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**REQUEST:** Amendment to the City's Unified Land Development Regulations ("ULDR"):

Proposed revision to Section 47-22.3.J, Message Center Signs to permit message center signs within the public right-of-way when in association public assembly, the presentation of cultural or athletic events or to hold public expositions, fairs and conventions, or some combination thereof subject to specific criteria.

<b>Case Number</b>	T15005	
<b>Applicant</b>	City of Fort Lauderdale	
<b>ULDR Sections</b>	47-22.3.J	Message Center Signs
<b>Notification Requirements</b>	10-day legal ad	
<b>Action Required</b>	Recommend approval or denial to City Commission	
<b>Authored By</b>	Anthony Greg Fajardo, Zoning Administrator	

**BACKGROUND/DESCRIPTION:**

At the October 21, 2015 Planning and Zoning Board (PZB) meeting the board heard this item and gave feedback on the proposed amendment. Please see the October 21, 2015 PZB staff report and meeting minutes attached as Exhibits 1 & 2 respectively.

At this meeting the board recommended staff address the following items:

- Limiting the use of message center signs to governmental entities or public/private partnerships
- Limit the number of signs
- Provide for separation criteria

To properly address these concerns by the board staff requested a deferral to the November 18, 2015 PZB meeting and a subsequent deferral to the February 17, 2016 PZB meeting to further refine the proposed language of the draft amendment.

Current Unified Land Development Regulations (ULDR) regarding message center signs restricts such signage to facilities that are primarily used for public assembly, presentation of entertainment or athletic events or the holding of public expositions, fairs and conventions or some combination thereof subject to specific standards regarding the size and composition of such facilities. However, these message center signs are only permitted within a specific development site. Currently there are two such signs within the City of Fort Lauderdale located at the Broward County Convention Center on the 17<sup>th</sup> Street Causeway and at Holiday Park on North Federal Highway in association with the Parker Playhouse theatre and War Memorial Auditorium.

In recent years it has become apparent there may be other facilities that could benefit from the use of such signs that do not meet the minimum criteria of the current code requirements. Some such facilities are located within the Downtown Regional Activity Center, which is made up of multiple downtown zoning districts (RAC-CC, RAC-AS, RAC-UV, RAC-RPO & RAC-TMU). The RAC-AS in particular contains several venues directly associated with cultural events including the Broward Center for the Performing Arts and the Museum of Discover and Science, however the NSU Art Museum of Fort Lauderdale is located within the RAC-CC zoning district to the east. These facilities are located in areas that present a challenge for the purposes of marketing the various productions and art installations occurring at any given time by these organizations to the public. In particular those facilities located within the RAC-AS as they are in an area limited to the south of Broward Boulevard and north of the New River generally along the SW 2<sup>nd</sup> Street corridor (please see location map attached as Exhibit 3) with little to no visibility to Broward Boulevard, a major travel corridor and entrance into the City of Fort Lauderdale and the downtown in particular.

In an effort to address this issue staff has revised the drafted amendment to the ULDR based on the direction given by the PZB to permit message center signage to be located within a right-of-way within the downtown regional activity center zoning districts in association with facilities who's primary purpose is for public assembly, presentation of entertainment or athletic events or the holding of public expositions, fairs and conventions. This revision to the proposed amendment is different in that the previous draft amendment included language that allowed for a composite development site to permit multiple entities

the ability to utilize the proposed message center sign when located within the right-of-way. However, as any such sign application will need to be reviewed and approved by the City Commission and will be subject to a related revocable license agreement the City Commission will have the opportunity to stipulate the usage of the sign through the approval process.

The following is a breakdown of the proposed amendment and how this revision addresses the PZB's recommendations from the October meeting:

Message Center Signs may be permitted in the right-of-way subject to the following:

- The message center sign is associated with a property that is primarily used for public assembly, presentation of entertainment or athletic events or the holding of public expositions, fairs and conventions or some combination thereof;
- The property in association with the message center sign must have the capacity to seat a minimum of 4,000 persons and have a minimum of 100,000 square feet in floor area;
- The message center sign and the property it serves must be located entirely within a Downtown Regional Activity Center (D-RAC) zoning district;
- The message center sign can be located no more than 800-feet from the property it serves;
- The message center sign must be located on or within a right-of-way that is directly abutting or adjacent to the property which it serves;
- The message center sign cannot be located within 300-feet of property outside of the D-RAC zoning districts;
- The message center sign cannot be located any closer than 1,500 feet from any other permitted message center sign;
- The message center sign must be approved as a site plan level II development permit with City Commission approval.

As indicated above the PZB made three primary recommendations to address concerns of the previous iteration of the proposed draft amendments. The following is a response to these recommendations:

- Limiting the use of message center signs to governmental entities or public/private partnerships

Staff Response – In discussions with the City Attorney's Office staff has determined that any change to the ordinance in this regard may be a violation of the recent U.S. Supreme Court ruling regarding signage content.

- Limit the number of signs
- Provide for separation criteria

Staff Response – As indicated above staff has proposed separation criteria that would limit the number of signs within a certain geographic area by a distance of 1,500 feet (just over a quarter of a mile). Further, staff has included distance requirements from property located outside of the Downtown Regional Activity Center as well as maximum distance for signage from the use served. Combined these will limit the number of signs that may be requested within the D-RAC, which is the only area proposed to permit signage in the right-of-way.

In addition to the above staff is recommending further amendments to the current ordinance regarding message center signs for the purposes of clarification. However, none of these additional amendments are meant to alter the current provisions for message center signage above what is outlined in this report. Further, the amendment includes additional changes meant to clarify the current requirements of the existing language, however no other revisions are proposed as part of this amendment.

To review the entire draft ordinance, please refer to Exhibit 4.

**STRATEGIC AND VISION PLAN CONNECTIONS:**

The *2035 Vision Plan: Fast Forward Fort Lauderdale*, adopted by the City Commission on April 16, 2013, was the result of over 1,500 unique ideas collected from various members of the community through an extensive outreach program that developed a vision for the City of Fort Lauderdale by the year 2035 (to read the entire 2035 Vision Plan please go to <http://www.fortlauderdale.gov/vision/>). In addition the *Press Play Fort Lauderdale Strategic Plan 2018* was adopted by the City Commission to establish a 5-year period in which to accomplish specific goals and objectives as outlined in the Vision Plan (to read the entire 2018 Strategic Plan please go to <http://www.fortlauderdale.gov/pressplay/>).

This ULDR amendment is part of the *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included in the *Public Places* Cylinder of Excellence, specifically advancing:

- Goal 3: Be a community that finds opportunities and leverages partnerships to create unique, inviting, and connected gathering places that highlight our beaches, waterways, urban areas, and parks.
- Objective 3: Integrate art and cultural elements into public places.
- Initiative 1: Collaborate with local artists, educational institutions, associations, and businesses to enliven public places with multicultural art.

**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.

**EXHIBITS:**

- Exhibit 1 - October 21, 2015 PZB Staff Report
- Exhibit 2 - October 21, 2015 PZB Minutes
- Exhibit 3 - RAC-AS Zoning District Location Map
- Exhibit 4 - Proposed Draft Amendment

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**REQUEST:** Amendment to the City's Unified Land Development Regulations ("ULDR"):

Proposed revision to Sections 47-22.3.J, Message Center Signs to permit message center signs within the public right-of-way when in association with entertainment, cultural arts, or athletic events or the holding of public expositions, fairs and conventions, museums or some combination of thereof subject to specific criteria.

<b>Case Number</b>	T15005	
<b>Applicant</b>	City of Fort Lauderdale	
<b>ULDR Sections</b>	47-22.3.J	Message Center Signs
<b>Notification Requirements</b>	10-day legal ad	
<b>Action Required</b>	Recommend approval or denial to City Commission	
<b>Authored By</b>	Anthony Greg Fajardo, Zoning Administrator	

**BACKGROUND/DESCRIPTION:**

Current Unified Land Development Regulations (ULDR) regarding message center signs restricts such signage to facilities that are primarily used for public assembly, presentation of entertainment or athletic events or the holding of public expositions, fairs and conventions or some combination thereof subject to specific standards regarding the size and composition of such facilities. However, these message center signs are only permitted within a specific development site. Currently there are two such signs within the City of Fort Lauderdale located at the Broward County Convention Center on 17<sup>th</sup> Street Causeway and more recently at Holiday Park on North Federal Highway.

In recent years it has become apparent there may be other facilities that could benefit from the use of such signs that do not meet the minimum criteria of the current code requirements. Some such facilities are located within the Regional Activity Center – Arts and Sciences District (RAC-AS), which is made up of multiple arts, science and entertainment organizations and venues. The RAC-AS is limited to an area just to the south of Broward Boulevard and north of the New River generally along the SW 2<sup>nd</sup> Street corridor (please see location map attached as Exhibit 1) and is an area difficult to market to the public due to limited exposure to Broward Boulevard, a main entry point to the City of Fort Lauderdale and the downtown in general.

In an effort to address this issue staff has drafted an amendment to the ULDR to permit a co-located message center sign that would support multiple venues and could be located within the right-of-way in association with a composite development site through an agreement between the each property owner that is a party to the composite development site and the City of Fort Lauderdale as approved by the City Commission. This agreement would in remain in effect, run with the land, and would be recorded in the public record of Broward County.

Approval of such sign request would be subject to a site plan level II development permit review with City Commission approval.

Further, the amendment includes additional changes meant to clarify the current requirements of the existing language, however no other revisions are proposed as part of this amendment.

To review the entire draft ordinance, please refer to Exhibit 2 attached herein.

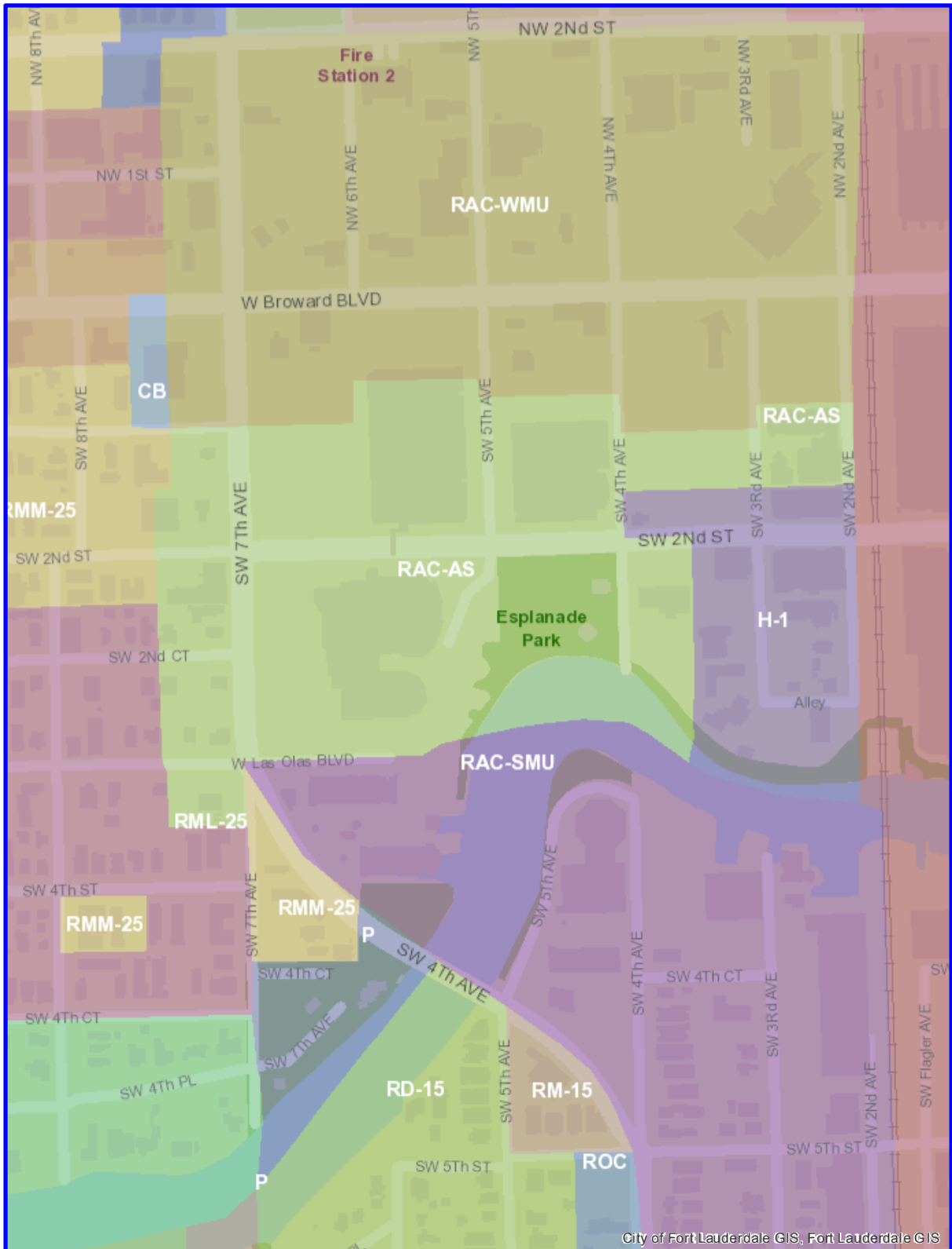
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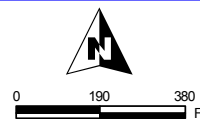
**PLANNING & ZONING BOARD REVIEW OPTIONS:**

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.



CITY OF FORT LAUDERDALE

## Property Reporter Map



Map Created by Property Reporter GIS

Printed on: 10/15/2015

## SECTION 47-22. SIGN REQUIREMENTS

### Sec. 47-22.3. General regulations.

...

J. *Message center signs.* Message center signs shall only be permitted in accordance with the following review processes and requirements:

1. *Application.* An application to construct a message center sign shall, in addition to the requirements provided in Section 47-24, Development permits and procedures, include the following:
  - a. A description of each of the characteristics provided in subsection J.4. and how the proposed message center sign addresses each of these criteria.
  - b. Provide an opinion from an expert in message center signs describing how the proposed message center sign and its characteristics will protect the public health, safety and welfare. City may have its own message sign consultant analyze a proposed message center sign at the cost of applicant.
2. *Standards.* Message center signs shall meet the following minimum and maximum requirements, but are subject to additional criteria provided in subparagraph 4. below.
  - 2.1.1. *Purpose:* Message center signs may only be permitted on a development site or within a public right-of-way adjacent to a development site or composite development site that meets the following:
    - a. ~~A Contains a building or facility primarily used for public assembly, the presentation of entertainment or athletic events or the holding of public expositions, fairs and conventions, or some combination thereof is located on the development site; and that:~~
      - i. Is primarily used for public assembly, the presentation of entertainment, cultural arts, or athletic events or the holding of public expositions, fairs and conventions, museums, or some combination thereof; and
    - b. ~~ii. The building or facility Seats seats at least twelve thousand (12,000) persons and has two hundred thousand (200,000) square feet in floor area; or~~
      - eb. The development site or composite development site is:
        - i. ~~The development site is At~~ At at least seventy (70) acres in size; and
        - ii. Contains There area at least ~~three~~ two (32) buildings or facilities on site that ~~in total cumulatively~~ seat at least four thousand (4,000) persons; ~~and~~
        - iii. The buildings or facilities in total have a minimum square foot floor area of one hundred thousand (100,000) square feet; and
        - iv. The building or facilities are used for the purposes provided in Section 47-22.3.J.2.1.1.a.
    - d. ~~For both 2.1.1.b. or c., messages on a message center sign shall be limited to providing information for on-premise events. Composite development sites shall be located within a Regional Activity Center Zoning District. A composite development site means~~

development sites aggregated, treated and evaluated as a single development site for the purposes of complying with the criteria of Section 47-22.3.J.,

2.1.2. *Location.* The location of a message center sign shall be as follows:

- a. A message center sign may only be located on a development site that abuts a regional right-of-way with a minimum width of one hundred (100) feet as shown on the Broward County Trafficways Plan; and
- b. A message center sign shall not be permitted in a residentially zoned district nor be within three hundred (300) feet of any residentially zoned property. The measurement shall be taken from the outer-most edge of the sign closest to the residential property to the closest point located along the residential property line. In measuring the three hundred-foot distance, an intervening public right-of-way or waterway shall not be included in the measurement.
- c. A message center sign may be permitted within a public right-of-way located adjacent to a composite development site subject to the following conditions:
  - i. Each property owner of parcels included within the composite development site shall consent to the inclusion of their property evidenced by an agreement that shall include the City of Fort Lauderdale and subject to the following requirements:
    - (a) Legal description of the parcels to be included within the composite development site; and,
    - (b) The agreement shall list restrictions indicating the types of uses for each site included in the composite development site and shall be limited to those uses as indicated in Section 47-22.3.J.2.1.1.a; and,
    - (c) The agreement will be recorded in the public records of Broward County at the owner's expense; and,
    - (d) The agreement shall be considered a restriction running with the land and shall bind all heirs, successors and assigns of said owner.
  - ii. The location of the message sign shall be evaluated as if located within a development site to determine compliance with Sections 47-22.3.J.2.1.2.a and 47-22.3.J.2.1.2.b.

...

2.1.3. *Dimensional requirements.* The setbacks, height and size of the sign shall be as follows:

...

- g. Yard Setbacks for message center signs shall be subject to the following:
  - i. Minimum of a ten-foot yard setback measured from the closest point of the sign to the property line or measured from the closest point of the sign and a paved walkway for public use, whichever setback is greater; and,
  - ii. Message center signs shall not be placed in the required sight triangle.
  - iii. When positioned within a right-of-way in association with a composite development site Message Center Sign locations shall be subject to the requirements of the City Engineer.

...

2.1.5. *Additional requirements.*



- a. Freestanding message center signs shall comply with the landscaping requirements of Section 47-22.3.E.3. with the exception of those message center signs located within rights-of-way in association with composite development sites.
- b. Message center signs shall be constructed of materials that are compatible with the principal structure located within the development site, and of similar, compatible architectural design as the principal structure. Message Center Signs associated with a composite development site may be designed independent of any associated structures. All Message Center Signs shall be constructed of high quality durable materials and in compliance with any associated master plans.
- c. Message center signs located at government owned or government operated facilities may provide public service messages about governmental, public service, cultural or educational activities, sponsored by the same governmental entity, scheduled to take place either at the location where the sign is located or at governmental facilities of the same governmental entity other than the facility where the message center sign is located.
- d. Message center signs, time, and temperature units in existence at the time this regulation is adopted (July 16, 1996) shall have nine (9) years from the date of adoption to meet the colored letters requirement provided in this subsection J.

### 3. Review process.

- a. ~~Approval of a site plan level I permit as described in Section 47-24.2 and review and approval by the city commission.~~ Message Center Signs, when located on a development site, shall be subject to the following review process:
  - i. Approval of a site plan level I permit as described in Section 47-24.2 and review and approval by the City Commission.
  - ii. A review of the application from the department shall be forwarded to the city commission and scheduled on a city commission agenda within thirty (30) days of the completion of department review or such date thereafter as soon as the same may be scheduled.
- b. ~~A review of the application from the department shall be forwarded to the city commission and scheduled on a city commission agenda within thirty (30) days of the completion of department review or such date thereafter as soon as the same may be scheduled.~~ Message center Signs, when associated with a composite development site, shall be subject to the following review process:
  - i. Approval of a site plan level II permit as described in Section 47-24.2 and approval by the City Commission.

**PLANNING AND ZONING BOARD  
CITY OF FORT LAUDERDALE  
CITY HALL – 8<sup>TH</sup> FLOOR CONFERENCE ROOM  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA  
WEDNESDAY, OCTOBER 21, 2015 – 5:30 P.M.**

**Cumulative**

<b>Board Members</b>	<b>Attendance</b>	<b>June 2015-May 2016</b>	
		<b>Present</b>	<b>Absent</b>
Patrick McTigue, Chair	P	5	0
Leo Hansen, Vice Chair	P	4	1
Theron Clark	P	2	0
Stephanie Desir-Jean	P	5	0
Steven Glassman	P	4	1
Rochelle Golub	P	4	1
Richard Heidelberg	P	2	3
Catherine Maus	P	4	1
James McCulla	P	5	0

It was noted that a quorum was present at the meeting.

**Staff**

Ella Parker, Urban Design and Planning Manager  
D'Wayne Spence, Assistant City Attorney  
Eric Engmann, Urban Design and Planning  
Anthony Fajardo, Chief Zoning Administrator  
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to the City Commission**

~~None.~~

**~~I. CALL TO ORDER / PLEDGE OF ALLEGIANCE~~**

~~Chair McTigue called the meeting to order at 6:32 p.m. and all recited the Pledge of Allegiance. The Chair introduced the Board members, and Assistant City Attorney D'Wayne Spence explained the quasi-judicial process used by the Board. Urban Design and Planning Manager Ella Parker introduced the Staff members present.~~

**~~II. APPROVAL OF MINUTES~~**

~~Mr. Glassman noted the following corrections to the September 16, 2015 minutes:~~

- ~~• P.4, paragraph 2: reference to Lauderdale Mall should be to Lauder Del Mar~~

~~Development Regulations to permit residential multifamily use as a permitted use subject to Site Plan Level III development approval and specific criteria within the entire ABA District where residential multifamily use is currently only permitted within that portion of the ABA District located within the boundaries of the North Beach Area.~~

**Case Number:** T15004  
**General Location:** Central Beach  
**Case Planner:** Anthony Gregory Fajardo  
**Commission District:** 2

~~It was noted that disclosures were not necessary for this Item.~~

~~Mr. Fajardo stated that this Item requests a ULDR amendment that would add residential uses to the ABA zoning district. In 2011, the City Commission passed Ordinance C 1140, which amends the list of permitted uses only for the portion of the ABA within the North Beach boundaries. A study by the IBI Group, which looked at the traffic impacts created by adding these uses, found that residential uses do not add additional traffic to the roadways; instead, they help reduce traffic, as hotel uses in the area have a heavier impact. The amendment is intended to allow flexibility to the area by providing more neighborhood-serving uses. Staff feels residential uses could also be added to the remainder of this district without a negative impact.~~

~~The proposed language change would strike through existing language which limits residential use to the North Beach area only, as shown in the backup materials. The City has informed the Central Beach Alliance (CBA) of the proposed amendment, although they did not provide an official response. The amendment was also presented to the Council of Fort Lauderdale Civic Associations.~~

~~Mr. Glassman asked if the amendment was intended to benefit a land swap proposed for a Sebastian Street parking lot. Mr. Fajardo advised that while the amendment will affect this proposal, it was not intended to specifically address it. He also confirmed that the existing setback requirements within the subject area will remain the same. Ms. Parker added that setback modification requests will continue to come before the Planning and Zoning Board and the City Commission, regardless of whether the request is for a residential or commercial property.~~

~~There being no other questions from the Board at this time, Chair McTigue opened the public hearing. As there were no individuals wishing to speak on this Item, the Chair closed the public hearing and brought the discussion back to the Board.~~

~~**Motion** made by Mr. McCulla, seconded by Ms. Maus, to approve. In a roll call vote, the **motion** passed 8-1 (Ms. Golub dissenting).~~

3. **Applicant / Project:** City of Fort Lauderdale

<b>Request: *</b>	Section 47-22.3.J Message Center Signs to permit message center signs within the public right-of-way when in association with entertainment, cultural arts, or athletic events or the holding of public expositions, fairs and conventions, museums or some combination of thereof subject to specific criteria.
<b>Case Number:</b>	T15005
<b>General Location:</b>	City-wide
<b>Case Planner:</b>	Anthony Gregory Fajardo
<b>Commission District:</b>	City-wide

Mr. Fajardo explained that this proposed amendment would allow Message Center signs at composite development sites. He cited the example of the City's Arts and Sciences District, which includes the Performing Arts Center, the Museum of Discovery and Science, and a City park. The intent behind this amendment is for entities to enter into an agreement with the City, subject to criteria, regarding the use and location of the signs. The City Commission would have final approval. Message Center signs would be limited to Regional Activity Centers (RACs) and facilities that meet the definition in Code.

Mr. Fajardo continued that since first drafting the amendment, it has been reviewed in greater detail with potential stakeholders, who raised possible issues, including:

- The requirement for 70 acres was intended to be struck from the amendment;
- The language referring to Entertainment facilities would be either stricken from Code or refined further;
- Possible limitation of qualifying developments to nonprofit organizations only.

Mr. Glassman observed that the City should consider collaborating with local visual artists and arts organizations on the designs to be used by the signs. Mr. Fajardo noted that during the DRC phase, Staff would have an opportunity to propose this action to potential applicants.

Ms. Golub asked if any entities have requested these signs. Mr. Fajardo confirmed this, stating that the Broward Center for the Performing Arts has made this request. Ms. Golub commented that the City should consider limiting the signs to governmental entities or public/private partnership facilities. Mr. Fajardo advised that Staff plans to review these potential restrictions with the City Attorney's Office to determine if they are legally defensible.

Attorney Spence clarified that the proposed amendment would broaden the availability and location of Message Center signs to other types of property, including composite development sites such as the Arts and Sciences District, where the intended types of venues already exist. The intent is not to amend Code in a way that would allow every type of entity to have a Message Center sign.



Mr. Fajardo continued that the signs would be subject to a revocable license agreement with the City, as they would be placed in rights-of-way. This would allow the City to have the sign removed if necessary. He further clarified that events, such as the Fort Lauderdale International Boat Show, would not qualify to display a Message Center sign: an event must be affiliated with the specific facility that enters into an agreement with the City. Signs would be able to run continuously.

Ms. Maus asked if there are existing composite development sites in the City. Mr. Fajardo replied that this term was developed specifically for the subject portion of the ULDR. He emphasized that certain requirements of composite development sites may be made clearer if necessary. There is no current language to limit the number of or distance between such signs. Animation would be allowed, subject to certain requirements and refresh rates.

Mr. McCulla observed that the amendment as presented would require additional revision, as it was difficult to determine what is to be included in its present form. Mr. Fajardo confirmed that Staff would have no objection to deferral of the Item.

**Motion** made by Mr. McCulla, seconded by Mr. Clark, to defer to the November meeting. In a roll call vote, the **motion** passed 9-0.

#### **IV. COMMUNICATION TO THE CITY COMMISSION**

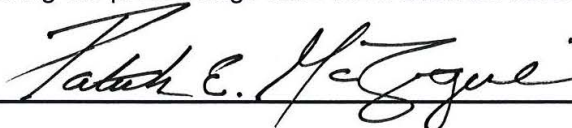
None.

#### **V. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE**

None.

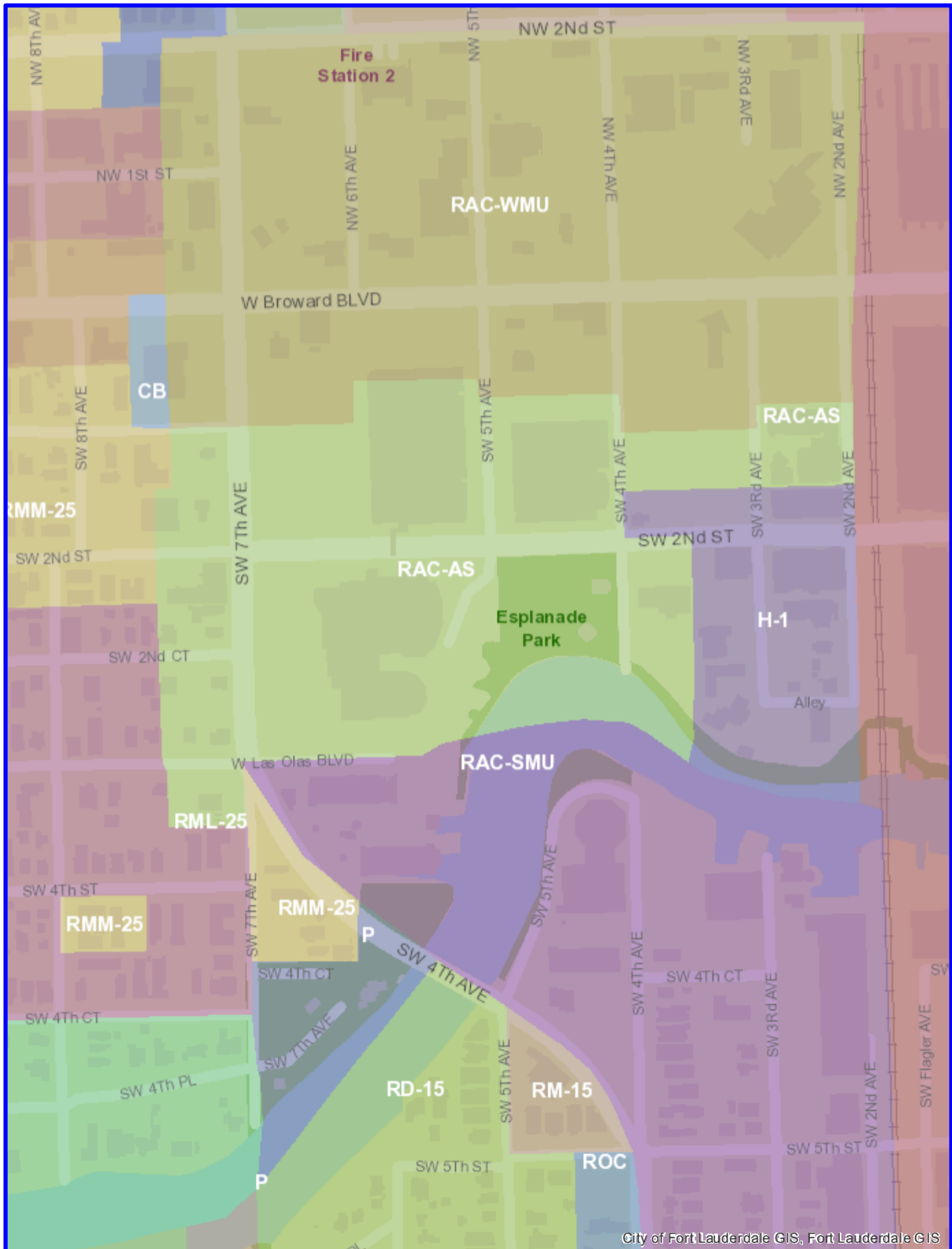
There being no further business to come before the Board at this time, the meeting was adjourned at 7:49 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

  
Chair

  
Prototype

[Minutes prepared by K. McGuire, Prototype, Inc.]

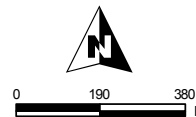


City of Fort Lauderdale GIS, Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

## Property Reporter Map



Map Created by Property Reporter GIS

Printed on: 10/15/2015

Sec. 47-22.3. - General regulations.

J. Message center signs. Message center signs shall only be permitted in accordance with the following review processes and requirements:

1. Application. An application ~~to construct~~ for issuance of a development permit authorizing the construction of a message center sign shall, in addition to the requirements provided in Section 47-24, Development permits and procedures, include the following:
  - a. A description of ~~how the proposed message center sign meets each of the characteristics provided in subsection J.4. and how the proposed message center sign addresses each of these criteria.~~
  - b. Provide an opinion from an expert in message center signs describing how the proposed message center sign ~~and its characteristics will protect the public health, safety and welfare.~~ is designed in a manner that will further the governmental interest of promoting significant venues of cultural, social and community events while not compromising traffic safety or the City's aesthetics. City may have its own message sign consultant analyze a proposed message center sign at the cost of applicant.
2. Standards. Message center signs shall ~~only be approved in association with buildings or facilities used primarily for public assembly, the presentation of cultural or athletic events or to hold public expositions, fairs and conventions, or some combination thereof and shall meet the following minimum and maximum requirements, but are subject to additional~~ in addition to the criteria provided in subparagraph 4. below.
- 2.1.1. ~~Purpose:~~ Message center signs may only be permitted ~~on a development site in association with facilities or locations~~ that meets the following criteria:
  - a. ~~A building or facility primarily used for public assembly, the presentation of entertainment or athletic events or the holding of public expositions, fairs and conventions, or some combination thereof is located on the development site; and The Message Center Sign is located on the same development site as and is associated with a building or facility that:~~
    - i. Has the capacity to seat a minimum of twelve thousand (12,000) persons; and,
    - ii. Is a minimum of two hundred thousand (200,000) square feet in floor area; or,
  - b. ~~The building or facility seats at least twelve thousand (12,000) persons and has two hundred thousand (200,000) square feet in floor area; or The Message Center Sign is located on the same development site as and is associated with multiple buildings or facilities that:~~
    - i. The development site is a minimum of seventy (70) acres; and,
    - ii. The combined capacity to seat a minimum of four thousand persons; and,
    - iii. Have a minimum total of one hundred thousand (100,000) square feet in floor area combined for all buildings and facilities located on the development site; or,
  - c. The Message Center Sign may be located within the right-of-way adjacent to and contiguous with a property that meets the following:
    - i. The development site is at least seventy (70) acres; and,

- ~~iii. There are at least three (3) buildings or facilities on site that in total, buildings and facilities located on the property have the capacity to seat at least four thousand (4,000) persons; and,~~
- ~~iiii. The buildings or facilities in total have a minimum one hundred thousand (100,000) square foot feet in floor area of one hundred thousand (100,000) square feet; and,~~
- ~~iv. The building or facilities are used for the purposes provided in 2.1.1.a.~~
- ~~d. For both 2.1.1.b. or c., messages on a message center sign shall be limited to providing information for on-premise events.~~

2.1.2. Location. The location of a message center sign shall be as follows:

- a. A message center sign may only be located on a development site that abuts a regional right-of-way with a minimum width of one hundred (100) feet as shown on the Broward County Trafficways Plan; and
- b. A message center sign shall not be permitted in a residentially zoned district nor be within three hundred (300) feet of any residentially zoned property. The measurement shall be taken from the outer-most edge of the sign closest to the residential property to the closest point located along the residential property line. In measuring the three hundred-foot distance, an intervening public right-of-way or waterway shall not be included in the measurement.
- c. A Message Center Sign may be permitted in the public right-of-way subject to the following conditions:
  - i. The associated development site and proposed sign location are located within a downtown regional activity center zoning district as listed in Section 47-13.1.1. List of Districts – Downtown; and,
  - ii. In association with a development site that meets the criteria of Section 47-22.3.J.2.1.2.a; and,
  - iii. The Message Center Sign shall be located no further than eight hundred (800) feet from the use which it serves; and,
  - iv. The Message Center Sign shall not be located within three hundred (300) feet of any property located outside of the downtown regional activity center; and,
  - v. The Message Center Sign shall not be located within fifteen hundred (1,500) feet of any other permitted Message Center Sign located either within a public right-of-way or within a development site.

2.1.3. Dimensional requirements. The setbacks, height and size of the sign shall be as follows:

- a. Maximum ten (10) feet in height above natural elevation of the ground adjacent to the sign;
- b. Maximum twelve (12) feet in width;
- c. Maximum one hundred twenty (120) square feet of sign face per side; and,
- d. Seventy-five (75) square feet of digital display area per side.



- e. Notwithstanding the dimensional limitations of subsection 47-22.J.2.1.3.a, message center signs may exceed the maximum dimensional requirements if located on Broward Boulevard, east and west; 17th Street Causeway; State Road 84 west of I-95 and U.S. 1/Federal Highway subject to the following:
    - i. Maximum of twenty (20) feet in height above natural elevation; and
    - ii. Maximum of twenty (20) feet in width; and
    - iii. Maximum of three hundred (300) square feet of sign face per side; and
    - iv. Maximum of one hundred twenty (120) square feet of digital display area per side.
  - f. The supporting structure of a message center sign shall be subject to the following:
    - i. Support structure(s) shall not exceed six (6) feet in height; and,
    - ii. Support structure(s) shall have a decorative finish and design.
  - g. Yard Setbacks for message center signs shall be subject to the following:
    - i. Minimum of a ten-foot yard setback measured from the closest point of the sign to the property line or measured from the closest point of the sign and a paved walkway for public use, whichever setback is greater; and,
    - ii. Message center signs shall not be placed in the required sight triangle.
    - iii. When positioned within a right-of-way in association with a development site the Message Center Sign shall be subject to the requirements of the City Engineer for location.
- 2.1.4. Display characteristics. The display portion on a face of a message center sign shall comply with the following:
- a. Sequencing, or the rate at which frames of information change, shall be a minimum rate of one and one-half (1½) and shall not exceed the rate of three (3) seconds.
  - b. Delay time at the end of a sequence of frames shall be a minimum of one and one-half (1½) and shall not exceed three (3) seconds.
  - c. There shall be no exposed incandescent light bulbs. All lamps or bulbs shall be covered.
  - d. In no case shall any incandescent bulb exceed four (4) watts.
  - e. Letters may scroll only from left to right, from top to bottom or from bottom to top. Letters may also "coalesce" or fade in and out. No flashing, zooming, twinkling, sparkling, scintillating or revolving sequencing may be displayed. No delivery method that resembles flashing shall be permitted. No display or illumination resembling traffic signals or implying the need or requirement to stop may be displayed. ~~Streaming video~~ Video shall not be permitted.
  - f. Messages shall be limited to providing information for on-premise events.
  - g. No message center sign shall incorporate into the graphic display any use of colors identical to or similar to colors used for traffic signalization or used by police, and no

message shall include graphics and words which are identical to or similar to signage used for traffic direction and control.

- h. Illumination shall be limited to a level no greater than 0.3 foot candles above the ambient light levels at the given location. Foot candle readings shall be taken at the ground level at a maximum of one hundred fifty (150) feet from the face of the sign.
- i. Signs shall be equipped with both a dimmer control and a photocell, which will automatically adjust the display's intensity according to the natural ambient lighting conditions and maintain the display within the illumination intensity as described in this section.
- j. Signs shall not produce noise such as audio tracks, sound effects, etc. Noise emitting from the operation of the sign itself shall be minimal.
- k. Signs shall contain a default mechanism that shall automatically freeze the image or turn the sign off in the case of a malfunction or the sign shall be turned off within twenty-four (24) hours of a malfunction.
- l. Applicant shall submit a certificate issued by a recognized sign professional certifying that all of the requirements provided in this subsection (a) through (k) have been met.

2.1.5. Additional requirements.

- a. Freestanding message center signs shall comply with the landscaping requirements of Section 47-22.3.E.3.
- b. Message center signs shall be constructed of materials that are compatible with the principal structure, and of similar, compatible architectural design as the principal structure.
- c. Message center signs located at government owned or government operated facilities may provide public service messages about governmental, public service, cultural or educational activities, sponsored by the same governmental entity, scheduled to take place either at the location where the sign is located or at governmental facilities of the same governmental entity other than the facility where the message center sign is located.
- d. Message center signs, time, and temperature units in existence at the time this regulation is adopted (July 16, 1996) shall have nine (9) years from the date of adoption to meet the colored letters requirement provided in this subsection J.

3. Review process.

- a. ~~Approval of a site plan level I permit as described in Section 47-24.2 and review and approval by the city commission.~~ Message Center Signs when located on a development site shall be subject to the following review process:
  - i. Approval of a site plan level I permit as describe in Section 47-24.2 and review and approval by the City Commission.
  - ii. A review of the application from the department shall be forwarded to the City Commission and scheduled on a City Commission agenda within thirty (30) days of the completion of the department review or such date thereafter as soon as the same may be scheduled.

- b. ~~A review of the application from the department shall be forwarded to the city commission and scheduled on a city commission agenda within thirty (30) days of the completion of department review or such date thereafter as soon as the same may be scheduled.~~ Message Center Signs, when located within a right-of-way, shall be subject to the following review process:
  - i. Approval of a site plan level II permit as described in Section 47-24.2 and approval by the City Commission.
  - ii. Approval of the Message Center Sign shall be subject to an executed revocable license agreement between the applicant and the City.
- 4. Criteria. An applicant must show that the request for approval of a message center sign meets the following criteria and the reviewing body shall consider the application based on such criteria:
  - a. The proposed sign meets the standards provided in this Section 47-22, subject to modification in accordance with the following:
  - b. As applicable to the display portion of the sign:
    - i. The duration of the message change interval is controlled so that the interval is not obtrusive.
    - ii. No message shall appear to be written on or erased from the display piecemeal unless required by the technology in which case the maximum time limit shall be set for the complete message change so that passing motorists cannot read the message during the change.
    - iii. The driver is given sufficient time to read the complete message and can be reassured that he has seen the entire display.
    - iv. The brightness and contrast does not cause a motorist disabling or discomforting glare or lead to the inability of the driver to read nearby official signs or negatively impact night vision.
    - v. The size of the lettering spacing and typeface message is conveyed to the motorist quickly, clearly and unambiguously given the constraints imposed by vehicle speed and vibration, changing lighting and weather conditions.

Signs that display not more than four (4) lines of text with letters at one (1) time, with all letters at least six (6) inches high, shall be deemed to have met the criteria in subsections i. through v. above.

  - c. Design features are added that minimize contrast between the message center sign, the building on the development site, the natural environment surrounding the development site and adjacent development. Additional landscaping, modification of location, height and size, color and shape and other elements of the sign, and the display including the lettering, are all examples of what may be varied in a development order approving a message center sign.
  - d. Section 47-25.3.A.e. Neighborhood compatibility and preservation shall apply.

5. Effective date of approval. The approval of a message center sign shall take effect on the date a resolution is adopted by the city commission approving such sign with whatever conditions necessary to ensure that the requirements of this subsection J. have been met.