



**CITY OF FORT LAUDERDALE**  
**City Commission Agenda Memo**  
**REGULAR MEETING**

**#16-0729**

**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Lee R. Feldman, ICMA-CM, City Manager

**DATE:** June 21, 2016

**TITLE:** Ordinance Amending Section 47-22.3.J of the Unified Land Development Regulations – Message Center Signs – Revising the Criteria for Permitting Signs, Sign Location, and Review Process

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**Recommendation**

It is recommended the City Commission adopt an ordinance amending Section 47-22.3.J of the Unified Land Development Regulations ( ULDR), Message Center Signs, on second reading, to revise the criteria for permitting signs, sign location, and review process.

**Previous Commission Action**

On May 3, 2016 the City Commission adopted the ordinance on first reading, however subsequent to that meeting the City Attorney's Office (CAO) identified additional language designed to provide findings and case law that further supports the proposed amendment as well as clarify the proposed language. To address these issues the City Commission deferred the item from the May 17, 2016 City Commission meeting and the June 7, 2016 City Commission meeting to allow staff time to work with the CAO on the revised language.

The language provided by the CAO can be reviewed in Exhibit 6 and is indicated with a double strike and underline. This current version of the proposed amendment includes the following changes:

- Artistic and educational events were added to the list of primary uses to which the message center sign can be associated;
- Community events was removed from the list of primary uses to which the message center sign can be associated;
- Language added to clarify that the rights-of-way in which message center sign would be permitted are public, located within or within 300 feet of the Downtown Regional Activity Center – Arts and Sciences zoning district, and are controlled by the City of Fort Lauderdale;
- Clarified that the buildings or facilities that a message center sign located within a public right-of-way is associated must be located within Downtown Regional Activity Center – Arts and Sciences zoning district;

- Provides that the messages displayed on the message center sign placed within the public right-of-way, is subject to approval of the City of Fort Lauderdale.

### **Background**

Current ULDR requirements 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, and meet specific standards regarding facility size and composition. Only two message center signs have been permitted and erected within the City of Fort Lauderdale (City) pursuant to the existing criteria, one is located at the Broward County Convention Center on the 17th Street Causeway and the other at Holiday Park on North Federal Highway in association with the Parker Playhouse Theater and War Memorial Auditorium.

In recent years, it has become apparent there are other types of facilities and locations within the City for which it is in the public interest to permit the use of message signs. The Downtown Regional Activity Center, which is made up of multiple downtown zoning districts is such a location. The Arts and Science District (RAC-AS), in particular, contains venues directly associated with cultural events including the Broward Center for the Performing Arts and the Museum of Discover and Science. Facilities located in these areas present a challenge in regards to public awareness of various productions and art installations occurring at any given time by these organizations. In particular, those facilities located within the RAC-AS as they are in an area limited to the south by Broward Boulevard and north of the New River generally along the SW 2nd Street corridor (Exhibit 1) with little to no visibility from Broward Boulevard, a major travel corridor and entrance into the City and the downtown in particular.

On October 21, 2015 staff presented an initial draft of a proposed amendment to the Planning and Zoning Board (PZB) under case T15005 amending Section 47-22.3.J. of the ULDR, Message Center Signs, however, at this meeting, the PZB felt the proposed criteria didn't sufficiently address the following:

- Limiting use of message center signs to governmental entities or public/private partnerships;
- Limiting the number of signs permitted;
- Providing for a separation criteria.

To review the staff report presented to the PZB and the minutes from the October 21, 2015 meeting please refer to Exhibits 2 and 3.

As a result, the PZB deferred the item and on February 17, 2016 staff presented revised draft language to Section 47-22.3.J. of the ULDR, Message Center Signs that directly addresses the three concerns brought up by the PZB. At this meeting, the PZB voted to recommend approval to the City Commission by a vote of 6-0.

To review the PZB staff report and minutes from the February 17, 2016 meeting please

refer to Exhibits 4 and 5.

As stated above, the City Commission approved the item on first reading, however, the City Attorney's Office has advised that certain changes needed to be made to the proposed language for clarification purposes and to identify additional language designed to provide findings and case law that further supports the amendment.

The following is a breakdown of the proposed amendment:

- Message center signs may be permitted in public right-of-way that is controlled by the City of Fort Lauderdale in relation to the development site or sites on which the facility it serves is located;
- Cultural arts, artistic, and educational events was added to the list of primary uses to which the message center sign can be associated;
- Community events was removed from the list of primary uses to which the message center sign can be associated;
- The number of buildings or facilities that can be aggregated to meet the minimum seating capacity of 4,000 persons and minimum floor area of 100,000 square feet is no longer limited to a specific number;
- The message center sign and the facility it serves must be located within the Regional Activity Center – Arts & Sciences (RAC-AS) zoning district or within 300-feet of it;
- The message center sign can be located no more than 800-feet from the property/facility 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 district;
- 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.
- Messages displayed on the message center sign placed within the public right-of-way are subject to approval of the City of Fort Lauderdale.

To review the proposed amendment to Section 47-22.3.J of the ULDR, Message Center Signs, please refer to Exhibit 6.

### **Resource Impact**

There is no fiscal impact associated with this action.

### **Strategic Connections**

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Neighborhood Enhancement 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.

This item advances the *Fast Forward Fort Lauderdale Vision Plan 2035: We Are Community*.

### **Attachments**

Exhibit 1 – Location Map

Exhibit 2 – PZB Staff Report – October 21, 2015

Exhibit 3 – PZB Minutes – October 21, 2015

Exhibit 4 – PZB Staff Report – February 17, 2016

Exhibit 5 – PZB Minutes – February 17, 2016

Exhibit 6 – Proposed Ordinance

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Prepared by: Anthony Gregory Fajardo, Zoning Administrator

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