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MEMORANDUM

DATE: January 9, 2017

TO: Mark Berman, City Attorney

FROM: Max Wemyss, CRA/RMA Planning and Urban Design Assistant
Natasha Alfonso-Ahmed, RMA Urban Design Director

THRU: Kim Briesemeister, CRA Executive Director
Chris Brown, CRA Executive Director

RE: Sign Code – § 156 Proposed Amendments

Thank you for sharing the draft amendments with the CRA. We have provided the comments below for your consideration. Should you have any questions on the comments, we are readily available to respond so this may be completed in a timely manner.

CRA Comments on Sign Code Amendments:

1. It is necessary to see the Appendix A for the diagrammatic examples of the sign types. This has not been received.
2. Where are we restricting “free form” signage such as a KFC Bucket where there are protrusions from the sign box? Architectural embellishments and framing elements aren’t limited/defined.
3. The CRA would like to be added in 156.02.C so that it states “This chapter does not regulate government signs on property owned by the City, Community Redevelopment Agency, Broward County or the State of Florida.
4. In a previous conversation with Natasha and Karen, it was the CRA’s understanding that we cannot allow A-frame signs for restaurants only and not other businesses because we would be discriminating and that’s the basis for the lawsuits. If this is not the case, the CRA would support permitting A-Frame signage within the TO and AOD for Restaurants only? Perhaps there can be incorporated into the permit for a sidewalk café?

5. Definitions:

A-FRAME SIGN. ~~A moveable sign not permanently affixed or attached to the ground as required by this chapter~~ A temporary sign that is supported by its own frame forming the cross-sectional shape of an A. This shall include, but is not limited to, sandwich and sidewalk signs oriented for pedestrians. See Figures 1 and 2 in Appendix A as illustrative examples.

A-Frame. Is it classified as a “Temporary Sign”? It is described as temporary in the definition for an A-Frame. The definition of a Temporary Sign is one that can be displayed for only 90 days. 156.09 Temporary Signs says signs shall (misspelled) not be “placed in such a way as to interfere with vehicle or pedestrian traffic.” Definition of A-Frame includes “sidewalk signs oriented for pedestrians. Appears contradictory. A-Frame is not included in Table 156.13: Standards for Temporary Signs.

MURAL. Any non-commercial picture or graphic design painted on or otherwise ~~Artwork~~ applied to ~~cover all or substantially all of the exterior of fence or wall of a building or structure,~~ or painted on or otherwise applied to cover all or substantially all of the interior or exterior of a window or group of windows. ~~that covers all or substantially all of the wall and depicts a scene or event of natural, social, cultural, or historic significance.~~ Murals with commercial messages exceeding 5% of the total mural area determined by the Zoning Administrator to be advertising are subject to the regulations for wall signs, and shall be considered a sign and shall be included in the calculations of allowable sign area for wall signs, ~~unless otherwise permitted in this chapter.~~ See Figure 23 in Appendix A as an illustrative example.

Should not allow to cover exterior of windows. These are not murals they are applied films on the glass. The building on Atlantic Blvd with the drawbridge is an example of something we don’t want because it obscures the visibility into the business and creates inactive street fronts. In order to ensure that these signs are not misused, the following statement for murals (which is currently in **156.08 OVERLAY DISTRICTS.**) should be added to the definition:

“In general, they should perform a public art function, with commercial messages limited to no more than 5% of the total mural area.”

LANDMARK SIGN. A sign that, by its construction material, ~~unusual age, prominent location, unique design or craftsmanship from another period, contributes to the cultural, historic or aesthetic quality of the city's streetscape.~~ meeting the requirements of Section §156.20 for designation as a Landmark Sign.

Section 156.2 has been deleted. Change reference.

MARQUEE. A permanent structure other than a roof, attached to, supported by, and projecting from a building and providing protection from the elements. ~~For the purposes of this chapter, a Includes a free-standing, permanent, roof-like structure providing protection from the elements, such as a service station gas pump island, will also be considered a~~ **MARQUEE.**

Marquees don’t always extend that far out to provide protection from the elements. Will there be a minimum distance the sign will be required to project outwards to provide protection?

6. 156.08 Overlay Districts, (A) AOD, includes Sidewalk signs such as Case Signs and A-Frames. However, 156.12 Prohibited Signs (X) states that A-Frame Signs are prohibited in the TO and AOD.

§ 156.08 OVERLAY DISTRICTS.

(6) *Sidewalk sign.* This type of sign includes movable **A-frame signs** and ~~menu~~ case signs, and is intended to accent a lively, pedestrian streetscape.

§ 156.12 PROHIBITED SIGNS.

(X) Signs prohibited in Transit Oriented (TO) and Atlantic Boulevard Overlay (AOD) Districts.

- (1) Signs with iridescent or day-glow colors or signs with reflective material.
- (2) **A-Frame Sign.**
- (3) Changeable Copy Sign, including Manual and Automatic.
- (4) Cabinet Sign.
- (5) Pylon Signs.
- (6) Painted Sign.
- (7) Temporary Window Sign.

7. It is unclear why there are two separate sign programs. Are there different requirements for each based on use? If so, it is unclear what the requirements are for the master sign program. The words Plan and Program are used interchangeably and it is unclear what is intended.

Please keep in mind that there is multi-tenant mixed use, multi-tenant nonresidential developments and shopping centers in the DPOD and EOD. In the DPOD and EOD the sign program should be the same, regardless of use, as we are trying to establish uniformity for all buildings. We should probably require a master/uniform sign program for all multi-tenant mixed use, multi-tenant nonresidential developments and shopping centers in the DPOD and EOD, not just those abutting arterials or collectors, to ensure consistency throughout the districts.

MASTER SIGN PROGRAM. Required sign criteria for multi-tenant mixed use and multi-tenant nonresidential developments that abut a designated arterial or collector road as defined by the County Trafficways Plan and exceed 5,000 square feet of floor area.

UNIFORM SIGN PROGRAM. Required sign criteria for shopping centers and multi-tenant industrial developments that abut a designated arterial or collector road as defined by the County Trafficways Plan and exceeds 5,000 square feet of floor area. See Figure 16 in Appendix A as an illustrative example.

8. Prohibited Signs in AOD: Below is existing language. Existing language prohibits message center signs. New language does not include this sign type in the prohibited list and only addresses changeable copy (manual and automatic). Is adding “automatic” intended to prohibit message center signs? There is a definition for message center signs and not listing it will imply it is permitted.

Existing code:

~~(8) *Prohibited signage.* In addition to the signs prohibited in Chapter 156, the following sign types shall be prohibited in the AOD.~~

- ~~(a) Large or illuminated signs behind the glass storefront that advertise on a permanent basis.~~
- ~~(b) Applied window signs, such as cardboard panels.~~
- ~~(c) Signs with iridescent or day-glow colors.~~
- ~~(d) Change of copy signs, except as when associated with a community facility related use, such as fire stations, civic centers, library and religious institutions.~~
- ~~(e) Message center signs, moving boards, or similar electronic signs may not be mounted on a building or on the site except when associated with community facility related uses, such as fire stations, civic centers, libraries and religious institutions and subject to the approval of the Architectural Appearance Committee.~~

Proposed code:

(X) Signs prohibited in Transit Oriented (TO) and Atlantic Boulevard Overlay (AOD) Districts.

- (1) Signs with iridescent or day-glow colors or signs with reflective material.
- (2) A-Frame Sign.
- (3) Changeable Copy Sign, including Manual and Automatic.
- (4) Cabinet Sign.
- (5) Pylon Signs.
- (6) Painted Sign.
- (7) Temporary Window Sign.

9. Signs not required to get a permit: Commercial banners are not required to get a sign permit provided they meet size requirements and time restrictions. Below is definition of banner. We should not permit these types of signs to be erected without a permit because who will enforce these restrictions? They are already happening everywhere and they clutter. Table 156.13 13 does not indicate if a sign permit is or is not required as it does for other temporary signs.

BANNER. Any sign which is made of or ~~having the characters, letters, illustrations, or ornamentations~~ applied to cloth, paper, balloons or other air-filled or gas-filled figure or shape, or fabric of any kind with only material for foundation.

- (H) One commercial banner not exceeding 24 square feet in size on premises that are at least 10,000 square feet of land in any non-residential zoning district, or one commercial banner not exceeding 12 square feet in size on premises that are at least 5,000 square feet of land in any non-residential zoning district.