

ORDINANCE NO. C-10-46

AN ORDINANCE CREATING TEMPORARY SIGN REGULATIONS AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO CREATE A PILOT PROGRAM TO PERMIT ON A TEMPORARY BASIS BANNERS AND SANDWICH SIGNS; PROVIDING STANDARDS AND CRITERIA; PROVIDING AN EFFECTIVE DATE.

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WHEREAS, since January 2009, the United States has experienced an unprecedented downturn in its economy; and

WHEREAS, business owners have expressed a concern with the visibility of their operations within a development site and want persons who are on or near their business to know where the business is located or what the business is; and

WHEREAS, certain shopping centers have more than one layer of businesses with some being located further away from and behind businesses located closer to the regularly traveled vehicular and pedestrian rights-of-way making it more difficult for a person entering the shopping center to identify the location of a particular business within the shopping center; and

WHEREAS, business owners in larger shopping centers have expressed their desire that during this period of time, permitting additional temporary and removable signs identifying the businesses on their development site would attract more business from residents and tourists alike; and

WHEREAS, signs permitted under the existing sign regulations may not make the location or type of business apparent to a pedestrian walking by or through a development site; and

WHEREAS, two means of permitting additional signage that is removable and temporary are sandwich signs and banner signs as further described in this ordinance; and

WHEREAS, due to aesthetic and traffic safety considerations, the City's Unified Land Development Regulations, and specifically Section 47-22, in effect on the date of adoption of this ordinance, do not permit sandwich and banner signs on any development site; and

WHEREAS, the City Commission finds that it is in the best interest of the public to implement a trial sign regulation program during the economic downturn to permit certain temporary signage in shopping centers and businesses when the signs are located a distance

from a public right-of-way. The City will gather information to determine whether the signs promote economic development while analyzing any negative impacts on the character and aesthetics of the area where permitted and on vehicular and pedestrian safety;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That each WHEREAS clause set forth above is true and correct and incorporated herein by reference.

SECTION 2. That the City Commission hereby designates a twenty (20) month pilot program to commence on the date this Ordinance takes effect (“Pilot Program”) to permit banners in shopping centers and sandwich signs for businesses both in and out of shopping centers subject to certain standards and criteria as provided herein.

SECTION 3. That during the Pilot Program, Section 47-22, Sign Requirements, of the Unified Land Development Regulations (hereinafter referred to as “ULDR”) of the City of Fort Lauderdale, Florida, is hereby amended to read as if a new subsection Y. and Z. of Section 47-22.3 were added as follows:

SECTION 47-22. SIGN REQUIREMENTS

Section 47-22.3. General regulations.

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Y. Sandwich signs. Sandwich signs, including sidewalk, sandwich and movable signs, shall only be permitted in accordance with the following review process and requirements:

- 1. Location. The location of a sandwich sign must comply with the following requirements:

The sandwich sign is:

- a. located in a place associated with an on-site permitted retail sales, service use or both; and

- b. located on a paved private walkway in a manner that a minimum five-foot clear pedestrian path on the walkway is maintained at all times and the walkway continues to meet minimum ADA requirements; and
- c. removed and brought inside a building when there are storm warnings so as not to become a hazard during a storm event; and
- d. not located within a parking facility, within required landscaping or on public right-of-way or public sidewalk; and
- e. placed in a location directly abutting the tenant or business for which it is associated; and
- f. is removed and brought indoors during the hours the business is closed.

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

- a. Maximum of forty-three (43) inches in height; and
  - b. Maximum of thirty-six (36) inches in width.
3. Display characteristics:
- a. No sandwich sign shall display or incorporate into the graphic display colors identical to or similar to colors used for traffic signalization, direction or control; and
  - b. All information advertised must directly relate to the business being conducted by the tenant space for which the sign is associated.
4. Number. One (1) sandwich shall be permitted per tenant or business located on a development site.

5. Review process:

- a. Approval of a site plan level I permit as described in Section 47-24.2.

Z. Banner Signs. Banner signs shall only be permitted in accordance with the following review process and requirements:

1. Standards. Banner signs shall only be permitted within a shopping center that meets the following criteria:

- a. The development site on which a shopping center is located is no closer than 250 feet from any public right-of-way that is seventy feet or more in width measured at the closest points of the development site and the right-of-way; and
- b. The development site on which the shopping center is located has a minimum of fifteen (15) acres; and
- c. There are at least ten (10) different tenants or businesses within the shopping center.

Location. Banner signs shall be located on the development site in accordance with the following:

- a. Minimum twenty (20) feet from all property lines; and
- b. Shall be attached to an existing light pole contained wholly within the on-site parking facility associated with the development site; and
- c. No banner sign shall be visible from adjacent residential property.

3. Number. No more than four (4) light poles per one (1) acre of on-site surface parking lot shall be utilized for the display of banner signs.

4. Dimensional requirements. The setbacks, height and size of a banner sign shall be as follows:

- a. Maximum of forty-eight (48) inches in height; and
  - b. Maximum of thirty (30) inches in width.
5. Display characteristics:
- a. No banner sign shall display or incorporate into the graphic display colors identical to or similar to colors used for traffic signalization, direction or control; and
  - b. All information advertised must directly relate to the businesses being conducted by the tenants of the shopping center for which the sign is associated. This does not prohibit decorative banners such as banners with a holiday theme.
6. Additional criteria:
- a. Banner signs may not be illuminated through any means other than existing lighting approved for the development site; and
  - b. Material must consist of vinyl or a similar material design for prolonged exposure to the elements; and
  - c. Banner signs shall be kept in good condition. Any banner sign that is torn, faded or damaged in any way shall be removed.
7. Review process.
- a. Approval of a site plan level I permit as described in Section 47-24.2.

SECTION 4. That at the end of the twenty month period described in Section 2. of this Ordinance, the Pilot Program shall end and the regulations provided herein permitting banner and sandwich signs will terminate and be of no further force and effect.

SECTION 5. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 6. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 7. That this Ordinance shall be in full force and effect ten days from the date of final passage.

PASSED FIRST READING this the 16th day of November, 2010.  
PASSED SECOND READING this the 7th day of December, 2010.

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Mayor  
JOHN P. "JACK" SEILER

ATTEST:

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City Clerk  
JONDA K. JOSEPH

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