

This instrument prepared by:
 Jim Lee
 201 N 2nd Street
 Palatka, Florida 32177

ORDINANCE NO. 09 - 06

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING THE OFFICIAL ZONING REGULATIONS OF THE CITY OF PALATKA, FLORIDA, BY AMENDING SECTION 94-161(e)(13) DOWNTOWN RIVERFRONT DISTRICT (DR) AND SECTION 94-162(e)(13) DOWNTOWN BUSINESS DISTRICT (DB) TO EXCLUDE A DWELLING, ONE-FAMILY OR SINGLE-FAMILY, WITHOUT AN ACCOMPANYING COMMERCIAL USE AS A CONDITIONAL USE FOR PARCELS ABUTTING ST. JOHNS AVENUE, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Palatka, Florida, is authorized by Chapter 166, Florida Statutes, to adopt ordinances and resolutions necessary for the exercise of its powers to protect the health, safety, and general welfare of its citizens and to prescribe fines and penalties for the violations of ordinances in accordance with law, and

WHEREAS, the Commission has recognized the need to revise the zoning regulations to exclude single-family dwellings, without an accompanying commercial use, as a conditional use for parcels abutting St. Johns Avenue in the Downtown Riverfront District (DR) and Downtown Business District (DB), and

WHEREAS, the Commission desires to ensure the continued economic well-being and vitality of Palatka's downtown and commercial districts, and

WHEREAS, the Planning Board conducted a duly advertised public hearings on February 3, 2009, and recommended approval of this amendment to the City Commission, and

WHEREAS, the City Commission conducted duly advertised public hearings on February 12, 2009, and February 26, 2009, and

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

Section 1. Section 94-161 Downtown Riverfront District (e) Conditional uses, activities, or structures is hereby amended to include:

(13) Dwelling, one-family or single-family, excluding parcels abutting St. Johns Avenue

Section 2. Section 94-162 Downtown Business District (e) Conditional uses, activities, or structures is hereby amended to include:

(13) Dwelling, one-family or single-family, excluding parcels abutting St. Johns Avenue

Section 3. 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. This Ordinance shall become effect upon passage as provided by law.

Section 5: A copy of this Ordinance shall be furnished to the Municipal Code Corporation for insertion into the City of Palatka Code of Ordinances.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 26th day of February, 2009.

CITY OF PALATKA

BY: *Karl H. Slagg*
Its Mayor

ATTEST:

 Betsy J. Driggers
City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

 [Signature]
City Attorney