

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

ORDINANCE NO. 11-72

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA AMENDING ZONING CODE SECTION 94-3 TO CHANGE NEWSPAPER AND MAIL NOTICE PERIOD FOR CONDITIONAL USES FROM 30 DAYS TO 15 DAYS, AND TO CHANGE REQUIRED TYPE OF MAIL SERVICE FROM CERTIFIED TO REGULAR; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, application has been made by the Building and Zoning Department, to the City 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 August 23, 2011, and two public hearings before the City Commission of the City of Palatka on October 13, 2011, and October 27, 2011; 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.** Zoning Code Section 94-3 shall be amended as follows, with new language indicated by underlining and deleted language indicated by stricken text:

- (3) *Notice of public hearing.* Notice of the public hearing shall be given at least ~~30~~ 15 days in advance of the public hearing. The owner of the property for which the conditional use is sought, or his agent or attorney designated by him in his petition, shall be notified by mail. Notice of the public hearing shall be prominently posted on the property for which the conditional use is sought. Notice of the public hearing shall be advertised in a newspaper of general circulation in the city at least one time at least 15 days prior to the public hearing. Notice shall be given by ~~certified~~ mail to all owners of property within 150 feet of the boundary lines of the property for which the conditional use is requested; provided, however, that where the applicant is the owner of land not included in the applicant's application and such land that is not included in the application is a part of or adjoins the parcel for which the request is made, the 150-foot requirement shall be measured from the boundaries of the applicant's ownership, including the land not covered by applicant's

application. For purposes of this subsection, owners of adjacent or nearby properties within the distance set out shall be deemed those whose names appear on the latest available tax rolls of the city. Failure of a property owner to receive mail notice shall not invalidate the hearing or subsequent action related thereto.

**Section 2.** All ordinances in conflict with the terms and provisions of this ordinance are hereby specifically repealed.

**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.

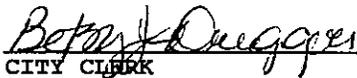
**Section 4.** This Ordinance shall become effective immediately upon its final passage by the City Commission.

**PASSED AND ADOPTED** by the City Commission of the City of Palatka on this 27<sup>th</sup> day of October, 2011.

CITY OF PALATKA

BY:   
Its MAYOR

ATTEST:

  
CITY CLERK