

**PLANNING AND ZONING BOARD
CITY OF FORT LAUDERDALE
CITY HALL – CITY COMMISSION CHAMBERS
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, FEBRUARY 17, 2016 – 6:30 P.M.**

Cumulative

Board Members	Attendance	June 2015-May 2016	
		Present	Absent
Patrick McTigue, Chair	P	9	0
Leo Hansen, Vice Chair	P	7	2
Theron Clark	A	5	1
Stephanie Desir-Jean	A	8	1
Steven Glassman	P	8	1
Rochelle Golub	P	8	1
Richard Heidelberger	P	6	3
Catherine Maus	P	7	2
James McCulla	A	7	2

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
Lee Feldman, City Manager
Eric Engmann, Urban Design & Planning
Karlanne Grant, Urban Design and Planning
Randall Robinson, Urban Design and Planning
Anthony Fajardo, Chief Zoning Administrator
Don Morris, Beach CRA Manager
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 6:34 p.m. and all recited the Pledge of Allegiance. The Chair introduced the Board members, and Urban Design and Planning Manager Ella Parker introduced the Staff members present. Assistant City Attorney D'Wayne Spence explained the quasi-judicial process used by the Board.~~

~~Vice Chair Hansen amended his motion: motion to approve with Staff conditions.~~

~~Ms. Maus seconded the motion.~~

~~In a roll call vote, the motion passed 6-0.~~

4. <u>Applicant / Project:</u> (ULDR)	City of Fort Lauderdale /Amend Unified Land Development Regulations
Request: *	Amend ULDR 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.
Case Number:	T15005
General Location:	City-wide
Case Planner:	Anthony Gregory Fajardo
Commission District:	City-wide

Chief Zoning Examiner Anthony Fajardo presented the proposed amendment to ULDR Section 47-22.3.J, which addresses message center signs. These are electronically changeable copy signs currently permitted within the City, subject to size and facility requirements. Two such signs have been erected thus far, one at the Broward Convention Center and one at the War Memorial Auditorium. The proposed amendment would permit these signs in association with specific facilities in certain parts of the City within the public right-of-way.

Mr. Fajardo explained that some facilities within the Downtown Regional Activity Center (Downtown RAC) lack visibility, such as the Broward Center for the Performing Arts and the Museum of Discovery Science. Allowing signage within the right-of-way would provide additional exposure along Broward Boulevard. When this item was first presented in October 2015, the Board expressed concern with some of the items included in Code and requested that they be addressed.

Mr. Fajardo recalled that the Board had asked Staff to consider the following:

- Limiting the usage of message center signs to governmental entities and public/private partnerships;
- Limiting the number of signs allowed;
- Providing for separation criteria.

Staff proposes criteria for signage within public rights-of-way, subject to the following:

- Message center signs in association with a property that is primarily used for public assembly, cultural or athletic events, and the holding of public expositions, fairs, and conventions;

- The property in association with the sign must have a minimum seating capacity of 4000 and a minimum 100,000 ft. in floor area;
- Message center signs and the properties they serve must be located entirely within the Downtown RAC zoning districts;
- Message center signs must be no more than 800 ft. from the properties they serve;
- Message center signs must be located on or within a public right-of-way that directly abuts or is adjacent to the properties they serve;
- Message center signs may not be located within 300 ft. of properties outside the Downtown RAC;
- Message center signs cannot be located closer than 1500 ft. to any other permitted message center sign;
- Message center signs must be approved as Site Plan Level II development permit with City Commission approval.

Mr. Fajardo pointed out that RACs are mixed-use in nature, and are intended to allow a variety of activities to take place.

With regard to the limitation of message center signs to governmental entities and public/private partnerships, Mr. Fajardo recalled a recent United States Supreme Court ruling with respect to the regulation of signs, which addressed sign content. Staff felt this proposed limitation could be perceived as content-related. As a result, they struck the language referring to entertainment, focusing on cultural, athletic, and other specific types of events cited above.

With regard to the number of signs and their separation, this is addressed through the limitation of message center signs within 1500 ft. of one another and 300 ft. from non-Downtown RAC zoning districts. This would provide sufficient separation to prevent sign clutter and limit the number of signs within an area.

Mr. Fajardo referred the Board to the proposed language of the Ordinance, which states the location of message center signs would be subject to the requirements of City Engineers. This is because the signs are proposed within rights-of-way, which means there may be requirements related to sight triangles, visibility, and other concerns. The Ordinance may also include an exemption for the size of a message center sign's support structure, which is currently limited to 6 ft. in height beneath the face of the sign. This would be subject to the discretion of a City Engineer, and would be added to Section 2.1.3.F. Proposed language would be as follows: "When positioned within the right-of-way in association with a development site, the support structure height for a message center sign shall be subject to the requirements of the City Engineer."

It was further clarified that there were no restrictions proposed regarding hours of operation. While they could be allowed to run 24 hours per day, the signs would be subject to display requirements related to brightness. There is no distinction between

the brightness allowed at different times of day or night, as illumination is based on ambient lighting at the given location.

Ms. Golub requested clarification of the ability to place a sign on a development site or in the right-of-way. Mr. Fajardo explained that the sign could be placed in the right-of-way if it meets the criteria within this section of Code. Ms. Golub noted that there is limited space in which to build properties that would meet the criteria for these signs. Mr. Fajardo advised that the Ordinance focuses on specific types of facilities, including cultural and arts facilities.

Vice Chair Hansen observed that at present, the Broward Center for the Performing Arts is able to meet these requirements, although Staff has not looked into whether or not specific other venues would be able to meet them as well. Mr. Fajardo noted that entertainment has been stricken from the types of events covered by the proposed Ordinance: the primary purpose of the facility must be cultural events. Other facilities that meet these standards, including those that hold athletic events, could also negotiate to advertise on the sign. There are no criteria for how these negotiations may be managed.

Vice Chair Hansen asked if this would allow the City to put up a "Welcome to Fort Lauderdale" sign if they wished. Attorney Spence confirmed that this could be done under the City's proprietary rights as a government.

Mr. Glassman expressed concern for the aesthetics of the proposed signs. Mr. Fajardo advised that this would be addressed as part of the DRC process.

There being no other questions from the Board at this time, Chair McTigue opened the public hearing.

John Milledge, representing the Broward Performing Arts Authority, advised that the Center for the Performing Arts does not currently have significant signage. They hope to erect a sign aesthetically similar to the one used by the Parker Playhouse. He emphasized the importance of letting the public know about the Center's regular activities. They are also open to negotiations which would allow the Discovery Center to use the sign as well.

As there were no other individuals wishing to speak on this Item, the Chair closed the public hearing and brought the discussion back to the Board.

Motion made by Ms. Maus, seconded by Mr. Glassman, to approve as presented. In a roll call vote, the **motion** passed 6-0.

IV. Communication to the City Commission


None.

V. For the Good of the City of Fort Lauderdale

There being no further business to come before the Board at this time, the meeting was adjourned at 9:05 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.]