

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 155.2413, "ZONING COMPLIANCE PERMIT," TO MODIFY SIGN REGULATION STANDARDS; AND AMENDING CHAPTER 156, "SIGN CODE," BY AMENDING SECTION 156.13, "SIGN CODE COMPLIANCE PERMIT SUBMITTAL AND APPROVAL AND REQUIREMENTS," TO MODIFY SIGNAGE RELATED PROVISIONS; AND BY AMENDING SECTION 156.14, "SIGNS AND ACTIVITIES NOT REQUIRING SIGN CODE COMPLIANCE PERMIT," TO CLARIFY PERMIT PROCESSING REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 155.2413, "Zoning Compliance Permit," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

§ 155.2413 ZONING COMPLIANCE PERMIT.

...

B. APPLICABILITY

A zoning Compliance Permit is required before issuance of a Building Permit and before any other development except a mere change in use requiring a Zoning Use Certificate or development authorized only by a Sign Code Permit, Tree Permit or Temporary Use Permit.

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SECTION 2. That Section 156.13, “Sign Code Compliance Permit Submittal and Approval and Requirements,” of the Pompano Beach Code of Ordinances is hereby amended as follows:

§ 156.13 SIGN CODE COMPLIANCE PERMIT SUBMITTAL AND APPROVAL AND REQUIREMENTS.

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(1) *Sign code ~~compliance~~ permit fees.* Fees shall be paid in accordance with the fee schedule provided in the Zoning Code, Appendix C (Fee Schedule).

(2) *Sign code ~~compliance~~ permit tags.* Sign code ~~compliance~~ permit tags, which shall include the address of the property on which the sign is located, permit number, date installed, and the name of the installation company or person, shall be affixed to each new sign permitted pursuant to this chapter. Sign code compliance permit tags shall be affixed in a location readily visible on the sign and shall be supplied by the installation company or person.

(3) *Sign code ~~compliance~~ permit approval.* Approval by the Development Services Department shall be based on evidence of compliance with applicable standards in this chapter, any signage related provisions required by Chapter 155, Zoning Code, (and in an approved master sign program, if applicable).

(B) *Sign code compliance permit application submitted requirements.*

(1) *Application submittal.* Before any sign code compliance permit is issued, a written application, in the form provided by the city, shall be filed, together with such drawings and specifications as are necessary to demonstrate that the sign complies with the requirements of this chapter and any signage related provisions required by Chapter 155, Zoning Code, including but not limited to the location, construction, materials, manner of illuminating, method of securing or fastening, the number of signs

applied for, any existing signs on the premises, and the consent of the property owner. Applications for freestanding and projecting signs shall also include a fully dimensioned ~~plot~~ site plan, to scale, indicating the proposed height of the sign(s) and the property lines, rights-of-way, streets, sidewalks, overhead utility lines, parking areas, and any building or structures on the premises, details of the surrounding landscaping, and a sealed survey of the property on which the sign is to be displayed.

(2) *Determination of complete application.* All sign code compliance permit applications shall be submitted to the Development Services Department. Upon the submission of a sign code compliance permit application, the city shall have ten days to determine whether the application ~~it~~ is complete. If the city finds that the application is not complete, the city shall provide the applicant with written notice of the deficiencies within the ten-day period. Upon resubmission of the application, the city shall have ~~five~~ ten additional days to determine whether the applicant's revisions are sufficient to complete the application. If they are not, the city will again inform the applicant of any remaining deficiencies in writing. This process shall continue until the applicant has submitted a complete application, or demands that the application be reviewed "as is."

(3) *Permit approval or denial.* The city shall approve or deny the sign code compliance permit based solely on whether it complies with the requirements of this chapter, and any signage related provisions required by Chapter 155, Zoning Code. The city shall approve or deny the sign code compliance permit within 30 days after receipt of a complete application. In the event that the Development Services Department fails to timely render a final determination on a sign code compliance permit application, the applicant may erect and maintain the sign proposed in the application.

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SECTION 3. That Section 156.14, "Signs and Activities not requiring Sign Code Compliance Permit," of the Pompano Beach Code of Ordinances is hereby amended as follows:

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(A) Changing the copy of a sign, bulletin board, case sign, or marquee where no structural or electrical changes are made, or the changing of interchangeable letters on sign designed and intended for use of interchangeable letters. Nonconforming signs that are required to be brought into compliance in accordance with § 156.17 must obtain an approved sign code permit.

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SECTION 4. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 5. This Ordinance shall become effective upon passage.

PASSED FIRST READING this _____ day of _____, 2019.

PASSED SECOND READING this _____ day of _____, 2019.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

MEB/jmz
5/8/19
L:ord/ch155/2019-182