

REQUEST: Amendment to the City's Unified Land Development Regulations ("ULDR"); proposed revision to Section 47-22.3.C. Banner Signs; providing an exception to the prohibition on banner signs, revising the application requirements, modifying limitations on the period of time and locations for the display of banner signs, and allowing for posting of an annual refundable deposit associated with the cost of removal of banner signs.

Case Number	10T13
Applicant	City of Fort Lauderdale
ULDR Sections	47-22.3.C Banner signs
Notification Requirements	10-day legal ad
Action Required	Recommend approval or denial to City Commission
Authored By	Anthony Greg Fajardo, Zoning Administrator 

BACKGROUND/DESCRIPTION:

The City of Fort Lauderdale Unified Land Development Regulations (ULDR) permit banner signs in association with City co-sponsored events, as outlined in sub-section 47-22.3.C, subject to the following limitations:

- Banner signs must be associated with a non-profit organization or a recognized civic organization;
- Banner signs may only be displayed for up to two-weeks, as approved by the City Commission (unless the event lasts longer than 14-days);
- Banners are limited to specific locations within the City; and,
- A refundable deposit, associated with removal of the signs, must be paid to the City according to the number of banner signs displayed.

To address requests and concerns voiced by members of the public regarding the limitations listed above, staff developed proposed amendments to the ordinance that would expand existing Banner Sign limitations, while continuing to protect public interests. The proposed amendments to the ordinance are provided as **Exhibit 1**, and are summarized as follows:

- Currently non-profit organizations and City-recognized civic associations are the only entities that may apply to display banner signs associated with events. This provision excludes opportunities for other entities and events that do not meet the criteria. As an example the International Boat Show, which has occurred regularly over the years and will host its 54th annual boat show exhibition this year, does not qualify under the existing criteria.

Staff is proposing an amendment to the ordinance that would permit banner signs for any City co-sponsored event regardless of the organization associated with that event.

- Current ULDR regulations restrict banner signs from being displayed for more than 14-days, unless the event being advertised lasts for a period longer than 2 weeks and is approved by the City Commission for an extended period of time.

Staff is proposing administrative approval of the display of banner signs for up to 30-days, subject to a 15-day City Commission Request for Review (CRR) period. This will allow the City Commission to review the request and if necessary, deny the request should it be determined that the length of time proposed is not suitable. Requests exceeding the 30-day limit will continue to be submitted directly to the City Commission for review and approval.

- The ULDR currently specifies locations at which banner signs may be displayed. Generally speaking these areas consist of commercial corridors that run along the beach, through the City's downtown area and at certain gateways to the City from neighboring municipalities. Staff believes these areas can be expanded to include additional corridor locations of similar context. These areas include the following:

- ❖ Andrews Avenue from the municipal boundary with Wilton Manors north to State Road 84
- ❖ SW 2nd Street (Himmarshee Street) from SW 7th Avenue to SW 3rd Avenue
- ❖ All of Federal Highway (within the municipal boundaries of the City)
- ❖ All of State Road A-1-A (within the municipal boundaries of the City)
- ❖ All of Oakland Park Boulevard (within the municipal boundaries of the City)
- ❖ SE 17th Street from South Federal Highway to State Road A-1-A
- ❖ NE 13th Street from NE 4th Avenue to NE 15th Avenue
- ❖ NE 6th Street from Andrews Avenue to Federal Highway

Please see the location map attached as **Exhibit 2** indicating existing and proposed corridors.

- Current ULDR requirements include a provision for payment of a deposit to be held by the City to ensure the cost of banner sign removal in the event the applicant does not remove the signs after an event. The deposit amount varies depending on the number of banner signs requested and sign location (i.e. highway trusses) for each application. If the applicant removes the banner signs in accordance with the ULDR requirements the deposit is refunded. As the City plays host to several large annual events that frequently display banners as part of the marketing of such events this requirement has created a situation where deposits are being processed while new applications are submitted for the next event by the same sign company multiple times a year. In these situations multiple banner sign deposits are overlapping.

Staff proposes allowing applicants to submit an annual deposit in the amount of \$1,000.00 to cover these expenses for a period of 1 year. Should the City need to remove the banner signs the funds will be accessed to cover the removal of any remaining banner signs associated with a particular application. Should there be funds remaining they will be refunded back to the applicant.

PLANNING & ZONING BOARD REVIEW OPTIONS:

The Planning and Zoning Board, in its capacity as the Local Planning Agency, shall determine whether the proposed change is consistent with the City of Fort Lauderdale's Comprehensive Plan and whether the Planning and Zoning Board recommends approval of the proposed amendments to the City Commission.

SECTION 47-22. SIGN REQUIREMENTS

47-22.3.

C. Banner signs. Banner signs are prohibited, except as provided in this section. A Banner Sign may be permitted for a legitimate public purpose such as advertising a City-sponsored or co-sponsored events or public service announcements, such a Banner Sign shall be known as an Event Banner or PSA Banner, respectively and may be advertised provided that such display shall only be permitted as follows:

1. City-sponsored events. Events sponsored solely by the city need not make application.
2. City co-sponsored events.
 - a. ~~An application for the display of a banner sign for any such event shall be filed with the department; such application may only be filed by or on behalf of a nonprofit organization or city recognized civic association. The application submitted for display of a banner sign shall include a drawing indicating the utility poles or highway trusses proposed to be used for displaying banners, and a letter or letters of permission from the owner or owners of the poles or highway trusses. Banners may not be displayed on any other structure. If a banner is proposed to be placed upon a utility pole and the owner of the utility pole is not the State of Florida, then the letter granting permission shall also indemnify and hold harmless the city for any damage or injury that occurs as a result of such display. No banners shall be permitted in medians unless there are no utility poles abutting the applicant's property. When banners are proposed to be placed in median areas they shall be placed on utility poles and a site plan must be reviewed and approved by the department. No roadway banner shall be located over a railroad crossing or on an Intracoastal bridge. Banners shall be prohibited from display in medians or swales except as provided for herein.~~

Event banner signs may be displayed in association with City co-sponsored events as approved by the City Commission. City co-sponsored events are events determined by City Commission to serve a legitimate public purpose

- b. ~~When display space is available on highway trusses as determined by the appropriate city department, a refundable deposit of one hundred dollars (\$100.00) shall be paid to the department to guarantee the removal of the banner within seventy two (72) hours of the expiration of the permit. Display space shall be allocated on a first come first serve basis. A maximum of two (2) banners may be displayed on highway trusses. Each applicant shall only display one (1) banner on a highway truss.~~

Event banner signs shall be subject to the following criteria:

- i. An application for the display of an event banner sign for any such event shall be filed with the department. The application submitted for display of an event banner sign shall include a drawing indicating the utility poles or highway trusses proposed to be used for displaying event banners, and a letter or letters of permission from the owner or owners of the poles or highway trusses. Event banners may not be displayed on any other structure.

PROPOSED DRAFT AMENDMENTS

- ii. All event banners proposed to be placed upon a utility pole shall require a letter granting permission and shall indemnify and hold harmless the City for any damage or injury that may occur as a result of such display.
- iii. All applications for event banners proposed to be placed within median areas shall include a site plan for review and approval by the department.
- iv. No event banner shall be placed over a railroad crossing or on an intracoastal bridge
- v. If an event banner is proposed to be placed upon a utility pole and the owner of the utility pole is not the State of Florida, then the letter granting permission shall also indemnify and hold harmless the city for any damage or injury that occurs as a result of such display. No event banners shall be permitted in medians unless there are no utility poles. When event banners are proposed to be placed in median areas they shall be placed on utility poles and a site plan must be reviewed and approved by the department. No event banner shall be located over a railroad crossing or on an Intracoastal bridge. Event banners shall be prohibited from display in medians or swales except as provided for herein.

- c. ~~If more than one (1) banner is proposed, the amount of the refundable deposit shall be paid according to the following schedule:~~

All event banners displayed on highway trusses are subject to approval by the Florida Department of Transportation. A refundable deposit of one hundred dollars (\$100.00) shall be paid to the department to guarantee the removal of the event banner within seventy-two (72) hours of the expiration of the permit. An applicant may only display one (1) event banner on highway trusses and each highway truss may only display a maximum of two (2) event banners.

- d. If more than one (1) event banner is proposed, the amount of the refundable deposit shall be paid according to the following schedule:

Number of <u>Event</u> Banners	Amount of Deposit
1—10	\$100.00
11—25	300.00
26—35	500.00
36—50	700.00
More than 50	900.00

- d. A non-refundable permit processing and application fee of ten dollars (\$10.00) per event banner will be charged but, in no case, more than one thousand dollars (\$1,000.00) per applicant or event.
- e. ~~Any event to be advertised must be physically conducted within the corporate limits of the city. Event banner refundable deposits may be paid on an annual basis in the amount of one thousand (\$1,000) dollars.~~

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- f. Any event to be advertised must be physically conducted within the corporate limits of the City.
3. Reserved. PSA banner sign shall be subject to the application requirements of Event Banners as provided by subsection 47-22.3.C.2
4. Any event or PSA banner sign permitted to be displayed shall be subject to the following limitations:
- a. Display periods of event or PSA banner shall be limited to the following; will be limited to a maximum of fourteen (14) days, or longer as approved by the city commission for events lasting more than fourteen (14) days.
- i. Event or PSA banners may be displayed for a maximum of thirty (30) days subject to a Site Plan Level I development permit with a fifteen (15) day Commission Request for Review (CRR).
- ii. Event or PSA banners may be displayed for periods longer than thirty (30) days subject to Site Plan Level I development permit with City Commission approval.
- b. When a an event or PSA banners sign is to be placed on a highway truss, display shall be limited to one (1) sign per side at any one (1) location.
- c. Event banners or PSA banners Banners on highway trusses shall be limited in size to three (3) feet by thirty (30) feet and the minimum height clearance of the sign and any appurtenances above the roadway shall be sixteen (16) feet; event or PSA banners not displayed on highway trusses shall be limited to a maximum size of eight (8) feet by three (3) feet, must be fifteen (15) feet above a roadway, and shall be suspended lengthwise from a utility pole and attached to such pole at each end.
- d. The text of a an event banner shall include the name of the ~~special~~ event, the date or dates of the event and the name ~~or~~ and logo of the city ~~and the name or logo of the association or organization co-sponsoring the event.~~ Lettering used to identify the city ~~and co-sponsoring organizations by name,~~ the lettering shall be uniform and shall be no smaller than four (4) inches in height and shall not exceed six (6) inches in height. ~~When the logos Logos~~ of the city ~~and co-sponsoring organization are displayed,~~ each shall be no smaller than six (6) inches in height and shall be no more than eight (8) inches in height. The text of the event banner shall not contain product ~~or company~~ logos. The name of a company or product sponsoring such an event may be included in the text of the event banner only if it is a part of the name of the event.
- e. Display of event banners shall be limited to the ~~commercially zoned following~~ areas of with the municipal City of Fort Lauderdale following roadway corridors:
- i. Federal Highway from the corporate limit in the south to the corporate limit in the north.
- ii. Cypress Creek Rd. from corporate limit east to Federal Highway.
- ii. Commercial Boulevard from corporate limit east to Intracoastal Waterway.

PROPOSED DRAFT AMENDMENTS

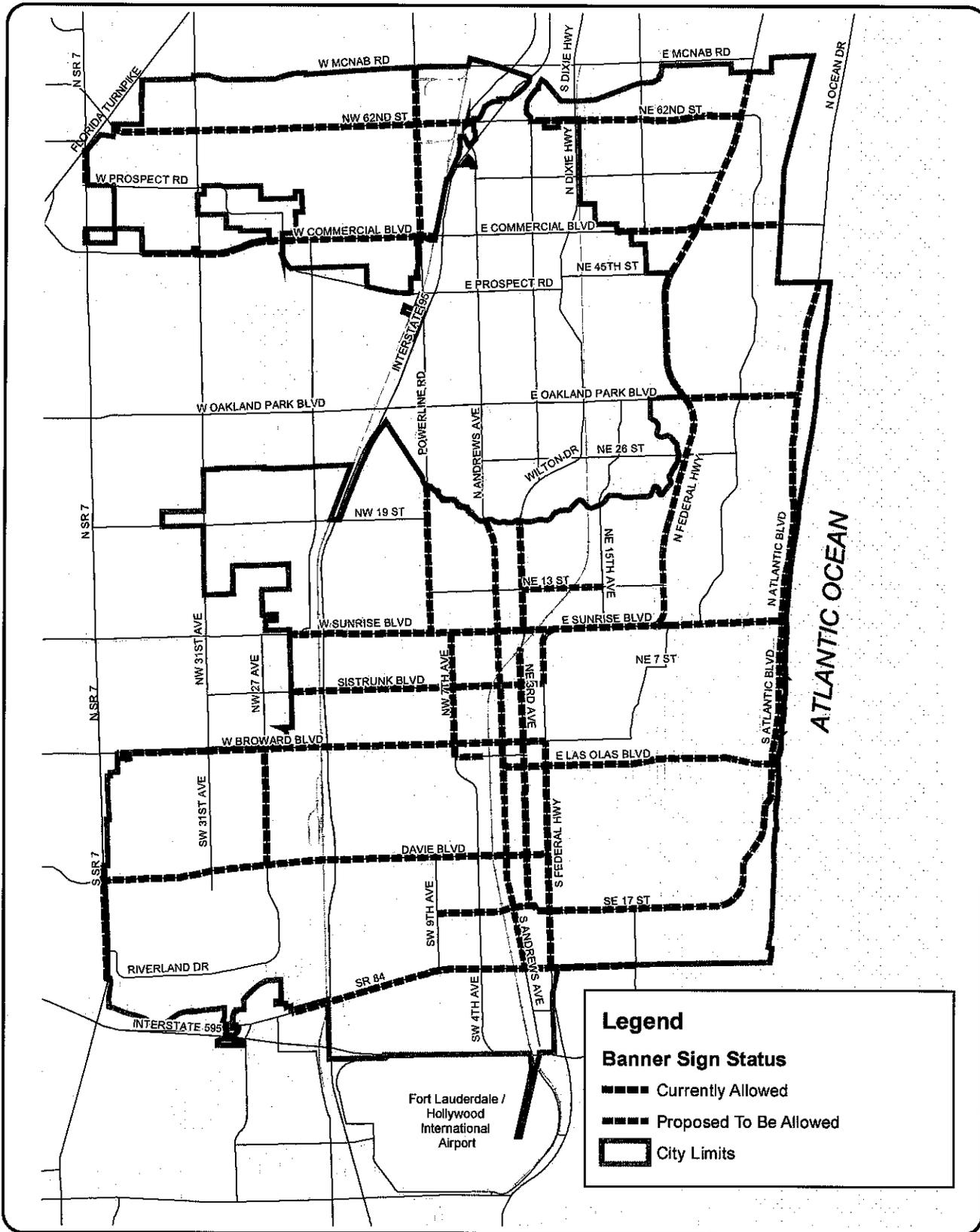
- iv. Oakland Park Boulevard from corporate limit east to State Road A-1-A
- v. Sunrise Boulevard from corporate limit east to State Road A-1-A.
- vi. Broward Boulevard from corporate limit east to Federal Highway
- vii. Las Olas Boulevard from S.W. 7th Avenue to State Road A-1-A.
- viii. 17th Street from Federal Highway to State Road A-1-A.
- ix. Davie Boulevard from corporate limit east to Federal Highway.
- x. Andrews Avenue from corporate limit to the north to State Road 84 to the South.
- xi. Federal Highway from State Road 84 north to N.E. 6th Street.
- xii. State Road A-1-A from corporate limit to the north to 17th Street.
- xiii. Powerline Road.
- xiv. State Road 7.
- xv. State Road 84.
- xvi. Sistrunk Boulevard from Federal Highway west to the corporate limit.
- xvii. S.W./N.W. 7th Avenue from Las Olas Boulevard north to Sunrise Boulevard.
- xviii. S.E./N.E. 3rd Avenue from 17th Street north to Sunrise Boulevard.
- xix. NE 13th Street from NE 4th Avenue to NE 15th Avenue
- xx. SW 2nd Street from SW 7th Avenue to SW 3rd Avenue.
- ~~i. Cypress Creek Rd. from corporate limit east to Federal Highway.~~
- ~~ii. Commercial Boulevard from corporate limit east to Intracoastal Waterway.~~
- ~~iii. Oakland Park Boulevard from corporate limit east to Intracoastal Waterway.~~
- ~~iv. Sunrise Boulevard from corporate limit east to State Road A-1-A.~~
- ~~v. Broward Boulevard from corporate limit east to Federal Highway.~~
- ~~vi. Las Olas Boulevard from S.W. 7th Avenue to Intracoastal Waterway.~~
- ~~vii. 17th Street from Federal Highway to Intracoastal Waterway.~~
- ~~viii. Davie Boulevard from corporate limit east to Federal Highway.~~
- ~~ix. Andrews Avenue from 6th Street on the South to 6th Street on the North.~~

PROPOSED DRAFT AMENDMENTS

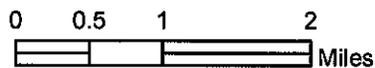
- x. ~~Federal Highway from State Road 84 north to N.E. 6th Street.~~
- xi. ~~State Road A 1 A from Oakland Park Boulevard to south Holiday Drive.~~
- xii. ~~Powerline Road.~~
- xiii. ~~State Road 7.~~
- xiv. ~~State Road 84.~~
- xv. ~~Sistrunk Boulevard from Andrews Avenue west to the corporate limit.~~
- xvi. ~~S.W./N.W. 7th Avenue from Las Olas Boulevard north to Sunrise Boulevard.~~
- xvii. ~~S.E./N.E. 3rd Avenue from 17th Street north to Flagler Drive.~~
- xviii. ~~N.E. 4th Avenue from Sunrise Boulevard north to corporate limit.~~
- xix. ~~S.W./N.W. 27th Avenue from Davie Boulevard north to Sunrise Boulevard.~~

5. This does not exclude the use of authentic flags (national, state, city) or others approved by the department.
6. The restrictions in this subsection C shall not affect the number of American flags displayed at any location for a period of seventy-two (72) hours encompassing any legal holiday, or any other event of a patriotic, memorial or celebratory nature as determined by federal, state, county or municipal policy.
7. Use of all American flags must be in accordance with federal law and the rules established for display of the flag.

Section 47-22.3.Z Banner signs. Banner signs shall only be permitted in accordance with the following review process and requirements:



Banner Sign Corridors



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