

## CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

**JEFFREY R. CLEMENTS**  
Chief of Research  
(904) 630-1377



117 West Duval Street  
City Hall, Suite 425  
Jacksonville, FL 32202  
FAX (904) 630-3403

**Bill Type and Number:** Ordinance 2015-810

**Introducer/Sponsor(s):** Council President at the request of the General Counsel

**Date of Introduction:** November 24, 2015

**Committee(s) of Reference:** F, R, LUZ

**Date of Analysis:** November 25, 2015

**Type of Action:** Approving amended legal settlement agreement

**Bill Summary:** The bill approves a Second Amended and Restated Settlement Agreement between the City, Scenic Jacksonville Inc. and CBS Outdoor, LLC regarding enforcement of the City's off-site sign regulations (Second Amended Agreement). The Second Amended Agreement corrects errors made at the time of drafting the Amended and Restated Agreement executed by the same parties and authorized by 2014-717-E on November 25, 2014 ("Amended Agreement"), clarifies certain terms therein, and, consistent with 2014-717-E, waives enforcement of certain sign regulations, including provisions of the City Charter and any other law that conflicts with the terms of the Second Amended Agreement, solely to allow operation of the Second Amended Agreement.

**Background Information:** The Second Amended Agreement reflects the new name of the former CBS Outdoor, LLC – Outfront Media, LLC. It revises a discrepancy among sign takedown dates in the Amended Agreement, Exhibit C and Exhibit D by clarifying that the dates should be March 1, not December 31, of the applicable year (Exhibit C - CBS Outdoor Billboard Structures and Sign Faces to be Removed on or Before ~~December 31~~ March 1, 2023; Exhibit D - CBS Outdoor Billboard Structures and Sign Faces to be Removed on or Before ~~December 31~~ March 1, 2043).

The Second Amended Agreement adds definitions of "main-traveled way" and "sign height" to correct an erroneous omission in the Amended Agreement so as to reflect both parties' intent that sign height limits were not meant to differ based on whether a sign faces a highway overpass or not. It corrects an omission from the Amended Agreement of a height restriction with regard to surface streets by imposing a height limit of 50 feet on signs primarily oriented to major arterial roadways.

It amends Exhibit E – Nine Parcels Where Existing Billboard Structures With Static Faces May Be Removed and Replaced With New Billboard Structures With LECMD Faces to provide that: the company may place one changing sign face on the structure located at 3233 Emerson Street facing I-95 facing south (the north-facing sign must be static); that the sign height may not exceed 60 feet; that the company may not trim or remove any trees between the sign and residential property to the west of the sign; and to add a footnote to Exhibit E requiring that the exhibit must be read in conjunction with the terms of the Second Amended Agreement, including permitting requirements. It amends Exhibit G – Permissible Federal-Aid Primary Highways and Segments to correct an erroneous reference to a portion of Atlantic Boulevard between University Boulevard and Hawaii Drive and to remove a reference to Airport Center Drive which is not a Federal-Aid Primary Highways or Segment. The revised agreement clarifies the definition of "then-current" and "then-existing" to mean current or existing at the time that CBS Outdoor submits a sign application to the City.

**Policy Impact Area:** Off-site sign regulation

**Fiscal Impact:** None

**Analyst:** Clements