

ORDINANCE NUMBER 60-04-15

AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, FLORIDA, ADOPTING ORDINANCE NUMBER 60-04-15, WHICH SHALL AMEND CHAPTER 17 OF THE CODE OF ORDINANCES, SIGNS AND ADVERTISING STRUCTURES, AS PREVIOUSLY ADOPTED AND AMENDED THROUGH ORDINANCE NUMBER 60-03-13; TO ADD NEW SECTION 17-29 (a) (3) v.; PROVIDING FOR RECORDATION AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the City Commission for the City of Atlantic Beach recognizes that the Central Business District Zoning District, specifically that area known as Town Center, is a unique environment unlike other commercial corridors within the City of Atlantic Beach, which contain uses and development patterns oriented primarily to vehicular traffic, and

WHEREAS, the Central Business District Zoning District and the Town Center area is a commercial environment, where the activity is largely pedestrian, where tourists and visitors to the City are more frequent, and where buildings are of a more urban context and generally located at the edge of the public right-of-way with limited opportunity to install Freestanding Signs, and

WHEREAS, the purpose of this amendment is to provide appropriate and consistent signage for the Central Business District Zoning District and the Town Center area, recognizing the scale, context and the unique pedestrian and tourism environment of this particular area of the City.

WHEREAS, after required notice was published, first reading of this proposed Ordinance held on the 13th day of December, 2004 at 7:15 p.m., and a public hearing was held on the 10th day of January, 2005 at 7:15 p.m. to hear and enact said amendment to Chapter 17 of the Code of Ordinances for the City of Atlantic Beach.

SECTION 1. All Recitals and Findings of Fact made part of Ordinance 60-04-15 are hereby incorporated by reference.

SECTION 2. Chapter 17, Signs and Advertising Structures, Article III, Signs Permitted, of the Code of Ordinances for the City of Atlantic Beach, Florida is hereby amended to create new sub-paragraph v. within Section 17-29 (a) (3), and upon enactment shall read as follows.

Section 17-29 (a)

(3) In lieu of the above-described Fascia Signs, a business or Permitted Use may install a single Bracket Sign or a single Marquee Sign in accordance with the following provisions.

- i. Size permitted: The maximum size of a Bracket Sign or a Marquee Sign shall be determined in the same manner as a Fascia Sign, provided that no such Sign shall have more than sixty (60) square feet of projected Sign Face Area.
- ii. There shall be not more than twelve (12) inches of clear space adjacent to the Building wall, and such Signs shall not extend or project from the face of the Building more than ten (10) feet.
- iii. No portion of such Sign shall extend above the height of the roof.
- iv. No portion of such Sign shall be closer than eight (8) feet to any sidewalk or pedestrian walkway, and no closer than five (5) feet from any Street side property line. All such Signs shall be securely anchored to a wall and shall in no manner be connected to or suspended from the roof of any Building.
- v. Within the Central Business District, and in addition to other permitted Signs, Uses limited only to retail establishments and restaurants, cafés and coffee shops may install a single Bracket Sign extending above a public sidewalk or pedestrian walkway. The purpose of this provision is to provide appropriate and consistent signage for the unique pedestrian environment of the Town Center area. Such Signs shall be located only in accordance with following provisions and upon issuance of a Sign Permit.
 - (a) May be located only above first floor entryways or first floor windows with no portion of the Sign Display Area exceeding ten (10) feet above the established grade of the adjoining sidewalk or walkway;
 - (b) shall provide minimum vertical clearance of eight (8) feet above the sidewalk or walkway;
 - (c) shall provide minimum clearance of six (6) inches from the building façade;
 - (d) shall be separated from any other such Sign by a minimum distance of twenty (20) feet;
 - (e) shall not exceed three (3) feet in horizontal width and two (2) feet in vertical depth;
 - (f) shall give the appearance of traditional wood routed or sandblasted Signs. Materials such as HDU (high density urethane), recycled HDPE (High Density Poly Ethylene) plastics, which give a similar appearance, shall be acceptable substitutes.
 - (g) shall be externally illuminated only and shall contain no electrical components; and
 - (h) shall create no safety hazard or obstruction to public's use of the sidewalk or walkway as determined by the Director of Public Safety.

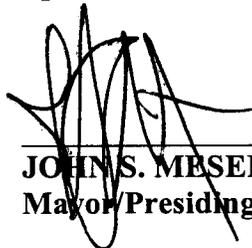
SECTION 3. In the case that any section, subsection, paragraph, phrase or sentence of this Ordinance or Chapter 17, Signs and Advertising Structures, as previously amended, shall for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity and lawfulness of the remaining portions of this Ordinance or any part of Chapter 17, Signs and Advertising Structures.

SECTION 4. This Ordinance shall be recorded in a book kept and maintained by the Clerk of the City of Atlantic Beach, Duval County, Florida, in accordance with Section 125.68, Florida Statutes.

SECTION 5. This Ordinance shall become effective on the date passed and enacted by final reading.

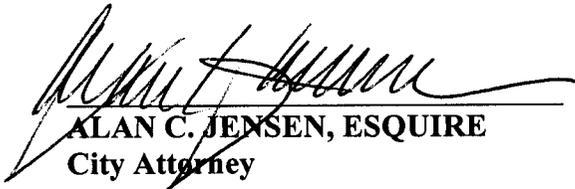
NOW THEREFORE, upon finding that this proposed Ordinance and the amendment set forth herein is consistent with the adopted Comprehensive Plan, specifically Objective A.1.11.1 (c), describing the Central Business District, and also consistent with Section 24-114 (a) of the Land Development Regulations, establishing the intent and standards for the Central Business District, be it hereby enacted by the City Commission on behalf of the people of the City of Atlantic Beach, Florida.

Passed on first reading by the City Commission of the City of Atlantic Beach this 13th day of December, 2004. Passed on final reading and public hearing this 10th day of January 2005.



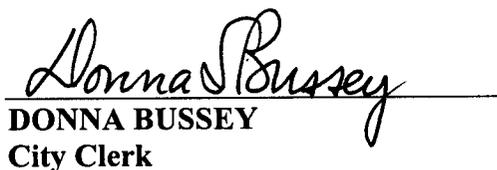
JOHN S. MESERVE
Mayor/Presiding Officer

Approved as to form and correctness:



ALAN C. JENSEN, ESQUIRE
City Attorney

Attest:



DONNA BUSSEY
City Clerk