COUNCIL ITEM 8A
DATE 12-12-11

COUNCIL ITEM ~~10A~~
DATE ~~11/28/11~~

ORDINANCE 11-87

AN ORDINANCE AMENDING THE CITY OF PORT ST. LUCIE CODE OF ORDINANCES, AMENDING CHAPTER 155 SIGN CODE OF THE CITY OF PORT ST. LUCIE LAND DEVELOPMENT REGULATIONS; PROVIDING AN EFFECTIVE DATE.

THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. All remaining provisions of Chapters 155 shall remain in full force and effect.

~~Strikethrough~~ text is proposed for deletion and underlined text is new language.

The amendment to Chapter 155.03(G)(1) Fees of the Sign Code of the City of Port St. Lucie Land Development Regulations is proposed as follows:

(G) Fees:

1) At the time of submission of an application for a sign permit, all fees associated with the subject sign shall be paid per the following rates:

APPLICATION	FEE
A. Planning and Zoning Sign Review Fees:	
1) New applications	$ 150.00
2) Change of copy on existing permitted façade sign.	$ 50.00
3) Drive-thru canopy instructional Signs – 4 per application	$ 300.00
~~4) Window Signs – **~~ ~~4 per application~~	~~$ 50.00~~
4 ~~5~~) Resubmittal (1st No Charge-Subsequent Resubmittals	$ 90.00
5 ~~6~~) Billboards – Sec.155.03(G)	$8,850.00
6 ~~7~~) Billboards -Annual re-Inspection fee	$1,885.00
7 ~~8~~) Master Sign Program	$3,980.00

~~**Any legal window sign (not exceeding 20% window coverage) existing as of March 8, 2010, will be issued a sign permit at no charge.~~

ORDINANCE 11-87

The amendment to 155.04 Exemptions to Permitting Procedures of the Sign Code of the City of Port St. Lucie Land Development Regulations is proposed as follows:

> (19) Window Signs. No more than 40% of any window or door surface shall be covered with such signs. Window signage shall allow a clear and unobstructed view from outside the building and a normal line of sight inside the business establishment. Convenience businesses are limited by State Law (F.S. 812.1701-812.175) to 20% window coverage.

The amendment to 155.08(T) Window Signs of the Sign Code of the City of Port St. Lucie Land Development Regulations is proposed as follows:

> ~~(T) Window Signs. No more than 40% of any window or door surface shall be covered with such signs. Window signage shall allow a clear and unobstructed view from outside the building and a normal line of sight inside the business establishment. Convenience businesses are limited by State Law (F.S. 812.1701-812.175) to 20% window coverage.~~
>
> > ~~(1) A permit application is required to show the distribution and location of the 40% coverage of the signage on the glass. The permit application must include a sketch to show the location and distribution of the signage. A new permit will be required if there is a change in the business ownership or distribution of the signage.~~
> >
> > ~~(2) Window sign permit must be prominently displayed on premises along with the business tax receipt.~~

The remainder of this page is intentionally left blank.

Section 2. This ordinance shall become effective ten (10) days after its final adoption.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____ 2011.

CITY COUNCIL
CITY OF PORT ST. LUCIE, FLORIDA

BY:_____
JoAnn M. Faiella, Mayor

ATTEST:

_____
Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

BY:_____
Roger G. Orr, City Attorney

CITY OF PORT ST. LUCIE, FL - CITY COUNCIL

AGENDA ITEM REQUEST

MEETING: ***REGULAR*** __X__ ***SPECIAL*** ____

DATE: **November 28, 2011 and December 12, 2011**

ORDINANCE __X__ ***RESOLUTION*** ____ ***MOTION*** ___ ***PUBLIC HEARING*** __X__

ITEM: **P11-127 CITY OF PORT ST. LUCIE CHAPTER 155 SIGN CODE ZONING TEXT AMENDMENT APPLICATION**

RECOMMENDED ACTION: The Planning and Zoning Board unanimously recommended approval of the text amendment on November 1, 2011.

EXHIBITS:

A. **Ordinance**
B. **Staff Report**
C. **Support Materials**

SUMMARY EXPLANATION/BACKGROUND INFORMATION: The City of Port St. Lucie is proposing to amend Chapters 155.03(G)(1) Fees, 155.04 Exemptions to Permitting Procedures, and 155.08(T) Window Signs of the Sign Code of the City of Port St. Lucie Land Development Regulations to remove the window sign permit requirement consistent with City Council's motion of September 26, 2011.

IF PRESENTATION IS TO BE MADE, HOW MUCH TIME WILL BE REQUIRED?

None.

SUBMITTING DEPARTMENT: PLANNING and ZONING DATE: November 15, 2011

City of Port St. Lucie
Planning and Zoning Department
A City for All Ages

TO: **CITY COUNCIL – MEETING OF NOVEMBER 28, 2011**

FROM: **KATHERINE H. HUNTRESS, PLANNER**

RE: **ZONING TEXT AMENDMENT**
CITY OF PORT ST. LUCIE CHAPTER 155 SIGN CODE
PROJECT NO. P11-127

DATE: **NOVEMBER 15, 2011**

The City of Port St. Lucie is proposing to amend Chapters 155.03(G)(1) Fees, 155.04 Exemptions to Permitting Procedures, and 155.08(T) Window Signs of the Sign Code of the City of Port St. Lucie Land Development Regulations to remove the window sign permit requirement.

History: On November 24, 2008 a discussion was held before the City Council regarding the Sign Code. The City Council appointed seven Sign Code Review Committee members on May 11, 2009 to evaluate the Sign Code.

The Sign Code Review Committee's first meeting was on June 10, 2009, and meetings continued through December 16, 2009. During these meetings the Committee reviewed the Sign Code, the Design Standards, the sign permitting process, sign review procedures, enforcement of the Sign Code, safety issues, the Sunshine Laws, case law, and the public engagement results. The Building, Legal, Code Enforcement, Engineering, Public Works, Police, and Planning and Zoning Departments participated in the review and discussion of the proposed Sign Code update. The new Sign Code was approved on March 8, 2010 (Ordinance 10-08).

One of the changes that was made was that a permit would be required for window signs, which would allow for up to 40% coverage on each window. After that, the St. Lucie County Chamber of Commerce contacted the Council and had some issues with it. They wanted to know if a business was in compliance, why should it be required to pay a fee. The Council then requested that they waive the fee for any businesses that were in compliance. Last fall, Code Enforcement informed businesses of this requirement, and that there was a need to comply. They informed them again this summer and statistically speaking, we have had very little compliance. There were 19 permits out of 7,000 businesses that were obtained. This was brought to the Council's

attention, and on September 26, 2011, the Council unanimously voted to suspend the sign ordinance permit procedure for window signs, and continue to enforce the 40% coverage.

The purpose of this amendment is to remove the window sign permit requirement. All remaining provisions of Chapter 155 shall remain in full force and effect. ~~Strikethrough~~ text is proposed for deletion and <u>underlined</u> text is new language.

The amendment to Chapter 155.03(G)(1) Fees of the Sign Code of the City of Port St. Lucie Land Development Regulations is proposed as follows:

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~~(2) Window sign permit must be prominently displayed on premises along with the business tax receipt.~~

STAFF RECOMMENDATION

The Planning and Zoning Department staff finds the request to be consistent with the direction and intent of the City's policies of the Comprehensive Plan and recommends approval. The Planning and Zoning Board reviewed the request on November 1, 2011 and unanimously recommended approval.