

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
12/2/2020**

**AGENDA TAB NO.: 2**

**SUBJECT TITLE: Ordinance 2020-12 - Land Development Regulations Amendment - Chapter 21 Temporary Signs on Vacant Property and Miscellaneous Sign Content (Community Development)**

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**OBJECTIVE:**

To amend the City's Land Development Regulations Chapter 21 amending Temporary Sign Regulations and Miscellaneous Sign content in conformity with Supreme Court decisions.

**SUMMARY:**

A U.S. Supreme Court decision in *Reed v Town of Gilbert* ruled that regulating signs based on the message on the sign would be a restriction to free speech or conversely show favoritism to some category of speech. The court further determined that regulating signs based on the message would be unconstitutional and would invalidate the regulation or governing code.

The court did recognize that governmental type signs such as traffic signs in the street right-of-ways fall into a separate category and are necessary for public safety and protection. The court also stated that sign design such as size, height, location, number allowed, etc. could be regulated provided no reference is made to the sign message.

Current City regulations prohibit temporary signs on vacant property, and at their August 5, 2020 meeting City Council directed staff to propose an amendment to the Land Development Regulations to allow temporary signs on vacant property, regardless of content, subject to the issuance of a permit and a time limit of 90 days.

Ordinance 2020-12 proposes changes to temporary sign regulations that temporary signs shall require a no fee permit, be permitted for a period of 90 days in a calendar year, shall be permitted on vacant and developed land, and shall be limited to two (2) signs per parcel of property. Ordinance 2020-12 also proposes to remove a provision pertaining to flag content in conformity with Supreme Court decisions.

At their November 19<sup>th</sup> meeting the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2020-12 with an amendment to Section 21-16 allowing temporary feather signs up to a maximum height of fourteen feet (14'). Ordinance 2020-12 has been modified per the Planning & Zoning Board's recommendation.

**OPTIONS:**

1. That City Council moves to approve Ordinance 2020-12 amending Temporary Sign Regulations and Miscellaneous Sign content in conformity with Supreme Court decisions.
2. That City Council moves to deny Ordinance 2020-12.

**STAFF RECOMMENDATION:**

Option 1 - Move to approve Ordinance 2020-12 amending Temporary Sign Regulations and Miscellaneous Sign content in conformity with Supreme Court decisions.

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

**ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:**

1. Ordinance 2020-12 Temporary Sign Regulations (Holt redline)
2. 11-8-2020 AD

*Attachments not provided are available to the public upon request to the City Clerk.*