both returned their applications for reappointment, indicating their desire to continue to serve in this capacity. Both members have met attendance requirements and are otherwise qualified for reappointment to this Board. Their applications and attendance records are attached. John Nelson, PHA Executive Director, recommends their reappointment to this Board.

RECOMMENDED ACTION: Re-appoint Emily Blevins and Dr. Gilbert Evans to the Palatka Housing Authority Board for respective four-year terms to expire April 12, 2017.

DEPARTMENT HEAD Submitted: Betsy Driggers *[Signature]* Date: 02/18/13
Requested Agenda Consent Date: 02/28/13

FINANCE DEPARTMENT Budgeted Yes No N/A *[Signature]* Date: 2/22/13

CITY ATTORNEY Approved as to Form and Correctness Date:

CITY MANAGER Approved Agenda Item For: *[Signature]* Date: 2/19/13

COMMISSION ACTION: Approved as Recommended Disapproved
 Approved With Modification Tabled To Time Certain
 Other

DISTRIBUTION: CA CC CM B&Z FI FD GC HR MD PD PRK UD APT

VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

PHIL LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



MICHAEL J. CZYMBOR
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
FINANCE DIRECTOR

GARY S. GETCHELL
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT

DONALD E. HOLMES
CITY ATTORNEY

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

**CITY OF PALATKA
BOARD REAPPOINTMENT REQUEST**

I wish to apply for reappointment to the Housing Authority Board Board.
I understand that I will continue to serve in a voluntary capacity on this advisory board.

MEMBER: Gilbert L. Evans # of years' prior service: 8
Residence (911 Address) 251 Crystal Cove Dr. Palatka, FL Phone: 386-329-9401
Business Name & Address 5001 St. Johns Ave. Palatka, FL Phone: _____
Fax: 386-312-4178 Fax: _____

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

Preferred Mailing Address: Business

E-mail: gilbert.evans@stastate.edu Daytime Phone: (386) 312-4127

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

SIGNATURE OF APPLICANT _____ DATE 2/4/13

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

CHAIRMAN/DIRECTOR'S COMMENTS (if any) Dr. Evans has been a
keystone for the Board of Commissioners for the
past eight years. His leadership has enabled
the Authority to move upward as a "high performer"

Chairman's/Director's Signature John Nelson Jr

VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

PHIL LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



MICHAEL J. CZYMBOR
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
FINANCE DIRECTOR

GARY S. GETCHELL
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT

DONALD E. HOLMES
CITY ATTORNEY

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

CITY OF PALATKA BOARD REAPPOINTMENT REQUEST

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

MEMBER: Emily Blevins # of years' prior service: 6
Residence 3277 Phone: 386-329-9800
(911 Address) 126 Edgerton Trail Palatka, FL Fax: 386-328-2318
Business Name Prosperity Bank Phone: 386-325-3770 ext 840?
& Address 100 Highway 19 N Palatka, FL 32777 Fax: 386-328-2318

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

Preferred Mailing Address: Home Address

E-mail: EBlevins@prosperitybank.com Daytime Phone: 386-937-6260

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

Emily Blevins 2/7/2013
SIGNATURE OF APPLICANT DATE

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

CHAIRMAN/DIRECTOR'S COMMENTS (if any) Board member Blevins
provides great leadership and financial expertise to
the Authority and staff.

Chairman's/Director's Signature John Nelson

**PHA BOARD OF COMMISSIONERS
ATTENDANCE RECORD
2009-2012**

2009

	1/15/2009	2/4/09 (S)	3/19/2009	4/16/2009	5/26/2009S	6/23/09s	7/23/2009	11/19/2009	
Annie Spell		X	X	X	X	X	X		
Gilbert Evans		X			X			X	
Marshall Fulghum	X	X	X	X	X	X	X	X	
Stephanie Allen	X	X	X	Not resident eff. 7/22/09 - not eligible			C. Bolden appointed 12/09-Exp 4/12/11		
Emily Blevins	X	X		X	X	X	X	X	

Sept 09 Meeting Canc

2010

	1/27/2010	3/18/2010	4/8/2010	5/27/2010	7/8/2010	9/9/2010	10/14/10 s	11/17/2010	
Annie Spell									
Gilbert Evans	X		X		X	X		X	
Marshall Fulghum	X	X	X	X	X	X	X		
Christine Bolden	X	X	X	X	X	X	X	X	
Emily Blevins	X	X	X	X	X		X	X	

2011

	1/13/2011	3/10/2011	4/14/2011	5/31/11R	7/27/11R	9/14/2011	11/10/2011	
Annie Spell								
Gilbert Evans		X	X		X	X	X	
Marshall Fulghum	X	X	X	X	X	X		
Christine Bolden	X	X	X	X	X	X	X	
Emily Blevins	X	X		X	X		X	

2012

	2/6/2012	3/8/2012	4/12/2012	6/7/2012	7/24/2012	9/13/2012	11/8/2012	
Annie Spell				EMERITUS MEMBER				
Gilbert Evans	X	X	X	X	X		X	
Marshall Fulghum	X	X	X	X	X	NO MEETING	X	
Christine Bolden	X	X	X	X	X		X	
Emily Blevins	X	X	X	X	X		X	

05/21/12

PALATKA HOUSING AUTHORITY

5 Members - 4-Yr. Terms
(Created by Legislative Act)

RESOLUTION DECLARING THE NEED FOR A HOUSING AUTHORITY
DATED 4/12/62

<u>Orig. Appt. Date</u>		<u>Term Expires</u>	<u>Phone #</u>
3/25/04	Dr. Gilbert L. Evans 5001 St. Johns Avenue (wk)	4/12/2013	312-4127 wk 698-2662
6/14/07	Emily Blevins 126 Eagerton Trail Palatka FL 32177	4/12/2013 day phone 937-6260	(h)329-9800 (w)328-0457 (f)328-0459
2/14/13	Brenda Bivens 345 Alabama Avenue Brenda9907@comcast.net	4/12/2014	(h)325-9907
12-10-09	* Christine Bolden P.O. Box 2484 Palatka, FL 32178	4/14/2015	972-4738 336-4102
3/23/06	Marshall Fulghum 312 St. Johns Ave. Palatka, FL 32177	4/12/2016	312-9804 wk 937-7904 cell

Executive Dir. John Nelson
Palatka Housing Authority
P. O. Box 1277

Regular meetings - Bimonthly on the 3rd Thursday at 12:15 P.M. at PHA office,
400 N. 15th St. (July 1985) February, April, June, August,
October, December

*Resident Representative

*Agenda
Item*

3e



CITY COMMISSION AGENDA ITEM

SUBJECT: Tree Committee Appointments: Resignation of Mary Kay Engleking and Appointment of Keith Valentine

DEPARTMENT: Admin/Clerk

ATTACHMENTS: ___ Ordinance ___ Resolution ___ Motion
___X___ Support Documents ___X___ Other - Application

SUMMARY: Mary Kay Engleking has submitted her resignation from the Tree Committee (attached).

Keith Valentine, a former active member of the Tree Committee, has reapplied for appointment. Mr. Valentine, a certified arborist and landscape contractor, resigned when his business took him to Tampa. He has now returned to this area. He is aware of attendance requirements, meeting schedules, and the role of members of this Committee

RECOMMENDED ACTION: Accept Mary Kay Engleking's resignation from the Tree Committee and appoint Keith Valentine to serve on the Palatka Tree Committee at the pleasure of the Commission (no set terms).

DEPARTMENT HEAD Submitted: Betsy Driggers Date: 02/18/13
Requested Agenda Consent Date: 02/28/13

FINANCE DEPARTMENT Budgeted ___ Yes ___ No ___X___ N/A Date: 2/22/13

CITY ATTORNEY Approved as to Form and Correctness Date:

CITY MANAGER Approved Agenda Item For: Date: 2/19/13

COMMISSION ACTION: ___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

DISTRIBUTION: ___ CA ___ CC ___ CM ___ B&Z ___ FI ___ FD ___ GC ___ HR ___ MD ___ PD ___ PRK ___ UD ___ APT

VERNON MYERS
MAYOR - COMMISSICNER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

PHIL LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



MICHAEL J. CZYMBOR
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
FINANCE DIRECTOR

GARY S. GETCHELL
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT

DONALD E. HOLMES
CITY ATTORNEY

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

CITY OF PALATKA ADVISORY BOARD APPLICATION

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

APPLICANT: R. Keith Valentine (Must be at least 18 yrs. old)
Residence 144 Lake Edge Trail Inbriador Phone: 386-684-2042
(911 Address) 144 Lake Edge Trail Inbriador Fax: 386-684-2082
Business Name Florida Landscape Doctor Phone: Same
& Address Florida Landscape Doctor Fax: Same

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

Preferred Mailing Address: Po Box 1129 Palatka, FL 32178

E-mail: Keith@floridalandscapedoctor.com Daytime Phone: 813 239 6749

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

Certified arborist # FL 1053A
Certified pest control operator
certified irrigation Duval, Putnam, Clay, Flagler, Hillsborough
St. Johns
Landscape Contractor since 1980

OTHER COMMENTS OR INFORMATION:

Return to committee

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

R. Keith Valentine 2-12-13

SIGNATURE OF APPLICANT DATE
Applicants will be interviewed by the Palatka City Commission during regular public meetings.

Betsy Driggers

Subject: FW: Tree Comm. App

From: Mary Kay Engelking [<mailto:marykay@gbso.net>]

Sent: Thursday, February 14, 2013 2:29 PM

Cc: Mary Kay Engelking

Subject: Re: Tree Comm. App

City Commissioners,
I want to thank you for the opportunity for being on the Tree Committee.
For the time being, I will be resigning from the Tree Committee.
Thank you....

Mary Kay Engelking
mary.engelking@comcast.net
marykay@gbso.net
Fax: 386-328-6120

*Agenda
Item*

3_f



CITY COMMISSION AGENDA ITEM

SUBJECT: Request to allow sales and consumption of alcoholic beverages at the Palatka Municipal Golf Course during The Azalea Golf Tournaments on Sunday March 10, and Sunday March 17 from 7:00 a.m. to 1:00 p.m.

DEPARTMENT: Golf Course

ATTACHMENTS: ___ Ordinance ___ Resolution ___ Motion
___ X Support Documents ___ Other

SUMMARY: This is a request to allow and sale and consumption of alcoholic beverages during the Regular Azalea Golf Tournament on the morning of March 10, and the Senior Azalea Golf Tournament on the morning of March 17. These are Sunday mornings, and Palatka's Municipal Code 10-4 prohibits the sale of alcoholic beverages before 1:00 p.m. on Sundays. Tournament play begins and 7:00 a.m. and continues until after 1:00 p.m.

Golf Course Staff, the City Manager and the City Attorney have met and discussed this, and it is the City Attorney's recommendation to put this Request before the City Commission, as this does not amend Code.

RECOMMENDED ACTION:

Approve the sale and consumption of alcoholic beverages at the Palatka Municipal Golf Course during the Regular Azalea Tournament on Sunday, March 10, from 7:00 a.m. to 1:00 p.m. and during the Senior Azalea Golf Tournaments on Sunday, March 17, from 7:00 a.m. to 1:00 p.m.

DEPARTMENT HEAD Submitted: Andy Heartz Date: 2/21/2013
Requested Agenda Consent Date: 2/28/2013
FINANCE DEPARTMENT Budgeted ___ Yes ___ No X N/A Date: 2/22/13
CITY ATTORNEY Approved as to Form and Correctness Date:
CITY MANAGER Approved Agenda Item For: Date: 2/21/13

COMMISSION ACTION: ___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

DISTRIBUTION: ___ APT ___ CA ___ CC ___ CM ___ FIN ___ FD ___ P&C ___ PD ___ PLN ___ S&S ___ W&S ___ WTP ___ WWTP

*Agenda
Item*

3g



CITY COMMISSION AGENDA ITEM

SUBJECT: Special Request Items for Special Events Permit No. 13-09 – 60 Annual Mug Race, May 3, 2013, 4:30 pm to 9:00 p.m.

DEPARTMENT: Special Events

ATTACHMENTS: ___ Ordinance ___ Resolution ___ Motion
___ X Support Documents ___ Other

SUMMARY: This is a request to allow public consumption of alcohol and for permission to exceed allowable noise levels set by Chapter 30, Article IV of the Palatka Municipal Code. The Palatka Yacht Club has applied for a Special Events Permit to host a Mug Race Party on Friday, May 3. They will begin selling beer & wine at 4:30 pm; the band will start at 5:00 p.m. The party will be over at 9:00 p.m. that evening. They are asking permission to allow open containers of alcoholic beverages from 2nd street east to the River, and from the Memorial Bridge west to the Boathouse Marine bordered by Memorial Drive and River Street. This request includes the open space on the 100 Block of Reid Street and the old Frank George Highrise Property on the 100 block of St. Johns Avenue

This is the 2nd year this Mug Race Party has been hosted by the yacht club. Last year this party was held without incident.

RECOMMENDED ACTION:

Approve special request items for Special Events Permit #13-09 for the 60th Annual Mug Race – Palatka Yacht Club, applicant; May 3, 2013 from 4:30 pm to 9:00 pm:

- 1. Allow sales/consumption of alcoholic beverages on public property/r-w – 2nd Street to Riverfront, Memorial Bridge to the South End of the Riverfront Park to include River Street from the South End of Riverfront Park to the Boat House Marina.
2. Approve request to exceed allowable noise levels set by Municipal Code Ch. 30 Sec. IV

DEPARTMENT HEAD Submitted: Jeff Norton Date: 2/13/2013
Requested Agenda Consent Date: 2/13/2013
FINANCE DEPARTMENT Budgeted ___ Yes ___ No X N/A Date: 2/22/13
CITY ATTORNEY Approved as to Form and Correctness Date:
CITY MANAGER Approved Agenda Item For: Date: 2/20/13

COMMISSION ACTION: ___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

DISTRIBUTION: ___ APT ___ CA ___ CC ___ CM ___ FIN ___ FD ___ P&C ___ PD ___ PLN ___ S&S ___ W&S ___ WTP ___ WWTP

APPLICATION # 13-14

(circle one below)

- CLASS A PERMIT - Filing Deadline: 60 days prior to event
- CLASS B PERMIT - Filing Deadline: 30 days prior to event
- CLASS C PERMIT - Filing Deadline: 30 days prior to event

RECEIVED

BY: K. Wright

**CITY OF PALATKA
APPLICATION FOR USE OF PARKS, RECREATIONAL AREAS,
RIVERFRONT PARK AND OTHER AREAS WITHIN THE CITY LIMITS**

1. NAME AND ADDRESS OF APPLICANT/ORGANIZER P.O. Box 2004 - 32178
Palatka Yacht Club 107 Marina Rd Palatka, FL 321
CONTACT PERSON David L. Girardin TELEPHONE 386-328-1774
Cell Phone 386-937-1566 FAX # 386-937-1566
2. NAME AND ADDRESS OF PERSON, CORPORATION OR ASSOCIATION SPONSORING THE ACTIVITY, IF DIFFERENT FROM ABOVE Same
CONTACT PERSON _____ TELEPHONE _____
FAX # _____
3. DESCRIPTION AND/OR NAME OF PROPOSED ACTIVITY 60th Annual Mug Race
Sailboat Race from Palatka to Jacksonville
4. DATE & HOURS OF DESIRED USE: May 3rd through May 5 to allow tent setup & break down
5. PORTION FOR WHICH PERMISSION IS DESIRED (City Dock, Amphitheater, Gazebo, etc.)
City Boat Ramp to Memorial Bridge including the 100 block
6. REQUEST FOR ROAD CLOSURES: Reid St. & Memorial Pkwy, 2nd St. & Memorial Pkwy
7. REQUEST FOR NOISE VARIANCE (Dates and Times): Friday May 3rd 5:00 PM - 9:00 PM 2nd St. & St. John Ave
8. REQUEST FOR ALCOHOL VARIANCE: Friday May 3rd 4:30 PM - 9:30 PM
9. ESTIMATE OF ANTICIPATED ATTENDANCE 500 4:30 - 9:00 pm
10. NUMBER AND TYPE OF AUXILIARY VEHICLES/EQUIPMENT _____

11. ARTICLE IV SPECIAL EVENT ORDINANCE: FEES
 - a.) CLASS A: _____ \$150.00 up to 10,000 in attendance per day
 - _____ \$2250.00 10,000 - 40,000 in attendance per day
 - _____ \$300.00 - 40,000 - 80,000 in attendance per day
 - b.) CLASS B: X \$100.00 per day
 - c.) CLASS C: _____ \$ 50.00 per day (Limited impact on traffic, parking etc.) Events such as Weddings, Fishing tournaments with less than 40 boats, ETC.
 - d.) Any private entity/business(es) who are holding a function on private property that impacts neighboring businesses/residents within the City limits and, impacts City services will be assessed a fee amount accordingly. (7% Sales Tax)

Number of Days _____ Fee Required (Yes/No) _____ Check Enclosed? _____

12. OTHER COSTS: Fees will be determined at the pre-assessment meeting with the organizers and the Special Events Committee.
13. Arrangements for police services are **REQUIRED** for fishing tournaments with 70 boats or more. Fishing Tournaments and other large event organizers are required to arrange for auxiliary vehicle/trailer parking per accompanying guidelines.

IMPORTANT INFORMATION

THIS FORM IS INTENDED FOR RESERVATION PURPOSES ONLY AND DOES NOT CONSTITUTE PERMISSION FOR USES DISALLOWED UNDER PALATKA'S MUNICIPAL CODE. PERMISSION GRANTED FOR USE OF PUBLIC PROPERTY COVERS MUNICIPAL PARK AREAS AND OTHER AREAS WITHIN THE CITY LIMITS. IT DOES NOT INCLUDE PERMISSION TO CLOSE PUBLIC STREETS OR HINDER PRIVATE PROPERTY. Organizers are required to contact the City of Palatka Parks Department office at 386-329-0100 for pre-planning purposes. ORGANIZERS/APPLICANTS WILL BE NOTIFIED WITHIN 30 DAYS OF ANY COMMENTS THEY MAY HAVE PERTAINING TO THIS EVENT'S ANTICIPATED IMPACT WITHIN THE CITY LIMITS.

Acceptance of your application should in no way be construed as final approval or confirmation of your request. Sec. 50-145. Any person or organization granted permission shall be bound by all park/city rules and regulations and all applicable ordinances as fully as though the same were inserted in this document, except for such rules and regulations as may be waived by such document or the City Commission.

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

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

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

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

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

January 3, 2013
DATE

David L. Danth. Guandri
SIGNATURE OF APPLICANT

APPROVED:

Jeff Norton 01/12/2013
SPECIAL EVENTS COORDINATOR DATE

RETURN TO:
JEFF NORTON
SPECIAL EVENTS COORDINATOR
201 N. 2nd Street
Palatka, FL 32177

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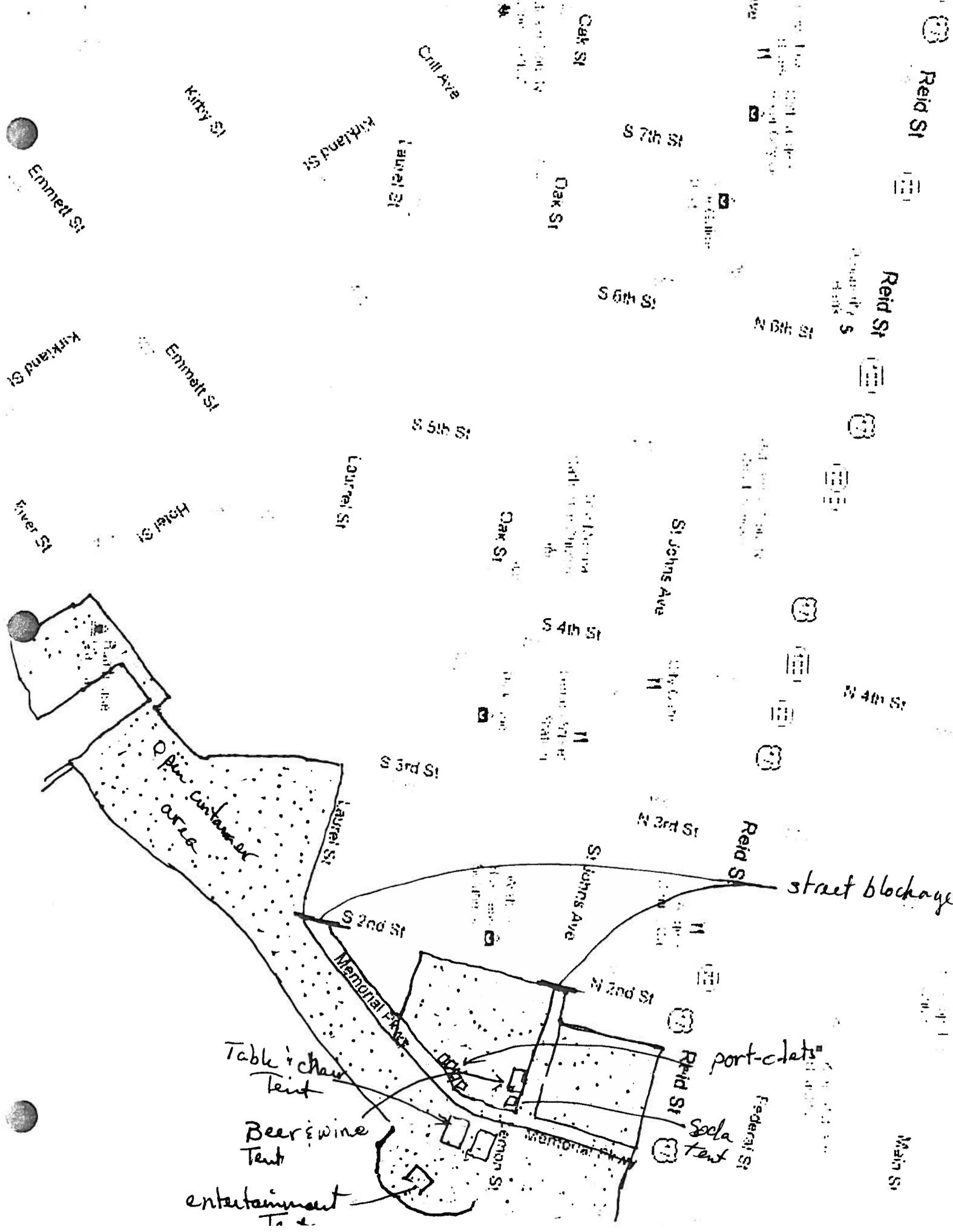


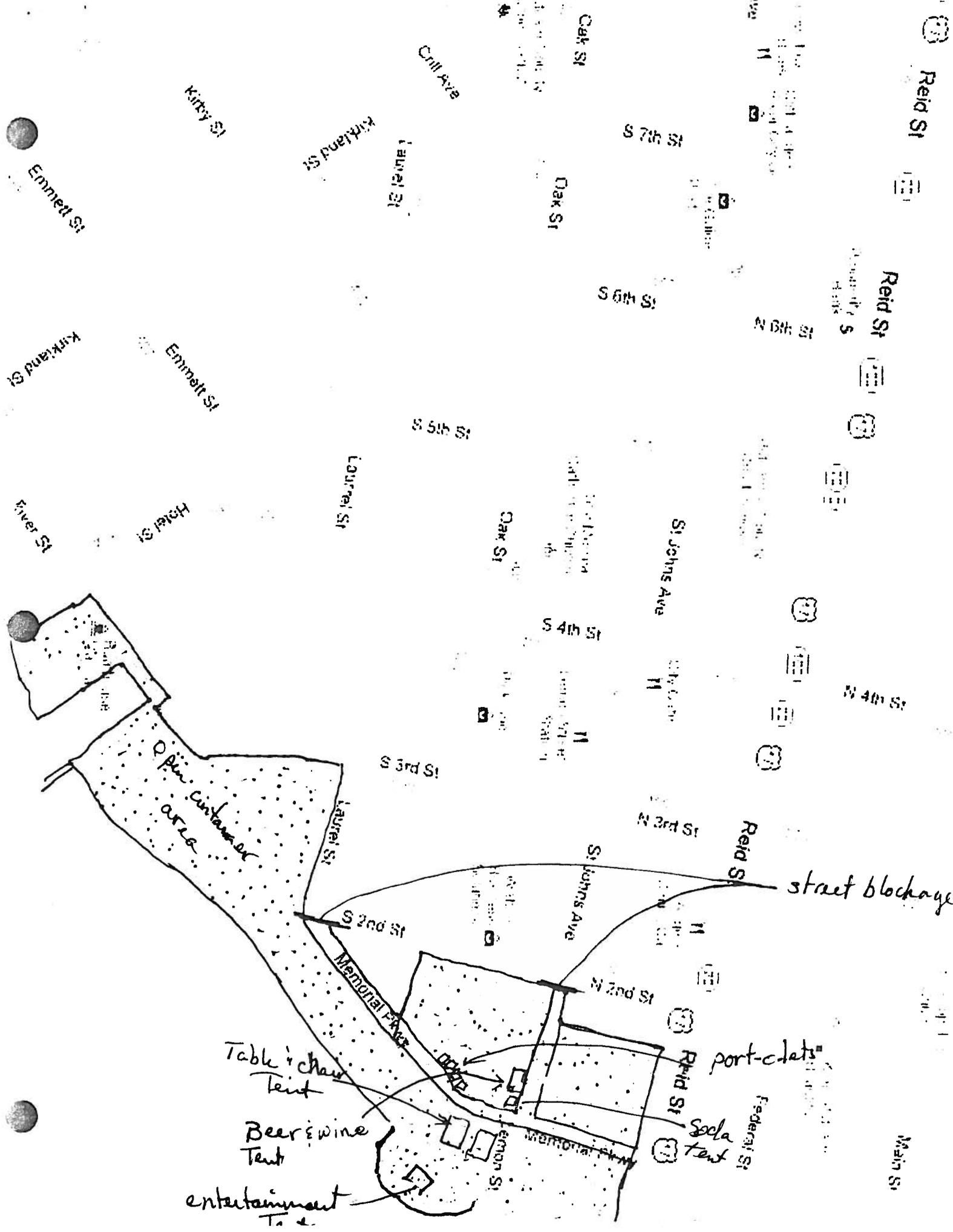
Table & Chair
Tent
 Beer & Wine
Tent
 Entertainment
Tent

Q.P.M. Containment
Area

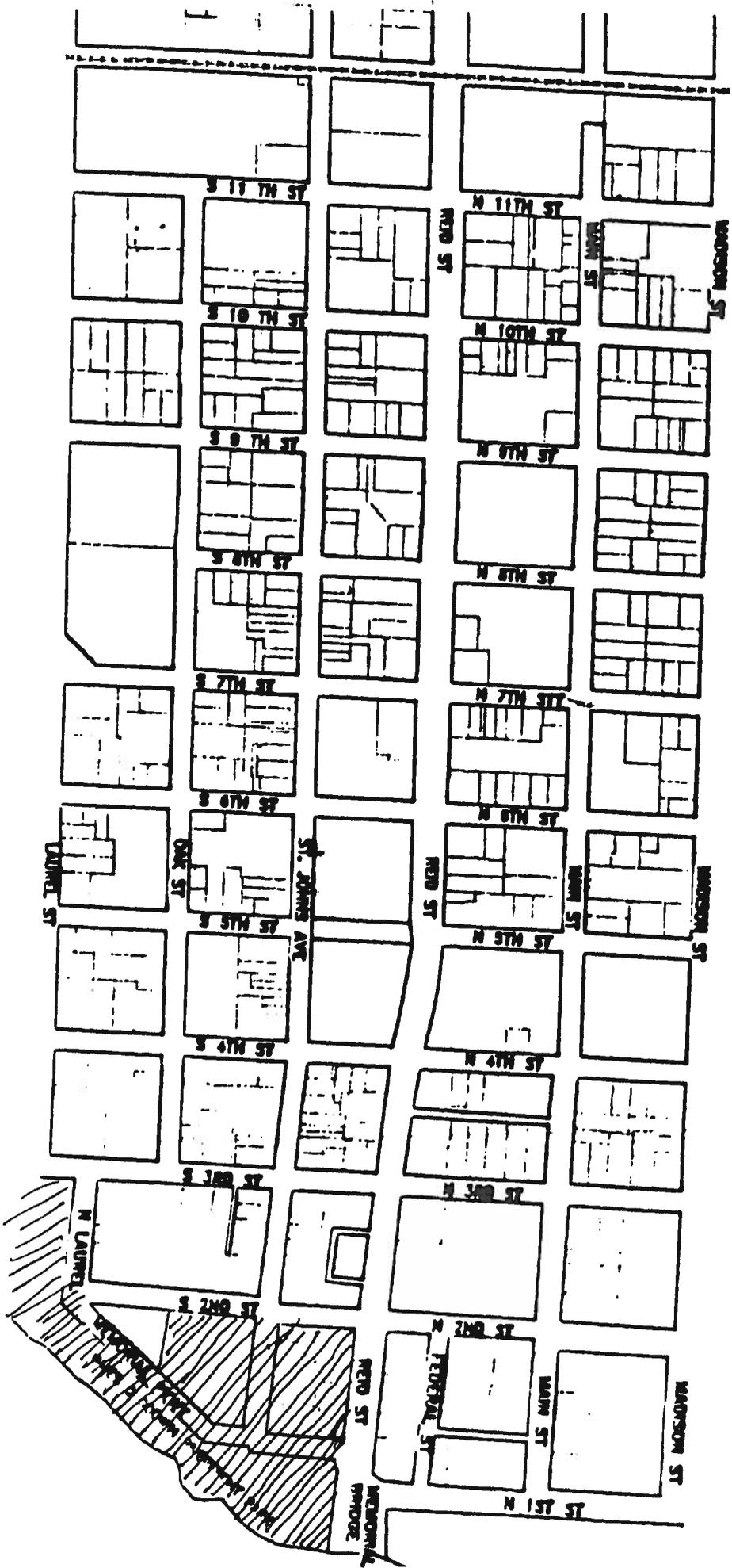
Memorial Park

port-clets
 Soda
Tent

street blockage



Downtown Palatka



*Agenda
Item*

3h



CITY COMMISSION AGENDA ITEM

SUBJECT: Special Request Items for Special Events Permit No. 13-17 -- April 20 – 21, 2013
Palatka Main Street "Outdoor Movie" and Sunday Morning Sunrise Service

DEPARTMENT: Special Events

ATTACHMENTS: Ordinance Resolution Motion
X Support Documents Other

SUMMARY: This is a request to allow public consumption of alcohol and for permission to exceed allowable noise levels set by Chapter 30, Article IV of the Palatka Municipal Code. Palatka Main Street has applied for a Special Events Permit to host an outdoor movie event on the 100 Block of Reid Street, on Saturday, April 20, and a Sunrise Service at the Amphitheater on Sunday, April 21.

Main Street is requesting permission for sales and consumption of alcoholic beverages during the outdoor movie event on April 20. They will begin selling beer & wine at 6:00 pm; the event ends at 10:00 p.m. This request covers the open space on the 100 Block of Reid Street.

Main Street has also requested permission to exceed allowable noise levels for both the outdoor movie and a Sunday Morning Sunrise Service on April 21, which begins at 6:30 pm and ends at 8:00a.m. This is similar to the Easter Sunrise Service and will be held at the Amphitheater

RECOMMENDED ACTION:

Approve special request items for Special Events Permit #13-17 – Palatka Main Street, Applicant

- 1. Allow sales/consumption of alcoholic beverages on public property/r-w on the 100 Block of Reid Street for the Outdoor Movie Event on April 20, 2013 from 6:00 pm to 10:00 pm;
2. Approve request to exceed allowable noise levels on April 20, 2013 for Outdoor Movie from 6:00 pm to 10:00 pm and April 21, 2013 for Sunrise Service from 6:30 am – 8:00 am

DEPARTMENT HEAD Submitted: Jeff Norton Date: 2/13/2013
Requested Agenda Consent Date: 2/13/2013
FINANCE DEPARTMENT Budgeted Yes No X N/A Date: 2/22/13
CITY ATTORNEY Approved as to Form and Correctness Date:
CITY MANAGER Approved Agenda Item For: Date: 2/21/13

COMMISSION ACTION: Approved as Recommended Disapproved
Approved With Modification Tabled To Time Certain
Other

DISTRIBUTION: APT CA CC CM FIN FD P&C PD PLN S&S W&S WTP WWTP

APPLICATION # 1317

RECEIVED
JAN 22 2013

(circle one below)

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

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

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

BY:

CITY OF PALATKA
APPLICATION FOR USE OF PARKS, RECREATIONAL AREAS,
RIVERFRONT PARK AND OTHER AREAS WITHIN THE CITY LIMITS

1. NAME AND ADDRESS OF APPLICANT/ORGANIZER

Charles Reed Palatka Main Street

CONTACT PERSON Charles Reed TELEPHONE 352-455-1100

FAX # _____

2. NAME AND ADDRESS OF PERSON, CORPORATION OR ASSOCIATION SPONSORING THE ACTIVITY, IF DIFFERENT FROM ABOVE

CONTACT PERSON _____ TELEPHONE _____

FAX # _____

3. DESCRIPTION AND/OR NAME OF PROPOSED ACTIVITY

'Drive-in Movie' on N 100 Block, Sunrise Service in Amphitheater

4. DATE & HOURS OF DESIRED USE: 4/22/13 4pm - midnight 4/21/13 5am - 10am

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

N. 100 Block, Amphitheater

6. REQUEST FOR ROAD CLOSURES: None

7. REQUEST FOR NOISE VARIANCE (Dates and Times): 4/22/13 6-12pm 4/21/13 7-8am

8. REQUEST FOR ALCOHOL VARIANCE: 4/22/13 - For Drive-in Movie event 6-12pm

9. ESTIMATE OF ANTICIPATED ATTENDANCE 100 - 200 for Drive-in 30-40 for Sunrise service

10. NUMBER AND TYPE OF AUXILIARY VEHICLES/EQUIPMENT N/A

11. ARTICLE IV SPECIAL EVENT ORDINANCE: FEES

- a.) CLASS A: _____ \$150.00 up to 10,000 in attendance per day
- _____ \$2250.00 10,000 - 40,000 in attendance per day
- _____ \$300.00 - 40,000 - 80,000 in attendance per day

b.) CLASS B: _____ \$100.00 per day

c.) CLASS C: _____ \$ 50.00 per day (Limited impact on traffic, parking etc.) Events such as Weddings, Fishing tournaments with less than 40 boats, ETC.

d.) Any private entity/business(es) who are holding a function on private property that impacts neighboring businesses/residents within the City limits and, impacts City services will be assessed a fee amount accordingly. (7% Sales Tax)

Number of Days _____ Fee Required (Yes/No) _____ Check Enclosed? _____

12. OTHER COSTS: Fees will be determined at the pre-assessment meeting with the organizers and the Special Events Committee.

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

IMPORTANT INFORMATION

THIS FORM IS INTENDED FOR RESERVATION PURPOSES ONLY AND DOES NOT CONSTITUTE PERMISSION FOR USES DISALLOWED UNDER PALATKA'S MUNICIPAL CODE. PERMISSION GRANTED FOR USE OF PUBLIC PROPERTY COVERS MUNICIPAL PARK AREAS AND OTHER AREAS WITHIN THE CITY LIMITS. IT DOES NOT INCLUDE PERMISSION TO CLOSE PUBLIC STREETS OR HINDER PRIVATE PROPERTY. Organizers are required to contact the City of Palatka Parks Department office at 386-329-0100 for pre-planning purposes. ORGANIZERS/APPLICANTS WILL BE NOTIFIED WITHIN 30 DAYS OF ANY COMMENTS THEY MAY HAVE PERTAINING TO THIS EVENT'S ANTICIPATED IMPACT WITHIN THE CITY LIMITS.

Acceptance of your application should in no way be construed as final approval or confirmation of your request. Sec. 50-145. Any person or organization granted permission shall be bound by all park/city rules and regulations and all applicable ordinances as fully as though the same were inserted in this document, except for such rules and regulations as may be waived by such document or the City Commission.

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

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

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

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

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

1/22/13
DATE

Chad Allen
SIGNATURE OF APPLICANT

APPROVED:

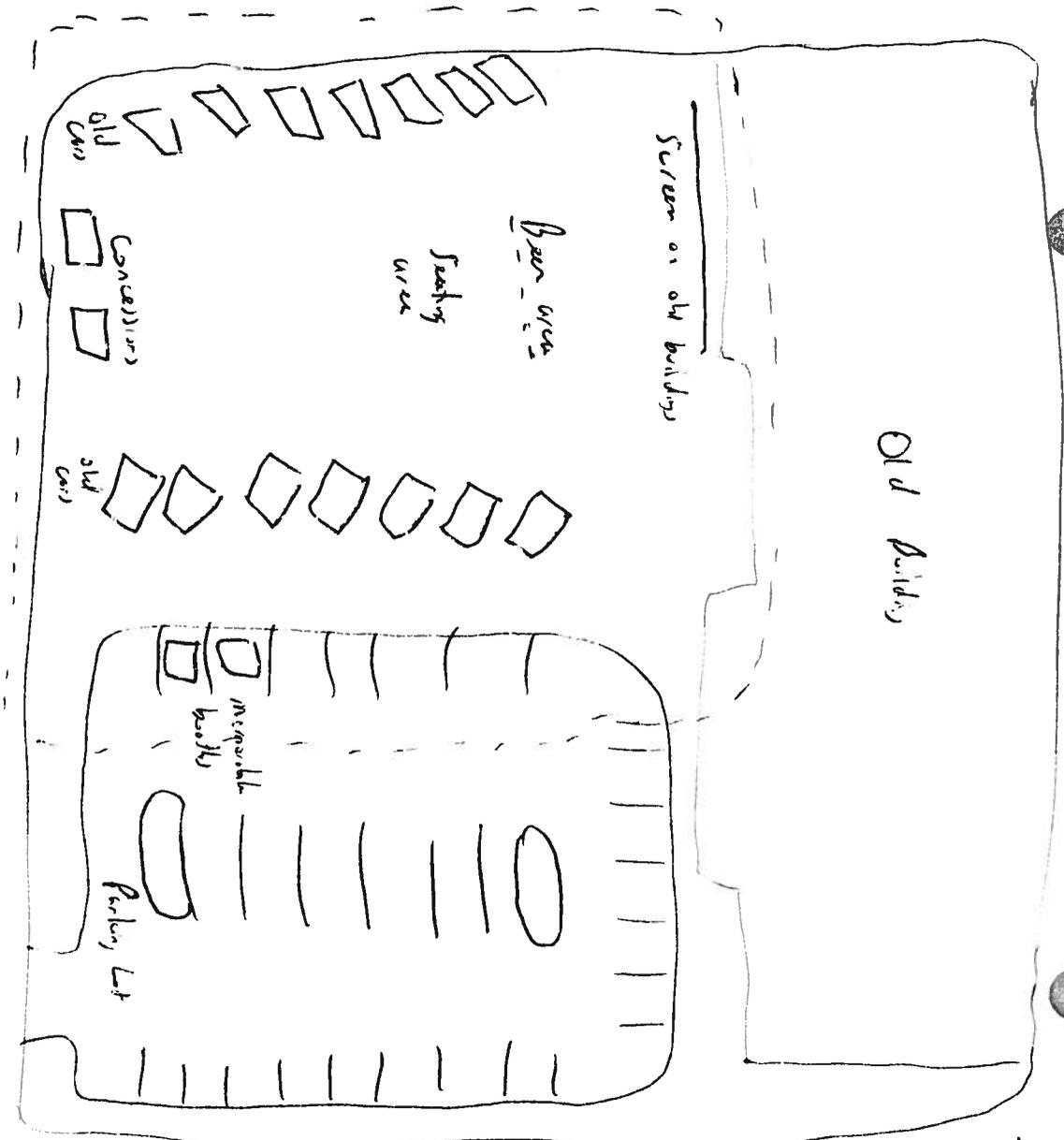
Jeff Norton 2/12/2013
SPECIAL EVENTS COORDINATOR DATE

RETURN TO:
JEFF NORTON
SPECIAL EVENTS COORDINATOR
201 N. 2nd Street
Palatka, FL 32177

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(FOR ADDITIONAL INFORMATION PLEASE CALL THE PARKS DEPARTMENT OFFICE AT 386-329-0175.)



Memo

Seating Service
at in emph. Market

*Agenda
Item*

4



AGENDA ITEM

SUBJECT: A Resolution of the City of Palatka, Florida, adopting the proposed Conceptual Plan for improvements to the Southern Portion of the Palatka Riverfront Park and authorizing the City Manager to pursue, design, permitting & development of same.

DEPARTMENT: City Hall

ATTACHMENTS: Ordinance Resolution Motion
 Support Documents Other

SUMMARY:

Following the January 29th workshop meeting of the City Commission, staff reached out to the neighboring property owners of the Riverfront Park (The First Presbyterian Church, Dr. Coleman, DDS, the South Historic Neighborhood Association, and Robert Griffin). Our intent was to present the plans for the park space and gather feedback. We had productive meetings with these representatives and generally received positive feedback on the proposed plan. A copy of the information presented to these representatives is attached.

Generally, staff received positive responses to Option B. Following this meeting staff met with the engineer to incorporate suggestions received. That plan is attached for review and acceptance. As you are aware this project is partially funded by a Fish and Wildlife Conservation Commission Florida Boating Improvement Grant. The following tasks are to be completed under this grant agreement:

- Construction of three (3) new boat launch slips
- Install two ADA compliant floating boarding docks
- Removal of the existing restroom facility and construct new restroom and shower facility
- Build a floating dock with twenty (20) mooring slips
- Install electric and potable water at the new boat mooring facility
- Parking facility to accommodate 80 vehicles and trailers

The reconfiguration of the parking lot and realignment of Laurel Street will require the following steps:

1. Conceptual plan reviewed by members of the Planning Board in conjunction with staff
2. Preliminary plat considered by Planning Board (notification of public hearing of all abutting neighbors, invitation of neighbors to public hearing)
3. Final plat considered by Planning Board
4. Final plat considered by the City Commission, which can also grant variances to any road standards set forth in Sec. 74-20 (minimum paved width 24 feet, curbing and paving in accordance with FDOT secondary road standards).

Staff is requesting that the City Commission accept the attached plan and authorize the City Manager to finalize the design, procure the proper permits and complete the necessary steps to vacate Short Laurel Street and extend Laurel Street to intersect with Second Street and Memorial Parkway.

RECOMMENDED ACTION: Adopt resolution No. 2013-9-84 accepting the attached conceptual plan for improvements to the southern portion of the City of Palatka Riverfront Park and authorizing the City Manager to pursue the design, permitting and development of the attached plan.

DEPARTMENT HEAD	Submitted: Jonathan Griffith	Date: 2-15-13
	Requested Agenda: City Commission	Date: 2-28-13
FINANCE DEPARTMENT	Budgeted <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Date: <u>2/22/13</u>
CITY ATTORNEY	Approved as to Form and Correctness	Date: _____
CITY MANAGER	Approved Agenda Item For: 	Date: <u>2/19/13</u>

COMMISSION ACTION: Approved as Recommended Disapproved
 Approved With Modification Tabled To Time Certain
 Other

DISTRIBUTION: CA CC CM CD FI FD GC HR MD PD PR UD

RESOLUTION NO. 2013-9- 84

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, ADOPTING A CONCEPTUAL PLAN FOR IMPROVEMENTS TO THE SOUTHERN PORTION OF THE CITY OF PALATKA RIVERFRONT PARK AND AUTHORIZING THE CITY MANAGER TO PURSUE THE DESIGN, PERMITTING AND DEVELOPMENT OF SAID CONCEPTUAL PLAN

WHEREAS, the City of Palatka owns and is responsible for the maintenance of Palatka's City Pier and Riverfront properties that provide recreational boat launch and trailer parking facilities for use by the public; and

WHEREAS, demand for the expanded boat launch and mooring facilities proposed by the City is regional, coming from a much larger area than Palatka and Putnam County; and

WHEREAS, Staff has developed a **Conceptual Plan** for improvements to the southern end of the Palatka Riverfront Park, attached hereto as Exhibit "A"; and

WHEREAS, the Palatka City Commission deems it necessary and in the best interest of the City of Palatka to pursue adoption of said **Conceptual Plan** referenced herein.

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

1. That the City of Palatka adopts the **Conceptual Plan** for improvements to the southern portion of the Riverfront Park, attached hereto as "Exhibit "A.""
2. That the City Manager is hereby authorized to pursue the design, permitting and development of said Conceptual Plan.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida, this 28th day of February, 2013.

CITY OF PALATKA

BY: Its MAYOR

*Agenda
Item*

5



CITY COMMISSION AGENDA ITEM

SUBJECT: RESOLUTION NO. 2013-9-85 - A Resolution adopting the Open Invitation for Submission of Development Proposals (RFP) for the approximate two and one-half (2.5) acres of City owned property within the Community Redevelopment Agency and authorizing the City Manager to advertise and disseminate accordingly.

DEPARTMENT: City Manager

ATTACHMENTS: ___ Ordinance ___ Resolution ___ Motion
___X___ Support Documents ___ Other

SUMMARY: The City Manager and staff members have been meeting for the past seven months and reviewing the City's past unsuccessful development and recruitment efforts for the City owned CRA property in order to develop a different and innovative approach to attract renewed interest in the redevelopment of this property.

RECOMMENDED ACTION: Adopt Resolution 2013-9-85 adopting, approving and authorizing the release of the Open Invitation for Submission of Development Proposals (RFP) for the City-owned riverview property within the Community Redevelopment Area

DEPARTMENT HEAD Submitted: Michael. J Czymbor, City Mgr. Date: 02/20/13
Requested Agenda Regular Date: 02/28/13

FINANCE DEPARTMENT Budgeted ___ Yes ___ No X N/A Date: 2/22/13

CITY ATTORNEY Approved as to Form and Correctness Date:

CITY MANAGER Approved Agenda Item For: Date: 2/21/13

COMMISSION ACTION: ___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

DISTRIBUTION: ___ APT ___ CA ___ CC ___ CM ___ FIN ___ FD ___ P&C ___ PD ___ PLN ___ S&S ___ W&S ___ WTP ___ WWTP

RESOLUTION NO. 2013-9-85

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, ADOPTING THE OPEN INVITATION FOR SUBMISSION OF DEVELOPMENT PROPOSALS (RFP) FOR APPROXIMATELY TWO AND ONE-HALF (2.5) ACRES OF CITY-OWNED RIVERVIEW PROPERTY WITHIN THE COMMUNITY REDEVELOPMENT AREA, AND AUTHORIZING THE CITY MANAGER TO ADVERTISE AND DISSEMINATE ACCORDINGLY.

WHEREAS, the City of Palatka owns approximately 2.5 acres of improved/unimproved Riverview Property located within the Community Redevelopment Area, more commonly known as the 100 Block of Reid Street and a portion of the 100 Block of St. Johns Avenue, formerly the site of the Frank George High Rise Apartments; and

WHEREAS, the City seeks to redevelop these sites through the use of an innovative public/private partnership with the participation of the Community Redevelopment Agency (CRA) as an active participant; and

WHEREAS, the Palatka City Commission has solicited and heard public comment, and the Commission and Staff have met with citizens, community stakeholders, neighboring property owners and professional planners in order to develop an Invitation for Development Proposals; and

WHEREAS, as part of this Invitation, the City and CRA have pledged to provide technical knowledge, historical information and financial assistance to the selected respondent(s) to aid in bringing this project to fruition; and

WHEREAS, the Palatka City Commission deems it in the best interest of the City of Palatka and its citizens to release, advertise and disseminate this Invitation for Development Proposals for the riverview property referenced herein.

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

1. That the City of Palatka City Commission hereby approves and adopts the Invitation for Submission of Development Proposals (RFP) for

approximately two and one-half (2.5) acres of city-owned Riverview property, as referenced herein and attached hereto as Exhibit "A"; and

2. That the Palatka City Commission hereby authorizes the City Manager to advertise and disseminate said Invitation for Submission of Development Proposals to the public on Friday, March 1, 2013.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida, this **28th** day of February, 2013.

CITY OF PALATKA

BY: Its MAYOR

ATTEST:

CITY CLERK

**APPROVED AS TO FORM
AND CORRECTNESS:**

CITY ATTORNEY



OPEN INVITATION

FOR SUBMISSION OF DEVELOPMENT PROPOSALS (RFP) 13-002

The City of Palatka, and the Community Redevelopment Agency (hereinafter referred to as “the City”) are soliciting proposals from potential developers and/or end users for the redevelopment of two City blocks, through sale, lease or combination thereof. The property, consisting of approximately 2.52 acres, is located within the Community Redevelopment Agency's (CRA) Central Business District (CBD). The property is separated into three distinct redevelopment areas, one of which includes Area 1 consisting of four existing buildings totaling 29,890 sf, Area 2 (block 2 vacant land) 0.38 acres and Area 3 (block 1 vacant land) 1.75 acres. The City will consider proposals from interested and qualified respondents for any and/or all of the redevelopment areas/buildings.

The City reserves the right to enter into contracts with multiple developers, master tenants and/or end-users, pursue a multi-phased project, waive any irregularities submitted, reject any and/or all submittals, re-advertise, and accept any submittals deemed to be in the best interest of the City. All interested parties must register their name, email address, address and telephone number with the City to receive any future changes, additions, addendums or notices concerning the RFP.

Advertisement Date: March 1, 2013

Due Date: **April 1, 2013 @3:00 p.m.**

Contact: Michael J. Czymbor, City Manager
201 North Second Street
Palatka, FL 32177
mczymbor@palatka-fl.gov
(386) 329-0100 x 217

Proposals will be reviewed by City of Palatka staff and a recommendation will be made to the City of Palatka Community Redevelopment Agency Board and City of Palatka Commission for joint consideration. Respondents are required to submit one (1) original, six (6) copies and one (1) digital copy in a sealed envelope marked in red ink **"RESPONSE TO REQUEST FOR DEVELOPMENT PROPOSALS APRIL 1, 2013"**. Responses should clearly indicate which development area(s) the response is for. To facilitate effective evaluation by the City, responses shall be limited to no more than a total of fifty (50) pages. All questions shall be emailed to the contact listed above and, all questions will be answered in writing. Forms required by this RFP, Appendix documentation, sectional dividers, and front and back covers will not be counted toward the total. At the discretion of the City, a short list of the most qualified respondents may be developed and respondents may be asked to give a short presentation or interview as part of the evaluation and selection process. The City of Palatka supports Equal Opportunity Employment, Fair Housing and Providing Handicapped Access.

I. VISION

Statement

The City of Palatka envisions a vibrant, livable, drivable and walkable area comprised of a diverse mix of complementary uses that incorporate the site's past into its reuse thus strengthening the City's ties to its riverine roots.

Riverfront Master Plan

In 2008 and 2009 the City of Palatka commissioned the development of a Riverfront Master Plan. This plan was accepted by the Commission in March 2010. Elements of the plan recently completed include: canoe/kayak soft launch, 20 floating mooring slips at the northern end of the park, 90% of the storm water infrastructure for the redevelopment area, 60+ surface parking lot spaces, streetscape improvements, northern park enhancements, and overhead to underground utility conversion in the northern redevelopment and park area. Planned improvements for the 2013-2014 fiscal year include; southern park enhancements, overhead to underground utility conversions in the southern riverfront area, the expansion of the boat launch from two (2) to five (5) slips, installation of twenty (20) floating mooring slips off of the city dock, construction of new restroom facilities, parking/storm water improvements and the construction of the St. Johns River Environmental Education Center.



Figure 1 - City of Palatka Riverfront Master Plan

Site legacy & History

For specific information related to the history of Palatka visit the City's website at http://palatka-fl.gov/?page_id=234.

Mixed use redevelopment

The City is interested in proposals that would provide for multi-story mixed used development. Schemes should take into account commercial uses (retail or office) on the first floor, and residential living on the upper floors. The City will favorably consider proposals that contribute to the redevelopment of the area as a place to live, work, shop, dine, visit and recreate.

II. PROPERTY DESCRIPTION

Owner/Sellor/Lessor: City of Palatka, FL

Size: 3.18 acres
*2.52 acres redevelopment areas

Utilities: Electric, paved roadways, sidewalks, cable TV, potable water, sewer, and natural gas are available on site. A storm water permit for all development areas has been secured from the St. Johns River Water Management District. Ninety percent (90%) of the storm water conveyance and retention system has been built out. Additional utility information related to specific development areas is listed below. The redevelopment area has a potable water Available Flow range of 1160-1500GPM and a range of 80-85 Static PSI.

Land use designation: Commercial

Zoning: Downtown Riverfront

Proposed Redevelopment areas

- Area 1 - Block 2 (100 Block) Existing Buildings

Size: 0.45 Acres including 32,236 sf existing buildings
9,126 sf - Moragne Building
5,482 sf - Snow Building

(*1,782 sf addition off back)

9,000 sf - Bailey Building
8,628 sf - Winegar Building

Utilities: Potable water is available for hook-up along the entire rear (east side) of the buildings. A sewer stub-out is located behind the edge of walk on the north side of St. Johns Avenue behind the buildings. Underground electrical conduit has been placed behind the buildings for the future placement of a transformer to service the existing buildings and vacant land. Natural gas is available on site. A stub-out for roof and additional impervious surface runoff is located at the rear of the buildings for future connection.

Description: Area 1 includes four buildings and a small amount of vacant land for pedestrian walks and access points along the north and east facing facades. This area is adjacent to a surface parking lot and on-street parking totaling 80+ public parking spaces. More information related to the history and condition of the buildings can be found in the attached reports, Historic Assessment of the 100 Block Buildings and Visual Inspection Report of the 100 Block Buildings.

- Area 2 - Block 2 (100 Block) Vacant Land
 Size: 0.33 Acres Total
 0.29 Acres – Buildable footprint
 0.04 Acres – Pedestrian walks and back of house
 Utilities: A sewer stub-out is located behind the edge of walk on St. Johns Avenue. A stub-out for roof and additional impervious surface storm water runoff is located at the east of Block 2. This area is adjacent to a surface parking lot and on-street parking totaling 80+ public parking spaces.
- Area 3 - Block 1 Vacant Land
 Size: 1.75 Acres
 Utilities: A stub-out for roof and additional impervious surface runoff is located at the northeast corner of Block 1.

Adjacent Public Lands and Facilities

These facilities are listed for informational purposes only and are not included as available redevelopment areas unless otherwise noted.

- Block 2 (100 Block) Public Parking
 Size: 0.50 Acres
 Description: This surface lot was constructed in 2011 and has sixty one (61) public parking spaces.
- Riverfront Park
 Size: 7.00 Acres +/-
 Description: The City of Palatka Riverfront Park is a family-oriented space that provides for passive and active recreational activities. The park includes an amphitheater, event lawn, covered fishing gazebo, City Pier, boat launch, mooring slips, restroom facilities and parking areas at the northern and southern ends of the park. These two lots total approximately 60+ spaces.
- St. Johns River Center and Lemon Street Plaza
 Size: 0.15 Acres
 3,392 sf – Center 1st floor
 2,059 sf – Center 2nd floor
 2,978 sf – Plaza
 Description: The mission of the St. Johns River Center will be to enhance the awareness, knowledge and appreciation of the fascinating history and diverse ecology of the St. Johns River and its systems of lakes, creeks and wetlands. This educational facility is to be fully constructed and operational by the second quarter of 2014. The City of Palatka is will entertain proposals for accessory/complementary uses to be located in Area 2 – Block 2 (100 Block) vacant land adjacent to the proposed St. Johns River Center.

III. PLANS AND STUDIES

The following exhibits are available on the City's website at <http://palatka-fl.gov/Documents/Redevelopmentexhibits> to assist with due diligence.

1. Riverfront Master Plan (2010)
2. Historic Assessment of the 100 Block Buildings
3. Visual Inspection Report of the 100 Block Buildings
4. 100 Block Buildings Estimate of Probable Cost
5. CDBG-C02 Streetscape and Storm Water Exhibit
6. Community Redevelopment Area Plan
7. City of Palatka Zoning & Future Land Use Maps
8. Proposed Development Lease and Purchase Agreements
9. Completed and Proposed Riverfront Improvements Planning Document

IV. PUBLIC/PRIVATE PARTNERSHIP

The City seeks to redevelop these sites through the use of an innovative public/private partnership with the participation of the Community Redevelopment Agency as an active participant providing technical knowledge, historical information and financial assistance to the selected respondent(s). Contemplated funding and financing may include:

- the use of CRA tax increment funds;
- grant sources (i.e. United States Department of Agriculture, Department of Economic Opportunity, State Historic Preservation Office);
- enterprise zone sales tax credits;
- historic rehabilitation tax credits; and
- FL-New Market Tax Credits.

V. EVALUATION CRITERIA

The criteria that the City will use in evaluating all proposals include, but are not limited to;

- the qualifications, experience and financial capacity of the proposer(s);
- the proposed use of space and consistency of the proposal with the mixed-use vision for the redevelopment area and land use regulations;
- purchase/lease terms and proposal;
- market justification;
- degree of flexibility of the proposal as it relates to overall redevelopment;
- strength of proposal concept and likelihood of realization in a timely manner; and
- the impact of the proposal and flexibility in pursuing other redevelopment alternatives to ensure a successful overall development.

The City reserves the right to make investigations of the qualifications of the Respondent as it deems appropriate including, but not limited to, a background investigation of Respondent personnel to be conducted by the City of Palatka Police Department or its designees. Further, the Respondent hereby consents and authorizes the City to contact any and all previous references and others having business dealings with Respondents to inquire about the Respondent's past or current performance on any other projects that the City deems to be relevant to the services requested under this RFP.

VI. MANDATORY SUBMITTAL REQUIREMENTS

All respondents shall submit the following items tabbed and arranged in the sequence shown below.

1. **Letter of interest** describing the legal composition of the developer, master-tenant and/or end-user. The letter should indicate all parties' roles and any evaluation criteria that are not applicable to their proposal.
2. **Experience:** Provide a narrative and/or listing of similar successful experience, specifically with regard to that which is being proposed (i.e. developer, master-tenant, end-user).
3. **References:** Provide at least four (4) verifiable references of which two (2) must be letters of reference.
4. **Proposal Concept:** State the type of respondent (developer, master-tenant or end-user), anticipated use(s), redevelopment areas sought, total square footages envisioned per use, site control desired (purchase or lease), and any requested financial participation by the City. If the respondent elects to submit a conceptual site plan or building elevation renderings, they must be 24 x 36 rolled. A maximum of five (5) 24 x 36 sheets is allowed, with an accompanying electronic copy.
5. **Financial Feasibility and Capacity:** Submit a preliminary financing plan including:
 - a. Source and use of all private and public funds needed to construct and open the facility. This will include the cost of building construction, fixed equipment, initial inventory as well as any required rolling stock.
 - b. Demonstrate financial capacity of the proposer/respondent by supplying financial statements, income tax returns, bank letter of credit and previous experience with fund raising, development deal making, capital investments, debt capacity and other financing mechanisms.
6. **Business plan:** Submit a business plan including at a minimum;
 - a. description of the business from an ownership, organizational, historical, and structural perspective;
 - b. number of proposed full time and part-time employees by position title, educational experience to be required to qualify for each type of position and anticipated salary range;
 - c. time schedule for hiring;
 - d. identify all key project personnel who will work on tasks assigned under this RFP or in the case of end-users all key personnel of the proposed business/use;
 - e. expected market for its product and its marketing plan;
 - f. management plan, including operational and financial issues;
 - g. projected schedule for expansion or initiation of operations; and
 - h. critical risks and perceived problems or obstacles.
7. **Proposer's Certification:** A signed letter attesting that the respondent has read and understands all procedures outlined in this RFP (**Attachment A**)
8. **Sworn Statement on Public Entity Crimes Form (Attachment B)**
9. **Drug-free workplace certification (Attachment C)**

Each respondent shall be required to address each of the submittal requirements. If any of the criteria are not applicable, the respondent is instructed to write "NOT APPLICABLE" as an answer.

VII. ANTICIPATED SCHEDULE

March 1, 2013	Issuance Date
March 13, 2013 @ 10:00 a.m.	Voluntary pre-submittal meeting
March 20, 2013 @ 5:00 p.m.	Deadline for written inquiries
April 1, 2013 @ 3:00 p.m.	Due date
April 1-10, 2013	Evaluation and ranking of proposals
TBD	Oral presentations by selected respondent(s) to Commission and/or evaluation committee
April 19, 2013	Staff recommendation to City Commission
April 25, 2013	Selection of respondent(s) for negotiations by City Commission
TBD	Development agreement(s) approval by City Commission

EXHIBIT "A"

REDEVELOPMENT AREAS



Figure 1 - Aerial Exhibit of Redevelopment Areas



Figure 2 - Aerial of Riverfront Park and Redevelopment Areas

EXHIBIT "A"



Figure 3 – Redevelopment areas Block 2



Figure 4 – Area 1 existing buildings

EXHIBIT "A"



Figure 5 – Area 2 Block 2 vacant land & St. Johns River Center location



Figure 6- Block 2 parking

EXHIBIT "A"



Figure 7 - Block 2 St. Johns River Center Conceptual Rendering



Figure 8- Area 3 Block 1 vacant land

ATTACHMENT "A"

PROPOSER'S CERTIFICATION

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

The undersigned has read the City of Palatka's Open Invitation for Submission of Development Proposals (RFP), the other related documents identified in the RFP, and any Addenda, receipt of all which is hereby acknowledged:

<u>Addendum No.</u>	<u>Addendum Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

On behalf of our proposal team, we agree to, and accept the terms, specific limitations and conditions expressed therein. I certify that all information contained in the proposal is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this proposal on behalf of my team as its act and deed and that the team is ready, willing and able to perform.

Name (Print)

Signature

Date:

STATE OF FLORIDA

COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, after first being sworn by me, affixed his/her signature at the space provided above on this ____ day of _____, 201 ____, and is personally known to me, or has provided _____ as identification.

Notary Public

My Commission expires:

ATTACHMENT "B"

**CITY OF PALATKA, FLORIDA SWORN STATEMENT UNDER F.S. SECTION 287.133(3)(A),
ON PUBLIC ENTITY CRIMES**

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted with Bid, Proposal or Contract for _____
_____.
2. This sworn statement is submitted by (entity) _____ whose business address is _____ and (if applicable) Federal Employer Identification Number (FEIN) is _____ (If a Sole Proprietor and you have no FEIN, include the last four (4) digits of your Social Security Number: _____.)
3. My name is _____ and my relationship to the entity named above is _____.
4. I understand that a "public entity crime" as defined in Paragraph 287.133(a)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any proposal or contract for goods or services to be provided to any public entity or any agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
5. I understand that "convicted" or "conviction" as defined in paragraph 287.133(a)(b), Florida Statutes, means finding of guilt or a conviction of a public entity crime with or without an adjudication of guilt, in any federal or state trial court of records relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.
6. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:
 - a. A predecessor or successor of a person convicted of a public entity crime; or
 - b. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The City of Palatka, Florida ownership by one of shares constituting a controlling income among persons when not for fair interest in another person, or a pooling of equipment or income among persons when not for fair market value under a length agreement, shall be a prima facie case that one person controls another person. A person who was knowingly convicted of a public entity crime, in Florida during the preceding 36 months shall be considered an affiliate.
7. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of the state or of the United States with the legal power to enter into a binding contract for provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person"

includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

8. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies.)

- Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.
- The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. (Please attach a copy of the final order.)
- The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in the public interest to remove the person or affiliate from the convicted vendor list. (Please attach a copy of the final order.)
- The person or affiliate has not been placed on the convicted vendor list. (Please describe any action taken by, or pending with, the Department of General Services.)

Name (Print)

Signature Date:

STATE OF FLORIDA

COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, after first being sworn by me, affixed his/her signature at the space provided above on this ____ day of _____, 201 ____, and is personally known to me, or has provided _____ as identification.

Notary Public

My Commission expires:

ATTACHMENT "C"

CITY OF PALATKA

DRUG-FREE WORKPLACE CERTIFICATION

The below-signed Proposer certifies that it has implemented a drug-free workplace program. In order to have a drug-free workplace, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violation of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or services a copy of the statement specified in paragraph 1.
4. In the statement in paragraph 1., notify the employees that, as a condition of working on the commodities or contractual services that are under proposal, the employee understands the terms of the statement and will notify the employer of any conviction of, or plea of nolo contendere to, any violation occurring in the workplace no later than five (5) working days after such conviction.
5. Impose a sanction, require a fine or require satisfactory participation in drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign this statement, I Certify that this firm complies fully with the above drug-free workplace requirements.

COMPANY: _____

CITY: _____ STATE: _____ ZIP CODE: _____

TELEPHONE NUMBER(S): _____

SIGNATURE: _____

NAME (TYPED OR PRINTED): _____ TITLE: _____

EMAIL: _____

Agenda Item

6a



CITY COMMISSION AGENDA ITEM

SUBJECT: ADOPTION OF ORDINANCE ANNEXING PROPERTY LOCATED 100 KELLEY SMITH SCHOOL AND 119, 121 ROUND LAKE ROAD (NORTHWEST CORNER OF KELLEY SMITH SCHOOL ROAD AND ROUND LAKE ROAD)

DEPARTMENT: BUILDING AND ZONING

ATTACHMENTS: Ordinance Resolution Motion
 Support Documents Other

SUMMARY:

This is an administrative request on behalf of the property owner with property contiguous to the city limits who has voluntarily requested to annex into the City. There is a companion rezoning action and Future Land Use Map amendment for the property for consideration at this meeting. The 1.22-acre property is located at the northwest corner of Kelley Smith School Road and Round Lake Road and has three duplexes. The owner has requested City water.

The Planning Board recommended approval of this item at their January 8, 2012 meeting.

RECOMMENDED ACTION:

Approve adoption

DEPARTMENT HEAD Submitted: Thad Crowe *TC* Date: 2/19/2013
Requested Agenda Regular Date: 2/28/2013

FINANCE DEPARTMENT Budgeted Yes No N/A *mk* Date: 2/22/13

CITY ATTORNEY Approved as to Form and Correctness Date:

CITY MANAGER Approved Agenda Item For: Date:

COMMISSION ACTION: Approved as Recommended Disapproved
 Approved With Modification Tabled To Time Certain
 Other

DISTRIBUTION: APT CA CC CM FIN FD P&C PD PLN S&S W&S WTP WWTP

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

ORDINANCE NO. 13 - 12

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IDENTIFIED AS 100 KELLEY SMITH SCHOOL ROAD AND 119, 121 ROUND LAKE ROAD, LOCATED IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1.

WHEREAS, application has been made by the City of Palatka Building and Zoning Department on behalf of Billy S. and Betty J. Russ, and

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

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

Section 2. NOW THEREFORE, be it enacted by the people of the City of Palatka, Florida, that the following described unincorporated lands lying adjacent and contiguous to the boundaries of the City of Palatka, Florida shall henceforth be deemed and held to be within the corporate limits of the City of Palatka, Florida said lands being described as follows:

DESCRIPTION OF PROPERTY:

PT OF W1/2 OF E1/2 OF SECOR843 P1713 (EX OR843 PP17171720 1723 1726 1729) (LOT 16) (Being 119, 121 Round Lake Road and 100 Kelley Smith School Road / tax parcel # 16-10-26-0000-0030-0016)

Section 3. The property hereby annexed shall remain subject to the Putnam County Comprehensive Plan and Zoning Laws until changed by the City of Palatka.

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

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 28th day of February, 2013.

CITY OF PALATKA

BY: _____

Its Mayor
ATTEST:

City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

City Attorney



CITY OF PALATKA
PLANNING BOARD MINUTES – DRAFT COPY
January 8, 2013

The meeting was called to order by Chairman Carl Stewart at 4:00 pm. **Other members present:** Vice-Chairman Daniel Sheffield, Joe Pickens, George DeLoach, Judith Gooding, Anthony Harwell and Lavinia Moody. **Members absent:** Earl Wallace and Joe Petrucci. **Also present:** Planning Director Thad Crowe, Recording Secretary Pam Sprouse and City Attorney Don Holmes.

Mr. Motion was made by Mr. Sheffield and seconded by Ms. Moody to have the minutes for the December 4, 2012 meeting be brought back to the February, 2013 meeting with additional comments from Mr. Harwell for consideration. All present voted affirmative, motion carried.

Chairman Stewart read the appeal procedures and requested that disclosure of any ex parte communication be made prior to each case.

NEW BUSINESS

Case 12-66: Annex, amend the Future Land Use Map from Putnam County UR to RM and Rezone from Putnam County R-3 to City R-3.

Location: 100 Kelley Smith School Rd. and 119 and 121 Round Lake Rd.
Parcel No.: 09-10-26-0000-0340-0090
Owner(s): Billy S. & Betty J. Russ

Mr. Crowe explained that this parcel is located at the intersection of Kelley Smith School Rd. and Round Lake Rd. and that there are three duplexes on the site. He added that staff is proposing Residential Low Density because this designation allows for two-family uses and that the Residential Medium Density category is too intense. With the current density of this property, R-2 would also be an appropriate zoning designation as well. He stated that this request meets Comprehensive Plan and rezoning criteria and he recommended approval of the request.

Motion made by Mr. Sheffield and seconded by Mr. Pickens to approve the request to annex, amend the Future Land Use and Zoning designations as recommended by staff. All present voted affirmative, motion carried.

Case 12-65 Request to amend the Zoning Code Section 94-149 to allow flea markets in the C-2 zoning district through the conditional use process.

Applicant: The Palatka Market, Chad Dennis

Mr. Crowe explained that there is an existing flea market located on Reid Street that is currently in violation of the Zoning Code. The operator, Mr. Dennis, has requested to amend the zoning code to allow this type of non-temporary outdoor sales. Given the state of the economy and the need to encourage small businesses, Staff's thought was to allow this use in a limited manner through the conditional use process, with development standards to control the appearance and function of such activities. He added that currently the zoning code allows for five types of outdoor sales through the conditional use process and as part of either 1) a outdoor promotional sale (limited to 72 hours in duration, "midnight madness" type sale, 2) seasonal goods sale, limited

**Case 12-66: 100 Kelley Smith School Rd. and 119, 121 Round Lake Rd.
Request to Annex, Amend Future Land Use Map and Rezone
Applicant: Building & Zoning Dept.**

STAFF REPORT

DATE: December 21, 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 (red shaded area represents city limits)



Figure 2: 119, 121 Round Lake Road (above)

Figure 3: 100 Kelley Smith School Road (below)



APPLICATION BACKGROUND

The properties under consideration currently have a County mixed-use Future Land Use Map (FLUM) designation and multi-family zoning. There are three duplexes on the property.

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

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

Future Land Use Map Category		Zoning	
Current Putnam Co.	Proposed City	Current Putnam Co.	Proposed City
UR (Urban Reserve)	RL (Residential Low)	R-3 (Residential-6 units per acre)	R-3 (Single-family Residential)

The Putnam County Health Department has required the property owner to hook up to City water due to their rule that properties must hook up to City water instead of replacing or deepening wells when they are within 250 feet of a city water line. The City's Comprehensive Plan requires that when properties receiving city water are contiguous to city limits they must annex into the City. 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. As indicated in Figure 1, the property is contiguous to the City limits, which are across Kelley Smith Road (statutes do not consider rights-of-way and interrupting contiguity).

Compactness. The statute also provides a definition for compactness that requires an annexation to be for properties in a single area, and also precludes any action which would create or increase enclaves, pockets, or finger areas in serpentine patterns. Annexing the properties meets the standard of compactness as it does not create an enclave, pocket, or finger area but in fact reduces the greater County enclave that is present between Kelley Smith Elementary School on the south and properties within the City north of Crill Avenue.

Future Land Use Map Amendment Analysis

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

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

The proposed 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 land uses that are incompatible with residential density. Residential land use provides for a variety of land use densities and housing types.

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

Medium Density (231 acres) - provides for a range of densities up to 10 units per acre.

Staff Comment: the properties are now in the County's Urban Reserve FLUM category (density range of one to four units per acre), which is approximately equivalent to the City's RL (Residential Low Density), which has a density range of one to five units per acre. **Please note that while the item was advertised for a proposed RM (Residential, Medium Density) FLUM, Staff proposes to revise this downward to the RL (Residential, Low Density) category due to the belief that the 10-units per acre density allowed by the RM FLUM is too intense for this suburban area.** Section 94-111(b) allows the R-2 zoning category within the RL land use category, and the actual density of the three duplexes on the 1.22-acre site comes in just below the top RL density of five units per acre.

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 (both within the Kelley Smith Road right-of-way).

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 a residential neighborhood that is suitable for the proposed residential FLUM designations. Staff is not aware of any soil or topography conditions that would present problems for development, nor of any natural or historic resources on these developed sites.

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

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

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

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

Staff Comment: the location of 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 supported by 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: Rezoning the properties to R-2 provides uniformity to both existing City and County single-family zoning and does not create an isolated zoning district.

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

Staff Comment: Roadway capacity is available on area roadways and the impacts of 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: One condition that has changed in regard to these properties is the failure or obsolescence of private wells and the ability to tie into a city water line.

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

Staff Comment: Rezoning the properties to a designation similar to the current County zoning will not adversely affect neighborhood living conditions.

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

Staff Comment: the properties proposed for rezoning are already developed and thus traffic congestion or public safety will not be affected.

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

Staff Comment: No drainage problems are anticipated for these already-existing uses.

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 residential 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 to RL, and rezoning to R-2 for 100 Kelley Smith School Road and 119 and 121 Round Lake Road.

VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

L. LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



MICHAEL S. CRYMOR
CITY MANAGER
BETSY JORDAN DRIGGERS
CITY CLERK
MATTHEW D. REYNOLDS
FINANCE DIRECTOR
GARY S. GETCHELL
CHIEF OF POLICE
MICHAEL LAMBERT
CHIEF FIRE DEPT.
DONALD E. HOLMES
CITY ATTORNEY

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

January 29, 2013

Putnam County Board of County Commissioners
2509 Crill Avenue, Suite 200
Palatka FL 32177

ATTN: The Honorable Nancy Harris, Chairman

To Whom It May Concern:

The City of Palatka hereby provides notice of its intent to hold public hearings on February 14th and 28th, 2013 concerning the adoption of a proposed ordinance annexing the following described properties into its municipal boundaries:

Address	# of Acres	Sec/Township/Range	Ord. #
119 & 121 Round Lake Rd and 100 Kelly Smith Road	1.22	13/10/26	13-12

Attached please find a copy of the public notices, including a map of the properties, which are scheduled to appear in the Palatka Daily News on February 2nd and February 23rd, 2013, as noted. A copy of the Ordinance containing the legal descriptions can be obtained from the Office of the City Clerk at City Hall. This notice is being provided pursuant to FS171.0446.

Please govern yourselves accordingly.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Putnam Co Bd of County Commis
ATTN: Nancy Harris, Chm
2509 Crill Avenue, Suite 200
Palatka FL 32177**

2. Article Number
(Transfer from service label) **7007 0220 0001 1687 1505**

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) **Nancy Harris** B. Date of Delivery **2/13/13**

C. Signature **Nancy Harris** Agent Addressee

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

*Agenda
Item*

6b



CITY COMMISSION AGENDA ITEM

SUBJECT: ADOPTION OF COMPREHENSIVE PLAN FUTURE LAND USE MAP CHANGE FOR PROPERTY LOCATED AT NORTHWEST CORNER OF KELLEY SMITH SCHOOL & ROUND LAKE ROADS

DEPARTMENT: BUILDING AND ZONING

ATTACHMENTS: Ordinance Resolution Motion
 Support Documents Other

SUMMARY:

This is an administrative request on behalf of the property owner with property contiguous to the city limits who has voluntarily requested to annex into the City. There is a companion annexation action and rezoning for the property for consideration at this meeting. The 1.22-acre property is located at the northwest corner of Kelley Smith School Road and Round Lake Road and has three duplexes. The owner has requested City water.

The Planning Board recommended approval of this item at their January 8, 2012 meeting.

RECOMMENDED ACTION:

Approve adoption

TZ

DEPARTMENT HEAD Submitted: Thad Crowe Date: 2/18/2013
Requested Agenda Regular Date: 2/28/2013

FINANCE DEPARTMENT Budgeted Yes No N/A *MR* Date: 2/22/13

CITY ATTORNEY Approved as to Form and Correctness Date:

CITY MANAGER Approved Agenda Item For: Date:

COMMISSION ACTION: Approved as Recommended Disapproved
 Approved With Modification Tabled To Time Certain
 Other

DISTRIBUTION: APT CA CC CM FIN FD P&C PD PLN S&S W&S WTP WWTP

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

ORDINANCE NO. 13 - 13

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE FUTURE LAND USE MAP OF THE ADOPTED COMPREHENSIVE PLAN BE AMENDED WITH RESPECT TO THE FOLLOWING PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE): FROM PUTNAM COUNTY UR (URBAN RESERVE) TO CITY RL (RESIDENTIAL, LOW DENSITY) FOR 119, 121 ROUND LAKE ROAD AND 100 KELLEY SMITH SCHOOL ROAD (SECTION 9, TOWNSHIP 10 SOUTH, RANGE 26 EAST), 10 SOUTH, RANGE 26 EAST); PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, application has been made by the City of Palatka Building and Zoning Department on behalf of Billy S. and Betty J. Russ for certain amendment to the Comprehensive Plan Future Land Use Map of the City of Palatka, Florida, and

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

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

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

WHEREAS, the Planning Board conducted a public hearing on January 8, 2013 and recommended approval of this amendment to the City Commission, and

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

Section 1. Adopted Small Scale Amendment

That the Future Land Use Map of the adopted Comprehensive Plan of the City of Palatka is hereby amended to provide that the Future Land Use of the parcel of land listed in Table 1 below shall be changed as designated and that the Future Land Use Map shall be amended to show the change.

**TABLE 1
ADOPTED SMALL SCALE AMENDMENT**

<u>Property Tax Number</u>	<u>Acreage</u>	<u>Current Land Use</u>	<u>Future Land Use</u>	<u>Amended Future Land Use</u>
16-10-26-0000-0030-0016	1.22	County Reserve	UR (Urban)	RL (Residential, Low Density)

Section 2. Effect on the Comprehensive Plan

The remaining portions of said adopted comprehensive plan of the City of Palatka, Florida, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 3. Severability

Should any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portion.

Section 4. Effective date

This Ordinance shall become effective thirty-one (31) days after its final passage by the City Commission of the City of Palatka, Florida.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 28th day of February, 2013.

CITY OF PALATKA

By: _____
Its Mayor

ATTEST:

City Clerk



CITY OF PALATKA
PLANNING BOARD MINUTES – DRAFT COPY
January 8, 2013

The meeting was called to order by Chairman Carl Stewart at 4:00 pm. **Other members present:** Vice-Chairman Daniel Sheffield, Joe Pickens, George DeLoach, Judith Gooding, Anthony Harwell and Lavinia Moody. **Members absent:** Earl Wallace and Joe Petrucci. **Also present:** Planning Director Thad Crowe, Recording Secretary Pam Sprouse and City Attorney Don Holmes.

Mr. Motion was made by Mr. Sheffield and seconded by Ms. Moody to have the minutes for the December 4, 2012 meeting be brought back to the February, 2013 meeting with additional comments from Mr. Harwell for consideration. All present voted affirmative, motion carried.

Chairman Stewart read the appeal procedures and requested that disclosure of any ex parte communication be made prior to each case.

NEW BUSINESS

Case 12-66: Annex, amend the Future Land Use Map from Putnam County UR to RM and Rezone from Putnam County R-3 to City R-3.

Location: 100 Kelley Smith School Rd. and 119 and 121 Round Lake Rd.
Parcel No.: 09-10-26-0000-0340-0090
Owner(s): Billy S. & Betty J. Russ

Mr. Crowe explained that this parcel is located at the intersection of Kelley Smith School Rd. and Round Lake Rd. and that there are three duplexes on the site. He added that staff is proposing Residential Low Density because this designation allows for two-family uses and that the Residential Medium Density category is too intense. With the current density of this property, R-2 would also be an appropriate zoning designation as well. He stated that this request meets Comprehensive Plan and rezoning criteria and he recommended approval of the request.

Motion made by Mr. Sheffield and seconded by Mr. Pickens to approve the request to annex, amend the Future Land Use and Zoning designations as recommended by staff. All present voted affirmative, motion carried.

Case 12-65 Request to amend the Zoning Code Section 94-149 to allow flea markets in the C-2 zoning district through the conditional use process.

Applicant: The Palatka Market, Chad Dennis

Mr. Crowe explained that there is an existing flea market located on Reid Street that is currently in violation of the Zoning Code. The operator, Mr. Dennis, has requested to amend the zoning code to allow this type of non-temporary outdoor sales. Given the state of the economy and the need to encourage small businesses, Staff's thought was to allow this use in a limited manner through the conditional use process, with development standards to control the appearance and function of such activities. He added that currently the zoning code allows for five types of outdoor sales through the conditional use process and as part of either 1) a outdoor promotional sale (limited to 72 hours in duration, "midnight madness" type sale, 2) seasonal goods sale, limited

**Case 12-66: 100 Kelley Smith School Rd. and 119, 121 Round Lake Rd.
Request to Annex, Amend Future Land Use Map and Rezone
Applicant: Building & Zoning Dept.**

STAFF REPORT

DATE: December 21, 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 (red shaded area represents city limits)



Figure 2: 119, 121 Round Lake Road (above)

Figure 3: 100 Kelley Smith School Road (below)



APPLICATION BACKGROUND

The properties under consideration currently have a County mixed-use Future Land Use Map (FLUM) designation and multi-family zoning. There are three duplexes on the property.

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

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

Future Land Use Map Category		Zoning	
Current Putnam Co.	Proposed City	Current Putnam Co.	Proposed City
UR (Urban Reserve)	RL (Residential Low)	R-3 (Residential-6 units per acre)	R-3 (Single-family Residential)

The Putnam County Health Department has required the property owner to hook up to City water due to their rule that properties must hook up to City water instead of replacing or deepening wells when they are within 250 feet of a city water line. The City's Comprehensive Plan requires that when properties receiving city water are contiguous to city limits they must annex into the City. Staff is presenting these applications as

administrative actions, as opposed to an action by each property owner, due to the rationale presented below.

- .. 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. As indicated in Figure 1, the property is contiguous to the City limits, which are across Kelley Smith Road (statutes do not consider rights-of-way and interrupting contiguity).

Compactness. The statute also provides a definition for compactness that requires an annexation to be for properties in a single area, and also precludes any action which would create or increase enclaves, pockets, or finger areas in serpentine patterns. Annexing the properties meets the standard of compactness as it does not create an enclave, pocket, or finger area but in fact reduces the greater County enclave that is present between Kelley Smith Elementary School on the south and properties within the City north of Crill Avenue.

Future Land Use Map Amendment Analysis

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

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

The proposed 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 Districts1. Residential

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

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

Medium Density (231 acres) - provides for a range of densities up to 10 units per acre.

Staff Comment: the properties are now in the County's Urban Reserve FLUM category (density range of one to four units per acre), which is approximately equivalent to the City's RL (Residential Low Density), which has a density range of one to five units per acre. **Please note that while the item was advertised for a proposed RM (Residential, Medium Density) FLUM, Staff proposes to revise this downward to the RL (Residential, Low Density) category due to the belief that the 10-units per acre density allowed by the RM FLUM is too intense for this suburban area.** Section 94-111(b) allows the R-2 zoning category within the RL land use category, and the actual density of the three duplexes on the 1.22-acre site comes in just below the top RL density of five units per acre.

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 (both within the Kelley Smith Road right-of-way).

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 a residential neighborhood that is suitable for the proposed residential FLUM designations. Staff is not aware of any soil or topography conditions that would present problems for development, nor of any natural or historic resources on these developed sites.

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

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

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

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

Staff Comment: the location of 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 supported by 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: Rezoning the properties to R-2 provides uniformity to both existing City and County single-family zoning and does not create an isolated zoning district.

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

Staff Comment: Roadway capacity is available on area roadways and the impacts of 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: One condition that has changed in regard to these properties is the failure or obsolescence of private wells and the ability to tie into a city water line.

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

Staff Comment: Rezoning the properties to a designation similar to the current County zoning will not adversely affect neighborhood living conditions.

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

Staff Comment: the properties proposed for rezoning are already developed and thus traffic congestion or public safety will not be affected.

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

Staff Comment: No drainage problems are anticipated for these already-existing uses.

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 residential 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 to RL, and rezoning to R-2 for 100 Kelley Smith School Road and 119 and 121 Round Lake Road.

Agenda Item

6c



CITY COMMISSION AGENDA ITEM

SUBJECT: ADOPTION OF ORDINANCE REZONING 100 KELLEY SMITH SCHOOL ROAD / 119, 121 ROUND LAKE ROAD (NORTHWEST CORNER OF KELLEY SMITH SCHOOL ROAD AND ROAD LAKE ROAD)

DEPARTMENT: BUILDING AND ZONING

ATTACHMENTS: Ordinance Resolution Motion
 Support Documents Other

SUMMARY:

This is an administrative request on behalf of the property owner with property contiguous to the city limits who has voluntarily requested to annex into the City. There is a companion annexation action and Future Land Use Map amendment for the property for consideration at this meeting. The 1.22-acre property is located at the northwest corner of Kelley Smith School Road and Round Lake Road and has three duplexes. The owner has requested City water.

The Planning Board recommended approval of this item at their January 8, 2012 meeting.

RECOMMENDED ACTION:

Approve adoption

DEPARTMENT HEAD Submitted: Thad Crowe *TC* Date: 2/19/2013
Requested Agenda Regular Date: 2/28/2013

FINANCE DEPARTMENT Budgeted Yes No N/A *ML* Date: 2/22/13

CITY ATTORNEY Approved as to Form and Correctness Date:

CITY MANAGER Approved Agenda Item For: Date:

COMMISSION ACTION: Approved as Recommended Disapproved
 Approved With Modification Tabled To Time Certain
 Other

DISTRIBUTION: APT CA CC CM FIN FD P&C PD PLN S&S W&S WTP WWTP

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

ORDINANCE NO. 13 - 14

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTY LOCATED IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 26 EAST, INCLUDING 119, 121 ROUND LAKE ROAD AND 100 KELLEY SMITH SCHOOL ROAD FROM PUTNAM COUNTY R-3 (RESIDENTIAL-6 UNITS PER ACRE) TO R-2 (TWO FAMILY RESIDENTIAL); PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, application has been made by the City of Palatka Building and Zoning Department on behalf of Billy S. and Betty J. Russ for certain amendment to the Official Zoning Map of the City of Palatka, Florida, and

WHEREAS, all the necessary procedural steps have been accomplished, including public hearings before the Planning Board of the City of Palatka on January 8, 2013, and two public hearings before the City Commission of the City of Palatka on February 14, 2013 and January 28, 2013, and

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

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

Section 1. The Official Zoning Map of the City of Palatka, Florida is hereby amended by rezoning the hereinafter described property from its present zoning classification of R-3 (Residential-6 units per acre) to R-2 (Two Family Residential) for 119, 121 Round Lake Road and 100 Kelley Smith School Road.

DESCRIPTION OF PROPERTY:

PT OF W1/2 OF E1/2 OF SECOR843 P1713 (EX OR843 PP17171720 1723 1726 1729) (LOT 16) (16-10-26-0000-0030-0016/ 119, 121 Round Lake

Road, 100 Kelley Smith School Road)

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

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

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 28th day of February, 2013.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

City Clerk



CITY OF PALATKA
PLANNING BOARD MINUTES – DRAFT COPY
January 8, 2013

The meeting was called to order by Chairman Carl Stewart at 4:00 pm. **Other members present:** Vice-Chairman Daniel Sheffield, Joe Pickens, George DeLoach, Judith Gooding, Anthony Harwell and Lavinia Moody. **Members absent:** Earl Wallace and Joe Petrucci. **Also present:** Planning Director Thad Crowe, Recording Secretary Pam Sprouse and City Attorney Don Holmes.

Mr. Motion was made by Mr. Sheffield and seconded by Ms. Moody to have the minutes for the December 4, 2012 meeting be brought back to the February, 2013 meeting with additional comments from Mr. Harwell for consideration. All present voted affirmative, motion carried.

Chairman Stewart read the appeal procedures and requested that disclosure of any ex parte communication be made prior to each case.

NEW BUSINESS

Case 12-66: Annex, amend the Future Land Use Map from Putnam County UR to RM and Rezone from Putnam County R-3 to City R-3.

Location: 100 Kelley Smith School Rd. and 119 and 121 Round Lake Rd.
Parcel No.: 09-10-26-0000-0340-0090
Owner(s): Billy S. & Betty J. Russ

Mr. Crowe explained that this parcel is located at the intersection of Kelley Smith School Rd. and Round Lake Rd. and that there are three duplexes on the site. He added that staff is proposing Residential Low Density because this designation allows for two-family uses and that the Residential Medium Density category is too intense. With the current density of this property, R-2 would also be an appropriate zoning designation as well. He stated that this request meets Comprehensive Plan and rezoning criteria and he recommended approval of the request.

Motion made by Mr. Sheffield and seconded by Mr. Pickens to approve the request to annex, amend the Future Land Use and Zoning designations as recommended by staff. All present voted affirmative, motion carried.

Case 12-65 Request to amend the Zoning Code Section 94-149 to allow flea markets in the C-2 zoning district through the conditional use process.

Applicant: The Palatka Market, Chad Dennis

Mr. Crowe explained that there is an existing flea market located on Reid Street that is currently in violation of the Zoning Code. The operator, Mr. Dennis, has requested to amend the zoning code to allow this type of non-temporary outdoor sales. Given the state of the economy and the need to encourage small businesses, Staff's thought was to allow this use in a limited manner through the conditional use process, with development standards to control the appearance and function of such activities. He added that currently the zoning code allows for five types of outdoor sales through the conditional use process and as part of either 1) a outdoor promotional sale (limited to 72 hours in duration, "midnight madness" type sale, 2) seasonal goods sale, limited

**Case 12-66: 100 Kelley Smith School Rd. and 119, 121 Round Lake Rd.
Request to Annex, Amend Future Land Use Map and Rezone
Applicant: Building & Zoning Dept.**

STAFF REPORT

DATE: December 21, 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 (red shaded area represents city limits)



Figure 2: 119, 121 Round Lake Road (above)

Figure 3: 100 Kelley Smith School Road (below)



APPLICATION BACKGROUND

The properties under consideration currently have a County mixed-use Future Land Use Map (FLUM) designation and multi-family zoning. There are three duplexes on the property.

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

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

Future Land Use Map Category		Zoning	
Current Putnam Co.	Proposed City	Current Putnam Co.	Proposed City
UR (Urban Reserve)	RL (Residential Low)	R-3 (Residential-6 units per acre)	R-3 (Single-family Residential)

The Putnam County Health Department has required the property owner to hook up to City water due to their rule that properties must hook up to City water instead of replacing or deepening wells when they are within 250 feet of a city water line. The City's Comprehensive Plan requires that when properties receiving city water are contiguous to city limits they must annex into the City. Staff is presenting these applications as

administrative actions, as opposed to an action by each property owner, due to the rationale presented below.

- .. 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. As indicated in Figure 1, the property is contiguous to the City limits, which are across Kelley Smith Road (statutes do not consider rights-of-way and interrupting contiguity).

Compactness. The statute also provides a definition for compactness that requires an annexation to be for properties in a single area, and also precludes any action which would create or increase enclaves, pockets, or finger areas in serpentine patterns. Annexing the properties meets the standard of compactness as it does not create an enclave, pocket, or finger area but in fact reduces the greater County enclave that is present between Kelley Smith Elementary School on the south and properties within the City north of Crill Avenue.

Future Land Use Map Amendment Analysis

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

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

The proposed 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 Districts1. Residential

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

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

Medium Density (231 acres) - provides for a range of densities up to 10 units per acre.

Staff Comment: the properties are now in the County's Urban Reserve FLUM category (density range of one to four units per acre), which is approximately equivalent to the City's RL (Residential Low Density), which has a density range of one to five units per acre. **Please note that while the item was advertised for a proposed RM (Residential, Medium Density) FLUM, Staff proposes to revise this downward to the RL (Residential, Low Density) category due to the belief that the 10-units per acre density allowed by the RM FLUM is too intense for this suburban area.** Section 94-111(b) allows the R-2 zoning category within the RL land use category, and the actual density of the three duplexes on the 1.22-acre site comes in just below the top RL density of five units per acre.

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 (both within the Kelley Smith Road right-of-way).

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 a residential neighborhood that is suitable for the proposed residential FLUM designations. Staff is not aware of any soil or topography conditions that would present problems for development, nor of any natural or historic resources on these developed sites.

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

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

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

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

Staff Comment: the location of 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 supported by 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: Rezoning the properties to R-2 provides uniformity to both existing City and County single-family zoning and does not create an isolated zoning district.

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

Staff Comment: Roadway capacity is available on area roadways and the impacts of 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: One condition that has changed in regard to these properties is the failure or obsolescence of private wells and the ability to tie into a city water line.

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

Staff Comment: Rezoning the properties to a designation similar to the current County zoning will not adversely affect neighborhood living conditions.

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

Staff Comment: the properties proposed for rezoning are already developed and thus traffic congestion or public safety will not be affected.

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

Staff Comment: No drainage problems are anticipated for these already-existing uses.

. 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 residential 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 to RL, and rezoning to R-2 for 100 Kelley Smith School Road and 119 and 121 Round Lake Road.

*Agenda
Item*

7



CITY COMMISSION AGENDA ITEM

SUBJECT: ADOPTION OF ORDINANCE AMENDING ZONING CODE
(TEMPORARY OUTDOOR SALES IN C-2 ZONING DISTRICTS)

DEPARTMENT: BUILDING AND ZONING

ATTACHMENTS: X Ordinance Resolution Motion
 X Support Documents Other

SUMMARY:

This is a request by the owner of the Palatka Flea Market, located at 3523 Reid Street, to allow for a "flea market" type use through the conditional use process. This activity is in violation of the Zoning Code, which only allows outdoor sales through the conditional use process and as part of either 1) a outdoor promotional sale (limited to 72 hours in duration, "midnight madness" type sale), 2) seasonal goods sale (limited to 30 days, Christmas trees or 4th of July fireworks), 3) special event sale (associated with special event like Blue Crab Festival), 4) temporary goods sale (other outdoor sales, not to exceed 30 days in duration), and 5) farmers market (intended for food and produce goods). The Applicant filed an application to amend the Code to allow for non-temporary outdoor sales, which forestalled code enforcement action on the specific use. Staff has also reviewed codes of other jurisdictions and has found that while numerous jurisdictions prohibit non-temporary outdoor sales, others allow them with design standards related to appearance, function, and public safety. Staff does not object to outdoor sales if the activity is conducted in such a way that limits visual clutter, provides for adequate parking and pedestrian passage, requires landscaping and screening, and discourages the sale of stolen goods. For clarification purposes, Staff also proposes to allow for display of goods on sidewalks outside stores in commercial districts, which already occurs frequently.

The Planning Board recommended approval of allowing sidewalk display of goods and non-temporary outdoor sales, with specific restrictions pertaining to pedestrian and vehicle safety, screening and buffering, limitations on sale items, and other operational and development standards as detailed in the attached ordinance. The Applicant would have to file another application for conditional use approval for the specific use.

RECOMMENDED ACTION:

Approve ordinance

DEPARTMENT HEAD Submitted: Thad Crowe Date: 2/19/2013
Requested Agenda Regular Date: 2/28/2013

FINANCE DEPARTMENT Budgeted Yes No X N/A *mm* Date: 2/22/13

CITY ATTORNEY Approved as to Form and Correctness Date:

CITY MANAGER Approved Agenda Item For: Date:

COMMISSION ACTION: Approved as Recommended Disapproved
 Approved With Modification Tabled To Time Certain
 Other

DISTRIBUTION: APT CA CC CM FIN FD P&C PD PLN S&S W&S WTP WWTP

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

ORDINANCE NO. 13 - 15

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, ALLOWING NON-TEMPORARY OUTDOOR DISPLAY OF GOODS IN COMMERCIAL ZONING DISTRICTS AND NON-TEMPORARY OUTDOOR SALES AS A PRINCIPAL USE IN THE C-2 ZONING DISTRICT WITH REQUIRED DEVELOPMENT AND DESIGN STANDARDS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, all the necessary procedural steps have been accomplished, including a public hearing before the Planning Board of the City of Palatka on December 4, 2012, and two public hearings before the City Commission of the City of Palatka on February 14, 2013, and February 28, 2013; and

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

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

Section 1. The following Zoning Code Sections shall be amended as follows.

Section 94-149 - C-2 intensive commercial district

(a) *Intent. The C-2 district is intended for intensive, highly automotive-oriented uses that require a conspicuous and accessible location convenient to streets carrying large volumes of traffic. Such activities generally require large land areas, do not cater directly in appreciable degree to pedestrians, and require ample off-street parking and off-street loading spaces. These districts permit uses not of a neighborhood*

or general commercial type and serve large sections of the city. This district is suitable for areas where commercial development has displaced or will displace residential uses, but it is not the intent that this district be used to encourage extension of strip commercial areas, since the pattern of existing development provides more than ample frontage for this purpose.

(b) Permitted principal uses and structures. Permitted principal uses and structures in the C-2 district are the same as for the C-1 district (except that no new residential construction is permitted), and in addition:

- (1) Retail outlets for sale of new and used automobiles, motorcycles, trucks and tractors, boats, automotive vehicle parts and accessories (but not junkyards or automobile wrecking yards), secondhand merchandise in completely enclosed buildings, heavy machinery and equipment, dairy supplies, feed, fertilizer, lumber and building supplies, monuments, and package liquors.
- (2) Service establishments such as automobile service stations, repair and service garages, motor vehicle body shops, rental of automotive vehicles, trailers and trucks, carwashes, drive-in restaurants, fast food restaurants, catering establishments, bars or taverns for on-premises consumption of alcoholic beverages, auction houses or pawnshops, commercial laundries or dry cleaning establishments, animal boarding in soundproof buildings, book binding, pest control, plant nurseries or landscape contractors, carpenter or cabinet shops, home equipment rental, job printing or newspaper establishments, sign shops, upholstery shops, marinas, boat sales, boat storage, and commercial water softening.
- (3) Commercial recreation facilities such as open air motion picture theaters, golf driving ranges, par three golf courses, nightclubs and similar uses.
- (4) Air conditioning and heating sales and service.
- (5) Auditoriums and convention centers.

- (6) Beverage distributors, but not including bottling plants.
- (7) Banks and financial institutions with drive-in facilities.
- (8) Hotels and motels.
- (c) Permitted accessory uses and structures. Permitted accessory uses and structures in the C-2 district are the same as for the C-1 district, and in addition, warehousing as accessory to a retail use on the same property.
- (d) Prohibited uses and structures. Prohibited uses and structures in the C-2 district are the same as for the C-1 district, except that new residential uses are prohibited and wholesale and storage uses are permissible as conditional uses.
- (e) Conditional uses. (Conditional uses are permissible after public notice and hearing and subject to the provisions of section 94-3.) Conditional uses in the C-2 district are as follows:
 - (1) Wholesale, warehouse or storage uses, but not bulk storage of flammable liquids.
 - (2) Building trades contractors with storage yard for materials and equipment on the premises.
 - (3) Crematories.
 - (4) Television or radio transmitter towers.
 - (5) Truckstops.
 - (6) Carnivals or circuses, archery ranges, miniature golf courses, pony rides and skating rinks, and indoor pistol or rifle ranges.
 - (7) Machine shops.
 - (8) Manufacturing or processing which is clearly incidental to retail use, provided such manufacturing or processing is limited to that which employs not more than ten persons in the manufacturing and processing.
 - (9) Boat yards and ways (see section 94-2, definitions).
 - (10) Essential services (see section 94-2, definitions).
 - (11) Multiple-family dwellings.
 - (12) Child care facilities.
 - (13) Assembling, packaging or fabricating in completely enclosed buildings.
 - (14) Indoor commercial recreational facilities, such as motion picture theaters, billiard parlors, swimming pools, bowling alleys and similar uses, provided such uses shall be in

soundproof buildings.

- (15) Bait and tackle shops with the following limitations:
 - a. Sale, display, preparation and repair incidental to sales and storage shall be conducted within a completely enclosed building.
 - b. Products shall be sold only at retail.
 - c. All other requirements for a conditional use shall be met (see section 94-2, definition of "conditional uses").
- (16) Shopping centers.
- (17) Cemeteries.
- (18) Non-temporary outdoor sales.

Section 94-200

- (a) Intent and purpose. Prior to the adoption of the ordinance codified in this section (Ordinance No. 01-16), the zoning regulations contained no provisions specifically related to promotional, special event, or temporary sales. It is the intent of this section to promote the health, safety, and general welfare of the citizens by regulating the location and occurrence of outdoor promotional sales, special event sales, and the sale of seasonal and temporary goods and commodities, other than farmers markets. Accordingly, the city commission finds that the promulgation of this section is warranted and necessary to accomplish the following purposes:
 - (1) Direct the location of outdoor promotional sales, special event sales, and the sale of seasonal and temporary goods and commodities within the city.
 - (2) Protect incompatible land uses from potential adverse impacts of outdoor promotional sales, special event sales, and the sale of seasonal and temporary goods and commodities.
 - (3) Minimize public safety impacts associated with outdoor promotional sales, special event sales, and the sale of seasonal and temporary goods and commodities.
 - (4) Reimburse the city for the added expenses associated with the regulation and monitoring of outdoor promotional sales, special event sales, and the sale of

seasonal and temporary goods and commodities within the city.

- (b) Definitions. For purposes of this section, the following definitions shall apply:

Outdoor promotional sales means a temporary sale, not to exceed 72 hours in duration, held outside of or away from a vendor's or merchant's normal business facility or location. Such sales may include those referred to as: "midnight madness", "truck sale", "tent sale", "sidewalk sale", "going out of business sale", "overstock sale", and similar promotions.

Seasonal goods or commodities means a temporary sale, not to exceed 30 days in duration, for the purpose of vending or selling goods or commodities relevant to the season, to include, but not be limited to, spring plant sales, Fourth of July fireworks sales, and Christmas tree sales.

Special event sales means a temporary sale held in conjunction with a parade, festival, or other such event, where the duration of the special event sale shall not exceed the specified period approved for the special event.

Temporary goods or commodities means a temporary sale, not to exceed 30 days in duration, for the purpose of vending or selling goods or commodities of a temporary nature, not in conjunction with a promotional, seasonal, or special event sale.

- (c) Procedures for review and approval. The planning board may approve a conditional use for the sale of certain goods and commodities which are strictly of a temporary nature, other than for farmers markets, in commercial zoning districts where sales of specific goods and commodities are included as permitted or accessory uses, provided the following conditions and requirements are met:

- (1) Such sales shall not be permitted on public rights-of-way; provided, however, that in areas zoned C-3, such sales and displays may be permitted on sidewalks only; and provided, further, that parades and art shows may be permitted on public rights-of-way under such conditions as are otherwise

provided by ordinances and policies of the city commission.

- (2) No more than one conditional use per location shall be issued in any given six-month period for seasonal and temporary-type sales, and no more than one conditional use per location shall be issued in any given 90-day period of time for promotional sales.
- (3) Application for a conditional use under the provisions herein shall be reviewed by the planning board to ensure protection of the public health, safety, and general welfare. In addition to normal concerns of the planning board in considering conditional use requests, particular attention shall be given to traffic flow and control, auto and pedestrian safety, and the effect which such use and activity will have on surrounding uses, particularly where the adjoining use is residential.
- (4) The vendor, merchant, or applicant shall be required to remit to the city, following approval of the conditional use by the planning board, a business regulatory fee, which shall be in addition to any occupational license previously applied for or issued by the city, or as required by the city for vendors or merchants operating within the city. The business regulatory fee shall be subject to the following:
 - a. The business regulatory fee shall be based on the real value of goods and commodities offered or displayed for sale, and shall be equal to one-half of one percent of the total real and just value of all goods and commodities offered or displayed, but in no instance shall the business regulatory fee exceed \$1,500.00 for any single sale.
 - b. Proof of real and just value shall be required to be provided to the city at the time of fee payment. Such proof shall be in the form of an invoice, bill of lading, or other reasonable verification of the actual value of goods and commodities offered for sale.

- c. Non-profit and not-for-profit designated charitable or philanthropic organizations, possessing the appropriate Internal Revenue Service designations for corporations exempt from taxes, shall be exempt from the payment of the business regulatory fee, provided that each organization operating as a temporary vendor or merchant provide verification of the designation to the city. Such verification shall be provided prior to initiating the use.
- (5) All applicable licenses, fees, and permits, including, but not limited to, special use, tent, and sign permits, shall be required as provided for within this Code. No provision within this section shall render any other section, article, or chapter of this Code as invalid.
- (d) Penalties. Any merchant or vendor, offering for sale any good or commodity in the City of Palatka in violation of this section shall be guilty of a violation of this Code and punishable by fine or imprisonment, or both, not to exceed a \$500.00 fine and/or 60 days in the county jail. Additionally, any merchant or vendor, operating substantially in the same fashion, in whole or in part, who subsequently violates this section after an initial determination of a violation, occurring at any time following the adoption of this section, shall be subject to the revocation of, or denial of, occupational licenses within the city.
- (e) Non-temporary outdoor display. Display of goods will be allowed in conjunction with a principal use within commercial zoning districts, with the following applicable development standards.
- a. a clear pedestrian pathway of at least 48" must be maintained at all times on the sidewalk, along the sidewalk perpendicular to the business and to the building entrance;
 - b. building entrances must not be blocked;
 - c. display items shall be limited to outdoor-oriented merchandise such as plants, lawn equipment, and barbecue grills; clothing on tables or upright racks; vending machines; or other non-perishable items on tables;

- d. display items shall be brought inside the store or secured at the end of each business day; and
 - e. display areas shall present an orderly and organized appearance
- (f) Non-temporary outdoor sales. Non-temporary outdoor sales are allowed as a principal use in the C-2 zoning district through the conditional use process in conjunction with a permanent enclosed structure that is minimum 1,500 square feet in size and is used for storage of goods, sales and display area, office, restrooms, etc. The following standards shall be met:
- a. Minimum lot size of 1.0 acres, with a minimum frontage of 200 feet and a minimum lot depth of 300 feet.
 - b. A 30-foot setback is required from any right-of-way for outdoor display areas and parking areas, and shall include a landscaped area with a three to four-foot high visual screen consisting of a hedge, masonry wall, or wood or aluminum fencing, maintained in a neat appearance. One shade tree every fifty feet is required to further screen activities (when power lines or other obstructions are present, understory trees may be utilized, or trees may be planted in the right-of-way with the approval of the controlling jurisdiction).
 - c. When adjacent to residential uses or zoning, six-foot high masonry wall, privacy fence, or hedge contained within thirty foot landscape buffer, and 100-foot setback from residential property lines.
 - d. Adequate refuse containers must be provided and must be screened with a six-foot tall privacy fence with a swinging gate.
 - e. All outdoor areas shall be cleaned of litter and refuse after each day of operation.
 - f. Adequate restroom facilities must be provided.
 - g. Sales may be operated by an individual vendor or by multiple vendors under the control of a central sales manager.
 - h. One parking space for each vendor must be provided, with an additional space for every 300 square feet of outdoor and indoor sales area.

- i. Uses are subject to Sign Code. Signs are allowed for individual vendors and displays, limited to each display area and not more than 20 square feet in size. The following signs are prohibited: "human" signs, inflatable figures or objects, pennants and banners other than the allowance of two banners as defined in the Sign Code, snipe signs, and any other sign not allowed by the Sign Code.
- j. Display items are to be arranged in an organized and neat manner, on tables or racks, and may not be sold from vehicles.
- k. No automobiles, motorcycles, boats, or other motorized vehicles; heavy equipment; live animals; or personal services shall be offered for sale.
- l. The sale of perishable goods or produce is allowed with a limitation that sales area not exceed 30% of outdoor display area.
- m. All merchandise shall be brought into the building at the end of each business day except for larger items that are not easily moved, with such items being screened by fencing or vegetation that shall be maintained in an attractive and neat appearance.
- n. The conditional use site plan shall require at a minimum the following elements: access roads, entrances and exits, parking, traffic lanes, fire lanes, refuse containers, fences, buildings, restroom facilities, lighting, landscaping and other improvements as required.
- o. The conditional use site plan or narrative shall include verbiage regarding days and hours of operation; the means, such as stalls, tables or other structures by which merchandise is to be displayed; and the specific types of goods requested for sale.
- p. The Planning Board may assign additional restrictions and standards to the use to ensure that the conditional use criteria will be satisfied.

Section 2.

To the extent of any conflict between the terms of this ordinance and the terms of any ordinance previously passed or adopted, the terms of this

ordinance shall supersede and prevail.

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

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

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 28th day of February, 2013.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

City Clerk



CITY OF PALATKA
PLANNING BOARD MINUTES – DRAFT COPY
January 8, 2013

The meeting was called to order by Chairman Carl Stewart at 4:00 pm. **Other members present:** Vice-Chairman Daniel Sheffield, Joe Pickens, George DeLoach, Judith Gooding, Anthony Harwell and Lavinia Moody. **Members absent:** Earl Wallace and Joe Petrucci. **Also present:** Planning Director Thad Crowe, Recording Secretary Pam Sprouse and City Attorney Don Holmes.

Mr. Motion was made by Mr. Sheffield and seconded by Ms. Moody to have the minutes for the December 4, 2012 meeting be brought back to the February, 2013 meeting with additional comments from Mr. Harwell for consideration. All present voted affirmative, motion carried.

Chairman Stewart read the appeal procedures and requested that disclosure of any ex parte communication be made prior to each case.

NEW BUSINESS

Case 12-66: Annex, amend the Future Land Use Map from Putnam County UR to RM and Rezone from Putnam County R-3 to City R-3.

Location: 100 Kelley Smith School Rd. and 119 and 121 Round Lake Rd.
Parcel No.: 09-10-26-0000-0340-0090
Owner(s): Billy S. & Betty J. Russ

Mr. Crowe explained that this parcel is located at the intersection of Kelley Smith School Rd. and Round Lake Rd. and that there are three duplexes on the site. He added that staff is proposing Residential Low Density because this designation allows for two-family uses and that the Residential Medium Density category is too intense. With the current density of this property, R-2 would also be an appropriate zoning designation as well. He stated that this request meets Comprehensive Plan and rezoning criteria and he recommended approval of the request.

Motion made by Mr. Sheffield and seconded by Mr. Pickens to approve the request to annex, amend the Future Land Use and Zoning designations as recommended by staff. All present voted affirmative, motion carried.

Case 12-65 Request to amend the Zoning Code Section 94-149 to allow flea markets in the C-2 zoning district through the conditional use process.

Applicant: The Palatka Market, Chad Dennis

Mr. Crowe explained that there is an existing flea market located on Reid Street that is currently in violation of the Zoning Code. The operator, Mr. Dennis, has requested to amend the zoning code to allow this type of non-temporary outdoor sales. Given the state of the economy and the need to encourage small businesses, Staff's thought was to allow this use in a limited manner through the conditional use process, with development standards to control the appearance and function of such activities. He added that currently the zoning code allows for five types of outdoor sales through the conditional use process and as part of either 1) a outdoor promotional sale (limited to 72 hours in duration, "midnight madness" type sale, 2) seasonal goods sale, limited

to 30 days, Christmas trees or 4th of July fireworks, 3) special event sale associated with special event like Blue Crab Festival, 4) temporary goods sale (other outdoor sales, not to exceed 30 days in duration), and 5) farmers market which is intended for food and produce goods. In response to Mr. Dennis's request, Mr. Crowe proposed amending the zoning code Sec. 94-200 to add the following two outdoor sales categories subject to the following design standards and conditions;

1. Non-temporary outdoor display as an accessory use in conjunction with existing principal commercial use, to occur as an allowable activity (conditional use approval not required) only on sidewalks adjoining the building entrance, with the following standards applicable:
 - a) a clear pedestrian pathway of at least 48" must be maintained at all times on the sidewalk, along the sidewalk perpendicular to the business and to the building entrance;
 - b) building entrances must not be blocked;
 - c) display items shall be limited to outdoor-oriented merchandise such as plants, lawn equipment, and barbecue grills; clothing on tables or upright racks; vending machines; or other non-perishable items on tables;
 - d) display items shall be brought inside the store or secured at the end of each business day; and
 - e) display areas shall present an orderly and organized appearance
2. Non-temporary outdoor sales as a principal use to occur in the C-2 zoning district through conditional use approval in conjunction with a permanent enclosed structure that is minimum 1,500 square feet in size and is used for storage of goods, sales and display area, office, restrooms, etc. The following standards shall be met:
 - a) Minimum lot size of 1.5 acres, with a minimum frontage of 200 feet and a minimum lot depth of 300 feet.
 - b) A 30-foot setback is required from any right-of-way for outdoor display areas and parking areas, and shall include a landscaped area with a three to four-foot high visual screen consisting of a hedge, masonry wall, or wood or aluminum fencing, maintained in a neat appearance. One shade tree every fifty feet is required to further screen activities (when power lines or other obstructions are present, understory trees may be utilized, or trees may be planted in the right-of-way with the approval of the controlling jurisdiction).
 - c) When adjacent to residential uses or zoning, six-foot high masonry wall, privacy fence, or hedge contained within thirty foot landscape buffer, and 100-foot setback from residential property lines.
 - d) Adequate refuse containers must be provided and must be screened with a six-foot tall privacy fence with a swinging gate.
 - e) All outdoor areas shall be cleaned of litter and refuse after each day of operation.
 - f) Adequate restroom facilities must be provided.
 - g) Sales may be operated by an individual vendor or by multiple vendors under the control of a central sales manager.
 - h) One parking space for each vendor must be provided, with an additional space for every 300 square feet of outdoor and indoor sales area.
 - i) Uses are subject to Sign Code. Signs are allowed for individual vendors and displays, limited to each display area and not more than 20 square feet in size. The following signs are prohibited: "human" signs, inflatable figures or objects, pennants and banners other than the allowance of two banners as defined in the Sign Code, snipe signs, and any other sign not allowed by the Sign Code.
 - j) Display items are to be arranged in an organized and neat manner, on tables or racks, and may not be sold from vehicles.
 - k) No automobiles, motorcycles, boats, or other motorized vehicles; heavy equipment; live animals; perishable goods or produce; or personal services shall be offered for sale.

- l) All merchandise shall be brought into the building at the end of each business day except for larger items that are not easily moved, with such items being screened by fencing or vegetation that shall be maintained in an attractive and neat appearance.
- m) The conditional use site plan shall require at a minimum the following elements: access roads, entrances and exits, parking, traffic lanes, fire lanes, refuse containers, fences, buildings, restroom facilities, lighting, landscaping and other improvements as required.
- n) The conditional use site plan or narrative shall include verbiage regarding days and hours of operation; the means, such as stalls, tables or other structures by which merchandise is to be displayed; and the specific types of goods requested for sale.
- o) The owner or operator must provide and maintain an ongoing record of inventory of articles for sale and provide to City upon request. Such list must include origin of goods, including name and contact information of seller, and transaction details.
- p) The Planning Board may assign additional restrictions and standards to the use to ensure that the conditional use criteria will be satisfied.

Mr. Holmes asked for clarification as to how onerous a burden keeping an ongoing record of inventory was expected to be.

Mr. Crowe explained that obviously some records may be easier to obtain than others and this is an attempt to try to forestall any fencing or sales of stolen goods.

Mr. Pickens stated that if the spaces are rented spaces, the owner who is subject to this requirement would have no control over the vendor's information. He stated that the Board is trying to make something fit to accommodate a use that previously did not exist in the City and it is necessary to determine whether this should be done. He asked Mr. Holmes if the use was appropriate.

Mr. Holmes stated that he did not offer an opinion but does not know of any reason the use would not be inappropriate for its zoning district.

Mr. Crowe advised that such a use is appropriate only within an intensive commercial district.

Discussion continued regarding setting specifics of certain conditions for enforcement.

Mr. DeLoach asked if Mr. Dennis had contracts with his vendors, and if so maybe it would be good to include the inventory requirements in their contracts.

Mr. Dennis, 3523 Reid St. replied that he has lease agreements ranging from one day to 30 days. He explained that keeping inventory for every vender would be next to impossible especially for people that sell household dishes and "what-knots." He added that he did not want to be responsible for others' merchandise inventory, it should be the vendor's responsibility and the police could come on to his property at any time and make sure nothing is being fenced. He added that he is not a pawn shop and the majority of his business is produce sales and that of his merchandise inventory, 90% of it is new and 10% is resale. The stuff that is displayed outside is outdoor furniture and yard ornaments and that all the other items he and his vendors would sell outdoors would be displayed neatly on tables.

Mr. Sheffield asked what zoning designation did car lots fall under, as they display their items outside and what is covered under the farmers market at the courthouse.

Mr. Crowe advised that car lots are allowed as a specific principle use, with regulations that allow for display of vehicles. A farmers market is intended more for food, produce and perishables.

Mr. Sheffield asked for clarification that the staff has recommended no perishables, and would that include such items as produce and food sales etc.

Mr. Dennis reiterated that the majority of his business is fruits and vegetables that is why it is called the "Palatka Market" and that what he has is almost identical to what was allowed at the courthouse. The difference is that you could sell any kind of handmade crafts, and produce but you could not sell commercial or used items. He added that he has sold a lot of designer clothing and other items that otherwise some people might not afford new, but were glad to pay a few dollars for something in good shape, gently used.

Mr. Harwell asked Mr. Crowe if there was a requirement that a building be on the property in the list of recommended conditions. Mr. Crowe answered there was a requirement for a minimum size building of 1500 square feet.

Mr. Sheffield asked staff where the 1.5 acre minimum lot size came from.

Mr. Crowe advised that he researched other jurisdiction's requirements and also looked at a number of real life examples to determine the space needed for display areas, parking and traffic flow. He stated that the intent is that these uses have a tendency to grow and be successful. He believes you need a space of at least an acre to make these types of operations work.

Mr. Holmes asked what the harm would be to allow the sale of perishables with the other conditions in place.

Mr. Crowe advised that he was not aware that produce sales took place as during a site visit he only observed outdoor sales activities (produce sales occurred within the existing building). He added that he did not have any issue with allowing produce and food products, but that the original intent was to keep a clear distinction between a "farmer's market and a "flea market."

Mr. Dennis stated that his property is currently zoned appropriately for indoor sales and that is where his produce is kept, but he would like to expand some of that to the outdoor sales area. He added that he was planning on getting an "old time" type wagon to place some fruits & vegetables on for display.

Mr. Pickens asked Mr. Crowe for his thoughts, regarding a compromise on lot size from 1.5 acres to 1 acre, removing the prohibition of perishable items being taken out of the conditions and to remove the requirement of the owner to provide and maintain an ongoing record of inventory of articles for sale. He also asked Mr. Crowe to confirm that if those were only the changes the board made to the conditions, would they need to add language to the affect that the sale of produce and perishables could be allowed. He added that with those considerations, he would move to adopt staff recommendations.

Mr. Crowe stated that he did not have a problem with those changes and suggested that language can be placed in the conditions that the outdoor sales area shall be limited to not more than 40% of perishable food sales. Mr. Crowe advised that 1.5 acres, was his best attempt to be conservative, but that one acre would work as well.

Motion by Mr. Pickens and seconded by Ms. Moody to approve the request as submitted with staff recommendations except that the minimum lot size be one acre, and to allow the sale of perishable foods but not to exceed 30% of the outdoor display area, and to remove the condition to require owner provide list of inventory items. All present voted affirmative, motion carried.

Mr. Crowe asked the Board to consider an item he is contemplating placing on the Agenda; to extending the time limitation of seasonal sales from 30 days to 45 days and relinquishing the review of the existing criteria to Staff. Mr. Holmes stated that if someone disagreed with a Staff decision, an appeal process should be built into the ordinance. Board consensus was for staff to prepare the item for consideration.

With no further business, meeting adjourned.

Request to Amend Zoning Code

(Allow Non-Temporary Outdoor Sales, with Design Standards, as Conditional Use in C-2 Zoning)

Applicant: Chad Dennis

STAFF REPORT

DATE: December 31, 2012

TO: Planning Board Members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

A request to amend the Zoning Code to allow outdoor sales in the C-2 (Intensive Zoning) District, with required design standards. Please note that this agenda item had been identified as a flea market, and staff has determined that a more appropriate description would be non-temporary outdoor sales. Public notice included legal advertisement.

APPLICATION BACKGROUND

The Applicant is currently conducting outdoor sales at 3523 Reid Street (west of North Palm Avenue). This activity is in violation of the Zoning Code, which only allows outdoor sales through the conditional use process and as part of either 1) a outdoor promotional sale (limited to 72 hours in duration, "midnight madness" type sale), 2) seasonal goods sale (limited to 30 days, Christmas trees or 4th of July fireworks), 3) special event sale (associated with special event like Blue Crab Festival), 4) temporary goods sale (other outdoor sales, not to exceed 30 days in duration), and 5) farmers market (intended for food and produce goods). The Applicant filed an application to amend the Code to allow non-temporary outdoor sales, which forestalled code enforcement action on the specific use.

Upon review of the Code, Staff found that the outdoor sales regulations prohibit customary outdoor sales that exceed the 30-day limit described in several of the sales events described above. Staff is concerned that this 30-day timeframe is not defined, and some might argue that a temporary goods sale could operate for 30 days and then immediately start with another 30-day period, resulting in a rolling temporary sale that continues indefinitely. Staff also recognizes that it is customary for existing businesses to provide for outdoor display of goods for sale, typically on sidewalks outside stores. An example of this would be outdoor lawn equipment displayed on sidewalks outside home improvement stores, or temporary clothing racks on sidewalks outside discount or clothes stores. Sidewalk sales are now only allowed in the downtown zoning districts, with a permit (fee required) and required pedestrian passageways, with sales occurring only in stores. Staff has also reviewed codes of other jurisdictions and has found that while numerous jurisdictions prohibit non-temporary outdoor sales, others allow them with design standards related to appearance, function, and public safety. Staff does not object to outdoor sales if the activity is conducted in such a way that limits visual clutter, provides for adequate parking and pedestrian passage, requires landscaping and screening, and discourages the sale of stolen goods.

Allow Non-Temporary Outdoor Sales, with Design Standards, as Conditional Use in C-2 Zoning District

Staff proposes to add a new section to Sec. 94-200 that allows for non-temporary outdoor sales only in the C-2 zoning district, subject to the design standards shown below and requiring conditional use approval.

- Non-temporary outdoor sales as accessory uses in conjunction with existing principal commercial uses can occur as an allowable activity (conditional use approval not required) only on sidewalks adjoining the building entrance, with the following standards applicable:
 - a clear pedestrian pathway of at least 48" must be maintained at all times on the sidewalk, along the sidewalk perpendicular to the business and to the building entrance;
 - building entrances must not be blocked;
 - display items shall be limited to outdoor-oriented merchandise such as plants, lawn equipment, and barbecue grills; clothing on tables or upright racks; vending machines; or other non-perishable items on tables;
 - display items shall be brought inside the store or secured at the end of each business day; and
 - display areas shall present an orderly and organized appearance
- Non-temporary outdoor sales as a principal use can occur in the C-2 zoning district through conditional use approval in conjunction with a permanent enclosed structure that is minimum 1,500 square feet in size and is used for storage of goods, sales and display area, office, restrooms, etc. The following standards shall be met:
 - Minimum lot size of 1.5 acres, with a minimum frontage of 200 feet and a minimum lot depth of 300 feet.
 - A 30-foot setback is required from any right-of-way for outdoor display areas and parking areas, and shall include a landscaped area with a three to four-foot high visual screen consisting of a hedge, masonry wall, or wood or aluminum fencing, maintained in a neat appearance. One shade tree every fifty feet is required to further screen activities (when powerlines or other obstructions are present, understory trees may be utilized, or trees may be planted in the right-of-way with the approval of the controlling jurisdiction).
 - When adjacent to residential uses or zoning, six-foot high masonry wall, privacy fence, or hedge contained within thirty foot landscape buffer, and 100-foot setback from residential property lines.
 - Adequate refuse containers must be provided and must be screened with a six-foot tall privacy fence with a swinging gate.
 - All outdoor areas shall be cleaned of litter and refuse after each day of operation.
 - Adequate restroom facilities must be provided.
 - Sales may be operated by an individual vendor or by multiple vendors under the control of a central sales manager.
 - One parking space for each vendor must be provided, with an additional space for every 300 square feet of outdoor and indoor sales area.
 - Uses are subject to Sign Code. Signs are allowed for individual vendors and displays, limited to each display area and not more than 20 square feet in size. The following signs are prohibited: "human" signs, inflatable figures or objects, pennants and banners other than the allowance of two banners as defined in the Sign Code, snipe signs, and any other sign not allowed by the Sign Code.
 - Display items are to be arranged in an organized and neat manner, on tables or racks, and may not be sold from vehicles.

Allow Non-Temporary Outdoor Sales, with Design Standards, as Conditional Use in C-2 Zoning District

- No automobiles, motorcycles, boats, or other motorized vehicles; heavy equipment; live animals; perishable goods or produce; or personal services shall be offered for sale.
- All merchandise shall be brought into the building at the end of each business day except for larger items that are not easily moved, with such items being screened by fencing or vegetation that shall be maintained in an attractive and neat appearance.
- The conditional use site plan shall require at a minimum the following elements: access roads, entrances and exits, parking, traffic lanes, fire lanes, refuse containers, fences, buildings, restroom facilities, lighting, landscaping and other improvements as required.
- The conditional use site plan or narrative shall include verbiage regarding days and hours of operation; the means, such as stalls, tables or other structures by which merchandise is to be displayed; and the specific types of goods requested for sale.
- The owner or operator must provide and maintain an ongoing record of inventory of articles for sale and provide to City upon request. Such list must include origin of goods, including name and contact information of seller, and transaction details.
- The Planning Board may assign additional restrictions and standards to the use to ensure that the conditional use criteria will be satisfied.

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 allow for additional business development and job creation, important in these unfavorable economic circumstances.
- The amendment would provide clear standards that curtail potential visual and other impacts of outdoor sales.
- The amendment would implement Comprehensive Plan policies as noted below.

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

Staff comments: the following Comprehensive Plan policies (shown in *italics*) are applicable to this amendment. This amendment is in keeping with the goals, objectives, and policies of the Comprehensive Plan. In regard to the policies listed below, the amendment is in line with stated purposes of promoting infill development, renewing blighted properties, encouraging the use of existing commercial areas, and practicing innovative development planning.

FUTURE LAND USE ELEMENT

Objective A.1.2 9J-5.006(3)(b)2

Allow Non-Temporary Outdoor Sales, with Design Standards, as Conditional Use in C-2 Zoning District

Upon Plan Adoption, the City shall implement the following policies in order to provide the means for redevelopment and renewal of blighted properties.

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.

Policy A.1.6.2 9J-5.006(3)(c)3

Minimize scattered and highway strip commercial by directing commercial development to occur in a planned and compact manner through in-filling within already developed commercial areas as identified on the Future Land Use Map.

Objective A.1.8 9J-5.006(3)(b)9; F.S. 187.201(16)(b)3

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

Staff recommends revisions to Zoning Code Section 94-200 to allow for non-temporary outdoor sales as an accessory use to existing commercial uses in the C-2 zoning district and with the standards listed on Page 2, and to also allow for non-temporary outdoor sales as a principal use allowed through the conditional use process and subject to the standards listed on Pages 2 and 3.

*Agenda
Item*

8



CITY COMMISSION AGENDA ITEM

SUBJECT: ADOPT ORDINANCE AMENDING ZONING CODE (DOWNTOWN ACCESSORY USES)

DEPARTMENT: BUILDING AND ZONING

ATTACHMENTS: Ordinance Resolution Motion
 Support Documents Other

SUMMARY:

This is an administrative request to allow for additional accessory uses in the Downtown zoning districts. The item was considered at first reading by the Commission at their December 13, 2012 meeting, and the Planning Board recommended approval at their December 4, 2012 meeting. Current accessory uses in these zoning districts are limited to residential accessory structures, boat repair and sales associated with marinas, laundry facilities associated with motels or marinas, special event outside sales, and interior storage. Proposed additional accessory uses include meeting space and limited retail sales associated with motels, sidewalk cafes, "clean" manufacturing/assembly associated with retail sales (arts, crafts), and other uses that in the written opinion of the Planner are customarily accessory and clearly incidental/subordinate to the principal use, located on the same premises, and do not involve operations not in keeping with the character of the district.

RECOMMENDED ACTION:

Approve adoption

DEPARTMENT HEAD Submitted: Thad Crowe ^{TZ} Date: 2/19/2013
Requested Agenda Regular Date: 2/28/2013

FINANCE DEPARTMENT Budgeted Yes No N/A ^{AK} Date: 2/22/13

CITY ATTORNEY Approved as to Form and Correctness Date:

CITY MANAGER Approved Agenda Item For: Date:

COMMISSION ACTION: Approved as Recommended Disapproved
 Approved With Modification Tabled To Time Certain
 Other

DISTRIBUTION: APT CA CC CM FIN FD P&C PD PLN S&S W&S WTP WWTP

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

ORDINANCE NO. 13 - 16

AN ORDINANCE OF THE CITY OF
PALATKA, FLORIDA, PROVIDING
ADDITIONAL ACCESSORY USES IN
DOWNTOWN ZONING DISTRICTS,
CONTAINED WITHIN ZONING CODE
SECTION 94-161 AND 94-162;
PROVIDING FOR SEVERABILITY AND
PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, all the necessary procedural steps have been accomplished, including a public hearing before the Planning Board of the City of Palatka on December 4, 2012, and two public hearings before the City Commission of the City of Palatka on February 14, 2013 and February 28, 2013; and

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

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

Section 1. The following Zoning Code Sections shall be amended as follows.

Sec. 94-161. - DR downtown riverfront district.

(a) Intent and purpose. The Downtown Riverfront (DR) District is established for the purpose of providing a pedestrian oriented, retail/entertainment area that has historically been downtown and its waterfront area. The boundaries of this district extend from the St. Johns River west along Reid Street, St. Johns Avenue and Laurel Street to South 4th Street including portions of its intersecting streets and along the riverfront from Madison Street southward to the end of the city park (see attached map). It is further intended that this district would become an area of unique character with balanced commercial, residential, and public

and other places in which people feel safe and comfortable. It is also intended that this district discourage uses that are likely to create friction with pedestrian movement and the primary activities for which the district is intended.

- (b) Permitted principal uses, activities, and structures. Unless otherwise expressed herein, uses not specifically listed as permitted shall be prohibited. Sale, display preparation, and repair incidental to sales and storage shall be conducted on private property only with the exception of items allowed on the sidewalk per section 70-31. Permitted principal uses, activities, and structures in the downtown riverfront district are as follows:

(1) General retail establishments which include:

- a. Antiques and collectibles.
- b. Appliances.
- c. Arcades.
- d. Art.
- e. Arts and crafts.
- f. Auction houses.
- g. Bakeries (retail).
- h. Bait and tackle shops.
- i. Bicycle shops.
- j. Billiard parlors and indoor recreation and amusement facilities.
- k. Books and periodicals.
- l. Cameras (including incidental repair) and photographic supplies.
- m. Candy and confectionary shops.
- n. Convenience stores without gas pumps.
- o. Delicatessens.
- p. Department and discount stores.
- q. Electronics and appliances (including incidental repairs).
- r. Farmer's markets, as defined and regulated by section 94-201 of the Zoning Code.
- s. Flowers and gifts.
- t. Fish and seafood shops (retail).
- u. Furniture stores.
- v. Gifts.
- w. Gourmet shops.
- x. Grocery stores.
- y. Hardware stores.
- z. Health food shops.
- aa. Hobby shops.
- bb. Jewelers (including incidental repair).
- cc. Leather goods and luggage.
- dd. Marine hardware and supplies shops.
- ee. Mobile food vendors and push carts.

- ff. Musical instruments and supplies.
 - gg. Office equipment and furniture and supplies.
 - hh. Pet stores.
 - ii. Pharmaceuticals.
 - jj. Plant shops.
 - kk. Specialty foods.
 - ll. Sporting goods.
 - mm. Sundries and notions.
 - nn. Wearing apparel.
 - oo. Any retail establishment which incorporates any of the above.
- (2) General service establishments shall include:
- a. Aquariums.
 - b. Barbershops and beauty shops.
 - c. Bars, nightclubs, or taverns (See chapter 10).
 - d. Coffee shops.
 - e. Copy, mailbox, or shipping shops.
 - f. Dance studios.
 - g. Fitness centers.
 - h. Fraternal organizations.
 - i. Health spas.
 - j. Interior designer studios.
 - k. Job printing.
 - l. Martial arts or comparable physical activities studios.
 - m. Museums and galleries.
 - n. Package liquor stores without drive-through facilities (See chapter 10).
 - o. Photographic studios.
 - p. Restaurants with or without drive-in facilities, but without drive-through facilities.
 - q. Shoe repair shops.
 - r. Tailor shops.
 - s. Travel agencies.
 - t. Trophy and awards sales and assembly.
 - u. Upholstery and reupholstery shops.
- (3) Professional establishments shall include:
- a. Architectural and related services.
 - b. Attorney offices.
 - c. Business offices.
 - d. Dental offices.
 - e. Financial offices without drive-through facilities.
 - f. General professional services.
 - g. Investment offices.
 - h. Medical offices.
 - i. Real estate offices and related services.
 - j. Surveyors offices.
- (4) Houses of worship and accessory facilities.

- (5) Residential uses, subject to development standards of this section.
- (c) Permitted accessory uses, activities, and structures. Permitted accessory uses, activities, and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures are allowed and must be located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership. The operations and/or structures must be consistent with the character of the district. Unless otherwise expressed herein, uses not specifically listed as accessory shall be prohibited. Permitted accessory uses, activities, and structures are as follows:
- (1) Appurtenant structures (i.e. garages, sheds, swimming pools, decks, boat houses) as an accessory to existing residential dwellings.
 - (2) Boat repair and sales as an integral part of a marina.
 - (3) Laundry facilities as an integral part of a hotel or marina.
 - (4) Outside sale and display of goods at city approved functions and events.
 - (5) Warehousing and/or storage completely enclosed within the principal building.
 - (6) Meeting space and limited retail sales as an accessory use to hotels.
 - (7) Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained.
 - (8) Making of goods for sale at retail on the premises, with no odor, fumes, or other emissions detectable to normal senses from off the premises.
 - (9) Manufacturing, fabrication, and assembly activities associated with the retail sale of arts and crafts, with no odor, fumes, or other emissions detectable to normal senses from off the premises.
 - (10) Other uses that in the written opinion of the Planning Director are customarily accessory and clearly incidental and subordinate to permitted or permissible uses, are located on the same premises as the permitted or permissible use or structure, and do not involve operations not in keeping with the character of the district.
- (d) Prohibited uses, activities, and structures. In addition to the expressly prohibited uses, activities, and structures listed herein, any uses, activities, or structures not specifically listed shall be prohibited. Prohibited uses, activities, and structures are as follows:

- (1) Adult entertainment establishments, uses, and activities (as defined and regulated by chapter 3 of the Municipal Code).
 - (2) Communication towers.
 - (3) Drive-through facilities.
 - (4) Manufacturing, fabrication, and assembly activities, except as an accessory use or a conditional accessory use.
 - (5) Outside sale, display, rental, or storage of construction equipment, rental trucks and trailers.
 - (6) Roadside vending.
 - (7) Rooming and boarding houses.
 - (8) Warehousing and/or storage, except as an accessory conditional use.
- (e) Conditional uses, activities, or structures. Unless otherwise expressed herein, uses not specifically listed as conditional shall be prohibited conditional uses, activities, or structures are as follows:
- (1) Car wash facilities.
 - (2) Colleges, vocational schools and preschools.
 - (3) Community production or movie theaters.
 - (4) Convention facilities.
 - (5) Dry cleaning and laundry retail service and self-service establishments.
 - (6) Dwelling, one-family or single-family, excluding parcels abutting St. Johns Avenue.
 - (7) Hotels and motels.
 - (8) Marinas, with or without fuel dispensing facilities.
 - (9) Multi-level parking facilities and commercial parking lots.
 - (10) Outdoor recreational activities (i.e.: watercraft rentals; rental of bicycles; rental of mopeds or scooters with a motor rated not in excess of two brake horsepower and displacement not to exceed 50 cubic centimeters; trolleys or carriages for hire).
 - (11) Outdoor amphitheaters and parks.
 - (12) Residential dwellings consisting of three or more units located above the first floor of a commercial use.
 - (14) The expansion or reconstruction of any use which existed within the district on the effective date of the establishment of the district which is not otherwise permitted or permissible.
- (f) Conditional accessory uses, activities, or structures. Permitted conditional accessory uses, activities, and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures are allowed and must be located on the same

lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership. The operations and/or structures must be consistent with the character of the district. Unless otherwise expressed herein, uses not specifically listed as accessory shall be prohibited. Permitted conditional accessory uses, activities, and structures are as follows:

- (1) Child care facilities.
- (2) Making of goods for sale at retail on the premises.
- (3) Manufacturing, fabrication, and assembly activities.
- (4) Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained.
- (5) Wall graphics.
- (6) Other uses not approved by Staff as accessory uses.

(g) Development standards

- (1) For commercial uses:
 - a. Maximum density: Not applicable.
 - b. Minimum lot area: Unrestricted.
 - c. Minimum lot width: 25 feet.
 - d. Minimum lot coverage: Not applicable.
 - e. Maximum building or structure height: 60 feet.
- (2) For residential uses: All new (after May 1, 2003) residential uses shall be above the first floor for buildings fronting on St. Johns Avenue as secondary to a permitted use and shall be complete residential dwelling units as defined by the Florida Building Code and shall be regulated as to size by the following:
 - a. Efficiency/one bedroom: 300 total square feet.
 - b. One bedroom: 500 total square feet
 - c. Two bedroom: 650 total square feet.
 - d. Three bedroom: 800 total square feet.
 - e. Each additional bedroom: add 150 total square feet.
 - f. Maximum building or structure height: 60 feet.
 - g. Maximum Density: 20 units per acre, as calculated for entire DB and DR zoning districts.

(i) Off-street parking and loading. (See also section 94-261 of article V.) Parking requirements are as follows:

- (1) Residential: One space per dwelling unit, no additional parking spaces shall be required for three or less residential units located within any single "tax parcel". For purposes of this ordinance, "tax parcel" shall mean all real estate and improvements assessed under one tax parcel number by the Putnam County Property Appraiser and Putnam County Tax Collector.

- (2) Properties designated within local historic districts, or designated individually as historic, are exempt from minimum parking requirements.
- (3) Credit for one parking space shall be provided for an on-site bicycle rack holding at least three bicycles, up to 15% of required minimum parking.
- (h) Marquees, banners, flags, canopies, and fixed awnings. All marquees, banners, flags, canopies, and fixed awnings shall have at least eight feet of vertical clearance, between the lowest point or projection and a sidewalk immediately below.
- (i) Off-street parking and loading. (See also section 94-262 of article V.) Parking requirements are as follows:
 - (1) Residential: One space per dwelling unit, no additional parking spaces shall be required for a single residential unit located within any single "tax parcel". For purposes of this ordinance, "tax parcel" shall mean all real estate and improvements assessed under one tax parcel number by the Putnam County Property Appraiser and Putnam County Tax Collector.
- (j) Permitted signs. Directional signs, ground signs limited to six feet in height, 30 square feet in size, and eight feet in width, wall signs, and one A-frame, sandwich sign, or menu board per building front placed on a public sidewalk provided that such sign shall be a uniform size of two feet in width and three feet in height, as measured by any single face, and that such signs are placed on the sidewalk in such a manner so as to maintain a minimum of 48 inches of clear area on the adjacent sidewalk. These signs are to be of rigid, weather resistant material such as wood, metal, or plastic.

Sec. 94-161. - DB downtown business district.

- (a) Intent and purpose. The Downtown Business (DB) District is established for the purpose of providing a transitional buffer between the Downtown Riverfront (DR) District and the more intensive uses which would be inconsistent with the intent of the Downtown Riverfront (DR) District. This district would provide a broader range of activities and uses that would support development within the Downtown Riverfront (DR) District. The boundaries of this district extend along St. Johns Avenue and Reid Street from 4th Street to the railroad tracks and Oak Street and Laurel Street from 4th Street to the railroad tracks (see attached map).
- (b) Permitted principal uses, activities, and structures. Unless otherwise expressed herein, uses not specifically listed as permitted shall be prohibited. Sale, display preparation, and repair incidental to sales and storage

shall be conducted on private property only with the exception of items allowed on the sidewalk per section 70-31. Permitted principal uses, activities, and structures in the downtown business (DB) district are as follows:

- (1) General retail establishments which include:
 - a. Antiques and collectibles.
 - b. Appliances and electronics.
 - c. Arcades.
 - d. Art.
 - e. Arts and crafts.
 - f. Auction houses.
 - g. Automotive parts (excluding repair and/or installation)
 - h. Bakeries (retail).
 - i. Bait and tackle shops.
 - j. Bicycle shops.
 - k. Billiard parlors and indoor recreation and amusement facilities.
 - l. Books and periodicals.
 - m. Cameras (including incidental repair) and photographic supplies.
 - n. Candy and confectionary shops.
 - o. Convenience stores without gas pumps.
 - p. Delicatessens.
 - q. Department and discount stores.
 - r. Electronics and appliances (including incidental repairs).
 - s. Farmer's markets, as defined and regulated by section 94-201 of the Zoning Code.
 - t. Flowers and gifts.
 - u. Fish and seafood shops (retail).
 - v. Furniture stores.
 - w. Gifts.
 - x. Gourmet shops.
 - y. Grocery stores.
 - z. Hardware.
 - aa. Health food shops.
 - bb. Hobby shops.
 - cc. Jewelers (including incidental repair).
 - dd. Leather goods and luggage.
 - ee. Marine hardware and supplies shops.
 - ff. Mobile food vendors and push carts.
 - gg. Musical instruments and supplies.
 - hh. Office equipment and furniture and supplies.
 - ii. Pet stores.
 - jj. Plant shops.
 - kk. Pharmaceuticals.
 - ll. Specialty and gourmet foods.

- mm. Sporting goods.
 - nn. Sundries and notions.
 - oo. Toys.
 - pp. Wearing apparel.
 - qq. Any retail establishment which incorporates any of the above.
- (2) General service establishments shall include:
- a. Aquariums.
 - b. Barbershops and beauty shops.
 - c. Bars, nightclubs, or taverns (See chapter 10).
 - d. Coffee shops.
 - e. Copy, mailbox, or shipping shops.
 - f. Dance studios.
 - g. Fitness centers.
 - h. Fraternal organizations.
 - i. Funeral homes.
 - j. Health spas.
 - k. Interior designer studios.
 - l. Job printing.
 - m. Martial arts or comparable physical activities studios.
 - n. Museums and galleries.
 - o. Package liquor stores without drive-through facilities (See chapter 10).
 - p. Pet grooming without overnight boarding.
 - q. Photographic studios.
 - r. Restaurants with or without drive-in facilities, but without drive-through facilities.
 - s. Shoe repair shops.
 - t. Tailor shops.
 - u. Travel agencies.
 - v. Trophy and awards sales and assembly.
 - w. Upholstery and reupholstery shops.
- (3) Professional establishments shall include:
- a. Architectural and related services.
 - b. Attorney offices.
 - c. Business offices.
 - d. Dental offices.
 - e. Financial offices without drive-through facilities.
 - f. General professional services.
 - g. Investment offices.
 - h. Medical offices.
 - i. Real estate offices and related services.
 - j. Surveyors offices.
- (4) Houses of worship and accessory facilities.
- (5) Residential uses, subject to development standards of this section.
- (c) Permitted accessory uses, activities, and structures.

Permitted accessory uses, activities, and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures are allowed and must be located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership. The operations and/or structures must be consistent with the character of the district. Unless otherwise expressed herein, uses not specifically listed as accessory shall be prohibited. Permitted accessory uses, activities, and structures are as follows:

- (1) Appurtenant structures (i.e. garages, sheds, swimming pools, decks, boat houses) as an accessory to existing residential dwellings.
 - (2) Boat repair and sales as an integral part of a marina.
 - (3) Laundry facilities as an integral part of a hotel or marina.
 - (4) Outside sale and display of goods at city approved functions and events.
 - (5) Warehousing and/or storage completely enclosed within the principal building.
 - (6) Meeting space and limited retail sales as an accessory use to hotels.
 - (7) Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained.
 - (8) Making of goods for sale at retail on the premises, with no odor, fumes, or other emissions detectable to normal senses from off the premises.
 - (9) Manufacturing, fabrication, and assembly activities associated with the retail sale of arts and crafts, with no odor, fumes, or other emissions detectable to normal senses from off the premises.
 - (10) Other uses that in the written opinion of the Planning Director are customarily accessory and clearly incidental and subordinate to permitted or permissible uses, are located on the same premises as the permitted or permissible use or structure, and do not involve operations not in keeping with the character of the district.
- (d) Prohibited uses, activities, and structures. In addition to the expressly prohibited uses, activities, and structures listed herein, any uses, activities, or structures not specifically listed shall be prohibited. Prohibited uses, activities, and structures are as follows:
- (1) Adult entertainment establishments, uses, and activities (as defined and regulated by chapter 3 of the Municipal Code).
 - (2) Communication towers.

- (3) Drive-through facilities.
 - (4) Manufacturing, fabrication, and assembly activities, except as an accessory use or a conditional accessory use.
 - (5) Outside sale, display, rental, or storage of construction equipment, rental trucks and trailers.
 - (6) Roadside vending.
 - (7) Rooming and boarding houses.
 - (8) Warehousing and/or storage, except as an accessory use.
- (e) Conditional uses, activities, or structures. Unless otherwise expressed herein, uses not specifically listed as conditional shall be prohibited conditional uses, activities, or structures are as follows:
- (1) Car wash facilities.
 - (2) Colleges, vocational schools and preschools.
 - (3) Community production or movie theaters.
 - (4) Convention facilities.
 - (5) Dry cleaning and laundry retail service and self-service establishments.
 - (6) Dwelling, one-family or single-family, excluding parcels abutting St. Johns Avenue.
 - (7) Hotels and motels.
 - (8) Marinas, with or without fuel dispensing facilities.
 - (9) Multi-level parking facilities and commercial parking lots.
 - (10) Outdoor recreational activities (i.e.: watercraft rentals; rental of bicycles; rental of mopeds or scooters with a motor rated not in excess of two brake horsepower and displacement not to exceed 50 cubic centimeters; trolleys or carriages for hire).
 - (11) Outdoor amphitheatres and parks.
 - (12) Residential dwellings consisting of three or more units located above the first floor of a commercial use.
 - (13) The expansion or reconstruction of any use which existed within the district on the effective date of the establishment of the district which is not otherwise permitted or permissible.
- (f) Conditional accessory uses, activities, or structures. Permitted conditional accessory uses, activities, and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures are allowed and must be located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership. The operations and/or structures must be consistent with the character of the district. Unless otherwise expressed herein, uses not

specifically listed as accessory shall be prohibited. Permitted conditional accessory uses, activities, and structures are as follows:

- (1) Child care facilities.
 - (2) Making of goods for sale at retail on the premises.
 - (3) Manufacturing, fabrication, and assembly activities.
 - (4) Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained.
 - (5) Owner or employee occupied residence located on the first floor and accessible through a rear entrance or through the main entrance of the permitted principal use as a conditional accessory use only.
 - (6) Wall graphics.
 - (7) Other uses not approved by Staff as accessory uses.
- (g) Development standards
- (1) For commercial uses:
 - a. Maximum density: Not applicable.
 - b. Minimum lot area: Unrestricted.
 - c. Minimum lot width: 25 feet.
 - d. Minimum lot coverage: Not applicable.
 - e. Maximum building or structure height: 60 feet.
 - (2) For residential uses: All new (after May 1, 2003) residential uses shall be above the first floor for buildings fronting on St. Johns Avenue as secondary to a permitted use and shall be complete residential dwelling units as defined by the Florida Building Code and shall be regulated as to size by the following:
 - c. Efficiency/one bedroom: 300 total square feet.
 - d. One bedroom: 500 total square feet
 - c. Two bedroom: 650 total square feet.
 - d. Three bedroom: 800 total square feet.
 - e. Each additional bedroom: add 150 total square feet.
 - f. Maximum building or structure height: 60 feet.
 - g. Maximum Density: 20 units per acre, as calculated for entire DB and DR zoning districts.
- (i) Off-street parking and loading. (See also section 94-261 of article V.) Parking requirements are as follows:
- (1) Residential: One space per dwelling unit, no additional parking spaces shall be required for three or less residential units located within any single "tax parcel". For purposes of this ordinance, "tax parcel" shall mean all real estate and improvements assessed under one tax parcel number by the Putnam County Property Appraiser and Putnam County Tax Collector.

- (2) Properties designated within local historic districts, or designated individually as historic, are exempt from minimum parking requirements.
 - (3) Credit for one parking space shall be provided for an on-site bicycle rack holding at least three bicycles, up to 15% of required minimum parking.
- (h) Marquees, banners, flags, canopies, and fixed awnings. All marquees, banners, flags, canopies, and fixed awnings shall have at least eight feet of vertical clearance, between the lowest point or projection and a sidewalk immediately below.
- (i) Off-street parking and loading. (See also section 94-262 of article V.) Parking requirements are as follows:
- (1) Residential: One space per dwelling unit, no additional parking spaces shall be required for a single residential unit located within any single "tax parcel". For purposes of this ordinance, "tax parcel" shall mean all real estate and improvements assessed under one tax parcel number by the Putnam County Property Appraiser and Putnam County Tax Collector.
- (j) Permitted signs. Directional signs, ground signs limited to six feet in height, 30 square feet in size, and eight feet in width, wall signs, and one A-frame, sandwich sign, or menu board per building front placed on a public sidewalk provided that such sign shall be a uniform size of two feet in width and three feet in height, as measured by any single face, and that such signs are placed on the sidewalk in such a manner so as to maintain a minimum of 48 inches of clear area on the adjacent sidewalk. These signs are to be of rigid, weather resistant material such as wood, metal, or plastic.

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

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

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

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 28th day of February, 2013.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

City Clerk

Cimone Coring, 140 E. Cracker Swamp Rd., advised that she was amenable to the conditions as discussed with Mr. Crowe, that most of what they discussed she had already planned on implementing. She agreed with Mr. Crowe and explained that there would three closest parking spaces would be utilized for deliveries.

Motion made by Mr. DeLoach and seconded by Mr. Sheffield to approve the request with staff recommendations. All present voted affirmative, motion carried.

Case 12-60: Administrative request to amend Zoning Code Section 94-161 and 94-162 (Downtown Business and Downtown Riverfront zoning districts) regarding permitted accessory uses.

Mr. Crowe explained that there has been some confusion attributed to this request. In an effort to clarify he used the Quality Inn Hotel on North 1st Street as an example of a business with accessory, ancillary, and subordinate activates that occur there. He gave common examples of accessory hotel uses such as a restaurant, gift shop or meeting rooms. He explained that in all zoning districts you have allowable principal uses and accessory uses, with accessory uses being subordinate to, but different from the principal or main use. He further explained that the downtown zoning districts replaced the old C-3 zoning designation for the downtown area. The Downtown Business and Downtown Riverfront districts are separate zoning districts that are essentially the same. Unlike other commercial zoning categories that allow a broad array of accessory uses, the Downtown zoning categories do not. The Downtown zoning designations only allow for a few specifically listed accessory uses and conditional accessory uses – disallowing all other accessory uses. He added that you cannot anticipate every type of principal or ancillary use especially with today's ever-evolving technology. The commercial zoning districts accessory use standards were written differently from the Downtown districts, with the intent to allow more varied uses. In these commercial districts accessory uses may be allowed upon the administrative interpretation that such uses:

1. are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures;
2. are located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership; and
3. do not involve operations or structures not in keeping with the character of the district.

He added that this application originated when someone requested a zoning verification letter to hold a training seminar at the Quality Inn, and as demonstrated this use is not allowed in the downtown districts per the specificity of the code, but for years and years these activities have occurred. He stated that the intent for this code revision is to allow the following additional accessory uses to the downtown districts:

- **Meeting space and limited retail sales as an accessory use to hotels** (currently prohibited). Mr. Crowe commented that it is a common practice for hotels to use meeting rooms for civic groups, training, professional organization meetings, and similar activities. This would allow for a small internal gift or convenience store intended for hotel guests, but would not include full-fledged retail activities such as gold sales (popular at hotels in other communities) as this would undercut local businesses and is not in keeping with the ordinary hotel activities.
- **Open air dining on public sidewalks** provided a minimum horizontal clearance of four feet is maintained (currently allowed only as a conditional accessory use). Mr. Crowe reiterated that this is another common practice associated with downtown restaurants; there is no point in requiring the burden of public hearings and reviews for such an activity.
- **Making of goods for sale at retail on the premises** (currently allowed as conditional accessory use), with no odor, fumes, or other emissions detectable to normal senses from off the premises.

- **Manufacturing, fabrication, and assembly activities** (currently allowed as conditional accessory use), associated with the retail sale of arts and crafts, with no odor, fumes, or other emissions detectable to normal senses from off the premises. Mr. Crowe commented that allowing such activities would encourage art galleries where artists could both craft artwork and sell it on-site, while not allowing industrial side-effects.
- **Other uses** that are customarily accessory and clearly incidental and subordinate to permitted or permissible uses provided they are located on the same premises as the permitted or permissible use or structure, and do not involve operations not in keeping with the character of the district. If accessory uses are not approved by Staff, such uses may be considered by the Planning Board as conditional accessory uses).

Mr. Crowe concluded that staff believes that this amendment would encourage uses and encourage a more lively Downtown. He wants the ability to use the same three criteria used to determine accessory uses in all other commercial districts because the City cannot identify every single accessory use that is going to come along. Staff should be able to make a quick determination using the three criteria that a use is an obvious accessory use, which Staff already has the ability to do in other commercial districts. He clarified that this amendment would only apply to the Downtown zoning districts and not within the recommended recreation zoning for the Riverfront Park.

Mr. Petrucci stated that he believed that this was the right direction to be going in and asked if staff knew why the restrictions for accessory uses within the downtown zoning districts were put in place.

Mr. Crowe replied that he did not, and continued that is the problem with being totally prescriptive and trying to lay everything out so specifically, you can never anticipate every possibility that might come along. He recommended approval of the following revisions to the Zoning Code shown in italics with new language in underlined text:

Section 94-161 & 94-162 – DOWNTOWN BUSINESS & DOWNTOWN RIVERFRONT ZONING DISTRICTS

- (a) no change
- (b) no change
- (c) *Permitted accessory uses, activities, and structures. Permitted accessory uses, activities, and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures are allowed and must be located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership. The operations and/or structures must be consistent with the character of the district. Unless otherwise expressed herein, uses not specifically listed as accessory shall be prohibited. Permitted accessory uses, activities, and structures are as follows:*
 - (1) *Appurtenant structures (i.e. garages, sheds, swimming pools, decks, boat houses) as an accessory to existing residential dwellings.*
 - (2) *Boat repair and sales as an integral part of a marina.*
 - (3) *Laundry facilities as an integral part of a hotel or marina.*
 - (4) *Outside sale and display of goods at city approved functions and events.*
 - (5) *Warehousing and/or storage completely enclosed within the principal building.*
 - (6) *Meeting space and limited retail sales as an accessory use to hotels.*
 - (7) *Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained.*

- (8) Making of goods for sale at retail on the premises, with no odor, fumes, or other emissions detectable to normal senses from off the premises.
 - (9) Manufacturing, fabrication, and assembly activities associated with the retail sale of arts and crafts, with no odor, fumes, or other emissions detectable to normal senses from off the premises.
 - (10) Other uses that in the written opinion of the Planning Director are customarily accessory and clearly incidental and subordinate to permitted or permissible uses, are located on the same premises as the permitted or permissible use or structure, and do not involve operations not in keeping with the character of the district (if not approved by Staff, such uses may be considered as conditional accessory uses).
- (d) *Prohibited uses, activities, and structures. In addition to the expressly prohibited uses, activities, and structures listed herein, any uses, activities, or structures not specifically listed shall be prohibited. Prohibited uses, activities, and structures are as follows:*
- (1) *Adult entertainment establishments, uses, and activities (as defined and regulated by chapter 3 of the Municipal Code).*
 - (2) *Communication towers.*
 - (3) *Drive-through facilities.*
 - (4) *Manufacturing, fabrication, and assembly activities, except as an accessory use or a conditional accessory use.*
 - (5) *Outside sale, display, rental, or storage of construction equipment, rental trucks and trailers.*
 - (6) *Residential dwellings on the first floor constructed or converted after May 1, 2003.*
 - (7) *Roadside vending.*
 - (8) *Rooming and boarding houses.*
 - (9) *Warehousing and/or storage, except as an accessory use.*
- (e) *through (i) no change*

Mr. Holmes stated that he had no problem with the concept after speaking with Mr. Crowe, and agreed that it is often impossible to anticipate or articulate every possible use that may be accessory or acceptable in a particular zoning classification. He added that it is pretty common for a Planning Director to have discretion to make interpretations or decisions of a code. He asked Mr. Crowe if there was an appeal process provided for item numbered (10).

Mr. Crowe advised that all appeals of staff decisions currently go to the Zoning Board of Appeals. Mr. Holmes suggested the Board may want to consider moving the language regarding conditional accessory uses (# 10) to the Conditional Use section, and it might be good for the appeal process to be considered by the Planning Board and covered under the Conditional Use section.

Discussion ensued regarding the zoning and land use designations for the Riverfront Park and its possible relevance to this amendment. Mr. Crowe clarified that the Planning Board had recommended to change the zoning designation for the Riverfront Park to Recreation/Open Space and that the accessory use text amendment would only apply to Downtown zoning districts and not to the Riverfront Park, which is scheduled for consideration for first reading of rezoning by the Commission on December 13, 2012.

Mr. Harwell asked staff for an example of a worst case scenario for an accessory use.

Mr. Crowe explained that there are a lot of things in the code that have to be interpreted, that are not completely black & white or clear. Whenever a proposed accessory use comes along, he as a Certified Planner has to make an interpretation that it is something that is appropriate and customarily incidental and does not harm the

character of the district it is in. If it something that is not associated with the principal use or not in keeping with the district, it would not meet the test and he would not approve it. In that regard there is no worst case scenario since accessory uses would be in keeping with the nature of the use and the district and neighborhood. Mr. Sheffield asked if the sidewalk cafés would require fencing around the seating.

Mr. Crowe advised that our code does not require a fence, but there is a required clearance of free pedestrian passage along the sidewalk.

Sharon Buck, 610 S. 14th St., asked if the existing businesses (such as Honey Baked Ham and the Italian restaurant) downtown are in violation because they are creating good smells downtown or would they be grandfathered in.

Mr. Crowe replied that those are principal uses, and we are only discussing accessory uses.

Mr. Holmes added that those criteria do not apply to a principal use, if a restaurant is zoned properly and an allowed use then there wouldn't be an issue as to the smells generated from that use.

Ms. Buck asked in regards to some of the staff decisions regarding accessory uses, would such decisions be made primarily by Mr. Crowe and is there a risk that the decisions would be subjective.

Mr. Crowe replied that he did not agree with that. He has 23 years' experience as a professional planner, is certified through the American Institute of Certified Planners, and has a Master's Degree in Planning and believes that he is qualified to make, to the best of his ability, objective decisions based on sound planning principles and practice.

Ms. Buck stated that while she respected and applauded Mr. Crowe for all of his qualifications, she was concerned that to the layperson, the administrative approval of accessory uses may appear to be subjective. She said that she did appreciate Mr. Holmes bringing up the appeal process.

Mr. Crowe replied that Ms. Buck had a good point. He explained that everything he does is subject to appeal and is not necessarily the final word. There is a balance and that the Planning Board and the City Commission have a responsibility to the citizens. The City must hire professionals, who to the best of their abilities implement and enforce the ordinances that are passed. He said that he tries to the best of his ability to ground his decisions based on criteria and such decisions have to be supported.

Pam Garris, 603 Emmett St. stated that she feels that there should be more public input and comment on what is actually allowed to go into these places, to be really be democratic about this and make sure the public understands what is going to be allowed, and not just rest in the Planning Department.

Gary Patel, owner of Quality Inn Hotel stated that he appreciates what Mr. Crowe is trying to do to correct the code to reflect what has been happening for years. He believes that this is a necessary code change to allow the uses that are customary.

Ms. Garris expressed concerns regarding outdoor activities of existing bars and the possibility of an adult entertainment establishment being able to locate downtown.

Mr. Crowe responded that the current accessory use regulations would not allow outdoor events and entertainment establishment uses, and activities are expressly prohibited in the downtown zoning districts.

Mr. Holmes stated that one must put this into context of the entire zoning code, and remember that the zoning code has already been assigned with given zoning classifications, with permissible uses to a district - which has already been through a public hearing process to decide what uses are allowable in a particular business district. So one must meet the limitation of principal uses first of all, and then you have articulated accessory uses (items 1 through 9) that are self-explanatory. The only latitude that staff has is with item no. 10, which requires that other accessory uses must meet the three point test. He added that there are two sides to every coin, on one hand you allow a code to be broad enough that any use can go anywhere; on the other hand, you require every use be approved through a public hearing that the public needs to comment on it. He believes this amendment lies in the middle of this spectrum and reminded the Board that new businesses trying to come into an area also have a tolerance for bureaucracy and a level beyond which they will not go.

Motion made by Mr. Sheffield and seconded by Mr. Petrucci to approve the request to amend Zoning Code Section 94-161 and 94-162 (Downtown Business and Downtown Riverfront zoning districts) regarding permitted accessory uses as recommended by staff, with the exception to item No. (10); to remove the following proposed language; if an accessory use is not approved by Staff, such uses may be considered as conditional accessory uses and place that language under the conditional accessory uses section [Section 94-161(f)(6) & 94-162(f)(6)]. All present voted affirmative, motion carried.

Case 12-62: Administrative request to amend Zoning Code Section 94-156 to allow educational/interpretative signs in historic districts.

Mr. Crowe explained that this request is to extend the allowance of education/interpretive signs in the historic districts which is not currently allowed. The North and South Historic Neighborhood Community Redevelopment Areas are seeking to erect neighborhood gateway kiosks signs. These signs fit into the Educational/Interpretative sign category, and as noted above are currently only allowed in the downtown and Recreation and Open Space zoning districts. The South Historic District kiosk sign has been erected on the northwest corner of River and Laurel Streets, and the North Historic District sign is proposed for the northeast corner of N. 3rd and Main Streets.

Mr. Harwell expressed his concern of such signs popping up all over the place in residential areas.

Mr. Crowe advised that the city would be sensitive to that. The educational type signs would be located within parks or within city right-of-way and are meant to educate and draw attention to the significant historical, cultural, and environmental aspects of the City of Palatka. He added that all signs in historic districts would be required to go before the Historic Preservation Board for a Certificate of Appropriateness as to sign design and location.

Ms. Buck stated that she thought that 20 square feet is quite large.

Ms. Garris protested that she would not want to see a large sign placed in front of her house.

Mr. Crowe stated that he believes that this amendment is supported by the Comprehensive Plan and that the City strongly supports historic preservation of the city. He added that the City would not want to be intrusive to a property owner and that such signs would be strategically placed with that in mind.

Case 12-60
Request to Amend Zoning Code
(Accessory Uses in Downtown Zoning Districts)
Applicant: Building and Zoning Dept.

STAFF REPORT

DATE: November 26, 2012
TO: Planning Board Members
FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

An administrative request to amend the Zoning Code to provide for additional accessory uses in the DB (Downtown Business) and DR (Downtown Riverfront) zoning districts. Public notice included legal advertisement.

APPLICATION BACKGROUND

Staff is proposing this Zoning Code revision to expand the list of accessory uses in the downtown zoning districts to allow for certain appropriate uses and activities that are currently prohibited. Sections 94-161(c) and 94-161(c) regulate accessory structures in the downtown zoning districts and reads as follows:

Permitted accessory uses, activities, and structures. Permitted accessory uses, activities, and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures are allowed and must be located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership. The operations and/or structures must be consistent with the character of the district. Unless otherwise expressed herein, uses not specifically listed as accessory shall be prohibited. Permitted accessory uses, activities, and structures are as follows:

- (1) Appurtenant structures (i.e. garages, sheds, swimming pools, decks, boat houses) as an accessory to existing residential dwellings.*
- (2) Boat repair and sales as an integral part of a marina.*
- (3) Laundry facilities as an integral part of a hotel or marina.*
- (4) Outside sale and display of goods at city approved functions and events.*
- (5) Warehousing and/or storage completely enclosed within the principal building.*

In addition to these accessory uses and activities, Sections 94-161(e) and 94-161(e) allow only for the following accessory uses.

- (1) Child care facilities.*
- (2) Drive-through facilities.*
- (3) Making of goods for sale at retail on the premises.*
- (4) Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained.*

- (5) Owner or employee occupied residence located on the first floor and accessible through a rear entrance or through the main entrance of the permitted principal use as a conditional accessory use only.
- (6) Wall graphics.

It should be noted that in other nonresidential zoning districts, accessory uses are allowed upon the administrative interpretation that such uses:

- a. Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures.
- b. Are located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership.
- c. Do not involve operations or structures not in keeping with the character of the district.

This provides Staff with flexibility to allow accessory uses based on accepted planning principles and practice. For example, a retail business is allowed the accessory use of storage to maintain an inventory of goods on the premises, and a church is allowed the accessory uses of classrooms and fellowship halls. The key to ensuring that these activities are accessory in nature is that they are customarily associated with and clearly subordinate to the principal use, as the examples above demonstrate.

Staff believes that these two different methods of determining accessory uses is inequitable and sets a higher standard for downtown businesses. Staff recommends allowing certain additional appropriate accessory conditional uses and adding language that allows Staff the ability to approve other accessory uses and activities that are clearly customary and subordinate.

Staff recommends adding the following accessory uses to both downtown zoning districts.

- *Meeting space and limited retail sales as an accessory use to hotels (currently prohibited).*
Staff comment: it is a common practice for hotels to use meeting rooms for civic groups, training, professional organization meetings, and similar activities. This would allow for a small internal gift or convenience store intended for hotel guests, but would not include retail activities such as gold sales (popular at hotels in other communities) as this would undercut local businesses and is not in keeping with the ordinary hotel activities.
- *Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained (currently allowed only as a conditional accessory use).*

Staff comment: this is another common practice associated with downtown restaurants, and as long as the required sidewalk is maintained there is no point in requiring the burden of public hearing and reviews for such an activity.

- *Making of goods for sale at retail on the premises (currently allowed as conditional accessory use), with no odor, fumes, or other emissions detectable to normal senses from off the premises.*
- *Manufacturing, fabrication, and assembly activities (currently allowed as conditional accessory use), associated with the retail sale of arts and crafts, with no odor, fumes, or other emissions detectable to normal senses from off the premises.*

Staff comment: allowing such activities would encourage art galleries where artists could both craft artwork and sell it on-site, while not allowing industrial side-effects.

Other uses that in the opinion of the Planning Director are customarily accessory and clearly incidental and subordinate to permitted or permissible uses, are located on the same premises as the permitted or permissible use or structure, and do not involve operations not in keeping with the character of the district (if not approved by Staff, such uses may be considered as conditional accessory uses).

Staff comment: as stated previously, this standard would allow staff to administratively approve appropriate accessory uses that were not anticipated in the approved list, and allow the Board to consider such uses through the conditional accessory use process when Staff approval is not provided.

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 encourage complimentary uses and additional businesses downtown that are currently prohibited.
- The amendment would implement Comprehensive Plan policies as noted below.

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

Staff comments: the following Comprehensive Plan policies (shown in *italics*) are applicable to this amendment. This amendment is in keeping with the goals, objectives, and policies of the Comprehensive Plan. In regard to the policies listed below, the amendment is in line with stated purposes of promoting infill development, renewing blighted properties, encouraging the use of existing commercial areas, and practicing innovative development planning.

FUTURE LAND USE ELEMENT

Objective A.1.2 9J-5.006(3)(b)2

Upon Plan Adoption, the City shall implement the following policies in order to provide the means for redevelopment and renewal of blighted properties.

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.

Policy A.1.6.2 9J-5.006(3)(c)3

Minimize scattered and highway strip commercial by directing commercial development to occur in a planned and compact manner through in-filling within already developed commercial areas as identified on the Future Land Use Map.

Objective A.1.8 9J-5.006(3)(b)9; F.S. 187.201(16)(b)3

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

Staff recommends the following revisions to the Zoning Code shown in italics with new language in underlined text.

Section 94-161 & 94-162 – DOWNTOWN BUSINESS & DOWNTOWN RIVERFRONT ZONING DISTRICTS

(a): no change

(b) no change

(c) *Permitted accessory uses, activities, and structures. Permitted accessory uses, activities, and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures are allowed and must be located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership. The operations and/or structures must be consistent with the character of the district. Unless otherwise expressed herein, uses not specifically listed as accessory shall be prohibited. Permitted accessory uses, activities, and structures are as follows:*

- (1) *Appurtenant structures (i.e. garages, sheds, swimming pools, decks, boat houses) as an accessory to existing residential dwellings.*
- (2) *Boat repair and sales as an integral part of a marina.*
- (3) *Laundry facilities as an integral part of a hotel or marina.*
- (4) *Outside sale and display of goods at city approved functions and events.*
- (5) *Warehousing and/or storage completely enclosed within the principal building.*
- (6) *Meeting space and limited retail sales as an accessory use to hotels.*
- (7) *Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained.*
- (8) *Making of goods for sale at retail on the premises, with no odor, fumes, or other emissions detectable to normal senses from off the premises.*
- (9) *Manufacturing, fabrication, and assembly activities associated with the retail sale of arts and crafts, with no odor, fumes, or other emissions detectable to normal senses from off the premises.*
- (10) *Other uses that in the written opinion of the Planning Director are customarily accessory and clearly incidental and subordinate to permitted or permissible uses, are located on the same premises as the permitted or permissible use or structure, and do not involve operations not*

in keeping with the character of the district (if not approved by Staff, such uses may be considered as conditional accessory uses).

- (d) *Prohibited uses, activities, and structures. In addition to the expressly prohibited uses, activities, and structures listed herein, any uses, activities, or structures not specifically listed shall be prohibited. Prohibited uses, activities, and structures are as follows:*
- (1) *Adult entertainment establishments, uses, and activities (as defined and regulated by chapter 3 of the Municipal Code).*
 - (2) *Communication towers.*
 - (3) *Drive-through facilities.*
 - (4) *Manufacturing, fabrication, and assembly activities, except as an accessory use or a conditional accessory use.*
 - (5) *Outside sale, display, rental, or storage of construction equipment, rental trucks and trailers.*
 - (6) *Residential dwellings on the first floor constructed or converted after May 1, 2003.*
 - (7) *Roadside vending.*
 - (8) *Rooming and boarding houses.*
 - (9) *Warehousing and/or storage, except as an accessory use.*
- (e) through (i) no change