

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

ORDINANCE NO. 12 - 43

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA AMEND ZONING CODE SEC. 94-251 TO ALLOW FOR AN EXCEPTION TO THE REQUIREMENT THAT ALL PARKING AND LOADING AREAS BE PAVED, REQUIRING THAT SUCH EXCEPTIONS DO NOT RESULT IN INCREASED ON AND OFF-SITE FLOODING; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, all the necessary procedural steps have been accomplished, including a public hearing before the Planning Board of the City of Palatka on August 7, 2012, and two public hearings before the City Commission of the City of Palatka on September 27, 2012, and October 11, 2012; 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 shall be amended as follows.

Section 94-261(c)(1) - Parking and loading area surfaces.

All parking and loading areas shall be surfaced with asphalt, concrete, brick, or other similar material as approved by the building official. Prohibited materials and surfaces for parking and loading areas include, but are not limited to, grass, tree bark, sawdust, pine needles, leaves, gravel, stones, sand, and mulch. Upon request by the property owner for which the paving is required an exception to the paving requirement may be granted by the building official, on a case by case basis, for a proposed use that occurs on a developed non-residential site that does not require new construction or expansion of existing building footprint and parking area by more than 10%. The property owner shall clearly demonstrate that paving of the parking area would require construction of stormwater retention or detention facilities for which there is not adequate available space within the site to construct. The property owner shall also take actions as a condition of permit approval to limit increased offsite transport of stormwater and sediments while also providing for some level of on-site retention or detention. Site design shall comply with the landscape code and shall include provisions that

limit flooding impacts such as perimeter berms, swales, vegetated strips, underground stormwater storage, or other practices. The Building Official may opt to retain a licensed professional civil engineer to ensure that on and off-site flooding is minimized, with such efforts funded by the property owner.

In addition, parking areas in excess of the minimum required spaces and required aisles and areas as established in this code may be surfaced with grass typically used for permanent lawns in the city. Such excess parking (in all zoning districts) must receive approval from the planning board as a conditional use. If approved, all such parking areas must be maintained in a well-graded fashion and if such grass ceases to grow, then paving of such an area in accordance with this section will be required.

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

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

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

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 11th day of October, 2012.

CITY OF PALATKA

BY: 

Its **MAYOR**

ATTEST:


City Clerk