

Legislation Text

File #: 17-205, **Version:** 1

P.H. 2017-30: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, PROVIDING FOR AMENDMENT OF THE SIGN CODE, CHAPTER 156, "SIGN CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES; BY AMENDING SECTION 156.01, "PURPOSE," AND SECTION 156.02, "SCOPE," TO MODIFY, ENHANCE AND CLARIFY THE PURPOSE AND SCOPE OF THE CITY'S SIGN CODE; BY AMENDING SECTION 156.03, "DEFINITIONS," TO MODIFY, ADD AND DELETE DEFINITIONS; BY AMENDING SECTION 156.04, "GENERAL REQUIREMENTS," TO MODIFY VARIOUS REQUIREMENTS FOR CERTAIN SIGNAGE; BY AMENDING SECTION 156.05, "SINGLE- AND TWO-FAMILY DISTRICTS," SECTION 156.06, "MULTIPLE-FAMILY DISTRICTS," SECTION 156.07, "BUSINESS, COMMERCIAL, INDUSTRIAL DISTRICTS," AND SECTION 156.08, "OVERLAY DISTRICTS," TO MODIFY REGULATIONS FOR SIGNAGE LOCATED WITHIN THOSE ZONING DISTRICTS; BY AMENDING SECTION 156.09, "NON-COMMERCIAL SIGNS," BY RE-TITLING AND MODIFYING SECTION TO INCLUDE STANDARDS FOR TEMPORARY SIGNS; BY AMENDING SECTION 156.10, "CONSTRUCTION AND DEVELOPMENT SIGNS," AND SECTION 156.11, "SPECIAL EXCEPTIONS," TO DELETE CURRENT LANGUAGE AND RESERVE SAID SECTIONS; BY AMENDING SECTION 156.12, "PROHIBITED SIGNS," TO MODIFY THE DESIGNATION OF SIGNS NOT PERMITTED IN THE CITY; BY AMENDING SECTION 156.13, "PERMIT REQUIRED," SECTION 156.14, "PERMIT EXEMPTIONS FROM ZONING APPROVAL," SECTION 156.15, "FEE SCHEDULE," AND SECTION 156.16, "INSPECTIONS," TO MODIFY REFERENCES, REQUIREMENTS AND PROCEDURES FOR SIGNAGE IN THE CITY; BY AMENDING SECTION 156.17, "NONCONFORMING SIGNS," BY MODIFYING AND RESTATING REQUIREMENTS FOR NONCONFORMING SIGNAGE; BY AMENDING SECTION 156.18, "PERMIT TAGS," SECTION 156.19, "TEMPORARY BANNERS," AND SECTION 156.20, "LANDMARK SIGNS," BY DELETING CURRENT LANGUAGE AND RESERVING SAID SECTIONS FOR FUTURE USE; BY AMENDING SECTION 156.21, "SIGNS ON VEHICLES OR EQUIPMENT," TO MODIFY REQUIREMENTS FOR SIGNAGE ON VEHICLES AND EQUIPMENT; BY AMENDING SECTION 156.22, "SUBSTITUTION OF NONCOMMERCIAL SPEECH AND SEVERANCE," TO MODIFY THE SECTION TO REVISE REFERENCES; BY AMENDING SECTION 156.23, "TEMPORARY REPLACEMENT SIGNAGE," SECTION 156.24, "UNIFORM SIGN PROGRAM," AND SECTION 156.25, "GASOLINE STATIONS," BY DELETING CURRENT LANGUAGE AND RESERVING SAID SECTIONS FOR FUTURE USE; BY AMENDING SECTION 156.26, "SIGNS ON RIGHT-OF-WAY," TO RE-TITLE AND MODIFY VARIOUS ENFORCEMENT PROVISIONS OF THE CITY'S SIGN CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: FEBRUARY 14, 2017

(Staff Contact: Karen Friedman/Robin Bird)

Summary Explanation/Background:

On 10/30/2015 Rocket Outdoor Advertising, LLC filed a law suit in the United States District Court against the City with a two-count Complaint alleging federal and state constitutional violations, including the First

Amendment (freedom of speech) and Fourteenth Amendment (equal protection). The City hired outside counsel to address the provisions of Ch. 156, Sign Code, that may have contributed towards the alleged constitutional violations, including content based regulations and sign permitting procedures. The proposed text amendments to Ch. 156 also include issues identified by Staff, including format improvements to improve user-friendliness and minor revisions to ensure consistency with Zoning Code terminology. The text amendments were unanimously recommended by the Planning and Zoning Board at their 01/25/2017 hearing. The P&Z Board did request additional information and Staff will be present this information at the 02/22/2017 P&Z Board hearing.

Origin of request for this action: Development Services Department

Fiscal impact and source of funding: N/A