

**CITY OF GREEN COVE SPRINGS, FLORIDA
STAFF REPORT
FOR MEETING OF APRIL 18, 2017**



SUBJECT: First Reading and Public Hearing on Ordinance No. O-04-2017, an Ordinance amending City Code Section 110-5. “Exempt Signs”, to exempt certain City Council approved murals from the Sign Regulations and Land Development Code.

BACKGROUND: At the July 19, 2016 City Council meeting, Chris Eversole, the City’s Communications Coordinator, updated the Council on the citizen lead efforts to create murals in the City. On January 10, 2017, Amy Stump addressed the Council about the murals. After that date, City Manager met with Ms. Stump about the mural program and on January 21st, updated the Council on her meeting with Ms. Stump and what need to be done by the City to allow murals.

Staff met to discuss what changes to the Land Development Regulations would be required to allow murals on private properties and presented the proposed changes to the City Council at their March 7th meeting. A proposed application for the murals was also presented to the Council at the meeting. The City Council directed staff to prepare the needed changes to the Land Development Code. The attached ordinance incorporates the required changes to all the murals.

PLANNING AND ZONING BOARD RECOMMENDATION: The Planning and Zoning Board held a Public Hearing on the Ordinance at their meeting of March 30, 2017. There were no comments received at the Public Hearing. A motion was made to recommend to the City Council adoption of an Ordinance Amending City Code Section 110-5. “Exempt Signs”, To Exempt Certain City Council Approved Murals from the Sign Regulations and Land Development Code. The vote was unanimous.

FISCAL IMPACT/FUNDING SOURCE: None. The murals will be privately funded and maintained.

RECOMMENDATION: Approve Ordinance No. O-04-2017 on first reading as to form only and set the Public Hearing for the Second and Final Reading of the Ordinance for May 16, 2017.

MOTION: Approve Ordinance No. O-04-2017 on first reading as to form only and set the Public Hearing for the Second and Final Reading of the Ordinance for May 16, 2017.

Created/Initiated By: Janis Fleet, Development Services Director on 04/12/2017 7:52 AM
Final Approval By: Danielle J. Judd, City Manager on 04/12/2017 04:59: PM

ORDINANCE NO. O-04-2017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, AMENDING CITY CODE SECTION 110-5. "EXEMPT SIGNS", TO EXEMPT CERTAIN CITY COUNCIL APPROVED MURALS FROM THE SIGN REGULATIONS AND LAND DEVELOPMENT CODE; PROVIDING FOR REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City Council has been requested to allow certain murals to be painted on private buildings; and

WHEREAS, the City Council does not desire to treat such murals as signs within the City Code; and

WHEREAS, the City Council does desire to approve the murals in order to exempt them from the City's Sign Ordinance.

NOW, THEREFORE BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA AS FOLLOWS:

Section 1. City Code Section 110-5 entitled "Exempt Signs" is hereby amended to read as follows:

Sec. 110-5. – Exempt signs.

The following signs are exempt from the operation of the sign regulations of this chapter, and from the requirement in the land development code, provided they are not placed or constructed so as to create a hazard of any kind:

- (1) Signs that are not designed or located so as to be visible from any street or adjoining property.
- (2) Identification signs of two square feet or less.
- (3) Legal notices.
- (4) Decorative flags, bunting and other types of signs to not exceed 12 square feet for a celebration, convention, or commemoration of significance to the entire community when authorized by the city manager or his or her designee for a prescribed period of time.
- (5) Religious displays.

- (6) Governmental signs for traffic control, street designation or directions to public facilities.
- (7) Under canopy signs less than four square feet.
- (8) Menu boards for drive in facilities less than two in number for commercial enterprise.
- (9) Memorial signs or tablets when cut into masonry.
- (10) Murals approved by the City Council, which do not propose a commercial transaction, but instead involve only the expression of ideas and beliefs.

Section 2. REPEALER. Any Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 3. SEVERABILITY. The various parts, sections and clauses of this Ordinance are hereby declared severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 4. EFFECTIVE DATE. This Ordinance shall become effective upon passage.

INTRODUCED AND APPROVED AS TO FORM ONLY ON THE FIRST READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, ON THIS 18TH DAY OF APRIL, 2017.

CITY OF GREEN COVE SPRINGS, FLORIDA

Pamela J. Lewis, Mayor

ATTEST:

Julia W. Clevinger, City Clerk

**PASSED ON SECOND AND FINAL READING BY THE CITY COUNCIL OF THE
CITY OF GREEN COVE SPRINGS, FLORIDA, THIS 2ND DAY OF MAY, 2017.**

CITY OF GREEN COVE SPRINGS, FLORIDA

Pamela J. Lewis, Mayor

ATTEST:

Julia W. Clevinger, City Clerk

APPROVED AS TO FORM:

L. J. Arnold, III, City Attorney



CITY OF GREEN COVE SPRING MURAL PROGRAM GUIDELINES

The City of Green Cove Springs has created a Mural Program in cooperation with civic groups. The program is designed to beautify the City and promote its history and natural resources. The following Guidelines apply to the Mural Program:

- Murals are subject to approval by City Council. Considerations will include:
 - Consistency with the goal of promoting its history and natural resources
 - Cannot propose a commercial transaction but, instead, involve only the expression of ideas or beliefs.
 - Placement of the mural on a business, government, or nonprofit structure.
 - Property owner's agreement with the project and commitment to participate financially
 - Qualifications of artists.
 - Plans for durability of the mural.
 - Plans to protect the mural from deterioration.

- With Council approval, murals shall be exempt from the Section 110 of the Land Development Regulations - Signs.
- The City will cooperate with civic groups painting murals in ways such as traffic control while painting is proceeding.
- Approval of a mural does not create any financial obligation on behalf of the City.
- Approval is good for a period of six months.



CITY OF GREEN COVE SPRINGS
MURAL APPLICATION

1. Project: _____
2. Applicant Name: _____
3. Owner Name: _____
4. Applicant Address: _____
5. Property Address: _____

6. Applicant Phone: (____) _____ Fax: (____) _____ Email: _____
7. Contact Person: _____
8. Contact Phone: (____) _____ Fax: (____) _____ Email: _____

Attach detailed outline of the proposed work, including:

- Artist's rendering
- Major sponsor and supporting groups or individuals
- Qualifications of project manager and artist
- Estimated timeline

I understand that my application is subject to City Council approval and that I will be expected to follow the Mural Guidelines.

All attachments are required for a complete application.

I certify and acknowledge that the information contained herein is true and correct to the best of my/our knowledge.

Signature of Applicant

Typed or printed name and title of applicant