

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

ORDINANCE NO. 11-24

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE FOLLOWING SECTIONS OF THE ZONING CODE OF THE CITY OF PALATKA, FLORIDA BE AMENDED: SECTION 94-114(D)(1) TO ALLOW FOR THE LIMITED ENCROACHMENT OF NONCONFORMING STRUCTURES INTO SETBACKS THROUGH THE CONDITIONAL USE PROCESS; SECTION 94, DIVISION 2 TO ALLOW FOR SPECIFIC SIGN TYPES IN NON-RESIDENTIAL ZONING DISTRICTS; AND CREATING NEW SECTION 94-71 ENTITLED "SIGN VARIANCE CRITERIA" TO CLARIFY APPLICABILITY OF VARIANCES AND TO PROVIDE SPECIFIC VARIANCE CRITERIA; PROVIDING FOR SEVERABILITY 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 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 June 7, 2011, and two public hearings before the City Commission of the City of Palatka on July 14, 2011, and August 25, 2011, and

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

Section 2. The following sections of the Zoning Code of the City of Palatka, Florida is hereby amended in the following manner, with new language indicated by underlining and deleted language indicated by stricken text.

Section 94-114 (Nonconforming lots, structures and uses).

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

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

- traffic flow, safety and control, pedestrian safety and convenience or visibility at any street intersections, drives, rights-of-way, curbcuts or crosswalks;
- (4) Such enlargements or alteration shall be compatible with adjacent properties and other properties within that zoning district;
 - (5) If in a commercial, business or industrial zone, that adequate buffers are provided between such structures and adjacent residential areas;
 - (6) That adequate off-street parking shall be provided for any multifamily, commercial, industrial or business use upon the property; and
 - (7) The enlargement or alteration will not increase gross floor area of the principal structure by more than fifty (50) per cent.

DIVISION 2 - SCHEDULE OF DISTRICT REGULATIONS

Section 94-147. - C-1A neighborhood commercial district

(g) Permitted signs. Awning signs, bracket signs, directional signs, ground signs, marquee signs, projecting signs, and wall signs.

Section 94-148. - C-1 general commercial district

(g) Permitted signs. Wall signs, awning signs, bracket signs, banner signs, pole signs, temporary signs, directional signs, ground signs, marquee signs, and projecting signs.

Section 94-149. - C-2 intensive commercial district

(g) Permitted signs. Wall signs, awning signs, bracket signs, banner signs, pole signs, temporary signs, directional signs, ground signs, marquee signs, and projecting signs.

Section 94-151. - M-1 light industrial district

(g) Permitted signs. Wall signs, awning signs, bracket signs, banner signs, pole signs, temporary signs, directional signs, ground signs, marquee signs, and projecting signs.

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

(f) Permitted signs. Directional signs, ground signs, and wall signs.

Section 94-153. - PBG-1 public buildings and grounds district

(e) Permitted signs. Directional signs, ground signs, and wall signs.

Section 94-154. - PBG-2 other public facilities district

(e) Permitted signs. Directional signs, ground signs, and wall signs.

Section 94-155. - CON conservation district

(e) Permitted signs. Directional signs, ground signs, and wall signs.

Section 94-156. - HD historic district

(e) Permitted signs. Directional signs, ground signs, and wall signs.

Section 94-157. - PUD planned unit development district

(d) Permitted signs. Directional signs, ground signs, and wall signs.

Section 94-158. - AP-1 airport zoning district

(g) Permitted signs. Directional signs, ground signs, and wall signs. Only those signs specified by FAA requirements and standard flight safety practices will be permitted within an aircraft operating area.

Section 94-159. - AP-2 airport related zoning district

(g) Permitted signs. (See also chapter 62.) Permitted signs in the AP-2 district are as follows:

- (1) For structures located adjacent to the flight operations area, wall signs for air crew information and building occupant identification may be located on structure walls facing the flight operations area, provided that any such sign shall not exceed a width of five feet or a height of three feet, and shall

not extend above the roof of the supporting structure, and the design thereof must receive prior written approval of the airport manager. Only one such sign shall be permitted per structure for non-municipal buildings.

(2) Wall signs and freestanding signs on the property side facing away from the flight operations area and toward the roadways and general public access areas for those structures located immediately adjacent to the flight operations area, and for all sides of structures located not adjacent to the flight operations area, shall be in accordance with chapter 62, article III.

Section 94-161. - DR downtown riverfront district

(j) Permitted signs. Directional signs, ground signs, and 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 94-162. - DB downtown business district

(j) Permitted signs. Directional signs, ground signs, and 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. 94-71. Sign variance criteria.

The board of zoning appeals shall utilize the following criteria in considering sign variance requests.

- (a) That sign size or height limitations cause an exceptional and unique hardship.
- (b) That the unique hardship is not due solely to the owner's actions.
- (c) That the variance authorized will be compatible with the physical characteristics of the neighborhood.

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

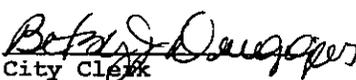
Section 4. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 25th day of August, 2011.

CITY OF PALATKA

BY: 
Its MAYOR

ATTEST:


City Clerk