

**VERNON MYERS**  
MAYOR - COMMISSIONER

**MARY LAWSON BROWN**  
VICE MAYOR - COMMISSIONER

**ALLEGRA KITCHENS**  
COMMISSIONER

**PHIL LEARY**  
COMMISSIONER

**JAMES NORWOOD, JR.**  
COMMISSIONER



**ELWIN C. "WOODY" BOYNTON, JR.**  
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**

November 10, 2011

#### **CALL TO ORDER:**

- a. Invocation – The Reverend Chad Perry, Pastor, Dunns Creek Baptist Church
- b. Pledge of Allegiance
- c. Roll Call

#### **APPROVAL OF MINUTES – 10/27/11**

#### **1. PUBLIC RECOGNITION/PRESENTATIONS:**

- a. **PROCLAMATION – National Home Care Month – Tammie Slaughter, Gentiva Home Care**
- b. **CITY OF PALATKA VETERANS OF ARMED FORCES PERSONNEL RECOGNITION**
- c. **BOY SCOUTS OF AMERICA – Eagle Scout Recognition – Mitchell John Royal, Luke William Munchie, Miles Christopher Eaten, Michael Dwayne Hibbs, Amos Betonio, and Cody Wayne Ball**
- d. **STUDENT OF THE MONTH – November, 2011 – Mayor Myers & Commissioner Leary**

Jasmine Martinez	Beasley Middle School
Jared Baylor	Browning Pearce Elementary School
Aubree Tucker	Children's Reading Center Charter School
Nathan Garrett	E.H. Miller School
Haley Feagin	James A. Long Elementary School
	Jenkins Middle School
Ethan Largacci	Kelley Smith Elementary School
	Mellon Elementary School
Drevon Wallace	Moseley Elementary School
Ashleigh Offord	Palatka High School
Bradley Lafferty	Peniel Baptist Academy

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

#### **3. CONSENT AGENDA:**

- a. **Grant permission to exceed allowable noise levels established by Chapter 30, Palatka Code of Ordinances to John Lyon, owner, Steamboat Willies, from 10:00 p.m. until 1:00 a.m. on Friday, November 11 and Saturday, November 12 (St. Johns River Blues Fest Dates) and Friday, November 25, 2011, per City Manager's recommendation**

#### **\* 4. PUBLIC HEARING - MAIN STREET FAÇADE GRANT AWARDS – 2011 Application Cycle:**

1. 107 South 9<sup>th</sup> Street – E. W. Lawson & Sons Funeral Home \$10,000
2. 617 St. Johns Avenue – David Church Construction \$10,000

**AGENDA - CITY OF PALATKA**  
**November 10, 2011**  
**Page 2**

- \* 5. **PUBLIC HEARING** – 2908 Kennedy Street (.15 acres) - Application to Annex, Amend the Future Land Use Map and Future Land Use Element From Putnam County R-1A (Residential 1, Single-Family) To R-1A (Single-Family Residential) – Dene and Deborah Berry, Applicants
  - a. Annexation Ordinance – 2<sup>nd</sup> Reading, Adopt
  - b. Land Use Amendment Ordinance - Adopt
  - b. Rezoning Ordinance – 2<sup>nd</sup> Reading, Adopt
- \* 6. **PUBLIC HEARING** – 2920 Kennedy Street (.29 acres) – Application to Annex, Amend the Future Land Use Map and Future Land Use Element From Putnam County R-1A (Residential 1, Single-Family) To R-1A (Single-Family Residential) – Terry N. Turk, Applicant
  - a. Annexation Ordinance – 2<sup>nd</sup> Reading, Adopt
  - b. Land Use Amendment Ordinance - Adopt
  - b. Rezoning Ordinance – 2<sup>nd</sup> Reading, Adopt
- \* 7. **ORDINANCE** amending Section 94-3 of the Zoning Code of Ordinances to amend newspaper and mail notice requirements for conditional uses – 2<sup>nd</sup> Reading, Adopt
- \* 8. **ORDINANCE** amending Section 94-71 of the Zoning Code of Ordinances to provide variance criteria – 2<sup>nd</sup> Reading, Adopt
- \* 9. **ORDINANCE** amending Section 62 of the Code of Ordinances pertaining to definitions, maximum sign sizes, wall signs, portable signs and landscaping around new signs – 1<sup>st</sup> Reading
- \* 10. **ORDINANCE** amending Section 94, Division 2 of the Code of Ordinances to allow specific sign types in non-residential Zoning Districts – 1<sup>st</sup> Reading
- 11. **ADMINISTRATIVE REPORTS**
- 12. **COMMISSIONER COMMENTS**
- 13. **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 CLERK'S OFFICE AT 329-0100 AT LEAST 24 HOURS IN ADVANCE TO REQUEST ACCOMMODATIONS.

**Upcoming Events:**

Nov. 11 – City Offices closed to observe Veterans' Day  
Nov. 14 – Town Hall Meeting, Price Martin Center, 6:00 p.m.  
Nov. 17 & 18, 2011 – Legislative Conference, Orlando  
Nov. 24 & 25, 2011 – City offices closed to observe Thanksgiving  
Dec. 23 & 26, 2011 – City offices closed to observe Christmas  
Dec. 30, 2011 – City offices closed to observe New Year's Eve  
Jan. 16, 2012 – City offices closed to observe Martin Luther King Day

**Board Openings:**

Tree Committee	1 Vacancy
Library Board	1 at-large
Historic Preservation Board:	1 alternate
Fire Pension Board	1 Vacancy ("5 <sup>th</sup> member")
Planning Board	1 Member (at large)
Code Enforcement Board:	2 Vacancies (Architect. & Alt.)

# CITY OF PALATKA



## Proclamation

**WHEREAS**, home care services provide high quality and compassionate health care services to those in need, especially at times of community or personal health care crisis; and

**WHEREAS**, home care is the most preferred method of health care delivery among disabled, elderly, and chronically ill individuals eager to live independently in their own homes as long as they possibly can; and

**WHEREAS**, home care services allows families to stay together, and provide for greater health, dignity and comfort in our communities; and

**WHEREAS**, home care in the United States is a growing alternative to hospitalization or other institution-based forms of health care for acute and chronic illnesses, providing care to millions of Americans each year; and

**WHEREAS**, thousands of everyday heroes such as home care nurses, therapists and aids work tirelessly to provide professional health and palliative care and support to millions of Americans in need of quality health services; and

**WHEREAS**, these dedicated home care professionals and volunteers from a support network that continues to play a vital role in health care delivery for our nation's disabled, infirm and aging population; and

**WHEREAS**, Gentiva Home Care, The National Association for Home Care & Hospice, and thousands of home care agencies across the United States have declared the month of November 2011 as National Home Care Month and are calling on all Americans to observe these occasions with appropriate ceremonies and activities.

**NOW, THEREFORE I**, Vernon Myers, together with the members of the Palatka City Commission, hereby recognize the month of November 2011 as

### **NATIONAL HOME CARE MONTH**

in the City of Palatka, and encourage the support and participation of all citizens in learning more about the home care and hospice concepts of care for the elderly, disabled, and infirm.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Seal of the City of Palatka, Florida on this 10<sup>th</sup> day of November, in the Year of Our Lord Two Thousand Eleven.

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

**PALATKA CITY COMMISSION**

**By: Vernon Myers, MAYOR**

**CITY OF PALATKA  
VETERANS OF ARMED FORCES  
PERSONNEL RECOGNITION**

**ADMINISTRATION**

**AIRPORT**

John Youell, US Air Force  
David Tomlinson, US Coast Guard

**BRONSON HOUSE**

Roger Guy Tillis, US Army

**BUILDING & ZONING**

Joffre W. Fillion, US Army  
Elizabeth Hearn, US Navy

**CEMETARY**

**CITY COMMISSION**

**FIRE DEPARTMENT**

Aaron Kunsberg, US Marines  
Kenneth Sugden, US Navy  
Andrew Woolwine, National Guard

**PARKS**

Tommy English, US Air Force

**POLICE DEPARTMENT**

Cornell Brown, US Army  
Todd Bryant, US Navy  
Alex Egan, US Army  
Brian Hawkins, US Marines  
Juston Hale,  
Scott Reinhold, US Army

**SANITATION**

Daniel Gibbs, National Guard  
Johnnie Lewis, US Army  
William Neely, US Army

**STREETS**

**WATER PLANT**

Melvin L. Register, FL Army National Guard, US Air Force

**WATER & SEWER**

Gordon Brown, US Army

**WWTP**

Brian McCann, US Army  
John Stahlman, National Guard

# CITY OF PALATKA



## Proclamation

**WHEREAS**, the Boy Scouts of America was founded in 1910 for the stated purpose of teaching boys patriotism, courage, self-reliance, high ideals and proper behavior; and

**WHEREAS**, the current mission statement states that the Boy Scouts of America's purpose is to prepare young people to make ethical choices over their lifetimes by installing in them the values of the Scout Oath and Scout Law; and

**WHEREAS**, the Scout Oath is as follows "On my honor I will do my best to do my duty to God and country, to obey the Scout Law, to help other people at all times, to keep myself physically strong, mentally awake, and morally straight"; and

**WHEREAS**, the Scout Law says "A scout is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent"; and

**WHEREAS**, the Boy Scouts of America help train the youth of our community with skills which will serve them well in the future and benefit our community; and

**WHEREAS**, the ultimate achievement in Scouting is the earning of the Eagle Rank and this is a rank held for life, "once an Eagle, always an Eagle"; and

**WHEREAS**, the attainment of the Eagle Rank takes years of dedication, commitment, and hard work and honors not only the scout, but also his family, his troop, and his troop leaders.

**THEREFORE**, be it proclaimed that the City Commission of the City of Palatka does hereby congratulate and recognize

**MITCHELL JOHN ROYAL, TROOP 492**

For his attainment of the rank of Eagle Scout and does hereby further proclaim that we are proud to have him as an outstanding member of our community.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Seal of the City of Palatka to be affixed this 10<sup>th</sup> day of November, in the Year of Our Lord Two Thousand Eleven.

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

**PALATKA CITY COMMISSION**

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**By: Vernon Myers, MAYOR**

# CITY OF PALATKA



## Proclamation

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**WHEREAS**, the Scout Oath is as follows "On my honor I will do my best to do my duty to God and country, to obey the Scout Law, to help other people at all times, to keep myself physically strong, mentally awake, and morally straight"; and

**WHEREAS**, the Scout Law says "A scout is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent"; and

**WHEREAS**, the Boy Scouts of America help train the youth of our community with skills which will serve them well in the future and benefit our community; and

**WHEREAS**, the ultimate achievement in Scouting is the earning of the Eagle Rank and this is a rank held for life, "once an Eagle, always an Eagle"; and

**WHEREAS**, the attainment of the Eagle Rank takes years of dedication, commitment, and hard work and honors not only the scout, but also his family, his troop, and his troop leaders.

**THEREFORE**, be it proclaimed that the City Commission of the City of Palatka does hereby congratulate and recognize

**LUKE WILLIAM MUNCHIE, TROOP 235**

For his attainment of the rank of Eagle Scout and does hereby further proclaim that we are proud to have him as an outstanding member of our community.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Seal of the City of Palatka to be affixed this 10<sup>th</sup> day of November, in the Year of Our Lord Two Thousand Eleven.

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

**PALATKA CITY COMMISSION**

\_\_\_\_\_  
By: Vernon Myers, MAYOR

# CITY OF PALATKA



## Proclamation

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**WHEREAS**, the ultimate achievement in Scouting is the earning of the Eagle Rank and this is a rank held for life, "once an Eagle, always an Eagle"; and

**WHEREAS**, the attainment of the Eagle Rank takes years of dedication, commitment, and hard work and honors not only the scout, but also his family, his troop, and his troop leaders.

**THEREFORE**, be it proclaimed that the City Commission of the City of Palatka does hereby congratulate and recognize

**MILES CHRISTOPHER EATEN, TROOP 109**

For his attainment of the rank of Eagle Scout and does hereby further proclaim that we are proud to have him as an outstanding member of our community.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Seal of the City of Palatka to be affixed this 10<sup>th</sup> day of November, in the Year of Our Lord Two Thousand Eleven.

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

**PALATKA CITY COMMISSION**

**By: Vernon Myers, MAYOR**

# CITY OF PALATKA



## Proclamation

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**WHEREAS**, the Scout Law says "A scout is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent"; and

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**WHEREAS**, the ultimate achievement in Scouting is the earning of the Eagle Rank and this is a rank held for life, "once an Eagle, always an Eagle"; and

**WHEREAS**, the attainment of the Eagle Rank takes years of dedication, commitment, and hard work and honors not only the scout, but also his family, his troop, and his troop leaders.

**THEREFORE**, be it proclaimed that the City Commission of the City of Palatka does hereby congratulate and recognize

**MICHAEL DWAYNE HIBBS, TROOP 342**

For his attainment of the rank of Eagle Scout and does hereby further proclaim that we are proud to have him as an outstanding member of our community.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Seal of the City of Palatka to be affixed this 10<sup>th</sup> day of November, in the Year of Our Lord Two Thousand Eleven.

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

**PALATKA CITY COMMISSION**

**By: Vernon Myers, MAYOR**

# CITY OF PALATKA



## Proclamation

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**WHEREAS**, the Scout Oath is as follows "On my honor I will do my best to do my duty to God and country, to obey the Scout Law, to help other people at all times, to keep myself physically strong, mentally awake, and morally straight"; and

**WHEREAS**, the Scout Law says "A scout is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent"; and

**WHEREAS**, the Boy Scouts of America help train the youth of our community with skills which will serve them well in the future and benefit our community; and

**WHEREAS**, the ultimate achievement in Scouting is the earning of the Eagle Rank and this is a rank held for life, "once an Eagle, always an Eagle"; and

**WHEREAS**, the attainment of the Eagle Rank takes years of dedication, commitment, and hard work and honors not only the scout, but also his family, his troop, and his troop leaders.

**THEREFORE**, be it proclaimed that the City Commission of the City of Palatka does hereby congratulate and recognize

**AMOS BETONIO, TROOP 337**

For his attainment of the rank of Eagle Scout and does hereby further proclaim that we are proud to have him as an outstanding member of our community.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Seal of the City of Palatka to be affixed this 10<sup>th</sup> day of November, in the Year of Our Lord Two Thousand Eleven.

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

**PALATKA CITY COMMISSION**

**By: Vernon Myers, MAYOR**

# CITY OF PALATKA



## Proclamation

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**WHEREAS**, the Scout Oath is as follows "On my honor I will do my best to do my duty to God and country, to obey the Scout Law, to help other people at all times, to keep myself physically strong, mentally awake, and morally straight"; and

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**WHEREAS**, the ultimate achievement in Scouting is the earning of the Eagle Rank and this is a rank held for life, "once an Eagle, always an Eagle"; and

**WHEREAS**, the attainment of the Eagle Rank takes years of dedication, commitment, and hard work and honors not only the scout, but also his family, his troop, and his troop leaders.

**THEREFORE**, be it proclaimed that the City Commission of the City of Palatka does hereby congratulate and recognize

**CODY WAYNE BALL, TROOP 337**

For his attainment of the rank of Eagle Scout and does hereby further proclaim that we are proud to have him as an outstanding member of our community.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Seal of the City of Palatka to be affixed this 10<sup>th</sup> day of November, in the Year of Our Lord Two Thousand Eleven.

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

**PALATKA CITY COMMISSION**

**By: Vernon Myers, MAYOR**

Agenda  
Item

3a

# Agenda Item

4



# MINUTES

## MAIN STREET BOARD OF DIRECTORS

10/19/2011

4:00 PM to 5:00 PM

Prosperity Bank Conference Room, 205 N. 2<sup>nd</sup> St.

**Present:** Skip Lorenzen, Susan Loosberg, Wayne McClain, Jerry Hafner, Charles Rudd, Robert Taylor, Terry Turner, Linda Myers, and Woody Boynton

**Call to Order:** Vice Chairman McClain called the meeting to order at 4:00 p.m.

**Action:** Motion T. Turner to approve September 21, 2011 Minutes, seconded by J. Hafner. **Motion Carried**

### Financial Report:

Linda Myers gave the financial report and asked the board to consider rolling these into one account.

Main Street Business Account:       **\$3,713.39**

Azalea Fund:                               **\$4,475.25**

C. Rudd asked that it be moved to a downtown bank.

The consent was to explore different banks and revisit it at the next meeting.

### Main Street Manager's Report:

C. Rudd gave a presentation outlining the 2012 work plan and the wrap up of 2011 work items. Also C. Rudd noted that a volunteer appreciation party will be held in December for the 2011 participants.

### Façade Grants:

1. 107 South 9<sup>th</sup> Street- Mary Lawson Brown       **\$10,000** (\$14,275 Total Project Cost)
2. 617 St. Johns Avenue – David Church       **\$10,000** (\$16,000 Total Project Cost)

T. Turner asked if this was part of the original application and why

R. Taylor abstained from discussion and voting.

**Action:** Motion S. Lorenzen to fund the 107 South 9<sup>th</sup> Street Façade Application, seconded by L. Myers.

L. Myers	<b>In Favor</b>
S. Lorenzen	<b>In Favor</b>
S. Loosberg	<b>In Favor</b>
W. Boynton	<b>In Favor</b>
J. Hafner	<b>Opposed</b>
T. Turner	<b>Opposed</b>



# MINUTES

## MAIN STREET BOARD OF DIRECTORS

10/19/2011

4:00 PM to 5:00 PM

Prosperity Bank Conference Room, 205 N. 2<sup>nd</sup> St.

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**Action:** Motion T. Turner to fund the 617 St. Johns Avenue Street Façade Application, seconded by J. Hafner. **All in Favor**

### **Recruitment Fund Update:**

A memo outlining the Economic Restructuring Committee's recommendations was padded out for review. Board Members were asked to review and send their comments to S. Lorenzen and J. Griffith.

T. Turner requested that some consideration be given to selecting individuals to sit on the selection committee who will not likely have a conflict of interest.

### **Branding Update:**

C. Rudd presented examples of the branding firm Arnett Muldrow.

T. Turner asked that all other treatments and past studies be considered prior to moving forward with this. Specifically, go talk to John Hodge to see past examples.

### **Meeting Adjourned around 5:50 pm**

Respectfully Submitted,  
Jonathan Griffith

# Agenda Item

5 a, b, c

**CITY OF PALATKA CITY COMMISSION  
AGENDA ITEM**

**ITEM:** Second Reading - request to annex,  
amend the future land use map, and  
amend the Official Zoning Map for 2908  
Kennedy Street

**DEPARTMENT:** Building & Zoning

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**AGENDA SECTION:** Regular Agenda, requiring Commission action

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**ATTACHMENTS:** 1. Annexation and Rezoning Ordinances

**MEETING DATE:** Nov. 10, 2011

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**ISSUE:** This is a request to annex property into the City, amend the future land use map, and rezone from County to City zoning. The property contains a single-family home and the owner wishes to connect to City utilities.

Please direct questions regarding this request to Thad Crowe at 329-0103 or [tcrowe@palatka-fl.gov](mailto:tcrowe@palatka-fl.gov)

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

**ORDINANCE NO. 11 - 66**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IDENTIFIED AS 2908 KENNEDY STREET, LOCATED IN SECTION 12, 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,** Petition has been filed before the City Commission of the City of Palatka, Florida, which Petition is on file in the office of the City Clerk, signed by all of the freehold owners of the property sought to be annexed, to wit:

Dene and Deborah Berry

**WHEREAS,** Chapter 171.044, Florida Statutes, permits the 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:**

TUCKERS ADDITION OF PALATKA HEIGHTS MB2 P40 BLK G LOT 11  
(Being tax parcel # 12-10-26-9050-0070-0110)

**Section 3.** The property hereby annexed shall remain subject to the 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 10<sup>th</sup> day of November, 2011.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_

**Its Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM AND CORRECTNESS:**

\_\_\_\_\_  
**City Attorney**

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

**ORDINANCE NO. 11 - 67**

**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 12, TOWNSHIP 10 SOUTH, RANGE 26 EAST, LOCATED AT 2908 KENNEDY STREET FROM PUTNAM COUNTY R-1A (RESIDENTIAL 1A, SINGLE FAMILY) TO R-1A (SINGLE-FAMILY RESIDENTIAL); 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 owners, Dene and Deborah Berry, to the City for certain amendments to the Official Zoning Map 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 27, 2011 and November 10, 2011, and

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

**Section 2.** 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 Putnam County R-1A (Residential 1A, Single Family) to R-1A (Single-Family Residential)

**DESCRIPTION OF PROPERTY:**

12-10-26-9050-0070-0110  
TUCKERS ADDITION OF PALATKA HEIGHTS MB2 P40 BLK G LOT 11

**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 10<sup>TH</sup> day of November, 2011.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its MAYOR**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

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

**ORDINANCE NO. 11 - 68**

**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 12, TOWNSHIP 10 SOUTH, RANGE 26 EAST, LOCATED AT 2908 KENNEDY STREET FROM PUTNAM COUNTY R-1A (RESIDENTIAL 1A, SINGLE FAMILY) TO R-1A (SINGLE-FAMILY RESIDENTIAL); 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 owners, Dene and Deborah Berry, to the City for certain amendments to the Official Zoning Map 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 27, 2011 and November 10, 2011, and

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

**Section 2.** 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 Putnam County R-1A (Residential 1A, Single Family) to R-1A (Single-Family Residential)

**DESCRIPTION OF PROPERTY:**

12-10-26-9050-0070-0110  
TUCKERS ADDITION OF PALATKA HEIGHTS MB2 P40 BLK G LOT 11

**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 10<sup>TH</sup> day of November, 2011.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its MAYOR**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**



# CITY OF PALATKA PLANNING BOARD

## Meeting Minutes August 23, 2011

Meeting called to order by Chairman Carl Stewart at 4:00 pm.

**Other members present:** Sue Roskosh, Earl Wallace, Anthony Harwell, Joseph Petrucci and Joe Pickens.

**Members absent:** Kenneth Venables.

**Also present:** Planning Director Thad Crowe, Recording Secretary Pam Sprouse and City Attorney Don Holmes.

**Motion** made by Joe Pickens and seconded by Sue Roskosh to approve the minutes of the July 5, 2011 meeting. 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 11-30**    **Address:**                    2908 Kennedy St.  
                  **Parcel #:**                        (12-10-26-9050-0070-0110)  
                  **Applicant/Owner:**    Dene and Deborah Berry

Request to annex, amend the Future Land Use Map from County US (Urban Service) to RL (Residential, Low Density) and rezone from County R-1A (Residential 1, Single-Family) to R-1A (Single-Family Residential)

Mr. Crowe advised that this case and the next case are both essentially the same type of request, made due to the need for city services. He added that these properties are adjacent to each other and are contiguous to the city. He showed a map of the area and pointed out where a section of unincorporated County is surrounded by the City. He stated that annexing these properties provides contiguity and reduces the existing enclave. He ended by saying that both requests meet the criteria for annexing, amending the Future Land Use Map and rezoning.

**Motion** made by Mr. Pickens to recommend approval of the request to the City Commission. The motion was seconded by Ms. Roskosh. All present voted affirmative, motion carried.

**Case 11-34**    **Address:**                    2920 Kennedy St.  
                  **Parcel #:**                        12-10-26-9050-0070-0090  
                  **Applicant/Owner:**    Terry N. Turk

Request to annex, amend the Future Land Use Map from County US (Urban Service) to RL (Residential Low Density) and rezone from County R-1A (Residential 1, Single-Family) to R-1A (Single-Family Residential)

**Motion** made by Mr. Pickens to recommend approval of the request to the City Commission. The motion was seconded by Ms. Roskosh. All present voted affirmative, motion carried.

Case 11-30 2908 Kennedy St, Case 11-34 2920 Kennedy St  
**Request to Annex, Amend Comprehensive Plan Map to RL,  
and Rezone to R-1A**

**Applicant: Dene & Deborah Berry, Terry N. Turk**

## **STAFF REPORT**

**DATE:** August 15, 2011

**TO:** Planning Board members

**FROM:** Thad Crowe, AICP, Planning Director

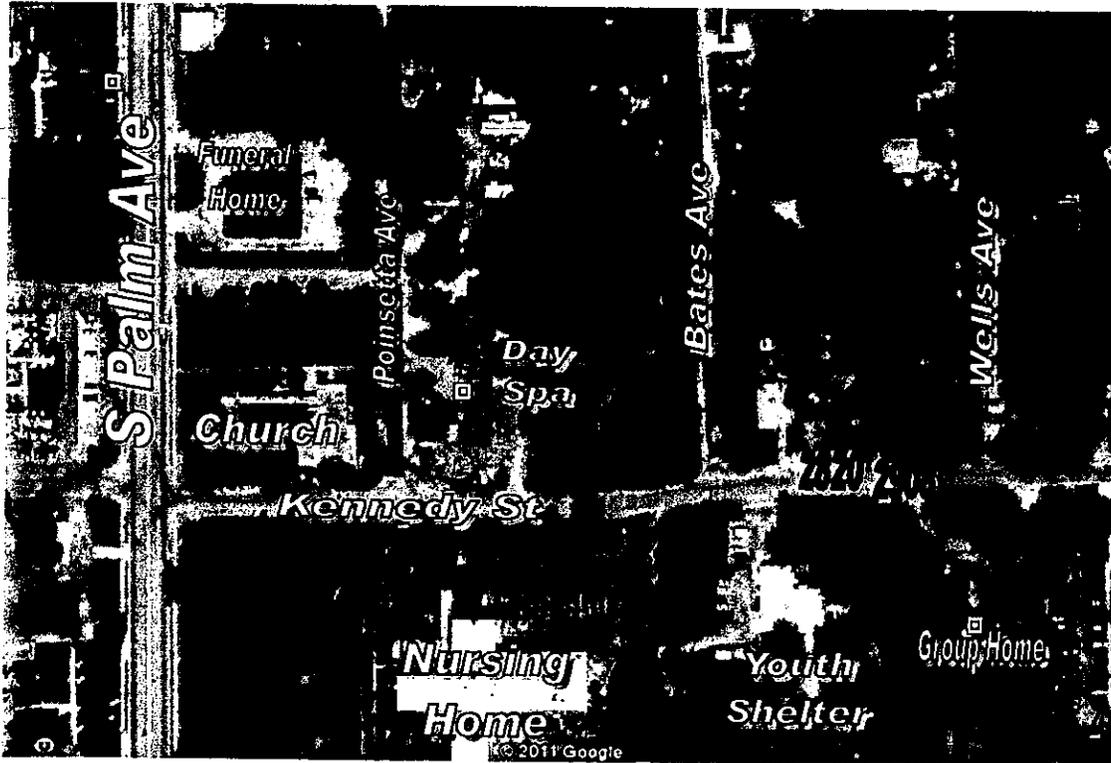
### APPLICATION REQUEST

To annex, amend FLUM from County US (Urban Services) to RL (Residential Low Density), and rezone from County R-1A Residential, Single Family) to R-1A (Single-Family Residential). Required public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet).

### APPLICATION BACKGROUND

These neighboring properties are located at the fringe of a commercial/institutional area located around the intersection of S. Palm Ave. and Kennedy St. The area includes a retail/office center, credit union, church, funeral home, nursing home, and youth shelter, with residential uses north of Kennedy St. and east of Bates Ave.

Figure 1: Sites and Vicinity Map



The residential area generally bounded by Kennedy St. to the south, St. Johns Ave. to the north, Poinsetta St. to the west and Westover Dr. to the east is an unincorporated enclave, as shown in the graphic below (unincorporated County shown in the darker color, properties in question bounded in red).

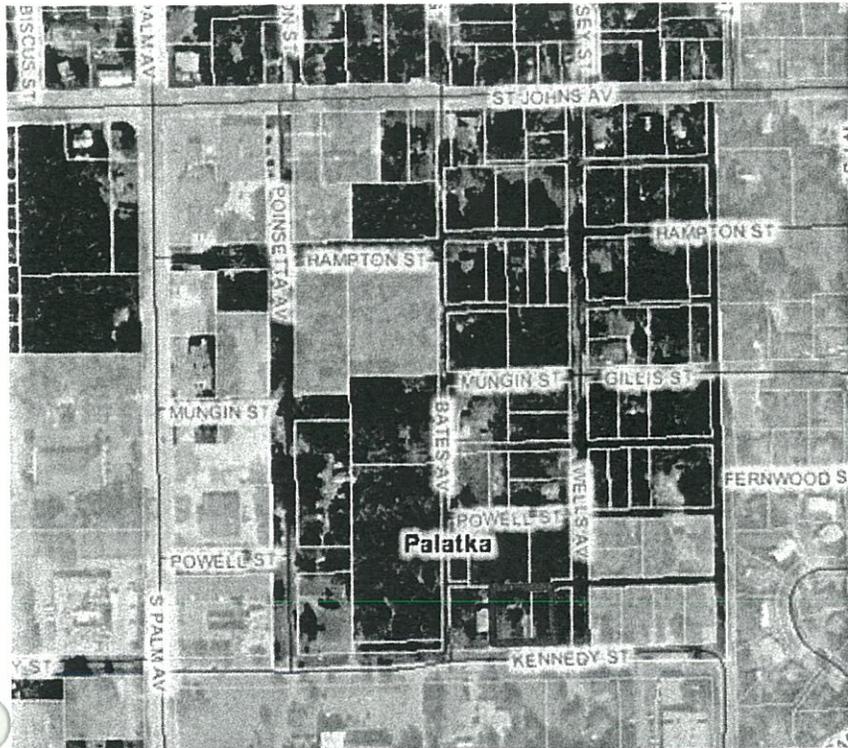


Figure 2: City and County Properties

The properties under consideration currently have County single-family land use and zoning. The table below site and surrounding property use classifications (see also attached maps).

Table 1: Use Classifications

Property	FLUM	Zoning	Existing Use
Site	(County) US (Urban Services)	(County) R-1A (Single Family)	Single-family home
Property to North	(County) US (Urban Services)	(County) R-1A (Single Family)	undeveloped
Property to South	OPF (Other Public Facilities)	R-3 (Multi-Family Residential)	Youth Shelter
Property to West	(County) US (Urban Services)	(County) R-1A (Single Family)	undeveloped
Property to East	(County) US (Urban Services)	(County) R-3 (Multiple Family)	Single-family home

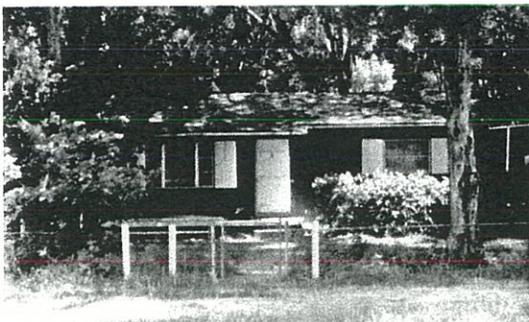


Figure 1: 2908 Kennedy St



Figure 2: 2920 Kennedy St

## **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. The definition further states that a road that comes between property boundaries and the municipal boundary shall not prevent annexation. The properties are contiguous to the city limits, which run along the south side of Kennedy Avenue. Therefore the properties are considered to be contiguous.

**Compactness.** The statute also provides a definition for compactness that requires an annexation to be for properties in a single area, and also precludes any action which would create or increase enclaves, pockets, or finger areas in serpentine patterns. Annexing the properties meets the standard of compactness as it is reducing the enclave shown in the last graphic.

### **Future Land Use Analysis**

Florida House Bill 7129, recently signed by the Governor, provides amended criteria for consideration of comprehensive plan amendments under F.S. 163-3187, shown in italics below (staff response follows each criterion, and comprehensive plan extracts are underlined).

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

The application is in keeping with the following objective and policies of the comprehensive plan, and does not conflict with other plan elements.

#### **Policy A.1.9.3**

**Land Development Regulations adopted, to implement this Plan shall be based on the following land use standards:**

#### **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.**

The existing residence on the property in question is in keeping with the description of the Residential Low Density FLUM category above.

*Provide analysis of the availability of facilities and services.*

The properties are in close proximity to a range of urban services and infrastructure. Both a water line and sewer line runs along Kennedy Street adjacent to the properties.

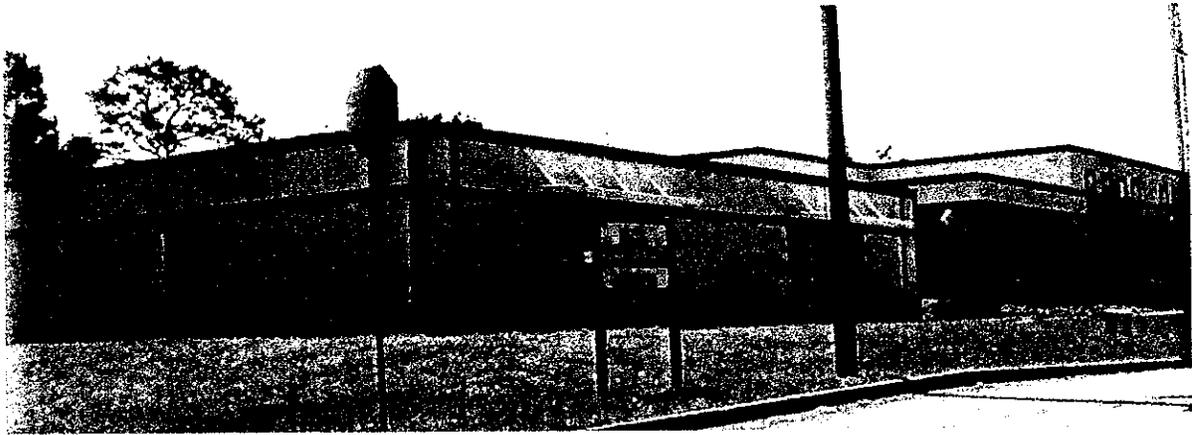
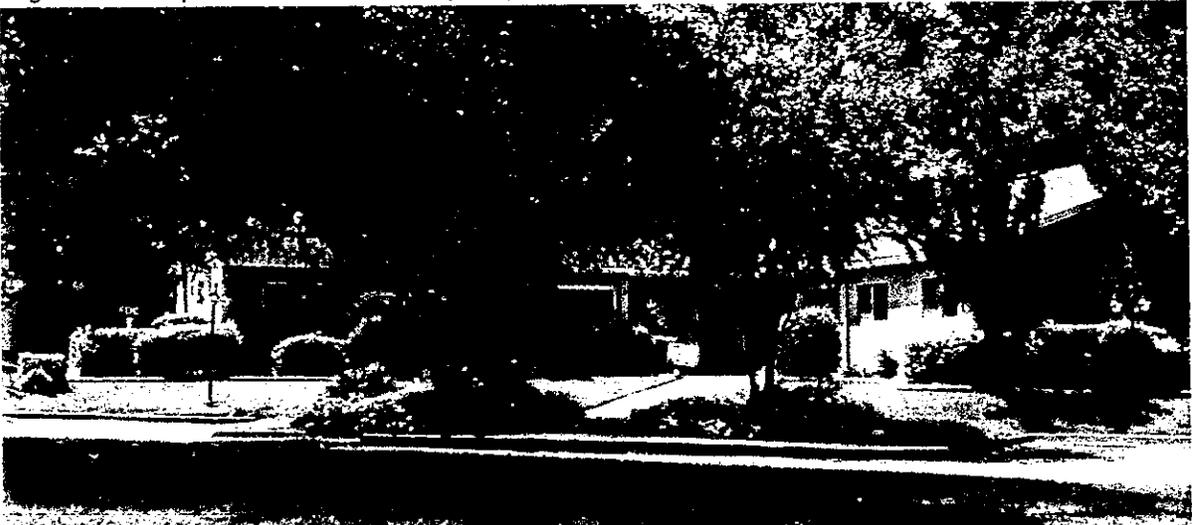


Figure 3: Group Home across Kennedy St. (above)    Figure 4: Youth Shelter across Kennedy St. (below)



*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.*

Assigning a City FLUM category to the properties is appropriate given that the small size of the lots in the surrounding Palatka Heights neighborhood are more in keeping with an urban designation. Also with small lots there is potential for septic tank failure and environmental degradation – City FLUM designation carries with it the connection to City sewer and water, which is not an option for County FLUMs.

*Provide analysis of the minimum amount of land needed as determined by the local government.*  
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.*  
The Palatka Heights neighborhood has a generalized density of around four units per acre, which is not low-density development.
- *Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*

The location is not a rural area and is within the Palatka urban area.

*Radial, strip, isolated, or ribbon development patterns.*

Not applicable since this is not commercial development.

- *Development that fails to adequately protect and conserve natural resources and agricultural activities.*

Not applicable since this is existing development.

- *Development that fails to maximize use of existing and future public facilities and services.*

These properties are well-situated to utilize 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.*

Given their location with an urban service area, these properties can be efficiently served.

- *Development that fails to provide a clear separation between rural and urban uses.*

These properties are within an urban area.

- *Development that discourages or inhibits infill development and redevelopment.*

Not applicable as these properties are within a developed urban area.

- *Development that fails to encourage a functional mix of uses.*

Not applicable as these properties are single residential parcels.

- *Development that results in poor accessibility among linked or related land uses.*

Not applicable as these properties are single residential parcels.

### **Rezoning Analysis**

Per Section 94-38 of the Zoning Code, the Planning Board must study and consider the proposed zoning amendment in relation to the following criteria, which are shown in *italics* (staff response 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.*

As previously noted, the application is in keeping with the following objective and policies of the comprehensive plan, and does not conflict with other plan elements.

*b. The existing land use pattern.*

The properties are existing uses and are consistent with current County and proposed City single-family residential FLUM and zoning designation.

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

Properties in the vicinity that are in the City have zoning that is either single-family or two family. The character of the neighborhood is generally single-family.

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

As existing single-family uses, impacts to City facilities will be marginal.

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

See response to c. above.

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

Conditions have not changed.

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

The change will not adversely affect living conditions as the uses are compatible single-family uses in regard to the surrounding neighborhood.

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

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

j. *Whether the proposed change will seriously reduce light and air to adjacent areas.*

Not applicable as these are existing uses.

k. *Whether the proposed change will adversely affect property values in the adjacent area.*

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.*

Not applicable as these are existing uses.

m. *Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.*

Providing a zoning designation to a property that is compatible with the existing use and surrounding neighborhood is not a grant of special privilege.

n. *Whether there are substantial reasons why the property cannot be used in accord with existing zoning.*

Not applicable as the City single-family zoning will be the same as the current County zoning.

o. *Whether the change suggested is out of scale with the needs of the neighborhood or the city.*

See response to g. above.

p. *Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.*

Not applicable due to existing use.

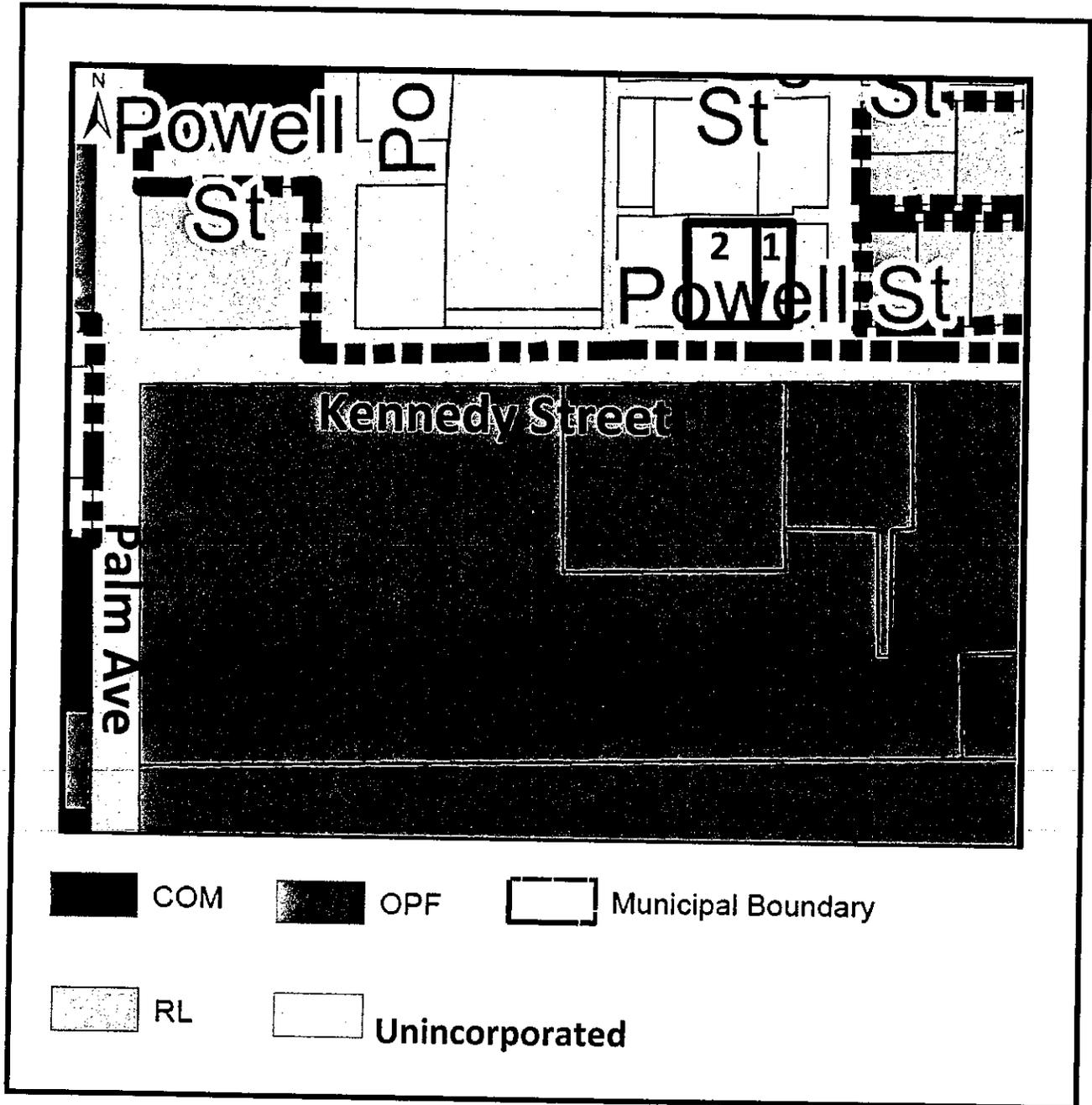
q. *The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district.*

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 Case 11-30 and 11-34: annexation, amendment of future land use map category to RL, and rezoning to R-1A for 2908 and 2920 Kennedy St. (separate motions for each property).

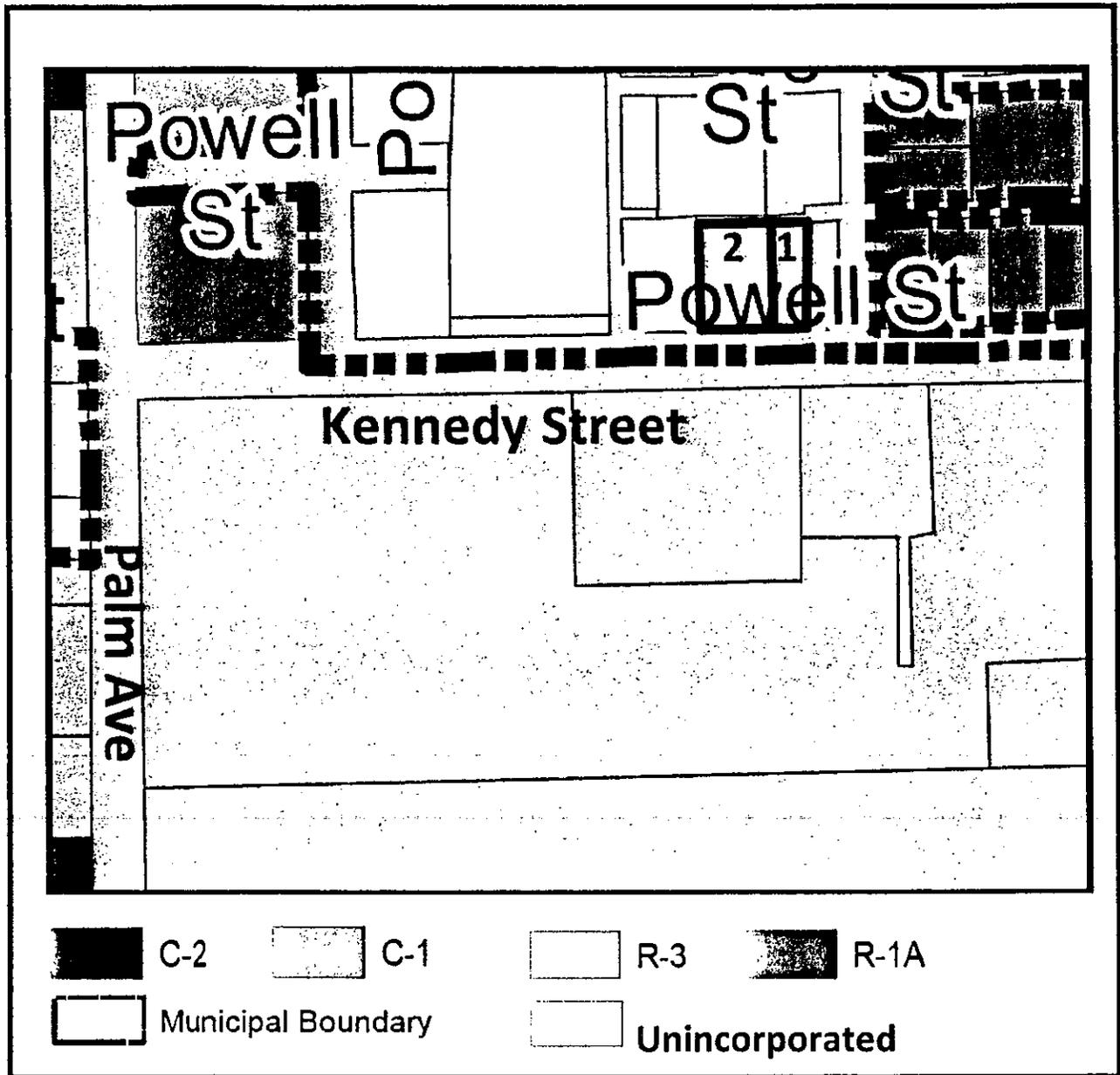
2908 Kennedy Street and 2920 Kennedy Street (FLUM)



No.	Site(s)	Current FLUM
1	2908 Kennedy Street	Unincorporated
2	2920 Kennedy Street	Unincorporated

FLUM Acronyms: COM (Commercial), OPF (Other Public Facilities), FL (Residential, Low Density)

## 2908 Kennedy Street and 2920 Kennedy Street (Zoning)



No.	Site(s)	Current Zoning	Proposed Zoning
1	2908 Kennedy Street	Unincorporated	
2	2920 Kennedy Street	Unincorporated	

Zoning Category Acronyms: C-2 (Commercial Intensive), C-1 (Commercial General), R-3 (Multi-Family Residential), R-1A (Single Family-Residential)

# Application for Annexation

This application must be typed or printed in black ink and submitted with any required attachments and application fee of \$1,000 for Small Scale or \$1,500 for Large Scale (Checks payable to the City of Palatka) to:

Application Number: PB - 11-30  
 Date Received: 6/10/11  
 Hearing date: 8/2/11

City of Palatka Planning & Zoning  
 201 N 2<sup>nd</sup> Street  
 Palatka, FL 32177

FOR INFORMATION REGARDING THIS FORM, CALL (386) 329-0103

TO BE COMPLETED BY APPLICANT		
1. Property Address: 2918 Kennedy St Palatka FL 32177	2. Parcel Number: 12-10-26-9050-570 0110	3. Current Property Use: Residential
4. Current Land Use Designation: US	5. Requested Land Use Designation: RL	6. Required Attachments: <input type="checkbox"/> Legal Description <input type="checkbox"/> Letter of Authorization* <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> Supplementary Information*** <input type="checkbox"/> Site Map for display ad**** <input type="checkbox"/> Site Plan***** <input type="checkbox"/> Survey
7. Current Zoning Designation: County R-1A	8. Requested Zoning Designation: R1A	
9. Acreage to be considered for request: 1.15	10. Number, types & square footage of structures on property: 1	
Reason for annexation request:		
Owner Name Dene & Deborah Berry	Agent Name	
Owner Address 105 Silver Beach Blvd	Agent Address DODD A PARK FL 32181	
Phone Number 386-649-4105	Phone Number Home 386-943-0288	

*Applicant has paid for Water connection - is contiguous*

- \* Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts on behalf of the owner.
- \*\* Project Narrative: Explain present and future use of the property in detail.
- \*\*\* Supplementary information that may be required with application relative to the following factors where applicable: Soils, Natural Vegetation/Wildlife; Wetlands (type, location and amount of acreage to the nearest one-hundredth acre), and Topography/Flood Prone Areas.
- \*\*\*\* Site map for ad to be to be in black & white, no larger than 2 1/2" x 3" with nearest intersecting streets shown and named.
- \*\*\*\*\* Site Plan: Detailed project drawing

*Paid \$ 1130.00 Flemss + Ryn per T. Crowe*

*Rept # 17595*

**RECEIVED**

Application Number: PB - \_\_\_\_\_

Hearing date: \_\_\_\_\_

10. This application submitted by:

Signature of owner(s): Deborah Berry

Print owner(s) names(s): Deborah Berry

Signature of Agent(s): \_\_\_\_\_

Print Agent(s) names: \_\_\_\_\_

STATE OF Florida

County of Pulaski

Before me this day personally appeared Deborah S. Berry who executed the foregoing application and acknowledged to and before me that she executed this document for the purposes therein expressed.

WITNESS my hand and official seal, this 15th day of June A.D. 2011.



Betsy Jordan Driggers  
Notary Public

My commission expires: 3-15-14 State of Florida at Large

FOR OFFICIAL USE ONLY				
1. Date Submitted	2. Received By:	3. Confirm Zoning:	4. Confirm FLUM	5. Preliminary review by:
7. Sign(s) Posted Date: By:	8. Surrounding property owners notices sent: Date: By:	9. Legal Ad Ran: Date: Date:	10. Attachments Reviewed: <input type="checkbox"/> Letter of Authorization* <input type="checkbox"/> Legal Description <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> Supplementary Information*** <input type="checkbox"/> Site Map for display ad**** <input type="checkbox"/> Site Plan***** <input type="checkbox"/> Survey	
City Commission Hearing Date:				

# Application for Rezoning

This application must be typed or printed in black ink and submitted with any required attachments and application fee of \$130 (Checks payable to the City of Palatka) to:

City of Palatka Planning & Zoning  
201 N 2<sup>nd</sup> Street  
Palatka, FL 32177

Application Number: PB - \_\_\_\_\_  
Date Received: \_\_\_\_\_  
Hearing date: \_\_\_\_\_

FOR INFORMATION REGARDING THIS FORM, CALL (386)329-0103

TO BE COMPLETED BY APPLICANT		
1. Property Address: 2908 Keaneley St Palatka FL 32177		2. Current Property Use: Resident SA L
3. Parcel Number: 12/10-26-950-0070- 0110	4. Lot size/acreage: .15	5. Proposed Use: Resident SA L
6. Current Zoning Designation: County R-18	7. Requested Zoning Designation: R1A	8. Required Attachments: <input type="checkbox"/> Letter of Authorization* <input type="checkbox"/> Legal Description <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> If applicable, attach Small or Large Scale Future Land Use Amendment application
9. Square footage of any proposed structures:	10. Number & types of structures on property: 1	
8. Owner Name: Deborah Bertu		
Owner Address: 105 Silver Beach Blvd Pomona Park FL 32181		
Phone Number: 386-983-0288		
9. Agent Name: _____		
Agent Address: _____		
Phone Number: _____		

\*Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts on behalf of the owner.

\*\*Project Narrative: Explain present and future use of the property detailing project.

RECEIVED  
JUN 13 2011  
BY: \_\_\_\_\_

Application Number: PB- \_\_\_\_\_  
 Hearing date: \_\_\_\_\_

10. This application submitted by:

Signature of owner(s): Deborah Berry

Print owner(s) names(s): Deborah Berry

Signature of Agent(s): \_\_\_\_\_

Print Agent(s) names: \_\_\_\_\_

STATE OF Florida

County of Putnam

Before me this day personally appeared Deborah J. Berry who executed the foregoing application and acknowledged to and before me that she executed this document for the purposes therein expressed.

WITNESS my hand and official seal, this 15<sup>th</sup> day of June A.D. 2011.



Betsy Jordan Driggers  
 Notary Public

My commission expires: 3-15-14 State of Florida at Large

FOR OFFICIAL USE ONLY				
1. Date Submitted	2. Received By:	3. Current Zoning:	4. Requested Zoning:	5. Preliminary review by:
7. Sign(s) Posted Date: By:	8. Surrounding property owners notices sent: Date: By:	9. Legal Ad Ran: Date:	10. Attachments Reviewed: <input type="checkbox"/> Letter of Authorization** <input type="checkbox"/> Legal Description <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative	
City Commission Meeting Date:				

# NOTICE OF ANNEXATION AND REZONING

NOTICE is hereby given that the City Commission of the City of Palatka, Florida, at its next regular meetings to be held at 6:00 p.m. on the 27th day of October and on the 10th day of November, 2011, at Palatka City Hall, 201 N. 2nd Street, Palatka, Florida, will consider the enactment of ordinances annexing and rezoning the following described property into the corporate limits of the City and redefining the boundary lines of the City of Palatka to include said property as follows:

- A. AN ORDINANCE ANNEXING ONE PARCEL OF LAND, APPROXIMATELY 0.15 ACRES IN SIZE. LOCATED IN SECTION 12, TOWNSHIP 10 SOUTH, RANGE 26 EAST, 2908 KENNEDY STREET, PALATKA, PUTNAM COUNTY; AND

Accompanied by the following entitled ordinance: 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 IN SECTION 12, TOWNSHIP 10 SOUTH, RANGE 26 EAST; FROM COUNTY R-1A (RESIDENTIAL 1, SINGLE-FAMILY) TO R-1A (SINGLE-FAMILY RESIDENTIAL); AND PROVIDING AN EFFECTIVE DATE; AND

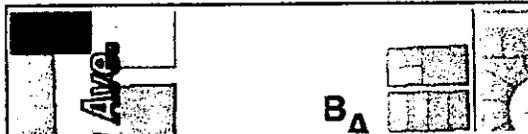
- B. AN ORDINANCE ANNEXING ONE PARCEL OF LAND APPROXIMATELY, 0.29 ACRES, IN SIZE LOCATED IN SECTION 12, TOWNSHIP 10 SOUTH, RANGE 26 EAST, 2920 KENNEDY STREET, PALATKA, PUTNAM COUNTY; AND

Accompanied by the following entitled ordinance: 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 IN SECTION 12, TOWNSHIP 10 SOUTH, RANGE 26 EAST; FROM COUNTY R-1A (RESIDENTIAL 1, SINGLE-FAMILY) TO R-1A (SINGLE-FAMILY RESIDENTIAL); AND PROVIDING AN EFFECTIVE DATE.

A map is attached hereto and a copy of the ordinances containing a copy of the legal description can be obtained from the office of the City Clerk at City Hall. All interested persons are hereby advised of such consideration by the City Commission and all interested parties may appear at said meeting at said time and place and be heard with respect to the proposed ordinances. This notice is given in accordance with F.S. 171.044.

PLEASE GOVERN YOURSELVES ACCORDINGLY.

/s/ BETSY J. DRIGGERS  
CITY CLERK



3341-82  
10/27/11

# Agenda Item

6 a, b, c

**CITY OF PALATKA CITY COMMISSION  
AGENDA ITEM**

**ITEM:** Second Reading - request to annex and amend the Official Zoning Map for 2920 Kennedy Street  
**DEPARTMENT:** Building & Zoning

---

**AGENDA SECTION:** Regular Agenda, requiring Commission action

---

**ATTACHMENTS:** 1. Annexation and Rezoning Ordinances  
**MEETING DATE:** Nov. 10, 2011

---

**ISSUE:** This is a request to annex property into the City, amend the future land use map, and rezone from County to City zoning. The property contains a single-family home and the owner wishes to connect to City utilities.

Please direct questions regarding this request to Thad Crowe at 329-0103 or [tcrowe@palatka-fl.gov](mailto:tcrowe@palatka-fl.gov)

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

**ORDINANCE NO. 11 - 69**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IDENTIFIED AS 2920 KENNEDY STREET, LOCATED IN SECTION 12, 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,** Petition has been filed before the City Commission of the City of Palatka, Florida, which Petition is on file in the office of the City Clerk, signed by all of the freehold owners of the property sought to be annexed, to wit:

Terry N. Turk

**WHEREAS,** Chapter 171.044, Florida Statutes, permits the 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:**

TUCKERS ADDITION OF PALATKA HEIGHTS MB2 P40 BLK G LOTS 9 & 10  
(Being tax parcel # 12-10-26-9050-0070-0090)

**Section 3.** The property hereby annexed shall remain subject to the 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 10<sup>th</sup> day of November, 2011.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_

**Its Mayor**  
**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM AND CORRECTNESS:**

\_\_\_\_\_  
**City Attorney**

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

**ORDINANCE NO. 11 - 70**

**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 12, TOWNSHIP 10 SOUTH, RANGE 26 EAST, LOCATED AT 2920 KENNEDY STREET, FROM PUTNAM COUNTY R-1A (RESIDENTIAL 1A, SINGLE FAMILY) TO R-1A (SINGLE-FAMILY RESIDENTIAL); 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 owner, Terry N. Turk, to the City for certain amendments to the Official Zoning Map 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 27, 2011 and November 10, 2011, and

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

**Section 2.** 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 Putnam County R-1A (Residential 1A, Single Family) to R-1A (Single-Family Residential)

**DESCRIPTION OF PROPERTY:**

12-10-26-9050-0070-0090:  
TUCKERS ADDITION OF PALATKA HEIGHTS MB2 P40 BLK G LOTS 9 + 10

**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 10<sup>th</sup> day of November, 2011.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its MAYOR**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

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

**ORDINANCE NO. 11 - 71**

**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 12, TOWNSHIP 10 SOUTH, RANGE 26 EAST, LOCATED AT 2920 KENNEDY STREET, FROM PUTNAM COUNTY R-1A (RESIDENTIAL 1A, SINGLE FAMILY) TO R-1A (SINGLE-FAMILY RESIDENTIAL); PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE**

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

**Section 1.**

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**Section 2.** 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 Putnam County R-1A (Residential 1A, Single Family) to R-1A (Single-Family Residential)

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12-10-26-9050-0070-0090:

TUCKERS ADDITION OF PALATKA HEIGHTS MB2 P40 BLK G LOTS 9 + 10

**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 10<sup>th</sup> day of November, 2011.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its MAYOR**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**



# CITY OF PALATKA PLANNING BOARD

## Meeting Minutes August 23, 2011

Meeting called to order by Chairman Carl Stewart at 4:00 pm.

**Other members present:** Sue Roskosh, Earl Wallace, Anthony Harwell, Joseph Petrucci and Joe Pickens.

**Members absent:** Kenneth Venables.

**Also present:** Planning Director Thad Crowe, Recording Secretary Pam Sprouse and City Attorney Don Holmes.

**Motion** made by Joe Pickens and seconded by Sue Roskosh to approve the minutes of the July 5, 2011 meeting. 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 11-30**    **Address:**                    2908 Kennedy St.  
                  **Parcel #:**                        (12-10-26-9050-0070-0110)  
                  **Applicant/Owner:**    Dene and Deborah Berry

Request to annex, amend the Future Land Use Map from County US (Urban Service) to RL (Residential, Low Density) and rezone from County R-1A (Residential 1, Single-Family) to R-1A (Single-Family Residential)

Mr. Crowe advised that this case and the next case are both essentially the same type of request, made due to the need for city services. He added that these properties are adjacent to each other and are contiguous to the city. He showed a map of the area and pointed out where a section of unincorporated County is surrounded by the City. He stated that annexing these properties provides contiguity and reduces the existing enclave. He ended by saying that both requests meet the criteria for annexing, amending the Future Land Use Map and rezoning.

**Motion** made by Mr. Pickens to recommend approval of the request to the City Commission. The motion was seconded by Ms. Roskosh. All present voted affirmative, motion carried.

**Case 11-34**    **Address:**                    2920 Kennedy St.  
                  **Parcel #:**                        12-10-26-9050-0070-0090  
                  **Applicant/Owner:**    Terry N. Turk

Request to annex, amend the Future Land Use Map from County US (Urban Service) to RL (Residential Low Density) and rezone from County R-1A (Residential 1, Single-Family) to R-1A (Single-Family Residential)

**Motion** made by Mr. Pickens to recommend approval of the request to the City Commission. The motion was seconded by Ms. Roskosh. All present voted affirmative, motion carried.

**Case 11-30 2908 Kennedy St, Case 11-34 2920 Kennedy St  
Request to Annex, Amend Comprehensive Plan Map to RL,  
and Rezone to R-1A**

**Applicant: Dene & Deborah Berry, Terry N. Turk**

**STAFF REPORT**

**DATE:** August 15, 2011

**TO:** Planning Board members

**FROM:** Thad Crowe, AICP, Planning Director

**APPLICATION REQUEST**

To annex, amend FLUM from County US (Urban Services) to RL (Residential Low Density), and rezone from County R-1A Residential, Single Family) to R-1A (Single-Family Residential). Required public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet).

**APPLICATION BACKGROUND**

These neighboring properties are located at the fringe of a commercial/institutional area located around the intersection of S. Palm Ave. and Kennedy St. The area includes a retail/office center, credit union, church, funeral home, nursing home, and youth shelter, with residential uses north of Kennedy St. and east of Bates Ave.

*Figure 1: Sites and Vicinity Map*



The residential area generally bounded by Kennedy St. to the south, St. Johns Ave. to the north, Poinsetta St. to the west and Westover Dr. to the east is an unincorporated enclave, as shown in the graphic below (unincorporated County shown in the darker color, properties in question bounded in red).

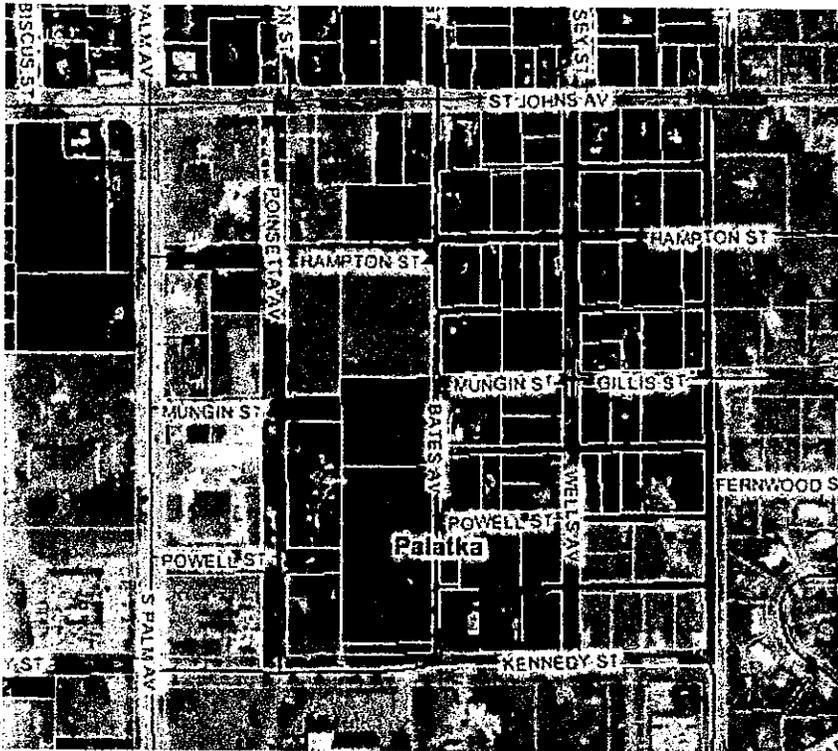


Figure 2: City and County Properties

The properties under consideration currently have County single-family land use and zoning. The table below site and surrounding property use classifications (see also attached maps).

Table 1: Use Classifications

Property	FLUM	Zoning	Existing Use
Site	(County) US (Urban Services)	(County) R-1A (Single Family)	Single-family home
Property to North	(County) US (Urban Services)	(County) R-1A (Single Family)	undeveloped
Property to South	OPF (Other Public Facilities)	R-3 (Multi-Family Residential)	Youth Shelter
Property to West	(County) US (Urban Services)	(County) R-1A (Single Family)	undeveloped
Property to East	(County) US (Urban Services)	(County) R-3 (Multiple Family)	Single-family home



Figure 1: 2908 Kennedy St



Figure 2: 2920 Kennedy St

## **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. The definition further states that a road that comes between property boundaries and the municipal boundary shall not prevent annexation. The properties are contiguous to the city limits, which run along the south side of Kennedy Avenue. Therefore the properties are considered to be contiguous.

**Compactness.** The statute also provides a definition for compactness that requires an annexation to be for properties in a single area, and also precludes any action which would create or increase enclaves, pockets, or finger areas in serpentine patterns. Annexing the properties meets the standard of compactness as it is reducing the enclave shown in the last graphic.

### **Future Land Use Analysis**

Florida House Bill 7129, recently signed by the Governor, provides amended criteria for consideration of comprehensive plan amendments under F.S. 163-3187, shown in italics below (staff response follows each criterion, and comprehensive plan extracts are underlined).

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

The application is in keeping with the following objective and policies of the comprehensive plan, and does not conflict with other plan elements.

#### **Policy A.1.9.3**

**Land Development Regulations adopted, to implement this Plan shall be based on the following land use standards:**

#### **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.**

The existing residence on the property in question is in keeping with the description of the Residential Low Density FLUM category above.

*Provide analysis of the availability of facilities and services.*

The properties are in close proximity to a range of urban services and infrastructure. Both a water line and sewer line runs along Kennedy Street adjacent to the properties.



Figure 3: Group Home across Kennedy St. (above)    Figure 4: Youth Shelter across Kennedy St. (below)



*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.*

Assigning a City FLUM category to the properties is appropriate given that the small size of the lots in the surrounding Palatka Heights neighborhood are more in keeping with an urban designation. Also with small lots there is potential for septic tank failure and environmental degradation – City FLUM designation carries with it the connection to City sewer and water, which is not an option for County FLUMs.

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

The Palatka Heights neighborhood has a generalized density of around four units per acre, which is not low-density development.

- *Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*

The location is not a rural area and is within the Palatka urban area.

- *Radial, strip, isolated, or ribbon development patterns.*

Not applicable since this is not commercial development.

- *Development that fails to adequately protect and conserve natural resources and agricultural activities.*

Not applicable since this is existing development.

- *Development that fails to maximize use of existing and future public facilities and services.*

These properties are well-situated to utilize 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.*

Given their location with an urban service area, these properties can be efficiently served.

- *Development that fails to provide a clear separation between rural and urban uses.*

These properties are within an urban area.

- *Development that discourages or inhibits infill development and redevelopment.*

Not applicable as these properties are within a developed urban area.

- *Development that fails to encourage a functional mix of uses.*

Not applicable as these properties are single residential parcels.

- *Development that results in poor accessibility among linked or related land uses.*

Not applicable as these properties are single residential parcels.

### **Rezoning Analysis**

Per Section 94-38 of the Zoning Code, the Planning Board must study and consider the proposed zoning amendment in relation to the following criteria, which are shown in *italics* (staff response 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.*

As previously noted, the application is in keeping with the following objective and policies of the comprehensive plan, and does not conflict with other plan elements.

b. *The existing land use pattern.*

The properties are existing uses and are consistent with current County and proposed City single-family residential FLUM and zoning designation.

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

Properties in the vicinity that are in the City have zoning that is either single-family or two family. The character of the neighborhood is generally single-family.

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

As existing single-family uses, impacts to City facilities will be marginal.

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

See response to c. above.

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

Conditions have not changed.

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

The change will not adversely affect living conditions as the uses are compatible single-family uses in regard to the surrounding neighborhood.

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

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

j. *Whether the proposed change will seriously reduce light and air to adjacent areas.*

Not applicable as these are existing uses.

k. *Whether the proposed change will adversely affect property values in the adjacent area.*

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.*

Not applicable as these are existing uses.

m. *Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.*

Providing a zoning designation to a property that is compatible with the existing use and surrounding neighborhood is not a grant of special privilege.

n. *Whether there are substantial reasons why the property cannot be used in accord with existing zoning.*

Not applicable as the City single-family zoning will be the same as the current County zoning.

o. *Whether the change suggested is out of scale with the needs of the neighborhood or the city.*

See response to g. above.

Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

Not applicable due to existing use.

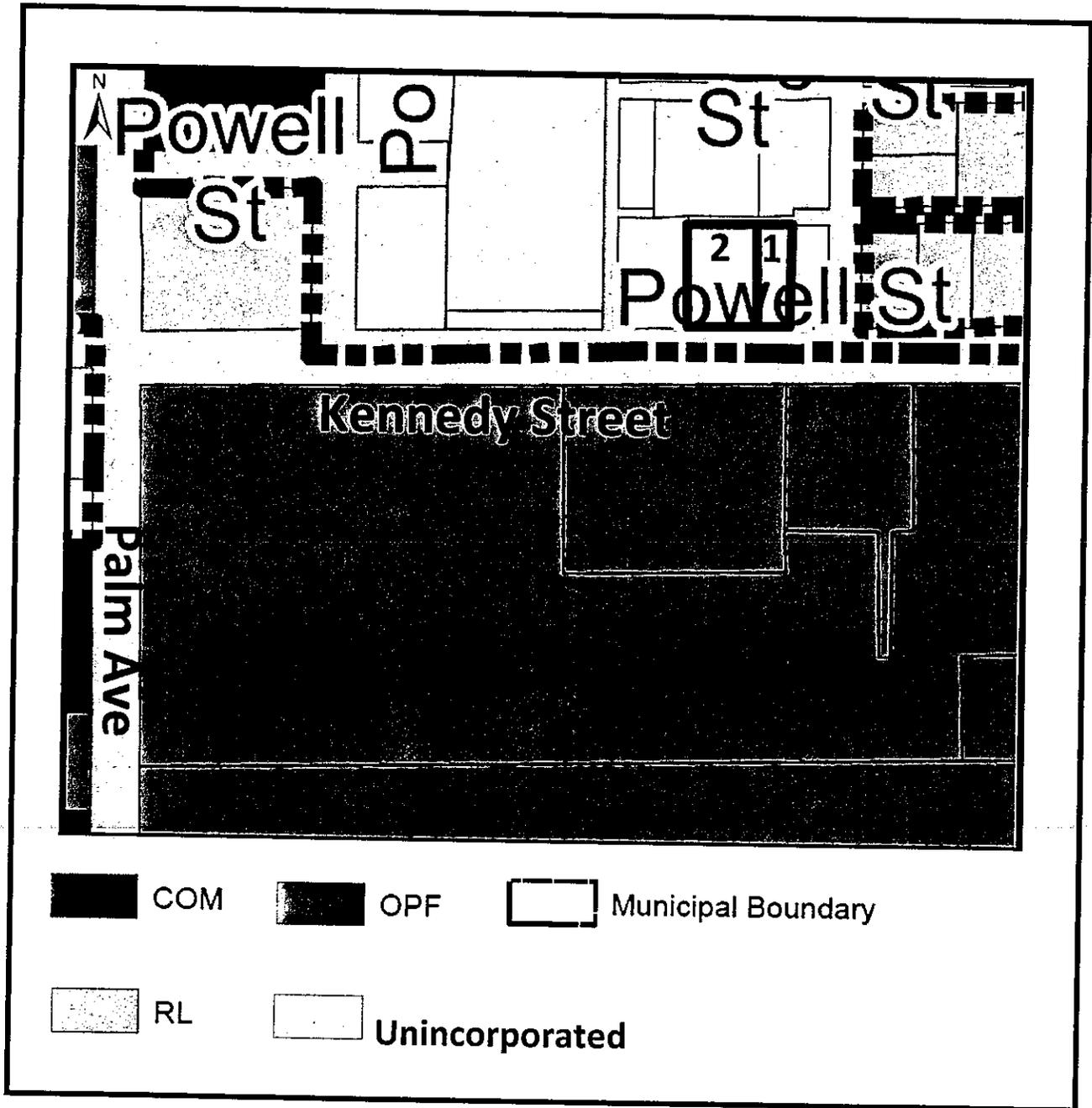
q. The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district.

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 Case 11-30 and 11-34: annexation, amendment of future land use map category to RL, and rezoning to R-1A for 2908 and 2920 Kennedy St. (separate motions for each property).

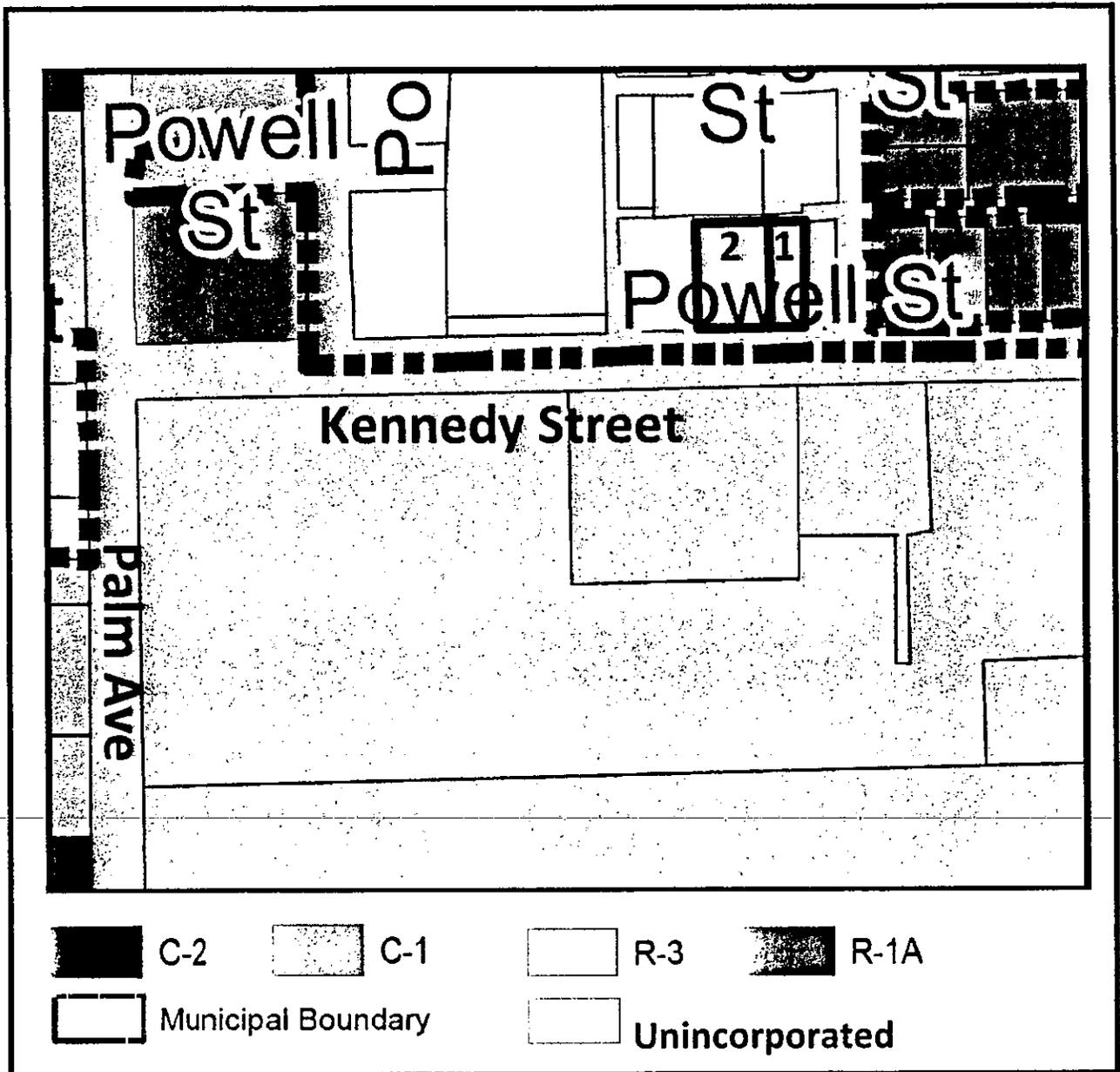
2908 Kennedy Street and 2920 Kennedy Street (FLUM)



No.	Site(s)	Current FLUM
1	2908 Kennedy Street	Unincorporated
2	2920 Kennedy Street	Unincorporated

FLUM Acronyms: COM (Commercial), OPF (Other Public Facilities), FL (Residential, Low Density)

## 2908 Kennedy Street and 2920 Kennedy Street (Zoning)



No.	Site(s)	Current Zoning	Proposed Zoning
1	2908 Kennedy Street	Unincorporated	
2	2920 Kennedy Street	Unincorporated	

Zoning Category Acronyms: C-2 (Commercial Intensive), C-1 (Commercial General), R-3 (Multi-Family Residential), R-1A (Single Family-Residential)

# Application for Annexation, Future Land Use amendment (small Scale – less than 10 acres) and Rezoning

PB Case # 11-34  
 Date Received: 7/14/11  
 Hearing date: 8/23/11

This application must be typed, legibly printed in ink, or completed electronically and submitted with any required attachments and application fee of \$1,130.00 to:

**City of Palatka Planning & Zoning**  
 201 N 2<sup>nd</sup> Street  
 Palatka, FL 32177  
 psprouse@palatka-fl.gov

FOR INFORMATION REGARDING THIS FORM, CALL (386) 329-0103

TO BE COMPLETED BY APPLICANT		
1. Property Address: Palatka, FL 2920 Kennedy St.	2. Parcel Number: 12 10 26 90 50 0070 0090	3. Current Property Use:
4. Current Land Use Designation: Urban Service	5. Requested Land Use Designation: res low	6. Required Attachments: <input type="checkbox"/> Legal Description <input type="checkbox"/> Letter of Authorization <sup>1</sup> <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative <sup>2</sup> <input type="checkbox"/> Supplementary Information <sup>3</sup> <input type="checkbox"/> Site Map <sup>4</sup> <input type="checkbox"/> Survey
7. Current Zoning Designation: R-1A	8. Requested Zoning Designation: Single family	
9. Acreage to be considered for request: .29	10. Number, types & square footage of structures on property: Dw mkt 24x50	
11. Reason for annexation request: no water - well dry.		
12. Owner Name: Terry d. Turk	14. Phone Number: 386-328-7549	
13. Owner Address: 2920 Kennedy St. Palatka, FL 32177	15. Email Address: terry n/a	
16. Agent Name:	18. Phone Number:	
17. Agent Address:	19. Email Address:	

1. Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts on behalf of the owner.
2. Project Narrative: Explain present and future use of the property in detail.
3. Supplementary information that may be required with application relative to the following factors where applicable: Soils, Natural Vegetation/Wildlife; Wetlands (type, location and amount of acreage to the nearest tenth acre), and Topography/Flood Prone Areas.
4. Site map with nearest intersecting streets shown and named.

**20. This application submitted by:**

Signature of owner(s): Terry N. Turk  
Danya Turk

Print owner(s) names(s):

Signature of Agent(s):

Print Agent(s) names:

Application Number: PB Case #
Hearing date:

STATE OF Florida

County of Duval

Before me this day personally appeared Terry N Turk who executed the foregoing application and acknowledged to and before me that Terry N. Turk executed this document for the purposes therein expressed.

WITNESS my hand and official seal, this 13 day of July A.D. 2011.



Brenda S. Parish  
 Notary Public

My commission expires: August 2014 State of Florida at Large

FOR OFFICIAL USE ONLY				
1. Date Submitted	2. Received By:	3. Confirm Zoning:	4. Confirm FLUM	5. Preliminary review by:
6. Date Notice sent to County:		7. Legal Ad Ran: 1 <sup>st</sup> Date: 2 <sup>nd</sup> Date:	8. Attachments Reviewed: <input type="checkbox"/> Legal Description <input type="checkbox"/> Letter of Authorization <sup>1</sup> <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative <sup>2</sup> <input type="checkbox"/> Supplementary Information <sup>3</sup> <input type="checkbox"/> Site Map <sup>4</sup> <input type="checkbox"/> Survey	
9. City Commission 1 <sup>st</sup> Reading Date:				
10. City Commission 2 <sup>nd</sup> Reading Date:				

# NOTICE OF ANNEXATION AND REZONING

NOTICE is hereby given that the City Commission of the City of Palatka, Florida, at its next regular meetings to be held at 6:00 p.m. on the 27th day of October and on the 10th day of November, 2011, at Palatka City Hall, 201 N. 2nd Street, Palatka, Florida, will consider the enactment of ordinances annexing and rezoning the following described property into the corporate limits of the City and redefining the boundary lines of the City of Palatka to include said property as follows:

A. AN ORDINANCE ANNEXING ONE PARCEL OF LAND, APPROXIMATELY 0.15 ACRES IN SIZE. LOCATED IN SECTION 12, TOWNSHIP 10 SOUTH, RANGE 26 EAST, 2908 KENNEDY STREET, PALATKA, PUTNAM COUNTY; AND

Accompanied by the following entitled ordinance: 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 IN SECTION 12, TOWNSHIP 10 SOUTH, RANGE 26 EAST; FROM COUNTY R-1A (RESIDENTIAL 1, SINGLE-FAMILY) TO R-1A (SINGLE-FAMILY RESIDENTIAL); AND PROVIDING AN EFFECTIVE DATE; AND

B. AN ORDINANCE ANNEXING ONE PARCEL OF LAND APPROXIMATELY, 0.29 ACRES, IN SIZE LOCATED IN SECTION 12, TOWNSHIP 10 SOUTH, RANGE 26 EAST, 2920 KENNEDY STREET, PALATKA, PUTNAM COUNTY; AND

Accompanied by the following entitled ordinance: 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 IN SECTION 12, TOWNSHIP 10 SOUTH, RANGE 26 EAST; FROM COUNTY R-1A (RESIDENTIAL 1, SINGLE-FAMILY) TO R-1A (SINGLE-FAMILY RESIDENTIAL); AND PROVIDING AN EFFECTIVE DATE.

A map is attached hereto and a copy of the ordinances containing a copy of the legal description can be obtained from the office of the City Clerk at City Hall. All interested persons are hereby advised of such consideration by the City Commission and all interested parties may appear at said meeting at said time and place and be heard with respect to the proposed ordinances. This notice is given in accordance with F.S. 171.044.

PLEASE GOVERN YOURSELVES ACCORDINGLY.

/s/ BETSY J. DRIGGERS  
CITY CLERK



0391-82  
10/27/11

*Agenda  
Item*

7

**CITY OF PALATKA CITY COMMISSION  
AGENDA ITEM**

**ITEM:** Second Reading - request to amend  
Zoning Code Sections 94-3 to amend  
conditional use notice requirements

**DEPARTMENT:** Building & Zoning

---

**AGENDA SECTION:** Regular Agenda, requiring Commission action

---

**ATTACHMENTS:** 1. Ordinance

**MEETING DATE:** Nov. 10, 2011

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**ISSUE:** This is a staff-initiated Municipal Code revision, with a recommendation of approval from the Planning Board. Conditional Uses now require newspaper, mail notice, and posting 30 days prior to the meeting. This is a burden both on applicants (due to project delay) and staff (with the expense of certified mailings). Standard notice in other jurisdictions is around 10-15 days, and regular mail is normally used to notify neighboring property owners.

Please direct questions regarding this request to Thad Crowe at 329-0103 or [tcrowe@palatka-fl.gov](mailto:tcrowe@palatka-fl.gov)

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**

**PLANNING BOARD**

Meeting Minutes

August 23, 2011

DRAFT COPY

Mr. Crowe explained that the current code allows for a farmer's market with a strict definition, only allowing fruits and vegetables and no standards were provided. This proposed amendment would help loosen that up allowing for the sale of arts and crafts, eggs, plants, nuts and cottage foods and also allowing limited entertainment (non-amplified).

**Motion** made by Mr. Petrucci to approve item #3 to include the comment that the primary purpose of the Farmer's Market shall be to sell produce. The motion was seconded by Ms. Roskosh. All present voted affirmative, motion carried.

4. Amend Chapter 94 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.

Mr. Crowe explained that there are no state requirements for certified mail notices for zoning approvals. He added that the real problem is with the 30 day notice requirement that puts a burden on the applicant.

**Motion** made by Mr. Petrucci to approve item #4 as recommended. The motion was seconded by Ms. Roskosh. All present voted affirmative, motion carried.

5. Amend Chapter 94 Section 94-71 to provide variance criteria.

Mr. Crowe explained this amendment is intended to offer better guidance to better consider the multiple types of requests that come before the Zoning Board of Appeals and to use specific criteria in such deliberations.

**Motion** made by Mr. Petrucci to approve item #5 as presented. The motion seconded by Mr. Pickens. All present voted affirmative, motion carried.

Meeting adjourned 6:00 pm.

- limit market to no more than two days during a week, on a Friday or weekend, and between sunrise to sundown;
- commodities must be sold from stalls and shall not be sold from vehicles;
- market layout shall allow for vehicle unloading from the rear of stalls, or if not, vehicles must unload within the first half-hour of operation and load within the last half-hour of operation;
- produce and food must be on tables at least 36 inches from the ground;
- a site plan must be submitted showing stall locations with assigned vendors, pedestrian circulation, tables, tents, etc, and the site plan shall be kept up-to-date;
- nearby toilet facilities and parking are required;
- a manager shall be identified to coordinate and enforce standards;
- vendors be members of an overall farmers market group with a project coordinator;
- daily trash removal is required as well as trash removal bonds;
- violation of standards will result in disqualification of vendors; and
- a business tax is required for vendors, except that businesses selling merchandise or wares at a different location within downtown zoning districts may sell the same type of merchandise or wares sold at said location without obtaining an additional business tax receipt from the city.

### **Conditional Use Notice**

The Zoning Code now requires for Conditional Use applications that letters be sent out by certified mail 30 days prior to the meeting, and also that a newspaper advertisement be run. Given the frequency of Conditional Uses, the long notice timeframe and expense of certified mail puts a burden on applicants and the City in terms of cost and processing time. The timeframe also delays potential projects and hampers small businesses. No other development actions require such a long notice timeframe or certified mail – the only other required mailing is for historic district designation, which is a 15-day time frame and regular mail notice. Most other Florida jurisdictions use a 10 to 15-day timeframe for mail notice. Staff recommends that Conditional Use applications require a 15-day mail notice by regular mail.

### **Variance Criteria**

The Municipal Code allows for variances from various chapters, including wetland protection (Chapter 30), floodplain regulations (Chapter 38), communications towers distance requirements (Chapter 94), day-of-the-week irrigation limitations (Chapter 86), building and other code permitting (Chapter 18), subdivision regulations (Chapter 74), tree protection (Chapter 94), and buffering and screening (Chapter 94). In addition, the Planning Board recently recommended approval of sign variance criteria. Most of these variances come with criteria for their evaluation, but the basic variance process in Chapter 94 only states that the variance cannot “be contrary to the public interest, where, owing to special conditions, literal enforcement of the provisions of this chapter will result in unnecessary hardship, and so that the spirit of this chapter shall be observed and substantial justice done.” This vague statement does not provide sufficient guidance for the Board of Zoning Appeals to consider such requests.

*Agenda  
Item*

8

**CITY OF PALATKA CITY COMMISSION  
AGENDA ITEM**

**ITEM:** Second Reading - request to amend  
Zoning Code Sections 94-71 to provide  
variance criteria

**DEPARTMENT:** Building & Zoning

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**AGENDA SECTION:** Regular Agenda, requiring Commission action

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**ATTACHMENTS:** 1. Ordinance

**MEETING DATE:** Nov. 10, 2011

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**ISSUE:** This is a staff-initiated Municipal Code revision, with a recommendation of approval from the Planning Board. The Municipal Code allows for variances from various chapters, including wetland protection, floodplain regulations, communications towers distance requirements, day-of-the-week irrigation limitations, building and other code permitting, subdivision regulations, tree protection, and buffering and screening. Some of these variance procedures have specific criteria for consideration, while others don't. The proposed variance standards would provide better guidance to the Zoning Board of Appeals in considering variances when no criteria are available to steer their decision-making. These criteria determine if unusual circumstances associated with a property justifies the variance, while not allowing for a special privilege to the applicant.

Please direct questions regarding this request to Thad Crowe at 329-0103 or [tcrowe@palatka-fl.gov](mailto:tcrowe@palatka-fl.gov)

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

**ORDINANCE NO. 11 - 73**

**AN ORDINANCE OF THE CITY OF  
PALATKA, FLORIDA ADDING NEW  
SECTION 94-71 ZONING CODE TO  
PROVIDE VARIANCE CRITERIA;  
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.** New Zoning Code Section 94-71 shall be added as follows.

Sec. 94-71. - Variance criteria.

Variations shall be considered for development standards only unless otherwise authorized in this chapter and other chapters of the Municipal Code. The following criteria shall be utilized in evaluating a requested variance.

(1 Special conditions and circumstances exist such as size, shape, topography, or other unique features that are peculiar to the land, structure or building involved, and which are not applicable to other

lands, structures or buildings in the same vicinity or zoning district; and  
(2) Such conditions and circumstances were not the result of the affirmative actions of the applicant and the applicant has acted in good faith; and  
(3) Granting of the variance request will not confer on the applicant any special privilege that is denied by the Municipal Code to other lands, buildings or structures in the same zoning district; and  
(4) Literal interpretation and enforcement of the applicable standard would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Municipal Code, and would work unnecessary and undue hardship on the applicant; and  
(5) No variance may be granted for a use of land or building that is not permitted; and  
(6) The variance shall be the minimum variance necessary to alleviate the hardship; and  
(7) The variance would not cause substantial detriment to the public health, welfare, and safety of surrounding properties and community.

**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 10<sup>th</sup> day of November, 2011.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**PLANNING BOARD**

Meeting Minutes

**August 23, 2011**

DRAFT COPY

Mr. Crowe explained that the current code allows for a farmer's market with a strict definition, only allowing fruits and vegetables and no standards were provided. This proposed amendment would help loosen that up allowing for the sale of arts and crafts, eggs, plants, nuts and cottage foods and also allowing limited entertainment (non-amplified).

**Motion** made by Mr. Petrucci to approve item #3 to include the comment that the primary purpose of the Farmer's Market shall be to sell produce. The motion was seconded by Ms. Roskosh. All present voted affirmative, motion carried.

4. Amend Chapter 94 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.

Mr. Crowe explained that there are no state requirements for certified mail notices for zoning approvals. He added that the real problem is with the 30 day notice requirement that puts a burden on the applicant.

**Motion** made by Mr. Petrucci to approve item #4 as recommended. The motion was seconded by Ms. Roskosh. All present voted affirmative, motion carried.

5. Amend Chapter 94 Section 94-71 to provide variance criteria.

Mr. Crowe explained this amendment is intended to offer better guidance to better consider the multiple types of requests that come before the Zoning Board of Appeals and to use specific criteria in such deliberations.

**Motion** made by Mr. Petrucci to approve item #5 as presented. The motion seconded by Mr. Pickens. All present voted affirmative, motion carried.

Meeting adjourned 6:00 pm.

- limit market to no more than two days during a week, on a Friday or weekend, and between sunrise to sundown;
- commodities must be sold from stalls and shall not be sold from vehicles;
- market layout shall allow for vehicle unloading from the rear of stalls, or if not, vehicles must unload within the first half-hour of operation and load within the last half-hour of operation;
- produce and food must be on tables at least 36 inches from the ground;
- a site plan must be submitted showing stall locations with assigned vendors, pedestrian circulation, tables, tents, etc, and the site plan shall be kept up-to-date;
- nearby toilet facilities and parking are required;
- a manager shall be identified to coordinate and enforce standards;
- vendors be members of an overall farmers market group with a project coordinator;
- daily trash removal is required as well as trash removal bonds;
- violation of standards will result in disqualification of vendors; and
- a business tax is required for vendors, except that businesses selling merchandise or wares at a different location within downtown zoning districts may sell the same type of merchandise or wares sold at said location without obtaining an additional business tax receipt from the city.

### **Conditional Use Notice**

The Zoning Code now requires for Conditional Use applications that letters be sent out by certified mail 30 days prior to the meeting, and also that a newspaper advertisement be run. Given the frequency of Conditional Uses, the long notice timeframe and expense of certified mail puts a burden on applicants and the City in terms of cost and processing time. The timeframe also delays potential projects and hampers small businesses. No other development actions require such a long notice timeframe or certified mail – the only other required mailing is for historic district designation, which is a 15-day time frame and regular mail notice. Most other Florida jurisdictions use a 10 to 15-day timeframe for mail notice. Staff recommends that Conditional Use applications require a 15-day mail notice by regular mail.

### **Variance Criteria**

The Municipal Code allows for variances from various chapters, including wetland protection (Chapter 30), floodplain regulations (Chapter 38), communications towers distance requirements (Chapter 94), day-of-the-week irrigation limitations (Chapter 86), building and other code permitting (Chapter 18), subdivision regulations (Chapter 74), tree protection (Chapter 94), and buffering and screening (Chapter 94). In addition, the Planning Board recently recommended approval of sign variance criteria. Most of these variances come with criteria for their evaluation, but the basic variance process in Chapter 94 only states that the variance cannot “be contrary to the public interest, where, owing to special conditions, literal enforcement of the provisions of this chapter will result in unnecessary hardship, and so that the spirit of this chapter shall be observed and substantial justice done.” This vague statement does not provide sufficient guidance for the Board of Zoning Appeals to consider such requests.

After a review of other codes, Staff recommends the following criteria to be considered when other criteria are not present.

1. Special conditions and circumstances exist such as size, shape, topography, or other unique features that are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same vicinity or zoning district; and
2. Such conditions and circumstances were not the result of the affirmative actions of the applicant and the applicant has acted in good faith; and
3. Granting of the variance request will not confer on the applicant any special privilege that is denied by the Municipal Code to other lands, buildings or structures in the same zoning district; and
4. Literal interpretation and enforcement of the applicable standard would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Municipal Code, and would work unnecessary and undue hardship on the applicant; and
5. No variance may be granted for a use of land or building that is not permitted; and
6. The variance shall be the minimum variance necessary to alleviate the hardship; and
7. The variance would not cause substantial detriment to the public health, welfare, and safety of surrounding properties and community; and
8. The variance would not impair the purpose and intent of Municipal Code.

#### **PROJECT ANALYSIS**

Per Section 94-38 of the Zoning Code, the Planning Board must study and consider the proposed zoning amendment in relation to the following criteria (if applicable), which are shown in *italics* (staff response 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.*

The changes do not conflict with the Comprehensive Plan.

*b. The existing land use pattern.*

None of the changes pertain to land uses.

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

Again, none of the changes pertain to land uses.

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

None of the proposed changes would overtax public facilities.

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

Not applicable as this is not a zoning map change.

*Agenda  
Item*

9

**CITY OF PALATKA CITY COMMISSION  
AGENDA ITEM**

**ITEM:** First Reading - request to amend Sign Code Section 62 to provide new and amend existing definitions, clarify maximum sign size, remove wall sign limitations, prohibit portable signs, and require landscaping around new signs

**DEPARTMENT:** Building & Zoning

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**AGENDA SECTION:** Regular Agenda, requiring Commission action

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**ATTACHMENTS:** 1. Draft Ordinance  
2. Planning Board minutes excerpts October 4, 2011 and November 1, 2011 (draft) meetings  
3. Planning Board memos excerpts

**MEETING DATE:** Nov. 10, 2011

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**ISSUE:** This is a staff-initiated Sign Code revision, and hopefully the last one in a series of such actions to clean up what was an unenforceable and confusing compilation of regulations. The proposed standards were discussed in detail at the Planning Board level, with the Board discussing and voting on each sign type, and in some cases deviating from staff recommendations. Changes include the following:

- **Banner/Temporary Signs.** Allowing banner signs for businesses and public/nonprofit events, with limitations on the time such signs can be up, requirement for durable material, and with no permit required. Portable signs would be prohibited as the banner signs would fill the need for temporary signs.
- **Downtown Signs.** Allow for new public sign types downtown that will serve wayfinding, informational, and educational purposes, including bulletin board signs, public directional signs, downtown gateway signs, and educational/interpretative signs. Also allow for Downtown Street Art Signs to for businesses to draw attention to their stores, such as the Blues Brothers figures and the bicycle wheels now present on St. Johns Avenue.
- **New Sign Types.** Recognition and allowance of signs that are not covered in the Sign Code including gasoline price signs and menu pricing boards for drive-through restaurants.
- **Changing Signs (Electronic Message Center Signs).** The Planning Board believes that these types of signs are "the wave of the future" for signage as they allow for eye-catching, electronic changing copy for businesses. There are six such signs currently in the City, which were permitted despite not being allowed in the Sign Code. Other businesses are requesting these signs. The Planning Board approved the sign with basic standards that limit the size, intensity, colors, and brightness of such signs so as to limit driver distraction and visual clutter.
- **Maximum Sign Size.** This change clarifies standards pertaining to number and size of freestanding signs allowed.
- **Eliminate Wall Sign Restriction.** The Code now limits wall signs to commercial and industrial zoning districts, which is a hardship for downtown districts. In addition, allowable locations should generally be delineated in zoning districts, not in the Sign Code.
- **Landscaping Around New Signs.** This is proposed to soften the appearance of large signs and provide an attractive entry feature for businesses. Most new businesses provide such landscaping.

Please direct questions regarding this request to Thad Crowe at 329-0103 or [tcrowe@palatka-fl.gov](mailto:tcrowe@palatka-fl.gov)

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

ORDINANCE NO. 11 -

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA AMENDING ZONING CODE SECTIONS 62-1 TO PROVIDE DEFINITIONS FOR SPECIFIC SIGN TYPES, CLARIFY ISSUES IN SECTION 62-4 PERTAINING TO MAXIMUM SIGN SIZE, REMOVE LIMITATION IN SECTION 62-10 OF WALL SIGNS TO COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, PROHIBIT PORTABLE SIGNS, AND IN NEW SECTION 62-15 REQUIRE LANDSCAPING AROUND NEW SIGNS; 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 public hearings before the Planning Board of the City of Palatka on October 4, 2011, and November 1, 2011 and two public hearings before the City Commission of the City of Palatka on November 10, 2011, and December 8, 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. Section 62-1 shall be amended as follows with the following new or revised definitions of sign types:

**Section 62-1 - Definitions:**

Banner sign means any sign possessing characters, letters, illustrations or ornamentations applied to cloth, paper or fabric of any kind, either with or without a frame. A banner sign shall be considered a temporary sign and shall be composed of durable and weather-resistant material such as canvas, cloth, heavy plastic, or similar materials, not exceeding fifty square feet in size. A banner sign shall not require a permit and shall not be included in the limitation of two signs per business.

Bulletin board sign means a public multi-sided sign structure intended and reserved for the posting of temporary notices by individuals or public or quasi-public organizations, clubs, and the like, and is allowed only in downtown zoning districts. Bulletin board signs are intended to accommodate flyers, event notices, public notices, and shall be located

within the public right-of-way on sidewalks within two feet of the curb. Not more than one bulletin board sign is allowed for each two-block area of St. Johns Avenue, sign structure height cannot exceed six feet and width cannot exceed three feet, and sign area shall be contained within a brick structure.

Changeable copy sign means a sign on which copy is changed manually in the field, i.e., reader boards with changeable letters or changeable pictorial panels. Changeable copy signs shall not exceed thirty square feet in size.

Changing sign means a sign such as an electronically or electrically controlled public service time, temperature and date sign, message center or reader board, where different copy changes are shown on the same lamp bank. Changing signs are allowed only on major commercial roadways and C-2 zoning, with a sign area that is the lesser of 20 square feet or 25% of total sign, a message change time to not more than one minute. Changing sign light emanation shall not exceed 0.3 footcandles measured 200 feet from the sign, intensity shall be decreased to 30% of maximum illumination from dusk to dawn, display shall be limited to a single color on black background, and no scrolling, flashing, or other movement shall be allowed other than change of text.

Directional sign means a private or public sign indicating vehicular or pedestrian traffic pattern or route. One private directional sign is allowed per access drive entrance into a commercial, office or industrial development, not to exceed four feet in height or four square feet in size. Public directional signs shall not exceed twelve square feet in size and shall include regulatory, statutory, and traffic control signs erected on public property with permission as appropriate from the State of Florida, the United States, Putnam County, or the City of Palatka. Public directional signs shall allow for directions to public and quasi-public destinations such as historical and culturally significant structures and sites, districts, or areas; environmentally significant areas; government building; hospitals; libraries; museums; parking; and parks and recreation areas.

Downtown gateway sign means a public sign structure that is an entrance feature to the downtown business district, allowed only in downtown zoning districts. Downtown gateway signs shall only be ground signs and shall include a permanent structure housing a sign copy area, with a maximum structure height of eight feet, a maximum structure size of 100 square feet. Downtown gateway signs shall be designed to accommodate promotional banners and illumination of such signs shall only be external.

Downtown street art sign means a private freestanding, three-dimensional, non-moving object that is not merchandise, but is used to attract the

attention of potential customers, allowed only in downtown zoning districts. Downtown street art signs shall not exceed six feet in height and thirty square feet in size, with one allowed per business, shall not intrude more than two feet into the sidewalk right-of-way, and shall not be secured to tree guards or gates. Downtown street art signs may have a sign limited to eight square feet and shall have a professional, finished appearance, constructed of durable materials such as decorative metal, wrought iron, wood with treated edges, or durable plastic, with the use of cardboard, plywood, paper, canvas or similar impermanent material being prohibited. Downtown street art signs shall be maintained in good condition.

Educational/interpretative sign means a public sign located within parks or within City right-of-way that is meant to educate and draw attention to the significant historical, cultural, and environmental aspects of the City of Palatka, St. Johns River, Putnam County, and the State of Florida. Educational/interpretative signs are allowed only in downtown zoning districts and in the Recreation and Open Space zoning district. Educational/interpretative signs are designed for pedestrian viewing and shall be oriented at an angle that is between 45 and 60 degrees, with sign area not to exceed 20 square feet.

Gasoline price sign means a sign indicating the price of gasoline at service stations, and is allowed in commercial and industrial zoning districts. Gasoline price signs shall not exceed sixteen square feet in size, shall be affixed to a permanent sign structure or a building, and shall not be included in the limitation of two signs per business.

Menu pricing boards means an illuminated freestanding changeable copy sign intended to display a menu selection/pricing board for restaurant drive-up windows located in the area between the building and the drive-through lane. This sign is allowed in commercial zoning districts. Sign faces on menu pricing boards shall not exceed twenty-five square feet, boards shall not exceed seven feet in height, and shall not be included in the limitation of two signs per business.

~~Owner identification sign means any sign where the matter displayed is used principally to indicate the name or character of the primary use.~~

~~Portable sign means any sign or sign structure which is designed to be easily moved. This definition shall include trailer signs, A frame signs, and vehicle signs whose primary purpose is advertising. A portable sign shall not exceed 32 square feet (four feet by eight feet).~~

~~Window sign means any sign attached to or placed on a window visible to the exterior of the building. A~~

permit is not required and window signs shall not be included in the limitation of two signs per business.

Section 62-4 shall be amended as follows to clarify issues pertaining to maximum sign size:

**Section 62-4 - Maximum area of commercial advertising signs**

No commercial advertising ground or pole sign (excluding billboards) will be permitted to shall be erected having a square foot area of advertising surface showing in any one direction more than 96 square feet, as applicable to single signs or multiple signs on an individual sign structure, and there shall be no more than two such signs on a lot having a lot front footage of a 200-foot feet or greater front footage. Lots with less than 200 feet of frontage shall be limited to one ground or pole sign.

Section 62-10 shall be amended as follows to remove limiting wall signs to commercial and industrial zoning districts:

**Sec. 62-10. - Wall signs.**

The maximum size of a wall sign shall not exceed 200 square feet. Where two or more wall signs are located on the same wall facing in the same direction, their total area shall not exceed 200 square feet, except if in either case the wall sign has been approved as a conditional use by the planning board. ~~Wall signs are permitted in the following zoning areas: C-1, C-2, C-3 and M-1 only.~~

Section 62-14 shall be deleted.

~~Sec. 62-14. - Portable signs.~~

~~(a) Portable signs shall be allowed only in the zoning districts where specified. Portable signs shall be allowed no closer than five feet to the right of way.~~

~~(b) Portable temporary signs and portable changeable copy signs shall be permitted temporarily for the following uses (requires a permit):~~

~~(1) A new business, or a business in a new location, with no permanent sign may utilize a conforming portable temporary sign for a period of not more than 90 days or until installation of a permanent sign, whichever shall occur first.~~

~~(2) A business may utilize a portable temporary sign for a maximum of 90 days in a 12-month period, for promotional uses, in addition to the use specified in subsection (a)(1) of this section.~~

~~(c) Signs allowed under this section shall only be permitted in zones C-1, C-2, C-3 and M-1.~~

Section 62-15 shall be added to require landscaping around new signs.

Section 62-15 - Landscaping around signs.

New sign structures shall include landscaping areas around the base of the sign, sized at or above the square footage of the sign to be installed, and including shrubs and groundcover plants.

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 8<sup>th</sup> day of December, 2011.

**CITY OF PALATKA**

BY: \_\_\_\_\_  
Its MAYOR

**ATTEST:**

\_\_\_\_\_  
City Clerk

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

ORDINANCE NO. 11 -

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA AMENDING ZONING CODE SECTIONS 62-1 TO PROVIDE DEFINITIONS FOR SPECIFIC SIGN TYPES, CLARIFY ISSUES IN SECTION 62-4 PERTAINING TO MAXIMUM SIGN SIZE, REMOVE LIMITATION IN SECTION 62-10 OF WALL SIGNS TO COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, PROHIBIT PORTABLE SIGNS, AND IN NEW SECTION 62-15 REQUIRE LANDSCAPING AROUND NEW SIGNS; 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 public hearings before the Planning Board of the City of Palatka on October 4, 2011, and November 1, 2011 and two public hearings before the City Commission of the City of Palatka on November 10, 2011, and December 8, 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:

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cloth, paper or fabric of any kind, either with or without a frame. A banner sign shall be considered a temporary sign and shall be composed of durable and weather-resistant material such as canvas, cloth, heavy plastic, or similar materials, not exceeding fifty square feet in size. A banner sign shall not require a permit and shall not be included in the limitation of two signs per business.

Bulletin board sign means a public multi-sided sign structure intended and reserved for the posting of temporary notices by individuals or public or quasi-public organizations, clubs, and the like, and is allowed only in downtown zoning districts. Bulletin board signs are intended to accommodate flyers, event notices, public notices, and shall be located within the public right-of-way on sidewalks within two feet of the curb. Not more than one bulletin board sign is allowed for each two-block area of St. Johns Avenue, sign structure height cannot exceed six feet and width cannot exceed three feet, and sign area shall be contained within a brick structure.

Changeable copy sign means a sign on which copy is changed manually in the field, i.e., reader boards with changeable letters or changeable pictorial panels. Changeable copy signs shall not exceed thirty square feet in size.

Changing sign means a sign such as an electronically or electrically controlled public service time, temperature and date sign, message center or reader board, where different copy changes are shown on the same lamp bank. Changing signs are allowed only on major commercial roadways and C-2 zoning, with a sign area that is the lesser of 20 square feet or 25% of total sign, a message change time to not more than one minute. Changing sign light emanation shall not exceed 0.3 footcandles measured 200 feet from the sign, intensity shall be decreased to 30% of maximum illumination from dusk to dawn, display shall be limited to a single color on black background, and no scrolling, flashing, or other movement shall be allowed other than change of text.

Directional sign means a private or public sign

indicating vehicular or pedestrian traffic pattern or route. One private directional sign is allowed per access drive entrance into a commercial, office or industrial development, not to exceed four feet in height or four square feet in size. Public directional signs shall not exceed twelve square feet in size and shall include regulatory, statutory, and traffic control signs erected on public property with permission as appropriate from the State of Florida, the United States, Putnam County, or the City of Palatka. Public directional signs shall allow for directions to public and quasi-public destinations such as historical and culturally significant structures and sites, districts, or areas; environmentally significant areas; government building; hospitals; libraries; museums; parking; and parks and recreation areas.

Downtown gateway sign means a public sign structure that is an entrance feature to the downtown business district, allowed only in downtown zoning districts. Downtown gateway signs shall only be ground signs and shall include a permanent structure housing a sign copy area, with a maximum structure height of eight feet, a maximum structure size of 100 square feet. Downtown gateway signs shall be designed to accommodate promotional banners and illumination of such signs shall only be external.

Downtown street art sign means a private freestanding, three-dimensional, non-moving object that is not merchandise, but is used to attract the attention of potential customers, allowed only in downtown zoning districts. Downtown street art signs shall not exceed six feet in height and thirty square feet in size, with one allowed per business, shall not intrude more than two feet into the sidewalk right-of-way, and shall not be secured to tree guards or gates. Downtown street art signs may have a sign limited to eight square feet and shall have a professional, finished appearance, constructed of durable materials such as decorative metal, wrought iron, wood with treated edges, or durable plastic, with the use of cardboard, plywood, paper, canvas or similar impermanent material being prohibited. Downtown street art signs shall be maintained in good condition.

Educational/interpretative sign means a public sign located within parks or within City right-of-way that is meant to educate and draw attention to the significant historical, cultural, and environmental aspects of the City of Palatka, St. Johns River, Putnam County, and the State of Florida. Educational/interpretative signs are allowed only in downtown zoning districts and in the Recreation and Open Space zoning district. Educational/interpretative signs are designed for pedestrian viewing and shall be oriented at an angle that is between 45 and 60 degrees, with sign area not to exceed 20 square feet.

Gasoline price sign means a sign indicating the price of gasoline at service stations, and is allowed in commercial and industrial zoning districts. Gasoline price signs shall not exceed sixteen square feet in size, shall be affixed to a permanent sign structure or a building, and shall not be included in the limitation of two signs per business.

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~~Owner identification sign~~ means any sign where the matter displayed is used principally to indicate the name or character of the primary use.

~~Portable sign~~ means any sign or sign structure which is designed to be easily moved. This definition shall include trailer signs, A frame signs, and vehicle signs whose primary purpose is advertising. A portable sign shall not exceed 32 square feet (four feet by eight feet).

Window sign means any sign attached to or placed on

a window visible to the exterior of the building. A permit is not required and window signs shall not be included in the limitation of two signs per business.

Section 62-4 shall be amended as follows to clarify issues pertaining to maximum sign size:

**Section 62-4 - Maximum area of commercial advertising signs**

No commercial advertising ground or pole sign (~~excluding billboards~~) ~~will be permitted to~~ shall be erected having a square foot area of advertising surface showing in any one direction more than 96 square feet, as applicable to single signs or multiple signs on an individual sign structure, and there shall be no more than two such signs on a lot having a lot front footage of a 200-foot feet or greater front footage. Lots with less than 200 feet of frontage shall be limited to one ground or pole sign.

Section 62-10 shall be amended as follows to remove limiting wall signs to commercial and industrial zoning districts:

**Sec. 62-10. - Wall signs.**

The maximum size of a wall sign shall not exceed 200 square feet. Where two or more wall signs are located on the same wall facing in the same direction, their total area shall not exceed 200 square feet, except if in either case the wall sign has been approved as a conditional use by the planning board. ~~Wall signs are permitted in the following zoning areas: C-1, C-2, C-3 and M-1 only.~~

Section 62-14 shall be deleted.

~~Sec. 62-14. - Portable signs.~~

~~(a) Portable signs shall be allowed only in the zoning districts where specified. Portable signs shall be allowed no closer than five feet to the right of way.~~

~~(b) Portable temporary signs and portable changeable copy signs shall be permitted temporarily for the following uses (requires a permit):~~

~~(1) A new business, or a business in a new location, with no permanent sign may utilize a conforming portable temporary sign for a period of not more than 90 days or until installation of a permanent sign, whichever shall occur first.~~

~~(2) A business may utilize a portable temporary sign for a maximum of 90 days in a 12 month period, for promotional uses, in addition to the use specified in subsection (a)(1) of this section.~~

~~(c) Signs allowed under this section shall only be permitted in zones C-1, C-2, C-3 and M-1.~~

Section 62-15 shall be added to require landscaping around new signs.

Section 62-15 - Landscaping around signs.

New sign structures shall include landscaping areas around the base of the sign, sized at or above the square footage of the sign to be installed, and including shrubs and groundcover plants.

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 8<sup>th</sup> day of December, 2011.

CITY OF PALATKA

BY: \_\_\_\_\_  
Its MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk



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store across the street and they stay open until midnight each night and that there is probably more people in and out of that store in ten minutes than Mr. Patel will get in a half hour to an hour. There is a lot of foot and vehicular traffic at that store and he doesn't see that as being an issue for the nearby residences, in light of the fact that none of them responded to the notices. He ended by saying that he does not believe that the Board should limit the gaming stations, that right now with the economy the way it is, if Mr. Patel can fill that place up God bless him.

**Motion** made by Mr. Venables to approve with Staff recommendations with amendment to recommendation number two, to allow the business to operate until 11:00 p.m. Sun through Thursday, and closing Friday and Saturday nights at midnight. Mr. Petrucci seconded the motion. All members voted affirmative, motion carried.

Mr. Crowe introduced Charles Rudd as the new Main Street Manager and said that he has been helpful in some of the things we are getting ready to talk about right now.

Mr. Rudd said he was thrilled to be here, excited about Downtown Palatka and getting the organization rolling and making things happen.

### Case 11-41

Request for the following administrative text amendments to the City of Palatka Municipal Code and to provide recommendations to the City Commission:

Mr. Crowe explained that there are five items for the Board to consider and this is just a continuing cleanup of the sign code. He added that the main goal he has with the Board's assistance, is to fix the sign code so that it is responsive to businesses and help people to know where they are, while at the same time, keeping some limitations so as not to leave the City cluttered and unsightly.

1. **Sign Standards:** Amend Chapter 62 (Signs) Section to amend definition and provide design standards for changeable copy signs and directional signs; add definitions and provide design standards for bulletin board signs, downtown gateway signs, downtown street art signs, educational/interpretative signs, electronic changeable copy signs, gasoline price signs, menu pricing boards, and promotional banners; clarify the maximum sign square footage for freestanding signs; eliminate the exclusion from maximum number of signs for owner identification signs; and require landscaping areas around new signs.

A. **Bulletin Board Signs.** After consulting with the Assistant to the City Manager and the Main Street Manager, Staff recognized the need for informational signs in the downtown area for businesses, residents, and officials to post flyers and notices of varying content. Staff recommends that bulletin board signs be freestanding public signs allowed in the Downtown Business and Downtown Riverfront Zoning districts with the following standards:

- 1) signs shall be located within the public right-of-way on sidewalks within two feet of the curb;
- 2) signs are intended to accommodate flyers, event notices, public notices, by means of stapling;
- 3) not more than one bulletin board sign is allowed for each two-block area of St. Johns Ave.;
- 4) sign structures shall be multi-sided with maximum two-foot overhang length to protect copy;
- 5) maximum six-foot height and three-foot width; and
- 6) sign area to be contained within brick structure.

Mr. Crowe advised that what staff is trying to encourage and allow effective and attractive communication.

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Discussion: Mr. Venables said that he would not want to see the two feet from curb requirement changed to ten feet as it may create a maze, that the two feet from the curb creates a pattern and we already have success with that. He added that if we were to allow the bulletin board signs, he would want to see the two foot overhang removed as well. Ms. Buck expressed concern about potential problems from bulletin boards with flyers falling off the bulletin board and littering the area. Mr. Crowe responded that such flyers are going up on telephone poles and other surfaces anyway, and this is a move to concentrate information in areas where they can all be viewed. Mr. Petrucci said that he supported the idea of providing signs for information and communication.

**Motion** made by Mr. Venables and seconded by Mr. Sheffield to approve the sign standards for Bulletin Board signs as submitted with the following modifications; that language be inserted that no overhang shall be permitted and the sign is limited to not more than two feet from the curb. All present voted, resulting in 4 yeas and 1 nay. Motion carried.

- B. *Changeable Copy Signs.*** Changeable Copy signs are defined in Section 62-1 as signs "on which copy is changed manually in the field, i.e., reader boards with changeable letters or changeable pictorial panels." Allowable signs for commercial zoning districts does not include changeable copy signs at this time.

Mr. Crowe explained that while these signs were approved in the past, the Code does not allow them. Staff recently conducted a windshield survey, observing the great majority of signs in the City, and determined that changeable copy signs are widespread within the City – of the approximately 240 freestanding signs in the City, 85 or 35% have changeable copy elements within the sign (two of these being stand-alone changeable copy signs). He stated that he believes that there are *three options available to the City* regarding changeable copy signs; 1) to continue to prohibit changeable copy signs; 2) to allow changeable copy signs with a maximum size limitation, or 3) to allow changeable copy signs with no limitations. Mr. Crowe added that the first option would result in a high number of nonconforming signs. The third option could result in an even higher level of visual clutter than what now exists along the City's roadways, worsening both driver distraction and the general appearance of the City. He recommended Option # 2, given that the maximum sign size is 96 square feet; a 25% of sign size limitation seems a logical choice in this case since it would put sign size around 24 square feet, which is fairly standard in other jurisdictions that allow such signs. He noted that this is the size of the new Zaxby's changeable copy sign component. However using this percentage could have the unintended consequence of an applicant making their overall sign bigger than a size normally requested to maximize the changeable copy element. Therefore he recommended a flat cap of 30 square feet for changeable copy signs.

Mr. Venables asked if there was a clear definition of changeable copy sign versus electronic sign.

Mr. Crowe advised that there are separate and distinct definitions with changing sign considered to be electronically controlled and changeable copy being manually controlled.

**Motion** made by Mr. Sheffield and seconded by Ms. Buck to approve the sign standards for Changeable Copy signs as presented with a maximum of 30 square feet. All present voted affirmative. Motion carried.

- C. *Directional Signs.*** Directional signs are defined in the Sign Code as "indicating vehicular or pedestrian traffic pattern or route, private directional signage allows for one directional sign per access drive entrance into a commercial, office, or industrial development not to exceed four feet in height and four square feet." The current definition does not take into account public directional signage. Staff proposes to add language noting that public directional signage includes regulatory.

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statutory, and traffic control signs erected on public property with permission as appropriate from the State of Florida, the United States, Putnam County, or the City of Palatka.

Mr. Crowe added that they want to allow public signs for directing people to areas of public interest as mentioned in the staff report and he recommends a limitation of 12 square feet. He said that he consulted with the Assistant to the City Manager to recommend allowable public directional sign destinations that would include historical and culturally significant structures and sites, districts or areas, environmentally significant areas, government building, hospitals, libraries, museums, public parking, and parks and recreation areas. He recommended adding the definition of public directional signs with a 12 square foot limitation.

**Motion** made by Mr. Venables and seconded by Ms. Buck to approve the sign standards as submitted for Directional signs with a maximum of 30 square feet. All present voted affirmative. Motion carried.

**D. Downtown Gateway Signs.** Staff consulted with the Assistant to the City Manager and Main Street Manager regarding the need for public signs located within the public-right-of-way at key intersections that serve as entryways to Downtown Palatka. Such signs will attract visitors to downtown as well as providing definition and positive structure for this area. The following standards are recommended:

- 1) only ground signs allowed, permanent structure housing a sign copy area
- 2) maximum sign height eight feet, maximum size 100 square feet
- 3) designed to accommodate promotional banners; and
- 4) externally illuminated only

Mr. Crowe explained that this is kind of a welcoming sign, defining a gateway that says you are entering the downtown area and makes you feel that you are entering into something special. He added that the way it is designed would also allow a home for temporary banners (actually incorporated into the sign area) i.e. special events etc... so they are not just thrown up anywhere.

Mr. Venables asked why we would not want to include internal illumination.

Mr. Crowe replied that this would not be in keeping with the historic character of downtown.

Ms. Buck asked if there was a limitation for these gateway signs so as not to be inundated with these at every entry point.

Mr. Crowe advised that these would be public signs and it would be reasonable to limit these signs as Staff was anticipating a total of four gateway signs.

**Motion** made by Mr. Venables and seconded by Ms. Buck to approve the sign standards for the Downtown Gateway signs as submitted with maximum number of four signs and no banners allowed above the sign, with the City determining the locations of such signs. All present voted affirmative. Motion carried.

**E. Downtown Street Art Signs.** Again recommended after consultation with the Assistant to the City Manager and the Main Street Manager, this sign type is intended to provide an outlet for artists while advertising downtown businesses in a unique manner. Much like the murals, downtown street art has the potential to create a lively, interesting environment to attract shoppers and other visitors. This sign is defined as a private freestanding, three-dimensional, non-moving object that

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is not merchandise, and is used to attract the attention of potential customers. Examples of street art, enabled by sign codes, can be found in downtown Orlando and in the Riverside Avondale historic commercial district of Jacksonville. Local examples of (unpermitted) street art are the "Blues Brothers" located in the 700 block of St. Johns Avenue. Such objects would be allowed in the Downtown Business and Downtown Riverfront District on private property and on sidewalks within the public right-of-way with the following applicable standards:

- 1) objects must be inanimate and non-electrified;
- 2) objects shall not exceed six foot in height and 30 square feet;
- 3) one allowed per street address;
- 4) requires a minimum storefront width of 20 feet;
- 5) objects shall not encroach into the right-of-way more than two feet;
- 6) objects shall not be secured to the tree guards or tree grates or disturb the sidewalk pavement within the right-of-way;
- 7) maximum sign area on objects shall be eight square feet;
- 8) objects shall be constructed of durable materials such as decorative metal, wrought iron, wood with treated edges, or durable plastic, shall have a professional, finished appearance, and shall be maintained in good condition; and
- 9) the use of cardboard, plywood, paper, canvas or similar impermanent material is prohibited.

Mr. Crowe explained that Staff likes this type of sign and it scared them at first, but it is something that other towns have done to kind of liven things up a bit and we have some already, with the Downtown Blues Bar and it is also a great opportunity for collaboration between FLOARTs students and Downtown businesses. Such objects could make things interesting, call attention to businesses, and give a sense of activity and vitality going on.

Discussion took place regarding the different types of Street Art signs versus holiday displays, which determined that seasonal displays would fall under the sidewalk permits of wares and displays and are not considered signage.

Mr. Holmes suggested that the word "inanimate" be replaced with "unmoving."

**Motion** made Mr. Venables and seconded by Mr. Sheffield to approve the sign standards for the Downtown Street Art signs as submitted by staff with the correction above. All present voted affirmative. Motion carried.

### ***F. Educational/Interpretative Signs.*** Staff consulted with the Assistant to the City Manager and Main Street Manager when determining the need to allow for this sign type.

Mr. Crowe advised that these are public signs located within parks that are meant to educate and draw attention to the significant historical, cultural, and environmental aspects of the City of Palatka, St. Johns River, and Putnam County. These signs are designed for pedestrian viewing and oriented at an angle that is between 45 and 60 degrees. Sign area shall not exceed 20 square feet.

**Motion** made Mr. Venables and seconded by Ms. Buck to approve the sign standards for the Educational/Interpretative signs as submitted by staff. All present voted affirmative. Motion carried.

### ***G. Electronic Changeable Copy Signs.*** This is a new sign type not recognized in the Sign Code.

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Mr. Crowe explained that although this sign was mistakenly permitted within the City for six businesses in recent years it is not allowed in the Sign Code in any zoning district. This type of sign has proved to be controversial in a number of jurisdictions. The nature of the controversy hinges on two aspects: potential driver distraction caused by jarring colors and moving text of electronic copy this has led to ongoing studies of these signs by the Federal Highway Administration. Some jurisdictions prohibit them while others take a careful approach to allow them with restrictions. He noted that Staff recommended to continue to prohibit these signs, but if they are going to be allowed, they should be restricted to intensive commercial (C-2) zoning districts with the following standards:

- 1) allowed only on major commercial roadways and C-2 zoning
- 2) sign area the lesser of 20 square feet and 25% of total sign
- 3) message change time to not less than one minute
- 4) intensity decreased to 30% of maximum illumination from dusk to dawn
- 5) light emanation no greater than 0.3 foot-candles measured 200 feet from the sign
- 6) single color on black background
- 7) no scrolling, flashing, or other movement other than change of text

Ms. Buck asked how the six existing managed to get out there and if there were height limitations?

Mr. Crowe stated that he can't speak to what previous Staff did in the past, but from discussion with existing Staff, he determined that the previous interpretation was that if something wasn't specifically prohibited, then it was allowed. He does not agree with that assessment because our code states specifically what IS allowed in each zoning district, there is not a prohibited sign section - this is not needed because if something is not allowed, then it is not allowed.

Discussion took place regarding the existing sign standards for changeable signs versus the proposed standards for electronic changeable copy signs and the rules of existing non-conformities.

**Motion** made Mr. Petrucci and seconded by Mr. Petrucci to allow electronic signs in the C-2 zoning district with the standards as submitted by staff. All present voted affirmative. Motion carried.

**H. Gasoline Price Signs:** This is more of a housekeeping measure intended to recognize existing gas price signs.

Mr. Crowe stated that the recommendation is to allow one gasoline price sign be permitted per gasoline station (this sign is not currently recognized in our code) to provide the price of gasoline only, not exceeding 16 square feet in area per side. The sign shall be affixed to a permanent sign structure or to a building, and should not be considered in the limitation of two signs per business.

**Motion** made Mr. Sheffield and seconded by Mr. Venables to approve Gasoline Price signs as submitted by staff. All present voted affirmative. Motion carried.

**I. Menu Pricing Sign:** This changeable copy sign is used for drive-through restaurants for the purpose of displaying a menu selection/pricing board.

Mr. Crowe stated that this sign is located in the area between the building and the drive-through lane and is not noticeably visible from a public right-of-way. Typically this sign has a sign face that does not exceed 25 square

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feet and shall not exceed a height of seven feet. This sign should also not be considered in the limitation of two signs per business.

**Motion** made by Mr. Sheffield and seconded by Ms. Buck to approve Menu Pricing signs as submitted by staff. All present voted affirmative. Motion carried.

**J. Owner identification signs:** The Sign Code defines this sign type as "any sign where the matter displayed is used principally to indicate the name or character of the primary use." Owner identification signs are excluded from the limitation of not more than two (permitted) signs per property (Sec. 62-5). Given the large sign size allowed (96 square feet for freestanding signs and signs attached to buildings and 200 square feet for wall signs).

Mr. Crowe stated that Staff does not support this exclusion as the business name or logo is usually the main part of a sign in any case. He recommended eliminating the exclusion of the owner identification sign from Sec. 62-5.

No action was taken on the proposed Owner Identification sign amendment, as Mr. Petrucci had to excuse himself from the meeting, at which point the quorum was lost.

Mr. Stewart stated that the balance of the agenda items would be continued until the November 1, 2011 meeting.

Meeting adjourned at 5:00 p.m.





# CITY OF PALATKA PLANNING BOARD

## Meeting Minutes November 1, 2011

Meeting called to order by Chairman Carl Stewart at 4:00 pm. **Other members present:** Earl Wallace, Anthony Harwell, Kenneth Venables and Sharon Buck. **Members absent:** Joe Pickens and Joseph Petrucci. **Also present:** Planning Director Thad Crowe and Recording Secretary Pam Sprouse.

**Motion** made by Mr. Sheffield and seconded by Mr. Venables to approve the minutes of the October 4, 2011 meeting. 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.

### OLD BUSINESS

**Case 11-41** (continued from the October 4, 2011 meeting)

Request for the following administrative text amendments to the City of Palatka Municipal Code and to provide recommendations to the City Commission:

#### Sign Standards:

Proposed Sign Code (Section 62) changes include:

- amend definition for banner signs to exempt such signs from review and clarify allowable size and materials;
- provide definitions for bulletin board signs, downtown gateway signs, downtown street art signs, educational/interpretative signs, gasoline price signs, and menu pricing boards;
- amend definitions for changeable copy signs, (electronic) changing signs, and directional signs, and indicate where such signs are allowed; and indicate where such signs are allowed;
- eliminate the exclusion from maximum number of signs for owner identification signs;
- clarify the maximum sign square footage for freestanding signs;
- eliminate the restriction that walls signs only be allowed in C-1, C-2, C-3, and M-1 zoning districts;
- prohibit portable signs; and
- require landscaping areas around new signs;

Mr. Crowe suggested to the Chairman that each sign type and action be discussed and voted on separately. Mr. Stewart agreed.

**Banner signs:** banners are currently only allowed in association with Special Events 30 days prior to event, must be on temporary structures, and require eight feet of vertical clearance above sidewalk. Other than these types of temporary banners, the Code does not allow banners (including Grand Opening, Going Out of Business, and Promotional Sales banners, as well as public/quasi public banners not part of Special Events that announce various events or activities.)

Mr. Crowe advised that there has been a shift in gears somewhat with regards to the banners, after continued discussions with the City Manager, the special event folks and some business owners. It was determined from staff's perspective that probably the best thing to do during these current times, with new businesses trying to

get off the ground and the reality of limited enforceability due to complaint driven code enforcement, would be to allow banners for new businesses and also for public and quasi/public events, not to exceed 50 square feet and allowed on buildings or existing signs. Such signs would be temporary signs, limited to 60 days, and made of a durable material such as canvas or heavy plastic. They would not be reviewed or permitted, much like fences; but they would have to meet the standards.

Mr. Venables asked if this would pertain to the banners we talked about for across the street.

Mr. Crowe advised that those are special event banners and are under the auspice of Special Events. Each Special Event application should specify banner type and locations.

Ms. Buck asked if this would allow the banners that are put up on the railroad overpass on 9<sup>th</sup> street.

Mr. Crowe replied no, that those are illegal signs.

**Motion** made Mr. Venables and seconded by Mr. Sheffield to approve Banner signs as submitted by staff. All present voted affirmative. Motion carried.

**Owner Identification Sign:** The Sign Code defines this sign type as "any sign where the matter displayed is used principally to indicate the name or character of the primary use." Owner identification signs are excluded from the limitation of not more than two (permitted) signs per property (Sec. 62-5).

Mr. Crowe explained that given the large sign size allowed (96 square feet for freestanding signs and signs attached to buildings and 200 square feet for wall signs), staff does not additional signage allowed by this exclusion. The owner identification sign is the business name or logo, which is on a business's main sign anyway. He recommended eliminating the exclusion of the owner identification sign from the two-freestanding-sign maximum.

**Motion** made by Mr. Sheffield and seconded by Mr. Venables to approve the deletion of owner identification signs. All present voted affirmative. Motion carried.

**Clarify the maximum sign square footage for freestanding signs:** to amend this section to state that the two-sign limitation refers to freestanding (pole and ground) sign structures and not individual signs, two signs are allowed for lots with 200 feet or more of lot frontage, and that this limitation does not include wall and window signs.

Mr. Crowe explained that there is ambiguity in this part of the Sign Code regarding whether the 96 square feet maximum sign size applies to an individual sign, or the collective total of signs on a single structure. In the past, staff has viewed a single sign structure with multiple signs as one sign. He gave the example of the Zaxby's sign as a typical sign these days, with the chicken on a sign on the top part of the sign structure, the restaurant name on a sign in the middle, and a changeable copy sign as a sign on the bottom. He added that the two-sign limitation would be for lots with 200 feet of lot frontage or more. While it is written vaguely, it is an existing standard in the Sign Code with the supportive logic that wide lots support more businesses and are entitled to an additional sign.

Ms. Buck asked Mr. Crowe to confirm the proposed maximum square feet of sign structure. Mr. Crowe advised that it would remain unchanged at 96 square feet.

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**Motion** made by Mr. Venables to approve amending Section 62-4 to apply to freestanding signs, to calculate sign area for individual signs on a single sign structure, and to clarify that lots with 200 feet or more of lot frontage were entitled to two freestanding signs, while lots with less frontage were entitled to one. Motion seconded by Mr. Sheffield. All present voted affirmative. Motion carried.

**Wall Sign Limitation in Certain Zoning Districts:** Section 62-10 of the Sign Code limits wall signs to the C-1, C-2, C-3, and M-1 zoning districts. This prevents its use in downtown and public zoning districts, where such signs are commonly found and are appropriately located. Staff recommends eliminating this prohibition.

Mr. Crowe explained that this revision is intended simply to eliminate the restriction that walls signs only be allowed in the commercial and industrial zoning districts. The way the code is written now, all zoning districts list the types of signs that are allowed and there are a number of other districts that already allow wall signs, including the downtown districts. This creates an internal conflict within the Municipal Code that must be corrected.

**Motion** made by Mr. Sheffield and seconded by Mr. Wallace to eliminate the wall sign limitation of Section 62-10. All present voted affirmative. Motion carried.

**Prohibit portable signs:** there currently are no real standards in place for these types of signs except for time limitations for their use. However even those time limitations are vague enough to allow for their continued use for ongoing "promotional" activities. Staff believes that if these sign types are not only unsightly, but unneeded as very few permits have been pulled for them and they are seldom utilized. Temporary banners such as the ones recommended for approval earlier in this meeting, and changeable copy signs that are incorporated into permanent signs both fill the need for promotional signage.

Discussion took place regarding grandfathered existing permitted signs and windsock type inflatables. Mr. Crowe was of the opinion that under the current Code, and under what was proposed, such items were illegal signs.

**Motion** made by Mr. Venables and seconded by Ms. Buck to approve by as submitted. All present voted affirmative. Motion carried.

**Landscaping around signs.** Staff believes that landscaping effectively frames signs and provides an attractive entry point for a business, and also "softens" the appearance of signs, particularly with the large and tall signs allowed in the City. Staff recommends a simple standard that requires landscaping areas around the base of the sign, sized at or above the square footage of the sign to be installed, and including shrubs and groundcover plants.

Mr. Crowe advised that unlike the sign codes of many other jurisdictions, the City's code does not require any landscaping around signs. He stated that the language would be pretty simple, just that there would be some landscaping or shrubs, to provide a little bit of an attractive area around. Typically you will see this anyway when new business comes in.

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**Motion** made by Mr. Sheffield and second by Mr. Venables to approve staff's recommendation for landscaping requirement around signs as submitted. All present voted affirmative. Motion carried.

Discussion ensued regarding policing the amendments being put in place. Mr. Crowe advised that the proposed revisions are basically for new signs coming in. That he has been working towards making the sign code reflect more accurately what is out there, and get some coherency to it, so when a new business comes in they won't have such restrictive standards that they cannot get a sign that is generally similar in size to their neighboring businesses and will allow them to compete fairly. Debate regarding the need to reduce the volume, size, and height of signs would have to occur in the future.

### NEW BUSINESS

**Case 11-40**    **Address:**    **3303 Reid Street**  
**Parcel #:**    02-10-26-0000-0090-0021  
**Owner:**        Tony Alfiero  
**Applicant:**    Brian & Julia Warwick

Mr. Crowe gave an overview of the proposed request and reviewed the applicant's site plan. He stated that the proposed use is for repair of industrial equipment to be repaired inside the building. This is an existing commercial building in an intensive commercial area. The request meets all applicable standards for conditional use consideration. He stated that the landscaping code issues have been discussed with the applicant and he recommended approval with the following conditions:

1. The use is approved for a machine shop and also fabrication.
2. Repair and fabrication must occur within the building.
3. At the Applicant's choice, the use must comply with existing landscape buffering and screening standards or any such revised standards upon their adoption. Such planting requirements shall be determined after the Landscape Code changes are made and would not require Planning Board approval.
4. Parking spaces should be striped.
5. The dumpster must be screened according to standards of Zoning Code.
6. Exterior lighting must be shielded and downcast so as not to create glare that shines on adjoining properties or roadways.
7. All other applicable standards of the Municipal Code must be met.

Mr. Warwick was present and advised that he will employ approximately 15 persons and eventually expects to expand and add a piping division. Primarily this will be a base location for services that they provide elsewhere, and when the need for repairs that cannot be done offsite on a mobile basis, then they will do them inside this building. He advised that they provide these services now, working out of a warehouse type situation but that they needed a bigger building with offices and conference room to review plans. He said that there are business opportunities now that he is losing out on because he does not have the facility to accommodate the need.

Ms. Buck asked Mr. Warwick if this was a tool and die type shop.

Mr. Warwick replied that no, that the equipment they repair can range from the size of a car to something that would fit on your desk.

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Ms. Warwick advised that this is primarily a base for their field operations that 80 to 90% of the repair services are provided as onsite services. Occasionally they must remove the pump or motor and bring it in for repair or servicing.

**Motion** made by Mr. Venables and seconded by Ms. Buck to approve the request with staff recommendations. All present voted affirmative. Motion carried.

**Case 11-44    Address:        500 N. State Rd. 19**  
**Parcel #:        02-10-26-0000-0420-0020**  
**Owner:           Lowe's Home Center Inc.**  
**Applicant:      D. Eagle Rentals**

Request for a conditional use; for the sale of seasonal goods or commodities (Christmas Trees) in a C-2 zoning district.

Mr. Crowe gave an overview explaining that the main reason that these types of things are reviewed as a conditional use is because generally they are set up in the parking lot and certain safety aspects can be reviewed. He stated that he did have some concern regarding the north entrance area where the trucks enter and then loop out, as the tent sales area will be set up in that area, but he did speak to the tent installer and the store manager and they advised him that they vehicles will have plenty of room to navigate as well as the option to continue around the back of the store. He recommended approval of the request seasonal goods sale of Christmas trees for 30 days, between November 15<sup>th</sup> through December 15<sup>th</sup>, in accordance with the Applicant's site plan, and with the condition that a clear path for pedestrian traffic be present from the store entrance and garden center entrance to the tree tent. A tent permit will be required with a copy of the fire retardant certificate at the time of permit issuance. An additional business regulatory fee is required, equal to .5 percent of the total value of goods offered, not to exceed \$1,500. Proof of the value of the goods must be provided at the time of the fee payment prior to the event.

Heather, a Human Resource Manager for Lowes was present and a stated that they would like the ability to continue the tree sales for longer than the 30 days.

Discussion ensued regarding the Board's desire to have staff review this portion of the code for a possible amendment to the 30 day limitation.

**Motion** made by Mr. Sheffield and seconded by Mr. Harwell to approve the request with staff recommendation. All present voted affirmative. Motion carried.

**OLD BUSINESS** continued

Allow PUDs in PB & OPF Amend Chapter 94 (Zoning) Section 94-111(b) to allow the Planned Unit Development Zoning District within the Public Buildings and Grounds and the Other Public Facilities (comprehensive plan map) land use categories.

Mr. Crowe advised that PUD's are allowed in most other non-residential zoning districts and realized the need for this as there has been discussion of the Emergency Management Services considering locating a warehouse near a multifamily zoning district and an application for rezoning was received from the School District for the

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Moseley warehouse on Husson Avenue. He recognized the objection of the neighbors for the warehouse facility. He stated that the goal is to try and work with the two parties in an effort to come up with a middle ground solution possibly. If you have the ability to do a PUD it might give the applicant and the City a tool to come up with a more unique, customized zoning district that looks to protecting residential areas protecting compatibility and we would like to have that in these two land use categories, as we do have some pretty intense public uses.

Mr. Stewart commented that this consideration would not mean that the Board is necessarily in favor of the warehouse being over there.

Mr. Venables asked if the hours of operation could be negotiated into the PUD.

Mr. Crowe agreed, and said that everything is on the table, and both parties have to agree to the conditions of the PUD but it is ultimately up to the School board to submit the application and be in charge of what it is they are ultimately requesting. Stating that his job is to work with the applicant and the neighborhood to hopefully come up with a compromise that would allow the use to remain and provide conditions to protect the neighborhood.

**Motion** made by Mr. Venables and seconded by Mr. Harwell to approve the request authorizing Mr. Crowe the ability to move forward with this request. All present voted, resulting in 5 yeas and 1 nay. Motion carried.

**Required Parking Exemption for Downtown Single Residential Units** Amend Chapter 94 (Zoning) Section 94-161(i) and Section 94-162(i) to exempt the minimum parking requirement for single residential units within buildings within the Downtown Business and Downtown Riverfront zoning districts.

Mr. Crowe explained we have had a number of requests in the downtown area for upper floor residences and the hardship is that most of these buildings do not even have parking so the intent is to exempt the single residential uses on the upper floor them, and that it is typical for small cities and downtowns to have what is called de minimus exemptions.

Mr. Venables requested clarification as to whether the exemption was referring to each building with multiple single residential units or one building with only one unit.

Mr. Crowe advised that it is per building with one residential unit, that those commercial buildings with multiple residential units would have to provide parking for those residential units. He further explained that eventually all cities have to do this. That the current infrastructure project going on at the riverfront includes renovating and providing additional parking. Eventually there will have to be small structured parking lots scattered throughout downtown, and possibly sometime in the distant future, there will have to be a parking structure as well. He stated that this is a judgment call, but he believed that at this time, the collective impact of the single residential units above the first floor will not have significant to the available parking downtown.

The overall consensus of the Board was that they liked the idea of encouraging people to move downtown.

**Motion** made by Mr. Venables and seconded by Mr. Harwell to approve as submitted. All present voted affirmative. Motion carried.

**Reduction of Minimum Parking Space Size** Amend Chapter 94 (Zoning) Section 94-261(f) to reduce the minimum size of parking spaces from 10 feet by 20 feet to 9 feet by 18 feet, and to allow for compact car spaces sized at 7.5 feet by 16 feet with compact spaces not to exceed 25% of total required parking spaces.

Mr. Crowe advised that he has looked a lot of other communities and it is pretty standard to have a 9 x 18 standard parking spaces. We currently have a 10 feet x 20 feet standard space requirement and provide no compact car space requirements. He said that the City has embarked on a green sustainable program, it is in the infant stages of that, but we are looking at ways that we can reduce not only environmental impacts, but costs for new developments,

Discussion regarding keeping the parking spaces

**Motion** made by Ms. Buck and seconded by Mr. Sheffield to deny the request as submitted. Discussion. Ms. Buck amended the motion to approve the portion of this request to not all compact spaces exceed 25% of the total required parking spaces. All present voted affirmative on the amended motion. Motion carried.



**APPLICATION BACKGROUND**

Sign Standards

Palatka's Sign Code dates back to the early 1980s, with few changes made since that time (except for one obvious change to limit nonresidential signage to wall signs). For example the City has a simple maximum size of 96 square feet for all signs (except for wall signs, which have a maximum 200 square foot size), a maximum height of 35 feet, and (with exceptions) limits each business to two signs. Over the years other Florida jurisdictions have revised their sign codes to improve community appearance. For example, jurisdictions like Jacksonville Beach, Miami Beach, Miramar, Orlando, Palm Beach Gardens, Palm Coast, Port Orange, and Seminole County have prohibited new pole signs and only allow ground/monument as freestanding signs. It is common for communities now to tie the size, height, and number of signs allowed to the right-of-way width, storefront length, and road frontage, all of which limits larger signage to larger developments and stores and wider roadways. An example of this is Sanford, which limits sign height to between six and twelve feet and sign size to between 24 and 100 square feet, depending on the right-of-way width. DeLand has a flat height limit of 12 feet, and allows sign size to vary between 48 square feet to 128 square feet based on parcel size (parcels under 2.5 acres are limited to the 48 square foot size)

The City's liberal sign standards have resulted in an environment of large and tall signs, particularly along the SR 19 corridor. The Zoning Board of Appeals over the years has routinely approved sign variances to exceed the 96 square foot size limitation, with most restaurant signs around 150 square feet, and the Palatka Mall at a very large 440 square feet. Allowing such large sign sizes compels new businesses to request similar large signs to compete for the attention of passers-by.

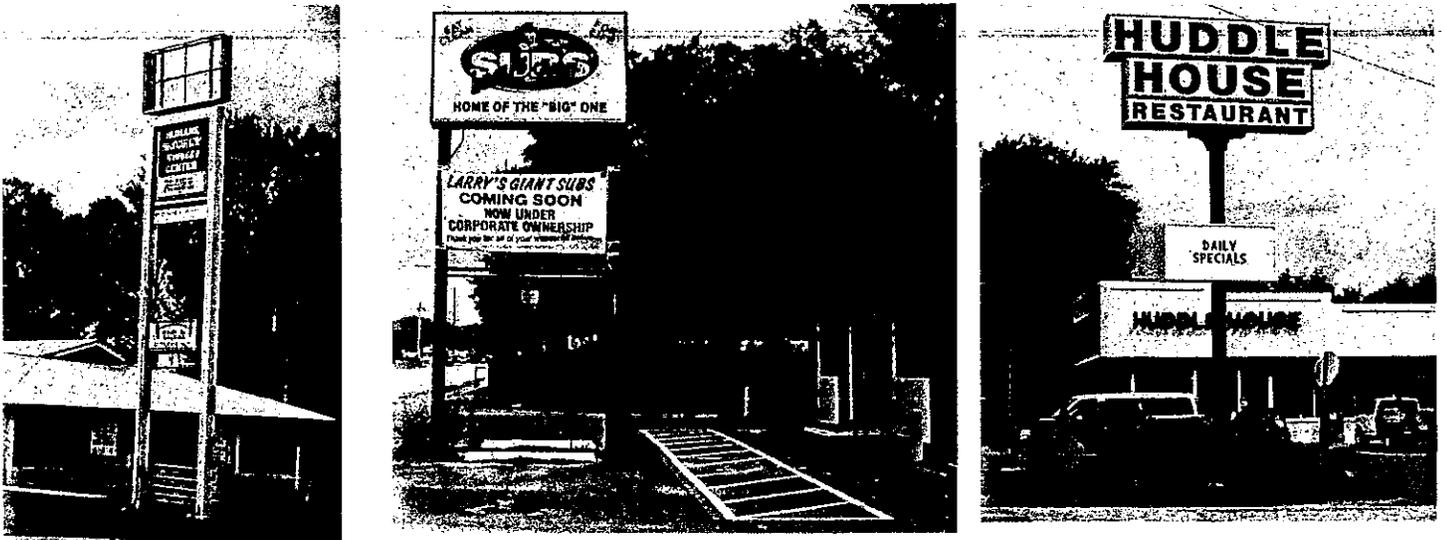


Figure 1: Examples of Large Signs within the City

Request to Amend Municipal Code  
(Sign Definitions and Standards, Allowing PUDs in PB & OPF Districts, Parking Exemption for Single Residential Uses in  
Downtown Zoning Districts, Reduction of Required Parking Space Size)

There are two issues pertaining to sign regulation: the appearance issue as noted above, and the contribution of signage to driver distraction. The level of visual clutter within a community is determined by that community - it is acceptable to regulate sign appearance in regard to size, location, and other factors, but not to regulate sign content, which is protected by the First Amendment right to free speech. Driver distraction is a second issue.

Regarding the appearance issue, a web article by the Dunn Foundation frames the argument that excessive signage contributes to visual pollution in the following manner:

*Imagine you are on a commercial street in a suburban community. Signs of all-sizes, shapes and colors fight for your attention. There are signs on the buildings, signs in front of the buildings and billboards towering above the buildings. Overhead stretches a web of utility wires. Parking lots, expansive areas of asphalt and franchise architecture, housing a number of easily recognizable fast food restaurants and stores, greet your vision in every direction. This is referred to as visual clutter. Visual clutter occurs on many of our suburban and urban commercial streets. These visually cluttered areas are often the gateways to our communities, the roadways which lead into the commercial, tourist or economic centers. The visual impact of these sprawling strip commercial zones create a lasting image of the community; they over shadow the community's individuality, its sense of place.*

Regarding the driver distraction issue, a September, 2003 study published in the Proceedings of the Institution of Civil Engineers reviewed 50 years of sporadic research on this issue and drew the following conclusion:

*It is possible to draw some conclusions on the effect of driver distraction and billboards/signs. The effect is real. However it is situation-specific. Many billboards and signs may have no measurable impact on road safety, but there is overwhelming evidence that, at least in some situations, signs and billboards can be a threat to road safety. Almost all studies agree that too much "visual clutter" at or near intersections and junctions can interfere with drivers' visual search strategies and lead to accidents.*

The discussion above is meant to frame the issues proposed for the Board's future consideration of the Sign Code, not to take action at this time on overall sign size and height standards. Prior to August 25, 2011, the Sign Code prohibited all sign types except for wall signs, with the exception of billboards in M-1 zoning districts, political signs, and real estate signs. Despite this prohibition, previous City staff approved various pole and other types of signs throughout the City. To allow for reasonable allowance for signs, at their June meeting the Board approved Staff's recommendation to allow various types of freestanding and signs attached to buildings in zoning districts, with more sign types allowed in more intensive districts. The intent on Staff's part in making these changes was to start with a baseline allowance of sign types and look at potentially problematic sign types (changeable copy, electronic signs, rooftop signs, for example) on a case-by-case basis as the need arose.

**Bulletin Board Signs.** After consulting with the Assistant to the City Manager and the Main Street Manager, Staff recognized the need for informational signs in the downtown area for businesses, residents, and officials

to post flyers and notices of varying content. Staff recommends that bulletin board signs be freestanding public signs allowed in the Downtown Business and Downtown Riverfront Zoning districts with the following standards:

- signs shall be located within the public right-of-way on sidewalks within two feet of the curb;
- signs are intended to accommodate flyers, event notices, public notices, by means of stapling;
- not more than one bulletin board sign is allowed for each two-block area of St. Johns Ave.;
- sign structures shall be multi-sided with maximum two-foot overhang length to protect copy;
- maximum six-foot height and three-foot width; and
- sign area to be contained within brick structure.

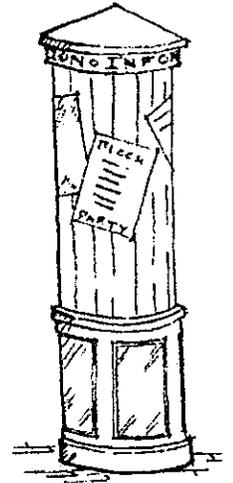


Figure 2: Bulletin Board Sign (Courtesy of Jonathan Griffith)

**Changeable Copy Signs.** Changeable Copy signs are defined in Section 62-1 as signs "on which copy is changed manually in the field, i.e., reader boards with changeable letters or changeable pictorial panels." Allowable signs (attached with this staff report) for commercial zoning districts does not include changeable copy signs at this time. However Staff recently conducted a windshield survey, observing the great majority of signs in the City, and determined that changeable copy signs are prevalent within the City – of the 243 freestanding signs observed within in the City, 66 or 39% have changeable copy elements within the sign (two of these are stand-alone changeable copy signs). The table below shows the assignment of such signs by use:

Table 1: Issue Responsibility

General Use	Total Signs	Changeable Copy Signs	Changeable Copy Signs Percent of Total Signs
Bar	4	4	100%
Storage	1	1	100%
Church	7	6	86%
Restaurant	34	23	68%
Gas/Convenience Store	6	3	50%
Motel	2	1	50%
Automotive	12	5	42%
Other Retail	44	13	30%
Services	39	10	26%

This survey indicates that uses that seemed to have a higher need for changeable copy signs include bars, storage, churches, restaurants, and convenience stores; while general retail and service uses had a lower need for such signs. A review of several Florida jurisdictions (see Table 2) that allow for and set standards for changeable copy signs show that such signs are often limited to between 16 and 48 SF in size, or typically 25%

(Sign Definitions and Standards, Allowing PUDs in PB & OPF Districts, Parking Exemption for Single Residential Uses in Downtown Zoning Districts, Reduction of Required Parking Space Size)

of the overall sign size. Some jurisdictions limit the use of changeable copy signs to institutional uses (schools, churches, etc.). Staff does not support allowing certain uses to have such signs as this would be an unfair standard.

**Table 2: Examples of Changeable Copy Sign Standards for Other Jurisdictions**

Jurisdiction	Max. Size	Notes
Apopka	24 SF	
Clermont	25% Theaters - 80%	
Daytona Beach	16 SF	
Deltona	25% of sign area	
Doral	48 SF	Schools, churches only
Jacksonville Beach	24 SF	32 SF w/ retail centers 10K+
Orange City	Theaters - 75% Institutions - 50% Motels - 32 SF	
Oviedo	20%	
Port Orange	25%	
Wellington	32 SF	Institutional uses only
Winter Park	25%	



Figure 3: Changeable Copy Sign

Staff believes the following three options are available to the City regarding changeable copy signs:

1. Continue to prohibit changeable copy signs
2. Allow changeable copy signs with maximum size limitation
3. Allow changeable copy signs with no limitations

The first option would result in a high number of nonconforming signs and also provide a competitive advantage to those businesses that have such signs. While in time the need to replace signs damaged by weather events or general deterioration can result in the phasing out of a sign type, the high number of changeable copy signs (66) indicates that it will be unlikely for this to occur. As the old saying goes, "the horse is out of the barn."

The third option could result in an even higher level of visual clutter than what now exists along the City's roadways, worsening both driver distraction and the general appearance of the City.

Staff recommends Option # 2. Given that the maximum sign size is 96 square feet, a 25% of sign size limitation seems a logical choice in this case. However using this percentage could have the unintended consequence of an applicant making their overall sign bigger than a size normally requested to maximize the changeable copy element. Therefore Staff recommends a flat cap of 30 square feet for changeable copy signs (to provide some perspective of this size, the Zaxby's changeable copy sign above is 24 square feet).

(Sign Definitions and Standards, Allowing PUDs in PB & OPF Districts, Parking Exemption for Single Residential Uses in Downtown Zoning Districts, Reduction of Required Parking Space Size)

**Directional Signs:** Directional signs are defined in the Sign Code as "indicating vehicular or pedestrian traffic pattern or route, private directional signage allows for one directional sign per access drive entrance into a commercial, office, or industrial development not to exceed four feet in height and four square feet." This definition does not take into account public directional signage. Staff proposes to add language noting that public directional signage includes regulatory, statutory, and traffic control signs erected on public property with permission as appropriate from the State of Florida, the United States, Putnam County, or the City of Palatka. In addition, Staff consulted with the Assistant to the City Manager to recommend that allowable public directional sign destinations include:

- historic structures and sites;
- culturally significant structures & sites;
- districts or areas;
- environmentally significant areas;
- government building;
- hospitals;
- libraries;
- museums;
- parking;
- parks and recreation areas;
- public facilities; and
- schools and colleges;

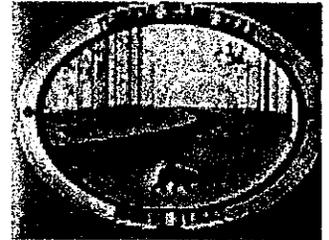


Figure 4: Examples of Directional Signs

**Downtown Gateway Signs:** Staff consulted with the Assistant to the City Manager and Main Street Manager regarding the need for public signs located within the public-right-of-way at key intersections that serve as entryways to Downtown Palatka. Such signs will entice visitors to the downtown as well as providing definition and positive structure for this area. The following standards are recommended:

- only ground signs allowed, permanent structure housing a sign copy area;
- maximum sign height eight feet, maximum size 100 square feet;
- designed to accommodate promotional banners; and
- externally illuminated only;

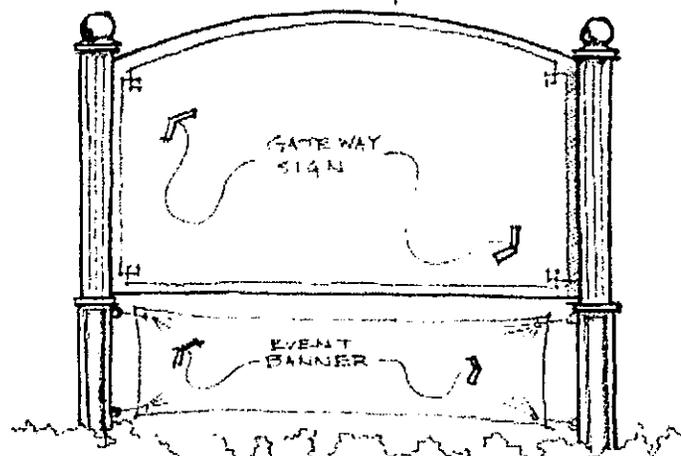


Figure 5: Gateway Sign (courtesy of Jonathan Griffith)

(Sign Definitions and Standards, Allowing PUDs in PB & OPF Districts, Parking Exemption for Single Residential Uses in Downtown Zoning Districts, Reduction of Required Parking Space Size)

**Downtown Street Art Signs.** Again recommended after consultation with the Assistant to the City Manager and the Main Street Manager, this sign type is intended to provide an outlet for artists while advertising downtown businesses in a unique manner. Much like the murals, downtown street art has the potential to create a lively, interesting environment to attract shoppers and other visitors. This sign is defined as a private freestanding, three-dimensional, inanimate object that is not merchandise, and is used to attract the attention of potential customers. Examples of street art, enabled by the Sign Code, can be found in downtown Orlando and in the Riverside Avondale historic commercial district of Jacksonville. Local examples of (unpermitted) street art are the "Blues Brothers" located in the 700 block of St. Johns Avenue. Such objects would be allowed in the Downtown Business and Downtown Riverfront District on private property and on sidewalks within the public right-of-way with the following applicable standards;

- objects must be inanimate and non-electrified;
- objects shall not exceed six foot in height 30 square feet;
- one allowed per street address;
- requires a minimum storefront width of 20 feet;
- objects shall not encroach into the right-of-way more than two feet;
- shall not be secured to the tree guards or tree grates or disturb the sidewalk pavement within the right-of-way;
- maximum sign area on objects shall be eight square feet;
- objects shall be constructed of durable materials such as decorative metal, wrought iron, wood with treated edges, or durable plastic, shall have a professional, finished appearance, and shall be maintained in good condition; and
- the use of cardboard, plywood, paper, canvas or similar impermanent material is prohibited.

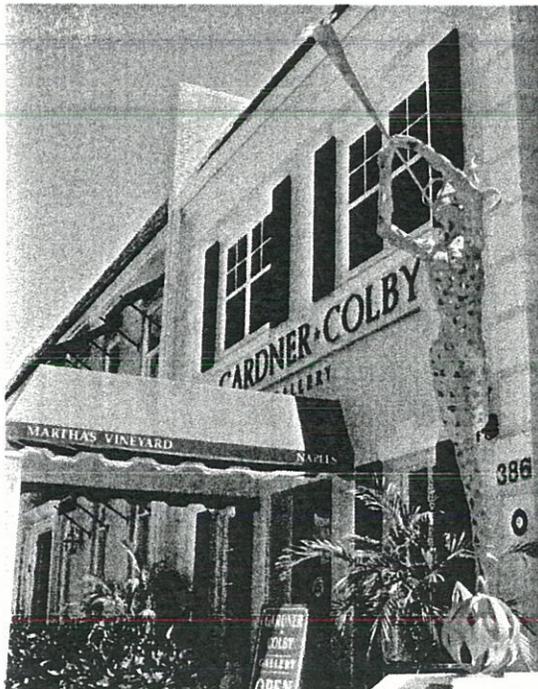


Figure 6: 5<sup>th</sup> Ave., Downtown Naples FL

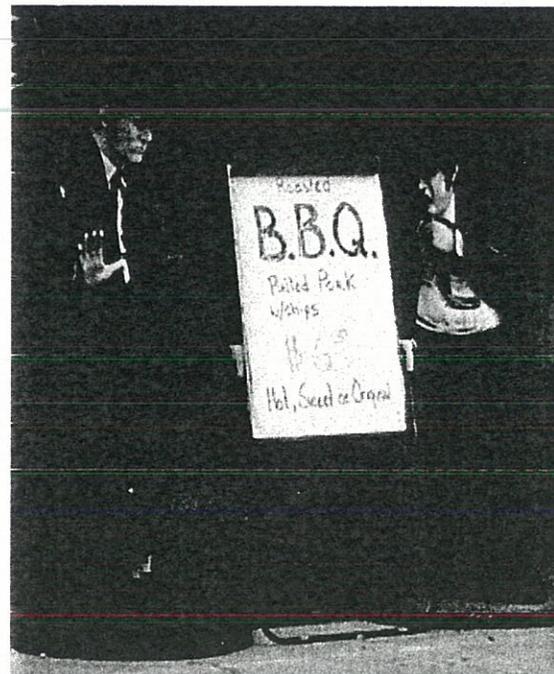


Figure 7: Blues Brothers, St. Johns Ave., Palatka



(Sign Definitions and Standards, Allowing PUDs in PB & OPF Districts, Parking Exemption for Single Residential Uses in Downtown Zoning Districts, Reduction of Required Parking Space Size)

**Educational/Interpretative Signs:** Staff consulted with the Assistant to the City Manager and Main Street Manager when determining the need to allow for this sign type. These are public signs located within parks that are meant to educate and draw attention to the significant historical, cultural, and environmental aspects of the City of Palatka, St. Johns River, and Putnam County. Signs are designed for pedestrian viewing and oriented at an angle that is between 45 and 60 degrees. Sign area shall not exceed 20 square feet.

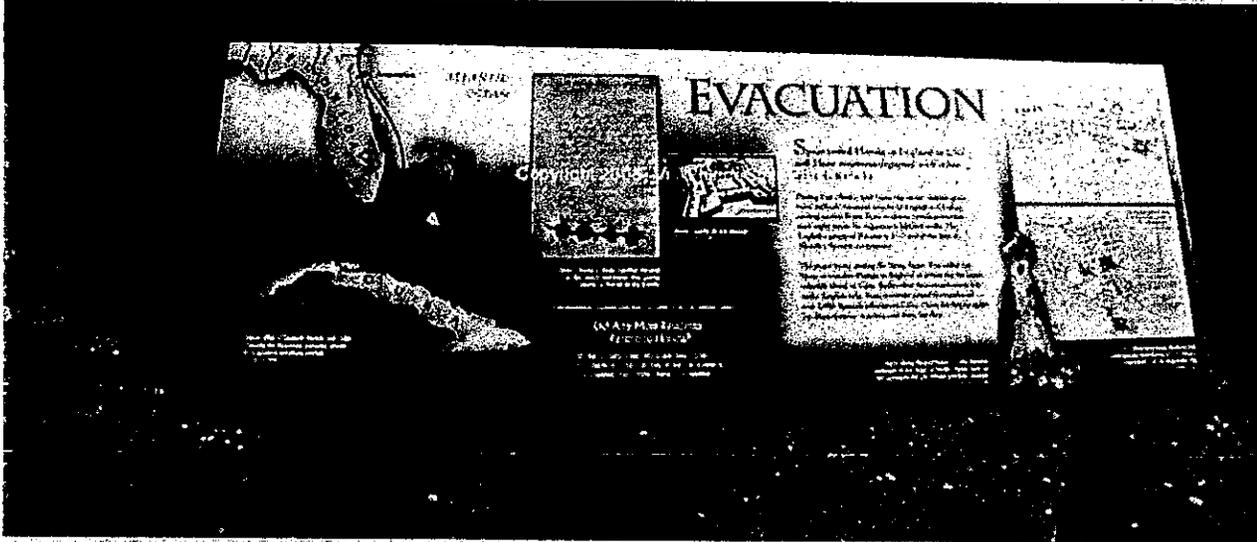


Figure 8: Example of Educational/Interpretative Sign

**Electronic (Changing) Signs:** Changing signs are defined in the Sign Code as: "an electronically or electrically controlled public service time, temperature and date sign, message center or reader board, where different copy changes are shown on the same lamp bank." While not allowed in any zoning district this sign was mistakenly permitted within the City for six businesses in recent years. Electronic signs have proved to be controversial in a number of jurisdictions. The nature of the controversy hinges on two aspects: possible driver distraction caused by jarring colors and moving text of electronic copy (this has led to ongoing studies of these signs by the Federal Highway Administration) and objections pertaining to visual clutter – in particular tied to the bright colors which are at odds with the natural environment and graphic movement displayed within such signs. As of June, 2010 the following jurisdictions had prohibited such signs: Alachua County, Altamonte Springs, Apopka, Atlantic Beach, Broward County, Casselberry, Daytona Beach Shores, Indian River County, Lake Park, Live Oak, North Port, Palm Beach Gardens, Palm Coast, Ponce Inlet, Sarasota County, South Daytona, St. Augustine, and Tallahassee.

Other jurisdictions have not recognized this sign type, and again as of June, 2010 the following jurisdictions allowed such signs with various restrictions: Clearwater, Cocoa Beach, Destin, Escambia County, Holly Hill, Melbourne, New Smyrna Beach, Orange County, Orlando, Ormond Beach, Panama City, Port Orange, Sarasota, Seminole County, Stuart, St. Lucie County, St. Petersburg, Tampa, West Palm Beach, and Winter Park. Standards for electronic signs include the following:

- limiting to a particular use (usually commercial, institutional, and/or public);
- locational (usually along major commercial roadways);
- minimum message time (ranging from five seconds to twice a day);

(Sign Definitions and Standards, Allowing PUDs in PB & OPF Districts, Parking Exemption for Single Residential Uses in Downtown Zoning Districts, Reduction of Required Parking Space Size)

- sign size limitation (typically between 20% and 35% of total sign area, and higher percentages for churches and theaters);
- intensity limitations (requiring dimming illumination between dusk and dawn, wattage or footcandle brightness limitation, limiting to a single color on a black background, etc.); and
- movement limitations (prohibition of scrolling, flashing, etc.)

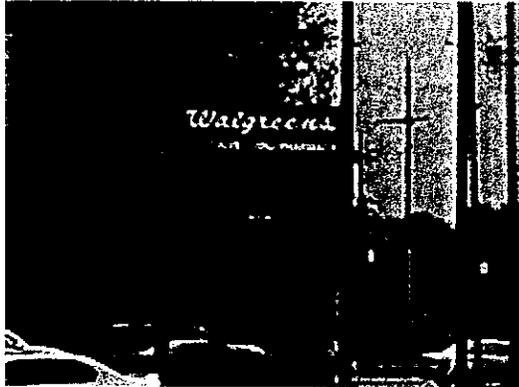


Figure 9: Local Examples of Changing/Electronic Signs

Staff concludes that the following three options are available to the City regarding changing signs:

1. Continue to prohibit new electronic changeable copy signs
2. Allow electronic changeable copy signs with following standards:
  - \* allowed only on major commercial roadways and C-2 zoning
  - \* sign area the lesser of 20 square feet and 25% of total sign
  - \* message change time to not more than one minute
  - \* intensity decreased to 30% of maximum illumination from dusk to dawn
  - \* light emanation no greater than 0.3 footcandles measured 200 feet from the sign
  - \* single color on black background
  - \* no scrolling, flashing, or other movement other than change of text
3. Allow electronic changeable copy signs with no limitations

From Staff's perspective this is a more difficult decision than the changeable copy sign issue. Since there are only six such signs in the City they are not so prevalent so as to compel their approval. However proponents of electronic signs advocate for such signs on the basis of their effective communication, technological superiority, and general modernity. It is Staff's opinion that electronic signs markedly increase visual clutter due to the nature of their visual intensity. The Board may believe differently. Staff recommends Option # 1, but if the Board decides to allow such signs Staff recommends the conditions set forth in Option # 2 to assist in mitigating the impact of such signs.

**Gasoline Price Signs.** This is more of a housekeeping measure intended to recognize existing gas price signs. Staff recommends that one gasoline price sign be permitted per gasoline station to provide the price of gasoline only and should not exceed 16 square feet in area per side. The sign shall be affixed to a permanent

(Sign Definitions and Standards, Allowing PUDs in PB & OPF Districts, Parking Exemption for Single Residential Uses in Downtown Zoning Districts, Reduction of Required Parking Space Size)

sign structure or to a building;

**Menu Pricing Sign.** This changeable copy sign is used in pairs for drive-through restaurants for the purpose of displaying a menu selection/pricing board. This sign is located in the area between the building and the drive-through lane and is not noticeably visible from a public right-of-way; typically with a sign face that does not exceed 25 square feet and shall not exceed a height of 7 feet. This sign should also not be considered in the limitation of two signs per business.

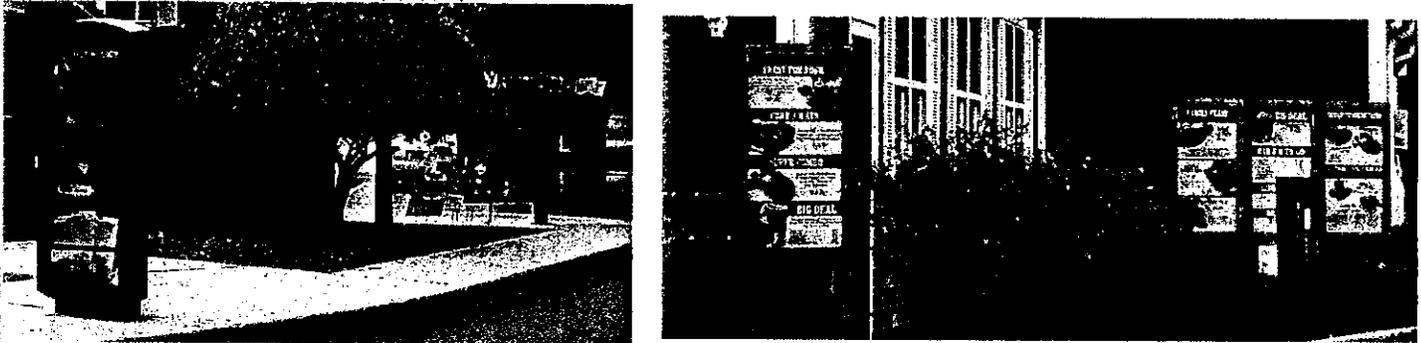


Figure 10: Examples of Menu Pricing Signs

**Owner Identification Sign.** The Sign Code defines this sign type as "any sign where the matter displayed is used principally to indicate the name or character of the primary use." Owner identification signs are excluded from the limitation of not more than two (permitted) signs per property (Sec 62-5). Given the large sign size allowed (96 square feet for freestanding signs and signs attached to buildings and 200 square feet for wall signs), Staff does not support this exclusion as the business name or logo is usually the main part of a sign in any case. Staff recommends eliminating the exclusion of the owner identification sign from Sec. 62-5.

**Promotional Banners.** Temporary banners are currently only allowed in association with special events 30 days prior to event, must be on temporary structures, and require 8' feet of vertical clearance above sidewalk). After consulting with the Assistant to the City Manager and Main Street Manager Staff proposes the following additional standards intended to provide clarity and structure for banner use:

- banners are allowable in Downtown Business and Downtown Riverfront zoning districts;
- Banners allowed in commercial zoning district in conjunction with grand opening and going out of business, limited to 45 days duration;
- banners are allowable for special events and public purpose;
- allowable locations are: in conjunction with downtown gateway signs, not more than two above-the-street banners located on St. Johns Ave., and a single location within Riverfront Park;
- light pole banners are allowed along St. Johns Avenue and Reid Street, limited to not more than 25 square feet; and
- banners shall be professionally made and composed of durable and weather-resistant material such as canvas, cloth, or similar materials;
- banners on buildings are prohibited;

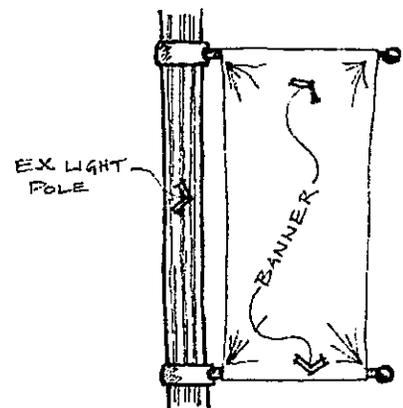


Figure 11: Example of Banner (Courtesy of Jonathan Griffith)

(Sign Definitions and Standards, Allowing PUDs in PB & OPF Districts, Parking Exemption for Single Residential Uses in Downtown Zoning Districts, Reduction of Required Parking Space Size)

**Wall Sign Prohibition in Certain Zoning Districts:** For reasons unknown, the Sign Code limited wall signs to the C-1, C-2, C-3, and M-1 zoning districts. This prevents its use in downtown and public zoning districts, where such signs are commonly found and are appropriately located. Staff recommends eliminating this prohibition.

**Landscaping around signs:** Unlike the sign codes of most other jurisdictions, the City's code does not require any landscaping around signs. Landscaping effectively frames signs and provides an attractive entry point for a business, and also "softens" the appearance of signs, particularly with large and tall signs allowed in the City. Staff recommends a simple standard that requires landscaping areas around the base of the sign, sized at or above the square footage of the sign to be installed, and including shrubs and groundcover plants:



Figure 12: Examples of Signs With and Without Landscaping



(Sign Definitions and Standards, Allowing PUDs in PB & OPF Districts, Parking Exemption for Single Residential Uses in Downtown Zoning Districts, Reduction of Required Parking Space Size)

## APPLICATION BACKGROUND

### Sign Standards

Staff recommends the following changes to the Sign Code for the following signs, continuing the agenda presented by the Board at its October meeting.

**Banner Sign.** Section 62-1 defines these signs as "any sign(s) possessing characters, letters, illustrations or ornamentations applied to cloth, paper or fabric of any kind, either with or without a frame." As described in Municipal Code Sec. 50-244 (Special Events) banners are currently only allowed in association with special events 30 days prior to event, must be on temporary structures, and require 8' feet of vertical clearance above sidewalk). Other than these types of temporary banners, the Code does not allow banners (including Grand Opening, Going Out of Business, and Promotional Sales banners, as well as public/quasi public banners not part of Special Events that announce various events or activities.) Recognizing that such banners have been allowed in the past, providing affordable recognition for small businesses and public notification for civic and other events, Staff recommends revising the definition to exempt such signs from regulation. However to provide protection from excessive visual clutter Staff recommends that banners be placed only on buildings and existing signs (not changing the current allowance that Special Events banners can be on temporary structures), that banners not exceed 50 square feet and that banners be composed of durable and weather-resistant material such as canvas, cloth, heavy plastic, or similar materials. Additionally Staff recommends the definition be revised to identify banner signs as temporary signs.

**Bulletin board sign.** This sign type, recommended for approval at the October meeting, would be defined as a sign structure intended and reserved for the posting of temporary notices by individuals or public or quasi-public organizations, clubs, and the like, and is allowed in downtown zoning districts.

**Downtown gateway sign.** This sign type, recommended for approval at the October meeting, would be defined as a sign structure intended to provide an entrance feature to the downtown business district, and would be allowed in downtown zoning districts.

**Downtown street art sign.** This sign type, recommended for approval at the October meeting, would be defined as a private freestanding, three-dimensional, non-moving object that is not merchandise, is used to attract the attention of potential customers, and is allowed in downtown zoning districts.

**Educational/interpretative sign.** This sign type, recommended for approval at the October meeting, would be defined as a Public signs located within parks or within City right-of-way meant to educate and draw attention to the significant historical, cultural, and environmental aspects of the City of Palatka, St. Johns River, and Putnam County. This sign type is allowed in downtown zoning districts and in the Recreation and Open Space zoning district.

**Gasoline price sign.** This sign type, recommended for approval at the October meeting, would be defined as a sign indicating the price of gasoline at service stations, and would be allowed in commercial zoning districts.

**Menu pricing boards.** This sign type, recommended for approval at the October meeting, would be defined as an illuminated freestanding changeable copy sign intended to display a menu selection/pricing board for restaurant drive-up windows located in the area between the building and the drive-through lane. This sign would be allowed in commercial zoning districts.

**Owner Identification Sign.** The Sign Code defines this sign type as "any sign where the matter displayed is used principally to indicate the name or character of the primary use." Owner identification signs are excluded from the limitation of not more than two (permitted) signs per property (Sec. 62-5). Given the large sign size allowed (96 square feet for freestanding signs and signs attached to buildings and 200 square feet for wall signs), Staff does not support this exclusion as the business name or logo is usually the main part of a sign in any case. Staff recommends eliminating the exclusion of the owner identification sign from Sec. 62-5.

**Maximum Sign Size Clarification.** Sign Code Section 62-4 states that "no commercial advertising sign (excluding billboards) will be permitted to be erected having a square foot area of advertising surface showing in any one direction more than 96 square feet, and there shall be no more than two such signs on a lot having a 200-foot front footage." The two-sign limitation is not enforceable since the definition of a sign is sufficiently vague ("any letter, figure, character, mark, plane, point, marquee sign, design, poster, picture, stroke, stripe, line, trademark or reading matter or illuminated service, which shall be constructed, placed, attached, painted, erected, fastened or manufactured in any manner whatsoever") to definitively determine if a sign is an individual component sign as shown in the photo to the right or if a sign is the collective unity of several such component signs. Staff in the past has interpreted this in the latter manner which makes a case for spelling this out more clearly.



: Sign Structure with Multiple Signs

A second issue is the reference to the two-sign limitation on a lot having a 200-foot frontage – is this a lot with exactly 200 feet of frontage, or a lot that is greater (or less) than 200 feet of frontage? And what is the case for lots over 200 feet of frontage? Can they have unlimited signs or no signs? There does not appear to be consistency in the sign permitting process to determine patterns. Staff believes that it is a logical limitation for smaller lots to have one sign, and larger lots to have two, so there is a need to clarify this as well.

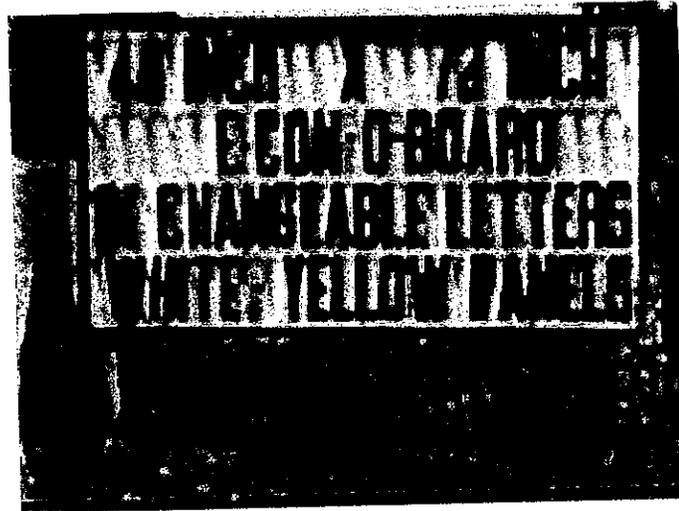
A third problem with the two-sign limitation is that window signs and wall signs are also considered signs, and with this limitation a business could not have the standard combination of pole or ground sign, wall sign, and window sign. Staff proposes to clarify that the two-sign limitation does not apply to window signs.

In summary Staff proposes to amend this section to state that the two-sign limitation refers to sign structures, is for lots with less than 200 feet of frontage, and does not include window signs.

(Sign Definitions and Standards, Allowing PUDs in PB & OPF Districts, Parking Exemption for Single Residential Uses in Downtown Zoning Districts, Reduction of Required Parking Space Size)

**Wall Sign Prohibition in Certain Zoning Districts.** For reasons unknown, the Sign Code limits wall signs to the C-1, C-2, C-3, and M-1 zoning districts. This prevents its use in downtown and public zoning districts, where such signs are commonly found and are appropriately located. Staff recommends eliminating this prohibition.

**Portable Signs Prohibition.** Sign Code Section 62-14 allows portable signs in commercial zoning districts and also in the M-1 Light Industrial zoning district. These signs are allowed for new businesses for 90 days, or until a new sign is installed, whichever comes first. Businesses can also use these signs for promotional purposes up to 90 days. There are no limitations on the size of such signs. The City has rarely issued permits for such signs, indicating a low demand. Staff believes that these signs are unattractive and add to general visual clutter. Allowing banners as previously discussed would meet the need for temporary business signs. Given the appearance problem and the lack of interest by businesses in such signs, staff recommends deleting Sec. 62-14, which would result in the prohibition of these signs.



n Example

**Landscaping around signs.** Unlike the sign codes of many other jurisdictions, the City's code does not require any landscaping around signs. Landscaping effectively frames signs and provides an attractive entry point for a business, and also "softens" the appearance of signs, particularly with large and tall signs allowed in the City. Staff recommends a simple standard that requires landscaping areas around the base of the sign, sized at or above the square footage of the sign to be installed, and including shrubs and groundcover plants.

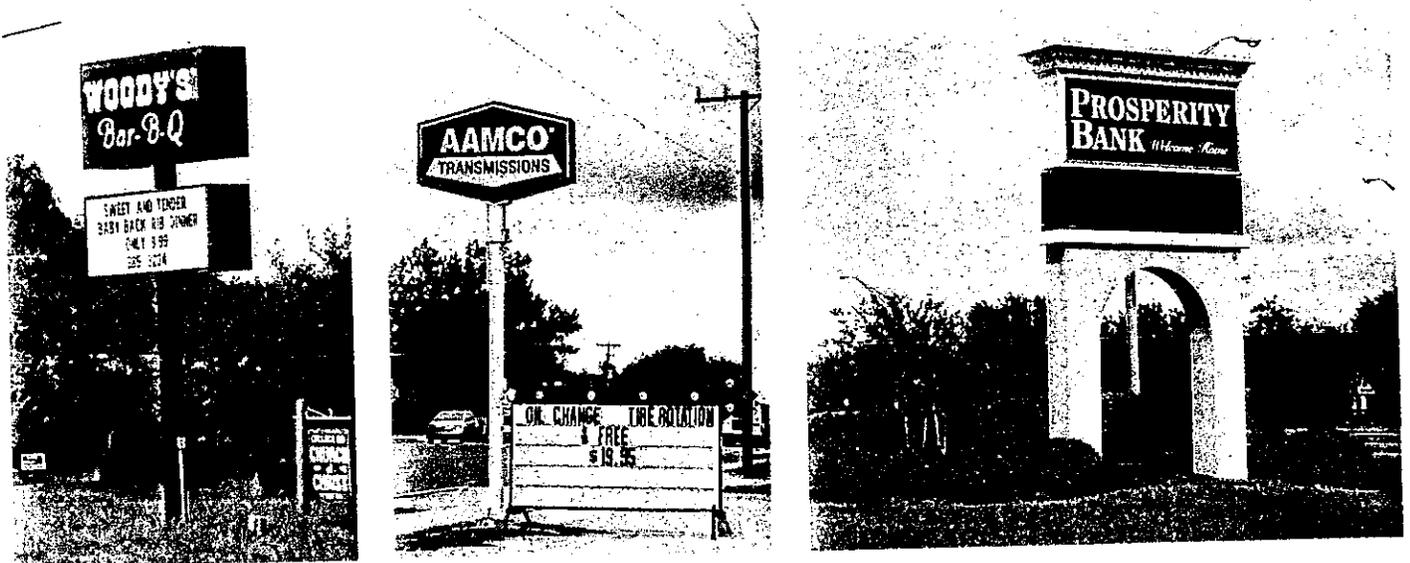


Figure 3: Examples of Signs Without and With Landscaping

*Agenda  
Item*

**10**

**CITY OF PALATKA CITY COMMISSION  
AGENDA ITEM**

**ITEM:** First Reading - request to amend Section 94, Division 2 to further specify allowable sign types in nonresidential zoning districts

**DEPARTMENT:** Building & Zoning

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**AGENDA SECTION:** Regular Agenda, requiring Commission action

---

**ATTACHMENTS:**

1. Draft Ordinance
2. Planning Board minutes excerpts October 4 & November 1 (draft), 2011 meetings
3. Planning Board memos excerpts

**MEETING DATE:** Nov. 10, 2011

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**ISSUE:** This is a staff-initiated Sign Code revision which further clarifies allowable sign types in nonresidential zoning districts. Both the Sign Code (Chapter 62) and the Zoning Code (Chapter 94) reference zoning districts and allowable sign types. Staff is recommending consistency in that zoning districts list allowable sign types.

Please direct questions regarding this request to Thad Crowe at 329-0103 or [tcrowe@palatka-fl.gov](mailto:tcrowe@palatka-fl.gov)

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

ORDINANCE NO. 11 -

AN ORDINANCE OF THE CITY OF  
PALATKA, FLORIDA PROVIDING THAT THE  
SECTION 94, DIVISION 2 OF THE  
ZONING CODE OF THE CITY OF PALATKA,  
FLORIDA BE AMENDED TO ALLOW FOR  
SPECIFIC SIGN TYPES IN NON-  
RESIDENTIAL ZONING DISTRICTS;  
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 October 4 and November 1, 2011, and two public hearings before the City Commission of the City of Palatka on November 10, 2011, and December 8, 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.

DIVISION 2 - SCHEDULE OF DISTRICT REGULATIONS

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

(g) Permitted signs: Awning signs, banner signs, changeable copy signs, bracket signs, directional signs, ground signs, marquee signs, projecting signs, and wall signs, and window signs.

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

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

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

(g) Permitted signs. Wall signs-, awning signs, banner signs, bracket signs, banner signs, changeable copy signs, changing signs, gasoline price signs, menu pricing boards, pole signs, temporary signs, directional signs, ground signs, marquee signs, and projecting signs, and window signs.

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

(g) Permitted signs. Wall signs-, awning signs, bracket signs, banner signs, gasoline price signs, menu pricing boards, 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, educational/interpretative 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, and window 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 nonmunicipal 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. Banner signs, bulletin board signs, directional signs, downtown gateway signs, downtown street art signs, educational/interpretative signs, ground signs limited to six feet in height, 30 square feet in size, and eight feet in width, marquee signs, projecting signs, and wall signs, window 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. Banner signs, bulletin board signs, directional signs, downtown gateway signs, downtown street art signs, educational/interpretative signs, ground signs limited to six feet in height, 30 square feet in size, and eight feet in width, marquee signs, projecting signs, and wall signs, and window 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 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 8<sup>th</sup> day of December, 2011.

**CITY OF PALATKA**

BY: \_\_\_\_\_  
Its MAYOR

**ATTEST:**

\_\_\_\_\_  
City Clerk

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

ORDINANCE NO. 11 -

AN ORDINANCE OF THE CITY OF  
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SECTION 94, DIVISION 2 OF THE  
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**PASSED AND ADOPTED** by the City Commission of the City of Palatka on this 8<sup>th</sup> day of December, 2011.

CITY OF PALATKA

BY: \_\_\_\_\_  
Its MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk



## PLANNING BOARD

Meeting Minutes

October 4, 2011

store across the street and they stay open until midnight each night and that there is probably more people in and out of that store in ten minutes than Mr. Patel will get in a half hour to an hour. There is a lot of foot and vehicular traffic at that store and he doesn't see that as being an issue for the nearby residences, in light of the fact that none of them responded to the notices. He ended by saying that he does not believe that the Board should limit the gaming stations, that right now with the economy the way it is, if Mr. Patel can fill that place up God bless him.

**Motion** made by Mr. Venables to approve with Staff recommendations with amendment to recommendation number two, to allow the business to operate until 11:00 p.m. Sun through Thursday, and closing Friday and Saturday nights at midnight. Mr. Petrucci seconded the motion. All members voted affirmative, motion carried.

Mr. Crowe introduced Charles Rudd as the new Main Street Manager and said that he has been helpful in some of the things we are getting ready to talk about right now.

Mr. Rudd said he was thrilled to be here, excited about Downtown Palatka and getting the organization rolling and making things happen.

### Case 11-41

Request for the following administrative text amendments to the City of Palatka Municipal Code and to provide recommendations to the City Commission:

Mr. Crowe explained that there are five items for the Board to consider and this is just a continuing cleanup of the sign codes. He added that the main goal he has with the Board's assistance, is to fix the sign code so that it is responsive to businesses and help people to know where they are, while at the same time, keeping some limitations so as not to leave the City cluttered and unsightly.

1. **Sign Standards:** Amend Chapter 62 (Signs) Section to amend definition and provide design standards for changeable copy signs and directional signs; add definitions and provide design standards for bulletin board signs, downtown gateway signs, downtown street art signs, educational/interpretative signs, electronic changeable copy signs, gasoline price signs, menu pricing boards, and promotional banners; clarify the maximum sign square footage for freestanding signs; eliminate the exclusion from maximum number of signs for owner identification signs; and require landscaping areas around new signs.

A. **Bulletin Board Signs:** After consulting with the Assistant to the City Manager and the Main Street Manager, Staff recognized the need for informational signs in the downtown area for businesses, residents, and officials to post flyers and notices of varying content. Staff recommends that bulletin board signs be freestanding public signs allowed in the Downtown Business and Downtown Riverfront Zoning districts with the following standards:

- 1) signs shall be located within the public right-of-way on sidewalks within two feet of the curb;
- 2) signs are intended to accommodate flyers, event notices, public notices, by means of stapling;
- 3) not more than one bulletin board sign is allowed for each two-block area of St. Johns Ave.;
- 4) sign structures shall be multi-sided with maximum two-foot overhang length to protect copy;
- 5) maximum six-foot height and three-foot width; and
- 6) sign area to be contained within brick structure.

Mr. Crowe advised that what staff is trying to encourage and allow effective and attractive communication.

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Discussion: Mr. Venables said that he would not want to see the two feet from curb requirement changed to ten feet as it may create a maze, that the two feet from the curb creates a pattern and we already have success with that. He added that if we were to allow the bulletin board signs, he would want to see the two foot overhang removed as well. Ms. Buck expressed concern about potential problems from bulletin boards with flyers falling off the bulletin board and littering the area. Mr. Crowe responded that such flyers are going up on telephone poles and other surfaces anyway, and this is a move to concentrate information in areas where they can all be viewed. Mr. Petrucci said that he supported the idea of providing signs for information and communication.

**Motion** made by Mr. Venables and seconded by Mr. Sheffield to approve the sign standards for Bulletin Board signs as submitted with the following modifications, that language be inserted that no overhang shall be permitted and the sign is limited to not more than two feet from the curb. All present voted, resulting in 4 yeas and 1 nay. Motion carried.

- B. Changeable Copy Signs.** Changeable Copy signs are defined in Section 62-1 as signs "on which copy is changed manually in the field, i.e., reader boards with changeable letters or changeable pictorial panels." Allowable signs for commercial zoning districts does not include changeable copy signs at this time.

Mr. Crowe explained that while these signs were approved in the past, the Code does not allow them. Staff recently conducted a windshield survey, observing the great majority of signs in the City, and determined that changeable copy signs are widespread within the City - of the approximately 240 freestanding signs in the City, 85 or 35% have changeable copy elements within the sign (two of these being stand-alone changeable copy signs). He stated that he believes that there are *three options available to the City* regarding changeable copy signs: 1) to continue to prohibit changeable copy signs, 2) to allow changeable copy signs with a maximum size limitation, or 3) to allow changeable copy signs with no limitations. Mr. Crowe added that the first option would result in a high number of nonconforming signs. The third option could result in an even higher level of visual clutter than what now exists along the City's roadways, worsening both driver distraction and the general appearance of the City. He recommended Option #2, given that the maximum sign size is 96 square feet, a 25% of sign size limitation seems a logical choice in this case since it would put sign size around 24 square feet, which is fairly standard in other jurisdictions that allow such signs. He noted that this is the size of the new Zaxby's changeable copy sign component. However using this percentage could have the unintended consequence of an applicant making their overall sign bigger than a size normally requested to maximize the changeable copy element. Therefore he recommended a flat cap of 30 square feet for changeable copy signs.

Mr. Venables asked if there was a clear definition of changeable copy sign versus electronic sign.

Mr. Crowe advised that there are separate and distinct definitions with changing sign considered to be electronically controlled and changeable copy being manually controlled.

**Motion** made by Mr. Sheffield and seconded by Ms. Buck to approve the sign standards for Changeable Copy signs as presented with a maximum of 30 square feet. All present voted affirmative. Motion carried.

- C. Directional Signs.** Directional signs are defined in the Sign Code as "indicating vehicular or pedestrian traffic pattern or route, private directional signage allows for one directional sign per access drive entrance into a commercial, office, or industrial development not to exceed four feet in height and four square feet." The current definition does not take into account public directional signage. Staff proposes to add language noting that public directional signage includes regulatory,

## PLANNING BOARD

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statutory, and traffic control signs erected on public property with permission as appropriate from the State of Florida, the United States, Putnam County, or the City of Palatka.

Mr. Crowe added that they want to allow public signs for directing people to areas of public interest as mentioned in the staff report and he recommends a limitation of 12 square feet. He said that he consulted with the Assistant to the City Manager to recommend allowable public directional sign destinations that would include historical and culturally significant structures and sites, districts or areas, environmentally significant areas, government building, hospitals, libraries, museums, public parking, and parks and recreation areas. He recommended adding the definition of public directional signs with a 12 square foot limitation.

**Motion** made by Mr. Venables and seconded by Ms. Buck to approve the sign standards as submitted for Directional signs with a maximum of 30 square feet. All present voted affirmative. Motion carried.

**D. Downtown Gateway Signs.** Staff consulted with the Assistant to the City Manager and Main Street Manager regarding the need for public signs located within the public-right-of-way at key intersections that serve as entryways to Downtown Palatka. Such signs will attract visitors to downtown as well as providing definition and positive structure for this area. The following standards are recommended:

- 1) only ground signs allowed, permanent structure housing a sign copy area;
- 2) maximum sign height eight feet, maximum size 100 square feet;
- 3) designed to accommodate promotional banners; and
- 4) externally illuminated only.

Mr. Crowe explained that this is kind of a welcoming sign, defining a gateway that says you are entering the downtown area and makes you feel that you are entering into something special. He added that the way it is designed would also allow a home for temporary banners (actually incorporated into the sign area) i.e. special events etc... so they are not just thrown up anywhere.

Mr. Venables asked why we would not want to include internal illumination.

Mr. Crowe replied that this would not be in keeping with the historic character of downtown.

Ms. Buck asked if there was a limitation for these gateway signs so as not to be inundated with these at every entry point.

Mr. Crowe advised that these would be public signs and it would be reasonable to limit these signs as Staff was anticipating a total of four gateway signs.

**Motion** made by Mr. Venables and seconded by Ms. Buck to approve the sign standards for the Downtown Gateway signs as submitted with maximum number of four signs and no banners allowed above the sign, with the City determining the locations of such signs. All present voted affirmative. Motion carried.

**E. Downtown Street Art Signs.** Again recommended after consultation with the Assistant to the City Manager and the Main Street Manager, this sign type is intended to provide an outlet for artists while advertising downtown businesses in a unique manner. Much like the murals, downtown street art has the potential to create a lively, interesting environment to attract shoppers and other visitors. This sign is defined as a private freestanding, three-dimensional, non-moving object that

## PLANNING BOARD

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is not merchandise, and is used to attract the attention of potential customers. Examples of street art, enabled by sign codes, can be found in downtown Orlando and in the Riverside-Ayondale historic commercial district of Jacksonville. Local examples of (unpermitted) street art are the "Blues Brothers" located in the 700 block of St. Johns Avenue. Such objects would be allowed in the Downtown Business and Downtown Riverfront District on private property and on sidewalks within the public right-of-way with the following applicable standards:

- 1) objects must be inanimate and non-electrified;
- 2) objects shall not exceed six foot in height and 30 square feet;
- 3) one allowed per street address;
- 4) requires a minimum storefront width of 20 feet;
- 5) objects shall not encroach into the right-of-way more than two feet;
- 6) objects shall not be secured to the tree guards or tree grates or disturb the sidewalk pavement within the right-of-way;
- 7) maximum sign area on objects shall be eight square feet;
- 8) objects shall be constructed of durable materials such as decorative metal, wrought iron, wood with treated edges, or durable plastic, shall have a professional, finished appearance, and shall be maintained in good condition; and
- 9) the use of cardboard, plywood, paper, canvas or similar impermanent material is prohibited.

Mr. Crowe explained that Staff likes this type of sign and it scared them at first, but it is something that other towns have done to kind of liven things up a bit and we have some already, with the Downtown Blues Bar and it is also a great opportunity for collaboration between FLOARI's students and Downtown businesses. Such objects could make things interesting, call attention to businesses, and give a sense of activity and vitality going on.

Discussion took place regarding the different types of Street Art signs versus holiday displays, which determined that seasonal displays would fall under the sidewalk permits of wares and displays and are not considered signage.

Mr. Holmes suggested that the word "inanimate" be replaced with "unmoving."

**Motion** made Mr. Venables and seconded by Mr. Sheffield to approve the sign standards for the Downtown Street Art signs as submitted by staff with the correction above. All present voted affirmative. Motion carried.

**F. Educational/Interpretative Signs.** Staff consulted with the Assistant to the City Manager and Main Street Manager when determining the need to allow for this sign type.

Mr. Crowe advised that these are public signs located within parks that are meant to educate and draw attention to the significant historical, cultural, and environmental aspects of the City of Palatka, St. Johns River, and Putnam County. These signs are designed for pedestrian viewing and oriented at an angle that is between 45 and 60 degrees. Sign area shall not exceed 20 square feet.

**Motion** made Mr. Venables and seconded by Ms. Buck to approve the sign standards for the Educational/Interpretative signs as submitted by staff. All present voted affirmative. Motion carried.

**G. Electronic Changeable Copy Signs.** This is a new sign type not recognized in the Sign Code.

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Mr. Crowe explained that although this sign was mistakenly permitted within the City for six businesses in recent years it is not allowed in the Sign Code in any zoning district. This type of sign has proved to be controversial in a number of jurisdictions. The nature of the controversy hinges on two aspects: potential driver distraction caused by jarring colors and moving text of electronic copy this has led to ongoing studies of these signs by the Federal Highway Administration. Some jurisdictions prohibit them while others take a careful approach to allow them with restrictions. He noted that Staff recommended to continue to prohibit these signs, but if they are going to be allowed, they should be restricted to intensive commercial (C-2) zoning districts with the following standards:

- 1) allowed only on major commercial roadways and C-2 zoning;
- 2) sign area the lesser of 20 square feet and 25% of total sign;
- 3) message change time to not less than one minute;
- 4) intensity decreased to 30% of maximum illumination from dusk to dawn;
- 5) light emanation no greater than 0.3 foot-candles measured 200 feet from the sign;
- 6) single color on black background;
- 7) no scrolling, flashing, or other movement other than change of text

Ms. Buck asked how the six existing managed to get out there and if there were height limitations.

Mr. Crowe stated that he can't speak to what previous Staff did in the past, but from discussion with existing Staff, he determined that the previous interpretation was that if something wasn't specifically prohibited, then it was allowed. He does not agree with that assessment because our code states specifically what IS allowed in each zoning district, there is not a prohibited sign section - this is not needed because if something is not allowed, then it is not allowed.

Discussion took place regarding the existing sign standards for changeable signs versus the proposed standards for electronic changeable copy signs and the rules of existing non-conformities.

**Motion** made Mr. Petrucci and seconded by Mr. Petrucci to allow electronic signs in the C-2 zoning district with the standards as submitted by staff. All present voted affirmative. Motion carried.

**H. Gasoline Price Signs:** This is more of a housekeeping measure intended to recognize existing gas price signs.

Mr. Crowe stated that the recommendation is to allow one gasoline price sign be permitted per gasoline station (this sign is not currently recognized in our code) to provide the price of gasoline only, not exceeding 16 square feet in area per side. The sign shall be affixed to a permanent sign structure or to a building, and should not be considered in the limitation of two signs per business.

**Motion** made Mr. Sheffield and seconded by Mr. Venables to approve Gasoline Price signs as submitted by staff. All present voted affirmative. Motion carried.

**I. Menu Pricing Sign:** This changeable copy sign is used for drive-through restaurants for the purpose of displaying a menu selection/pricing board.

Mr. Crowe stated that this sign is located in the area between the building and the drive-through lane and is not noticeably visible from a public right-of-way. Typically this sign has a sign face that does not exceed 25 square

## PLANNING BOARD

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feet and shall not exceed a height of seven feet. This sign should also not be considered in the limitation of two signs per business.

**Motion** made by Mr. Sheffield and seconded by Ms. Buck to approve Menu Pricing signs as submitted by staff. All present voted affirmative. Motion carried.

*J. Owner identification signs:* The Sign Code defines this sign type as "any sign where the matter displayed is used principally to indicate the name or character of the primary use." Owner identification signs are excluded from the limitation of not more than two (permitted) signs per property (Sec. 62-5). Given the large sign size allowed (96 square feet for freestanding signs and signs attached to buildings and 200 square feet for wall signs):

Mr. Crowe stated that Staff does not support this exclusion as the business name or logo is usually the main part of a sign in any case. He recommended eliminating the exclusion of the owner identification sign from Sec. 62-5.

No action was taken on the proposed Owner Identification sign amendment, as Mr. Petrucci had to excuse himself from the meeting, at which point the quorum was lost.

Mr. Stewart stated that the balance of the agenda items would be continued until the November 1, 2011 meeting.

Meeting adjourned at 5:00 p.m.





# CITY OF PALATKA PLANNING BOARD

## Meeting Minutes November 1, 2011

Meeting called to order by Chairman Carl Stewart at 4:00 pm. **Other members present:** Earl Wallace, Anthony Harwell, Kenneth Venables and Sharon Buck. **Members absent:** Joe Pickens and Joseph Petrucci. **Also present:** Planning Director Thad Crowe and Recording Secretary Pam Sprouse.

**Motion** made by Mr. Sheffield and seconded by Mr. Venables to approve the minutes of the October 4, 2011 meeting. 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.

### OLD BUSINESS

**Case 11-41** (continued from the October 4, 2011 meeting)

Request for the following administrative text amendments to the City of Palatka Municipal Code and to provide recommendations to the City Commission:

#### Sign Standards:

Proposed Sign Code (Section 62) changes include:

- amend definition for banner signs to exempt such signs from review and clarify allowable size and materials;
- provide definitions for bulletin board signs, downtown gateway signs, downtown street art signs, educational/interpretative signs, gasoline price signs, and menu pricing boards;
- amend definitions for changeable copy signs, (electronic) changing signs, and directional signs, and indicate where such signs are allowed; and indicate where such signs are allowed;
- eliminate the exclusion from maximum number of signs for owner identification signs;
- clarify the maximum sign square footage for freestanding signs;
- eliminate the restriction that walls signs only be allowed in C-1, C-2, C-3, and M-1 zoning districts;
- prohibit portable signs; and
- require landscaping areas around new signs;

Mr. Crowe suggested to the Chairman that each sign type and action be discussed and voted on separately. Mr. Stewart agreed.

**Banner signs:** banners are currently only allowed in association with Special Events 30 days prior to event; must be on temporary structures, and require eight feet of vertical clearance above sidewalk. Other than these types of temporary banners, the Code does not allow banners (including Grand Opening, Going Out of Business, and Promotional Sales banners, as well as public/quasi public banners not part of Special Events that announce various events or activities.)

Mr. Crowe advised that there has been a shift in gears somewhat with regards to the banners, after continued discussions with the City Manager, the special event folks and some business owners. It was determined from staff's perspective that probably the best thing to do during these current times, with new businesses trying to

## PLANNING BOARD

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get off the ground and the reality of limited enforceability due to complaint driven code enforcement, would be to allow banners for new businesses and also for public and quasi/public events, not to exceed 50 square feet and allowed on buildings or existing signs. Such signs would be temporary signs, limited to 60 days, and made of a durable material such as canvas or heavy plastic. They would not be reviewed or permitted, much like fences, but they would have to meet the standards.

Mr. Venables asked if this would pertain to the banners we talked about for across the street.

Mr. Crowe advised that those are special event banners and are under the auspice of Special Events. Each Special Event application should specify banner type and locations.

Ms. Buck asked if this would allow the banners that are put up on the railroad overpass on 9<sup>th</sup> street.

Mr. Crowe replied no, that those are illegal signs.

**Motion** made Mr. Venables and seconded by Mr. Sheffield to approve Banner signs as submitted by staff. All present voted affirmative. Motion carried.

**Owner Identification Sign:** The Sign Code defines this sign type as "any sign where the matter displayed is used principally to indicate the name or character of the primary use." Owner identification signs are excluded from the limitation of not more than two (permitted) signs per property (Sec. 62-5).

Mr. Crowe explained that given the large sign size allowed (96 square feet for freestanding signs and signs attached to buildings and 200 square feet for wall signs), staff does not additional signage allowed by this exclusion. The owner identification sign is the business name or logo, which is on a business's main sign anyway. He recommended eliminating the exclusion of the owner identification sign from the two-freestanding sign maximum.

**Motion** made by Mr. Sheffield and seconded by Mr. Venables to approve the deletion of owner identification signs. All present voted affirmative. Motion carried.

**Clarify the maximum sign square footage for freestanding signs:** to amend this section to state that the two-sign limitation refers to freestanding (pole and ground) sign structures and not individual signs, two signs are allowed for lots with 200 feet or more of lot frontage, and that this limitation does not include wall and window signs.

Mr. Crowe explained that there is ambiguity in this part of the Sign Code regarding whether the 96 square feet maximum sign size applies to an individual sign, or the collective total of signs on a single structure. In the past, staff has viewed a single sign structure with multiple signs as one sign. He gave the example of the Zaxby's sign as a typical sign these days, with the chicken on a sign on the top part of the sign structure, the restaurant name on a sign in the middle, and a changeable copy sign as a sign on the bottom. He added that the two-sign limitation would be for lots with 200 feet of lot frontage or more. While it is written vaguely, it is an existing standard in the Sign Code with the supportive logic that wide lots support more businesses and are entitled to an additional sign.

Ms. Buck asked Mr. Crowe to confirm the proposed maximum square feet of sign structure. Mr. Crowe advised that it would remain unchanged at 96 square feet.

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**Motion** made by Mr. Venables to approve amending Section 62-4 to apply to freestanding signs, to calculate sign area for individual signs on a single sign structure, and to clarify that lots with 200 feet or more of lot frontage were entitled to two freestanding signs, while lots with less frontage were entitled to one. Motion seconded by Mr. Sheffield. All present voted affirmative. Motion carried.

**Wall Sign Limitation in Certain Zoning Districts:** Section 62-10 of the Sign Code limits wall signs to the C-1, C-2, C-3, and M-1 zoning districts. This prevents its use in downtown and public zoning districts, where such signs are commonly found and are appropriately located. Staff recommends eliminating this prohibition.

Mr. Crowe explained that this revision is intended simply to eliminate the restriction that wall signs only be allowed in the commercial and industrial zoning districts. The way the code is written now, all zoning districts list the types of signs that are allowed and there are a number of other districts that already allow wall signs, including the downtown districts. This creates an internal conflict within the Municipal Code that must be corrected.

**Motion** made by Mr. Sheffield and seconded by Mr. Wallace to eliminate the wall sign limitation of Section 62-10. All present voted affirmative. Motion carried.

**Prohibit portable signs:** there currently are no real standards in place for these types of signs except for time limitations for their use. However even those time limitations are vague enough to allow for their continued use for ongoing "promotional" activities. Staff believes that if these sign types are not only unsightly, but unneeded as very few permits have been pulled for them and they are seldom utilized. Temporary banners such as the ones recommended for approval earlier in this meeting, and changeable copy signs that are incorporated into permanent signs both fill the need for promotional signage.

Discussion took place regarding grandfathered existing permitted signs and windsock type inflatables. Mr. Crowe was of the opinion that under the current Code, and under what was proposed, such items were illegal signs.

**Motion** made by Mr. Venables and seconded by Ms. Buck to approve by as submitted. All present voted affirmative. Motion carried.

**Landscaping around signs.** Staff believes that landscaping effectively frames signs and provides an attractive entry point for a business, and also "softens" the appearance of signs, particularly with the large and tall signs allowed in the City. Staff recommends a simple standard that requires landscaping areas around the base of the sign, sized at or above the square footage of the sign to be installed, and including shrubs and groundcover plants.

Mr. Crowe advised that unlike the sign codes of many other jurisdictions, the City's code does not require any landscaping around signs. He stated that the language would be pretty simple, just that there would be some landscaping or shrubs, to provide a little bit of an attractive area around. Typically you will see this anyway when new business comes in.

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**Motion made by Mr. Sheffield and second by Mr. Venables to approve staff's recommendation for landscaping requirement around signs as submitted. All present voted affirmative. Motion carried.**

Discussion ensued regarding policing the amendments being put in place. Mr. Crowe advised that the proposed revisions are basically for new signs coming in. That he has been working towards making the sign code reflect more accurately what is out there, and get some coherency to it, so when a new business comes in they won't have such restrictive standards that they cannot get a sign that is generally similar in size to their neighboring businesses and will allow them to compete fairly. Debate regarding the need to reduce the volume, size, and height of signs would have to occur in the future.

### NEW BUSINESS

**Case 11-40    Address:    3303 Reid Street**  
**Parcel #:    02-10-26-0000-0090-0021**  
**Owner:       Tony Alfiero**  
**Applicant:   Brian & Julia Warwick**

Mr. Crowe gave an overview of the proposed request and reviewed the applicant's site plan. He stated that the proposed use is for repair of industrial equipment to be repaired inside the building. This is an existing commercial building in an intensive commercial area. The request meets all applicable standards for conditional use consideration. He stated that the landscaping code issues have been discussed with the applicant and he recommended approval with the following conditions:

1. The use is approved for a machine shop and also fabrication.
2. Repair and fabrication must occur within the building.
3. At the Applicant's choice, the use must comply with existing landscape buffering and screening standards or any such revised standards upon their adoption. Such planting requirements shall be determined after the Landscape Code changes are made and would not require Planning Board approval.
4. Parking spaces should be striped.
5. The dumpster must be screened according to standards of Zoning Code.
6. Exterior lighting must be shielded and downcast so as not to create glare that shines on adjoining properties or roadways.
7. All other applicable standards of the Municipal Code must be met.

Mr. Warwick was present and advised that he will employ approximately 15 persons and eventually expects to expand and add a piping division. Primarily this will be a base location for services that they provide elsewhere, and when the need for repairs that cannot be done offsite on a mobile basis, then they will do them inside this building. He advised that they provide these services now, working out of a warehouse type situation but that they needed a bigger building with offices and conference room to review plans. He said that there are business opportunities now that he is losing out on because he does not have the facility to accommodate the need.

Ms. Buck asked Mr. Warwick if this was a tool and die type shop.

Mr. Warwick replied that no, that the equipment they repair can range from the size of a car to something that would fit on your desk.



Request to Amend Municipal Code  
(Sign Definitions and Standards, Allowing PUDs in PB & OPF Districts, Parking Exemption for Single Residential Uses in  
Downtown Zoning Districts, Reduction of Required Parking Space Size)

**APPLICATION BACKGROUND**

**Sign Standards**

Palatka's Sign Code dates back to the early 1980s, with few changes made since that time (except for one obvious change to limit nonresidential signage to wall signs). For example the City has a simple maximum size of 96 square feet for all signs (except for wall signs, which have a maximum 200 square foot size), a maximum height of 35 feet, and (with exceptions) limits each business to two signs. Over the years other Florida jurisdictions have revised their sign codes to improve community appearance. For example, jurisdictions like Jacksonville Beach, Miami Beach, Miramar, Orlando, Palm Beach Gardens, Palm Coast, Port Orange, and Seminole County have prohibited new pole signs and only allow ground/monument as freestanding signs. It is common for communities now to tie the size, height, and number of signs allowed to the right-of-way width, storefront length, and road frontage, all of which limits larger signage to larger developments and stores and wider roadways. An example of this is Sanford, which limits sign height to between six and twelve feet and sign size to between 24 and 100 square feet, depending on the right-of-way width. DeLand has a flat height limit of 12 feet, and allows sign size to vary between 48 square feet to 128 square feet based on parcel size (parcels under 2.5 acres are limited to the 48 square foot size)

The City's liberal sign standards have resulted in an environment of large and tall signs, particularly along the SR 19 corridor. The Zoning Board of Appeals over the years has routinely approved sign variances to exceed the 96 square foot size limitation, with most restaurant signs around 150 square feet, and the Palatka Mall at a very large 440 square feet. Allowing such large sign sizes compels new businesses to request similar large signs to compete for the attention of passers-by

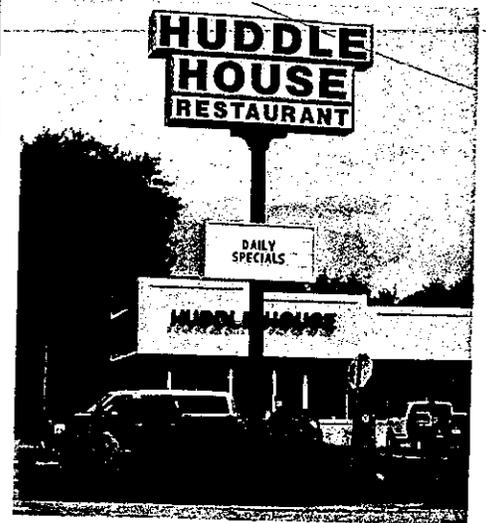


Figure 1: Examples of Large Signs within the City

Request to Amend Municipal Code  
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There are two issues pertaining to sign regulation: the appearance issue as noted above, and the contribution of signage to driver distraction. The level of visual clutter within a community is determined by that community - it is acceptable to regulate sign appearance in regard to size, location, and other factors, but not to regulate sign content, which is protected by the First Amendment right to free speech. Driver distraction is a second issue.

Regarding the appearance issue, a web article by the Dunn Foundation frames the argument that excessive signage contributes to visual pollution in the following manner:

*Imagine you are on a commercial street in a suburban community. Signs of all sizes, shapes and colors fight for your attention. There are signs on the buildings, signs in front of the buildings and billboards towering above the buildings. Overhead stretches a web of utility wires. Parking lots, expansive areas of asphalt and franchise architecture, housing a number of easily recognizable fast food restaurants and stores, greet your vision in every direction. This is referred to as visual clutter. Visual clutter occurs on many of our suburban and urban commercial streets. These visually cluttered areas are often the gateways to our communities; the roadways which lead into the commercial, tourist or economic centers. The visual impact of these sprawling strip commercial zones create a lasting image of the community; they over shadow the community's individuality; its sense of place.*

Regarding the driver distraction issue, a September, 2003 study published in the Proceedings of the Institution of Civil Engineers reviewed 50 years of sporadic research on this issue and drew the following conclusion:

*It is possible to draw some conclusions on the effect of driver distraction and billboards/signs. The effect is real. However it is situation-specific. Many billboards and signs may have no measurable impact on road safety, but there is overwhelming evidence that, at least in some situations, signs and billboards can be a threat to road safety. Almost all studies agree that too much "visual clutter" at or near intersections and junctions can interfere with drivers' visual search strategies and lead to accidents.*

The discussion above is meant to frame the issues proposed for the Board's future consideration of the Sign Code, not to take action at this time on overall sign size and height standards. Prior to August 25, 2011, the Sign Code prohibited all sign types except for wall signs, with the exception of billboards in M-1 zoning districts, political signs, and real estate signs. Despite this prohibition, previous City staff approved various pole and other types of signs throughout the City. To allow for reasonable allowance for signs, at their June meeting the Board approved Staff's recommendation to allow various types of freestanding and signs attached to buildings in zoning districts, with more sign types allowed in more intensive districts. The intent on Staff's part in making these changes was to start with a baseline allowance of sign types and look at potentially problematic sign types (changeable copy, electronic signs, rooftop signs, for example) on a case-by-case basis as the need arose.

*Bulletin Board Signs.* After consulting with the Assistant to the City Manager and the Main Street Manager, staff recognized the need for informational signs in the downtown area for businesses, residents, and officials

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to post flyers and notices of varying content. Staff recommends that bulletin board signs be freestanding public signs allowed in the Downtown Business and Downtown Riverfront Zoning districts with the following standards:

- signs shall be located within the public right-of-way on sidewalks within two feet of the curb;
- signs are intended to accommodate flyers, event notices, public notices, by means of stapling;
- not more than one bulletin board sign is allowed for each two-block area of St. Johns Ave.;
- sign structures shall be multi-sided with maximum two-foot overhang length to protect copy;
- maximum six-foot height and three-foot width; and
- sign area to be contained within brick structure.

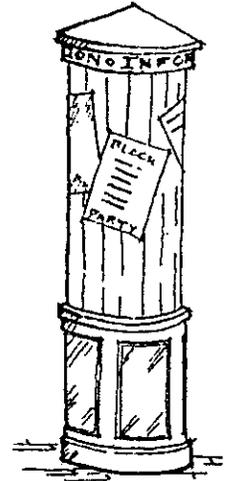


Figure 2: Bulletin Board Sign  
 (Courtesy of Jonathan Griffith)

**Changeable Copy Signs.** Changeable Copy signs are defined in Section 62-1 as signs "on which copy is changed manually in the field; i.e., reader boards with changeable letters or changeable pictorial panels." Allowable signs (attached with this staff report) for commercial zoning districts does not include changeable copy signs at this time. However Staff recently conducted a windshield survey, observing the great majority of signs in the City, and determined that changeable copy signs are prevalent within the City - of the 243 freestanding signs observed within in the City, 66 or 39% have changeable copy elements within the sign (two of these are stand-alone changeable copy signs). The table below shows the assignment of such signs by use:

Table 1: Issue Responsibility

General Use	Total Signs	Changeable Copy Signs	Changeable Copy Signs Percent of Total Signs
Bar	4	4	100%
Storage	1	1	100%
Church	7	6	86%
Restaurant	34	23	68%
Gas/Convenience Store	6	3	50%
Motel	2	1	50%
Automotive	12	5	42%
Other Retail	44	13	30%
Services	39	10	26%

This survey indicates that uses that seemed to have a higher need for changeable copy signs include bars, storage, churches, restaurants, and convenience stores; while general retail and service uses had a lower need for such signs. A review of several Florida jurisdictions (see Table 2) that allow for and set standards for changeable copy signs show that such signs are often limited to between 16 and 48 SF in size, or typically 25%

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of the overall sign size. Some jurisdictions limit the use of changeable copy signs to institutional uses (schools, churches, etc.). Staff does not support allowing certain uses to have such signs as this would be an unfair standard.

**Table 2: Examples of Changeable Copy Sign Standards for Other Jurisdictions**

Jurisdiction	Max. Size	Notes
Apopka	24 SF	
Clermont	25% Theaters - 80%	
Daytona Beach	16 SF	
Deltona	25% of sign area	
Doral	48 SF	Schools, churches only
Jacksonville Beach	24 SF	32 SF w/ retail centers 10K+
Orange City	Theaters - 75% Institutions - 50% Motels - 32 SF	
Oveidd	20%	
Port Orange	25%	
Wellington	32 SF	Institutional uses only
Winter Park	25%	



Figure 3: Changeable Copy Sign

Staff believes the following three options are available to the City regarding changeable copy signs:

1. Continue to prohibit changeable copy signs.
2. Allow changeable copy signs with maximum size limitation.
3. Allow changeable copy signs with no limitations.

The first option would result in a high number of nonconforming signs and also provide a competitive advantage to those businesses that have such signs. While in time the need to replace signs damaged by weather events or general deterioration can result in the phasing out of a sign type, the high number of changeable copy signs (66) indicates that it will be unlikely for this to occur. As the old saying goes, "the horse is out of the barn."

The third option could result in an even higher level of visual clutter than what now exists along the City's roadways, worsening both driver distraction and the general appearance of the City.

Staff recommends Option # 2. Given that the maximum sign size is 96 square feet, a 25% of sign size limitation seems a logical choice in this case. However using this percentage could have the unintended consequence of an applicant making their overall sign bigger than a size normally requested to maximize the changeable copy element. Therefore Staff recommends a flat cap of 30 square feet for changeable copy signs (to provide some perspective of this size, the Zaxby's changeable copy sign above is 24 square feet).

**Directional Signs.** Directional signs are defined in the Sign Code as "indicating vehicular or pedestrian traffic pattern or route, private directional signage allows for one directional sign per access drive entrance into a commercial, office, or industrial development not to exceed four feet in height and four square feet." This definition does not take into account public directional signage. Staff proposes to add language noting that public directional signage includes regulatory, statutory, and traffic control signs erected on public property with permission as appropriate from the State of Florida, the United States, Putnam County, or the City of Palatka. In addition, Staff consulted with the Assistant to the City Manager to recommend that allowable public directional sign destinations include:

- historic structures and sites;
- culturally significant structures & sites;
- districts or areas;
- environmentally significant areas;
- government building;
- hospitals;
- libraries;
- museums;
- parking;
- parks and recreation areas;
- public facilities; and
- schools and colleges;

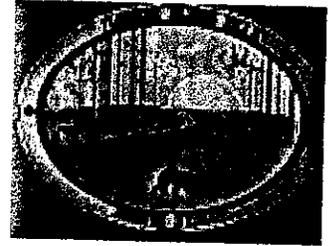


Figure 4: Examples of Directional Signs

**Downtown Gateway Signs.** Staff consulted with the Assistant to the City Manager and Main Street Manager regarding the need for public signs located within the public-right-of-way at key intersections that serve as entryways to Downtown Palatka. Such signs will entice visitors to the downtown as well as providing definition and positive structure for this area. The following standards are recommended:

- only ground signs allowed, permanent structure housing a sign copy area;
- maximum sign height eight feet, maximum size 100 square feet;
- designed to accommodate promotional banners; and
- externally illuminated only!

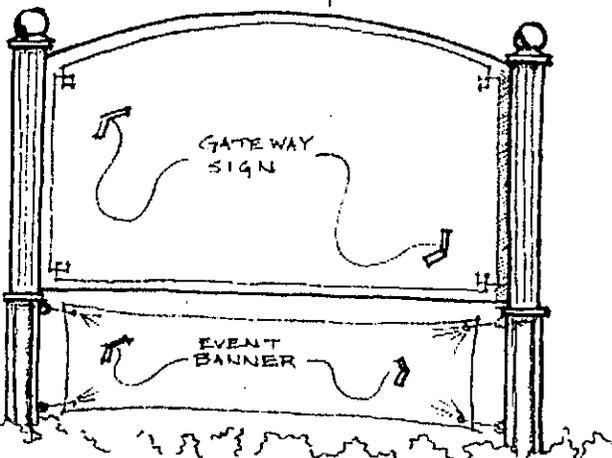


Figure 5: Gateway Sign (courtesy of Jonathan Griffith)

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**Downtown Street Art Signs.** Again recommended after consultation with the Assistant to the City Manager and the Main Street Manager, this sign type is intended to provide an outlet for artists while advertising downtown businesses in a unique manner. Much like the murals, downtown street art has the potential to create a lively, interesting environment to attract shoppers and other visitors. This sign is defined as a private freestanding, three-dimensional, inanimate object that is not merchandise, and is used to attract the attention of potential customers. Examples of street art, enabled by the Sign Code, can be found in downtown Orlando and in the Riverside Avondale historic commercial district of Jacksonville. Local examples of (unpermitted) street art are the "Blues Brothers" located in the 700 block of St. Johns Avenue. Such objects would be allowed in the Downtown Business and Downtown Riverfront District on private property and on sidewalks within the public right-of-way with the following applicable standards:

- objects must be inanimate and non-electrified;
- objects shall not exceed six foot in height 30 square feet;
- one allowed per street address;
- requires a minimum storefront width of 20 feet;
- objects shall not encroach into the right-of-way more than two feet;
- shall not be secured to the tree guards or tree grates or disturb the sidewalk pavement within the right-of-way;
- maximum sign area on objects shall be eight square feet;
- objects shall be constructed of durable materials such as decorative metal, wrought iron, wood with treated edges, or durable plastic, shall have a professional, finished appearance, and shall be maintained in good condition; and
- the use of cardboard, plywood, paper, canvas or similar impermanent material is prohibited



Figure 6: 5<sup>th</sup> Ave., Downtown Naples FL

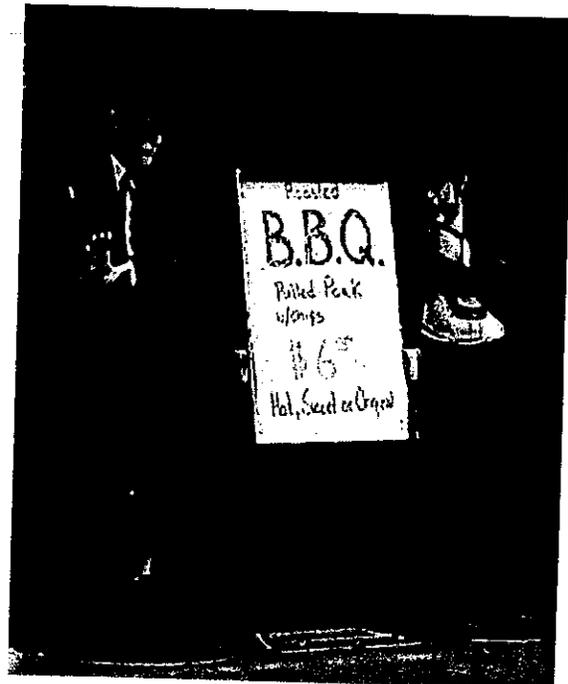


Figure 7: Blues Brothers, St. Johns Ave., Palatka

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**Educational/Interpretative Signs.** Staff consulted with the Assistant to the City Manager and Main Street Manager when determining the need to allow for this sign type. These are public signs located within parks that are meant to educate and draw attention to the significant historical, cultural, and environmental aspects of the City of Palatka, St. Johns River, and Putnam County. Signs are designed for pedestrian viewing and oriented at an angle that is between 45 and 60 degrees. Sign area shall not exceed 20 square feet.



Figure 8: Example of Educational/Interpretative Sign

**Electronic (Changing) Signs:** Changing signs are defined in the Sign Code as: "an electronically or electrically controlled public service time, temperature and date sign, message center or reader board, where different copy changes are shown on the same lamp bank." While not allowed in any zoning district this sign was mistakenly permitted within the City for six businesses in recent years. Electronic signs have proved to be controversial in a number of jurisdictions. The nature of the controversy hinges on two aspects: possible driver distraction caused by jarring colors and moving text of electronic copy (this has led to ongoing studies of these signs by the Federal Highway Administration) and objections pertaining to visual clutter – in particular tied to the bright colors which are at odds with the natural environment and graphic movement displayed within such signs. As of June, 2010 the following jurisdictions had prohibited such signs: Alachua County, Altamonte Springs, Apopka, Atlantic Beach, Broward County, Casselberry, Daytona Beach Shores, Indian River County, Lake Park, Live Oak, North Port, Palm Beach Gardens, Palm Coast, Ponce Inlet, Sarasota County, South Daytona, St. Augustine, and Tallahassee.

Other jurisdictions have not recognized this sign type, and again as of June, 2010 the following jurisdictions allowed such signs with various restrictions: Clearwater, Cocoa Beach, Destin, Escambia County, Holly Hill, Melbourne, New Smyrna Beach, Orange County, Orlando, Ormond Beach, Panama City, Port Orange, Sarasota, Seminole County, Stuart, St. Lucie County, St. Petersburg, Tampa, West Palm Beach, and Winter Park. Standards for electronic signs include the following:

- limiting to a particular use (usually commercial, institutional, and/or public);
- locational (usually along major commercial roadways);
- minimum message time (ranging from five seconds to twice a day);

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- sign size limitation (typically between 20% and 35% of total sign area, and higher percentages for churches and theaters)
- intensity limitations (requiring dimming illumination between dusk and dawn, wattage or footcandle brightness limitation, limiting to a single color on a black background, etc.); and
- movement limitations (prohibition of scrolling, flashing, etc.)

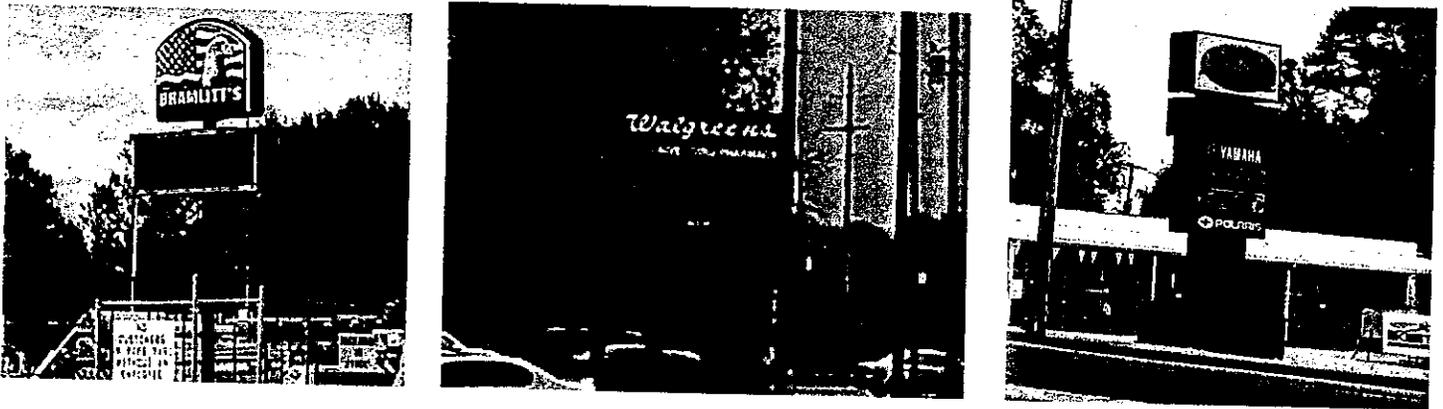


Figure 9: Local Examples of Changing/Electronic Signs

Staff concludes that the following three options are available to the City regarding changing signs:

1. Continue to prohibit new electronic changeable copy signs
2. Allow electronic changeable copy signs with following standards:
  - \* allowed only on major commercial roadways and C-2 zoning
  - \* sign area the lesser of 20 square feet and 25% of total sign
  - \* message change time to not more than one minute
  - \* intensity decreased to 30% of maximum illumination from dusk to dawn
  - \* light emanation no greater than 0.3 footcandles measured 200 feet from the sign
  - \* single color on black background
  - \* no scrolling, flashing, or other movement other than change of text
3. Allow electronic changeable copy signs with no limitations

From Staff's perspective this is a more difficult decision than the changeable copy sign issue. Since there are only six such signs in the City they are not so prevalent so as to compel their approval. However proponents of electronic signs advocate for such signs on the basis of their effective communication, technological superiority, and general modernity. It is Staff's opinion that electronic signs markedly increase visual clutter due to the nature of their visual intensity. The Board may believe differently. Staff recommends Option # 1, but if the Board decides to allow such signs Staff recommends the conditions set forth in Option # 2 to assist in mitigating the impact of such signs.

**Gasoline Price Signs.** This is more of a housekeeping measure intended to recognize existing gas price signs. Staff recommends that one gasoline price sign be permitted per gasoline station to provide the price of gasoline only and should not exceed 16 square feet in area per side. The sign shall be affixed to a permanent

sign structure or to a building;

**Menu Pricing Sign.** This changeable copy sign is used in pairs for drive-through restaurants for the purpose of displaying a menu selection/pricing board. This sign is located in the area between the building and the drive-through lane and is not noticeably visible from a public right-of-way; typically with a sign face that does not exceed 25 square feet and shall not exceed a height of 7 feet. This sign should also not be considered in the limitation of two signs per business.

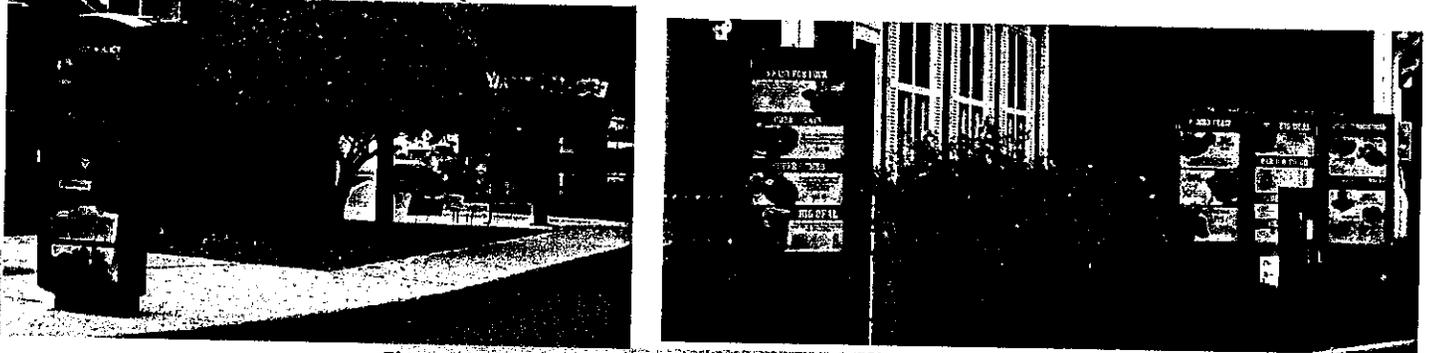


Figure 10: Examples of Menu Pricing Signs

**Owner Identification Sign.** The Sign Code defines this sign type as "any sign where the matter displayed is used principally to indicate the name or character of the primary use." Owner identification signs are excluded from the limitation of not more than two (permitted) signs per property (Sec. 62-5). Given the large sign size allowed (96 square feet for freestanding signs and signs attached to buildings and 200 square feet for wall signs), Staff does not support this exclusion as the business name or logo is usually the main part of a sign in any case. Staff recommends eliminating the exclusion of the owner identification sign from Sec. 62-5.

**Promotional Banners.** Temporary banners are currently only allowed in association with special events 30 days prior to event, must be on temporary structures, and require 8' feet of vertical clearance above sidewalk). After consulting with the Assistant to the City Manager and Main Street Manager Staff proposes the following additional standards intended to provide clarity and structure for banner use:

- banners are allowable in Downtown Business and Downtown Riverfront zoning districts;
- Banners allowed in commercial zoning district in conjunction with grand opening and going out of business, limited to 45 days duration;
- banners are allowable for special events and public purpose;
- allowable locations are: in conjunction with downtown gateway signs; not more than two above-the-street banners located on St. Johns Ave., and a single location within Riverfront Park;
- light pole banners are allowed along St. Johns Avenue and Reid Street; limited to not more than 25 square feet; and
- banners shall be professionally made and composed of durable and weather-resistant material such as canvas, cloth, or similar materials;
- banners on buildings are prohibited;

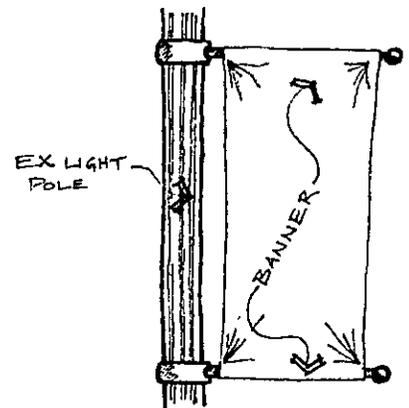


Figure 11: Example of Banner (Courtesy of Jonathan Griffith)

(Sign Definitions and Standards, Allowing PUDs in PB & OPF Districts, Parking Exemption for Single Residential Uses in Downtown Zoning Districts, Reduction of Required Parking Space Size)

**Wall Sign Prohibition in Certain Zoning Districts.** For reasons unknown, the Sign Code limited wall signs to the C-1, C-2, C-3, and M-1 zoning districts. This prevents its use in downtown and public zoning districts, where such signs are commonly found and are appropriately located. Staff recommends eliminating this prohibition.

**Landscaping around signs.** Unlike the sign codes of most other jurisdictions, the City's code does not require any landscaping around signs. Landscaping effectively frames signs and provides an attractive entry point for a business, and also "softens" the appearance of signs, particularly with large and tall signs allowed in the City. Staff recommends a simple standard that requires landscaping areas around the base of the sign, sized at or above the square footage of the sign to be installed, and including shrubs and groundcover plants.



Figure 12: Examples of Signs With and Without Landscaping



Request to Amend Municipal Code  
(Sign Definitions and Standards, Allowing PUDs in PB & OPF Districts, Parking Exemption for Single Residential Uses in  
Downtown Zoning Districts, Reduction of Required Parking Space Size)

## APPLICATION BACKGROUND

### Sign Standards

Staff recommends the following changes to the Sign Code for the following signs, continuing the agenda presented by the Board at its October meeting:

*Banner Sign.* Section 62-1 defines these signs as "any sign(s) possessing characters, letters, illustrations or ornamentations applied to cloth, paper or fabric of any kind, either with or without a frame." As described in Municipal Code Sec. 50-244 (Special Events) banners are currently only allowed in association with special events 30 days prior to event, must be on temporary structures, and require 8' feet of vertical clearance above sidewalk). Other than these types of temporary banners, the Code does not allow banners (including Grand Opening, Going Out of Business, and Promotional Sales banners, as well as public/quasi public banners not part of Special Events that announce various events or activities.) Recognizing that such banners have been allowed in the past, providing affordable recognition for small businesses and public notification for civic and other events, Staff recommends revising the definition to exempt such signs from regulation. However to provide protection from excessive visual clutter Staff recommends that banners be placed only on buildings and existing signs (not changing the current allowance that Special Events banners can be on temporary structures), that banners not exceed 50 square feet and that banners be composed of durable and weather-resistant material such as canvas, cloth, heavy plastic, or similar materials. Additionally Staff recommends the definition be revised to identify banner signs as temporary signs.

*Bulletin board sign.* This sign type, recommended for approval at the October meeting, would be defined as a sign structure intended and reserved for the posting of temporary notices by individuals or public or quasi-public organizations, clubs, and the like, and is allowed in downtown zoning districts.

*Downtown gateway sign.* This sign type, recommended for approval at the October meeting, would be defined as a sign structure intended to provide an entrance feature to the downtown business district, and would allowed in downtown zoning districts.

*Downtown street art sign.* This sign type, recommended for approval at the October meeting, would be defined as a private freestanding, three-dimensional, non-moving object that is not merchandise, is used to attract the attention of potential customers, and is allowed in downtown zoning districts.

*Educational/interpretative sign.* This sign type, recommended for approval at the October meeting, would be defined as a Public signs located within parks or within City right-of-way meant to educate and draw attention to the significant historical, cultural, and environmental aspects of the City of Palatka, St. Johns River, and Putnam County. This sign type is allowed in downtown zoning districts and in the Recreation and Open Space zoning district.

*Gasoline price sign.* This sign type, recommended for approval at the October meeting, would be defined as a sign indicating the price of gasoline at service stations, and would be allowed in commercial zoning districts.

(Sign Definitions and Standards, Allowing PUDs in PB & OPF Districts, Parking Exemption for Single Residential Uses in Downtown Zoning Districts, Reduction of Required Parking Space Size)

**Menu pricing boards.** This sign type, recommended for approval at the October meeting, would be defined as an illuminated freestanding changeable copy sign intended to display a menu selection/pricing board for restaurant drive-up windows located in the area between the building and the drive-through lane. This sign would be allowed in commercial zoning districts.

**Owner Identification Sign.** The Sign Code defines this sign type as "any sign where the matter displayed is used principally to indicate the name or character of the primary use." Owner identification signs are excluded from the limitation of not more than two (permitted) signs per property (Sec. 62-5). Given the large sign size allowed (96 square feet for freestanding signs and signs attached to buildings and 200 square feet for wall signs), Staff does not support this exclusion as the business name or logo is usually the main part of a sign in any case. Staff recommends eliminating the exclusion of the owner identification sign from Sec. 62-5.

**Maximum Sign Size Clarification.** Sign Code Section 62-4 states that "no commercial advertising sign (excluding billboards) will be permitted to be erected having a square foot area of advertising surface showing in any one direction more than 96 square feet, and there shall be no more than two such signs on a lot having a 200-foot front footage." The two-sign limitation is not enforceable since the definition of a sign is sufficiently vague ("any letter, figure, character, mark, plane, point, marquee sign, design, poster, picture, stroke, stripe, line, trademark or reading matter or illuminated service, which shall be constructed, placed, attached, painted, erected, fastened or manufactured in any manner whatsoever") to definitively determine if a sign is an individual component sign as shown in the photo to the right or if a sign is the collective unity of several such component signs. Staff in the past has interpreted this in the latter manner, which makes a case for spelling this out more clearly.



: Sign Structure with Multiple Signs

A second issue is the reference to the two-sign limitation on a lot having a 200-foot frontage – is this a lot with exactly 200 feet of frontage, or a lot that is greater (or less) than 200 feet of frontage? And what is the case for lots over 200 feet of frontage? Can they have unlimited signs or no signs? There does not appear to be consistency in the sign permitting process to determine patterns. Staff believes that it is a logical limitation for smaller lots to have one sign, and larger lots to have two, so there is a need to clarify this as well.

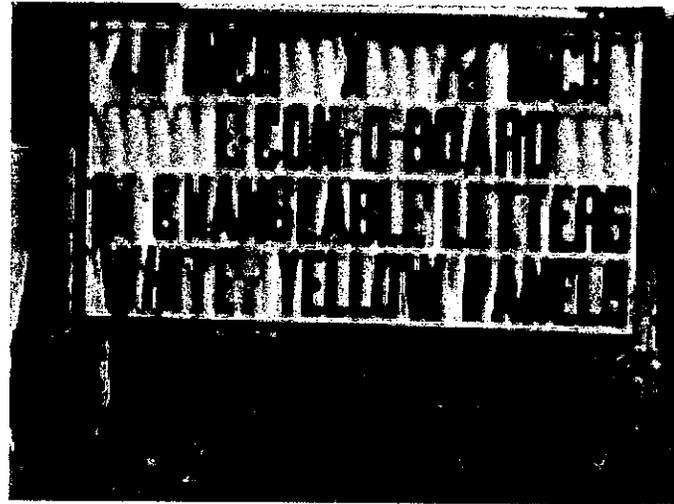
A third problem with the two-sign limitation is that window signs and wall signs are also considered signs, and with this limitation a business could not have the standard combination of pole or ground sign, wall sign, and window sign. Staff proposes to clarify that the two-sign limitation does not apply to window signs.

In summary Staff proposes to amend this section to state that the two-sign limitation refers to sign structures, is for lots with less than 200 feet of frontage, and does not include window signs.

(Sign Definitions and Standards, Allowing PUDs in PB & OPF Districts, Parking Exemption for Single Residential Uses in Downtown Zoning Districts, Reduction of Required Parking Space Size)

**Wall Sign Prohibition in Certain Zoning Districts.** For reasons unknown, the Sign Code limits wall signs to the C-1, C-2, C-3, and M-1 zoning districts. This prevents its use in downtown and public zoning districts, where such signs are commonly found and are appropriately located. Staff recommends eliminating this prohibition.

**Portable Signs Prohibition.** Sign Code Section 62-14 allows portable signs in commercial zoning districts and also in the M-1 Light Industrial zoning district. These signs are allowed for new businesses for 90 days, or until a new sign is installed, whichever comes first. Businesses can also use these signs for promotional purposes up to 90 days. There are no limitations on the size of such signs. The City has rarely issued permits for such signs, indicating a low demand. Staff believes that these signs are unattractive and add to general visual clutter. Allowing banners as previously discussed would meet the need for temporary business signs. Given the appearance problem and the lack of interest by businesses in such signs, staff recommends deleting Sec. 62-14, which would result in the prohibition of these signs.



*n Example*

**Landscaping around signs.** Unlike the sign codes of many other jurisdictions, the City's code does not require any landscaping around signs. Landscaping effectively frames signs and provides an attractive entry point for a business, and also "softens" the appearance of signs, particularly with large and tall signs allowed in the City. Staff recommends a simple standard that requires landscaping areas around the base of the sign, sized at or above the square footage of the sign to be installed, and including shrubs and groundcover plants.



Figure 3: Examples of Signs Without and With Landscaping