



ITEM SUMMARY

MEETING DATE: February 6, 2023

FROM: Caryn Gardner-Young, Zoning Administrator

SUBJECT: **Ordinance 2023-01, ZTA-22-18**
Sign Regulations

BACKGROUND

On September 23, 2022, the City Council adopted updated sign regulations to be in compliance with state, federal and county regulations. Unfortunately, during the rewrite, inadvertently sign copy area for residential and non-residential signs was omitted. The intent of this zoning text amendment is to include in the zoning code the sign copy area with no proposed changes to the square footage allowed

The Planning and Zoning Board of Appeals voted four (4) to zero (0) to recommended approval of Zoning Text Amendment ZTA-22-07 as presented by staff on January 12, 2023.

ANALYSIS

The principal intent of these proposed text amendments to the Zoning Code is to include sign copy area which was inadvertently omitted during the last zoning text amendment round. The proposed language is not recommending any changes to the previous sign copy area square footage.

FINANCIAL INFORMATION

N/A.

LEGAL

Ordinance 2023-01 was prepared in accordance with all applicable state statutes and City Code Requirements and has been reviewed by the City Attorney.

STAFF RECOMMENDATION

Approval of ZTA-22-18 through the adoption of Ordinance 2023-01.

ORDINANCE NO. 2023-01

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING CHAPTER 16 “ZONING REGULATIONS,” ARTICLE VI, “SIGN REGULATION,” DIVISION 5, SIGN REGULATION BY ZONING DISTRICT, SECTION 16-983, IDENTIFICATION SIGNS, TO CLARIFY THE MAXIMUM SIGN COPY AREA; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Greenacres, Florida, is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, Article VIII of the State Constitution and Chapter 166, Florida Statutes, provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, on September 28, 2022, the City Council adopted Ordinance No. 2022-25 to modify and update the City’s regulation of signs in Chapter 16, Article VI, Sign Regulation, of the City of Greenacres Code of Ordinances; and

WHEREAS, there is a need to further amend Section 16-983, subsections (a) and (b) of the newly adopted sign regulations to clarify the maximum allowable sign copy area for certain identification signs; and

WHEREAS, in accordance with the requirements of Chapter 163, Florida Statutes, the City’s Local Planning Agency has reviewed the proposed Ordinance and has determined that the proposed regulation is consistent with the City’s Comprehensive Plan; and

WHEREAS, the City Council conducted a first and second reading of this Ordinance at duly noticed public hearings, as required by law, and after having received input from and

participation by interested members of the public and staff, the City Council has determined that this Ordinance is consistent with the City's Comprehensive Plan; and

WHEREAS, the City Council deems approval of this Ordinance to be in the best interest of the residents and citizens of the City of Greenacres.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AS FOLLOWS:

SECTION 1. **Legislative Findings, Intent and Purpose.** The WHEREAS clauses contained herein are legislatively determined to be true and correct and are incorporated herein and represent the legislative findings of the City Council.

SECTION 2. The City Council hereby amends the City of Greenacres Code of Ordinance at Chapter 16, Zoning Regulations, Article VI, Sign Regulation, Division 5, Sign Regulation by Zoning District, Section 16-983, by amending subsections (a) and (b) to read as follows (words ~~stricken~~ are deletions; words underlined are additions):

CHAPTER 16. ZONING REGULATIONS.

ARTICLE VI. SIGN REGULATIONS

DIVISION 5. – SIGN REGULATION BY ZONING DISTRICT

Sec. 16-983. Identification signs.

(a) Residential districts.

- (1) In residential districts, non-residential uses are allowed one (1) identification wall sign.
- (2) For planned residential developments and subdivisions, one free-standing sign per major access is allowed. Two (2) signs with one (1) copy side each may be permitted in place of a single sign with two (2) copy areas.

(3) The maximum copy area per sign face shall be 32 sq. ft.

(b) *Non-residential districts.* Except as provided in subsections (1), (2) and (3) below, in commercial and other non-residential districts, one (1) free standing sign and one (1) wall sign shall be allowed per frontage, provided that the signs are not located within two hundred (200) feet of each other on the same lot as measured along the frontage line.

(1) For single-use stores with over forty thousand (40,000) sq. ft. of floor area, three (3) wall signs with copy area not to exceed the maximum copy area allowed.

(2) Multi-tenant commercial properties are allowed one (1) freestanding sign per frontage and one (1) wall sign per tenant space.

(3) Outparcels and outbuildings within a unified development are allowed one (1) free-standing monument sign with a maximum height of eight (8) feet and with a maximum copy area of forty (40) sq. ft. per sign face.

(4) Time and temperature signs not exceeding two (2) feet in height, located in the bottom portion of the sign, may be included as an integral part of the identification sign copy area in CG districts for banks and financial institutions with drive-thrus.

(5) Electronic changeable copy gas station price signs not exceeding twelve (12) square feet may be included as an integral part of the freestanding sign copy area for gas stations located in the CG and CI districts provided, they are LED style and the sign copy is only for fuel prices.

(6) Electronic changeable copy signs for Government users are limited to messages that serve a public purpose and are not permitted to promote commercial messages of any kind. No advertising for off-site businesses is permitted in any

form.

- (7) The allowable copy area per sign face for each wall sign shall be one and one half (1 ½) sq. ft. per linear foot of building or tenant frontage, not to exceed the following maximum copy area by zoning district:

<u>Zoning District</u>	<u>Maximum Wall Sign Copy Area</u>
<u>OPI, MXD-O</u>	<u>60 sq. ft.</u>
<u>CN, MXD-OS</u>	<u>75 sq. ft.</u>
<u>CG, CI, GU</u>	<u>240 sq. ft.</u>
<u>MXD-R, MXD-C</u>	<u>30 sq. ft.</u>

- (8) The allowable copy area per sign face for each freestanding sign shall be 25% of parcel linear footage, not to exceed the following maximum copy area by zoning district:

<u>Zoning District</u>	<u>Maximum Freestanding Sign Copy Area</u>
<u>OPI</u>	<u>60 sq. ft.</u>
<u>CN, MXD-OS</u>	<u>75 sq. ft.</u>
<u>CG</u>	<u>240 sq. ft.</u>
<u>MXD-R, MXD-C</u>	<u>12 sq. ft.</u>
<u>MXD-O</u>	<u>90 sq. ft.</u>
<u>CI, GU</u>	<u>400 sq. ft.</u>

(c) *General provisions – wall signs.*

- (1) There shall be a minimum separation of three (3) feet between wall signs.
- (2) Side wall building signage shall not exceed fifty (50) percent of max. sq. ft. of allowable building sign copy area, or twenty-five (25) percent of max. sq. ft. of allowable building signs copy area when adjacent to residential parcels.

- (3) All wall signs shall be no closer than twelve (12) inches from the side lines of the premises storefront and six (6) inches to the top and bottom of the premises sign area.
- (4) The height of any wall sign cannot exceed the top elevation of the structure.
- (5) Building signs shall be consistent in color with those of the freestanding sign.
- (6) Unless otherwise approved as part of the Master Sign Plan, site, and development plan approval, or as necessary to maintain consistency with the majority of the existing signs in the plaza, wall signs shall be internally illuminated with individual channel letters or reverse channel letters. The trim cap and returns of the building wall sign shall be the same color as the letters and the illumination shall be with clear neon or LED tubing. No raceways or box signs will be permitted. A maximum of fifty (50) percent of the area of each wall sign may incorporate a logo of any color, the logos shall not exceed the total height of the sign on the building and shall meet the requirements of distance from the premise area.

(d) *General provisions – freestanding signs.*

- (1) Free-standing identification signs shall be designed as monument signs, and oriented perpendicularly to the frontage on which they are situated. The maximum height for free-standing signs shall be eight (8) feet except as otherwise provided in this Chapter.
- (2) Free-standing signs must be located within the general area of the major vehicular access points and must include the name of the development prominently displayed. Free-standing identification signs for commercial developments must also include the full range of street addresses located

onsite (this will not be included as part of the copy area).

- (3) Freestanding signs shall be consistent in color with those on the building. All freestanding signs shall be designed with an opaque background, so that light or a light source cannot penetrate through the sign with the exception of through the letters and logo associated with said sign. The architectural design shall be consistent with the design of the building, sharing materials, colors, and design motifs.
- (4) Free-standing monument signs may include a leasing sign not exceeding twelve (12) square feet incorporated into the base of the monument sign. Letter size shall be no less than five (5) inches using no more than two (2) colors and consistent with the design of the rest of the sign.
- (e) All signage located within any development shall maintain architectural consistency with itself, as well as with all structures, located onsite. The development may get a master sign program approval which incorporates multiple colors, fonts, and logos provided it is included in part of a theme that provides architectural consistency for the project as a whole and is formally approved by the city.

SECTION 3. Repeal of Conflicting Ordinances. All other ordinances or parts thereof or parts of the Code conflicting or inconsistent with this Ordinance are hereby cancelled, repealed, or revised to be consistent with provisions and elements of this Ordinance.

SECTION 4. Severability. If any section, part of a section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance.

SECTION 5. Codification.

It is the intention of the City Council that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Greenacres, Florida; that the Section(s) of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word "Ordinance" may be changed to "Section", "Article" or another word.

SECTION 6. Effective Date.

The provisions of this Ordinance shall become effective upon adoption.

Passed on the first reading this _____ day of _____, 2023.

PASSED AND ADOPTED on the second reading this _____ day of _____, 2023.

Voted:

Joel Flores, Mayor

John Tharp, Deputy Mayor

Attest:

Voted:

Quintella Moorer, City Clerk

Peter Noble, Council Member, District II

Voted:

Judith Dugo, Council Member, District III

Voted:

Susy Diaz, Council Member, District IV

Voted:

Paula Bousquet, Council Member, District V

Approved as to Form and Legal Sufficiency:

Glen J. Torcivia, City Attorney

ZTA-22-18 (Ordinance 2023-01)
 Date: December 21, 2022

Revised: 1/12/2023

	DEVELOPMENT REVIEW COMMITTEE STAFF REPORT AND RECOMMENDATION
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ZTA-22-18: Sign Regulations

Recommendation to City Council: A City-initiated request for a text amendment to include sign copy area for all signs permitted in each zoning district .

Recommendation to APPROVE

Recommendation to DENY

Quasi-Judicial

Legislative

Public Hearing

<p>Originating Department:</p> <p>Planning & Engineering</p> <p>Project Manager</p> <p>_____</p> <p>Caryn Gardner-Young, Zoning Administrator</p>	<p>Reviewed By:</p> <p>Director of Development and Neighborhood Services</p> <p>_____</p> <p>Denise Malone</p>
<p>Approved By:</p> <p>City Manager</p> <p>_____</p> <p>Andrea McCue</p>	<p>Public Notice:</p> <p><input checked="" type="checkbox"/> Required</p> <p><input type="checkbox"/> Not Required</p> <p>Dates: 12/29/22; 1/26/23</p> <p>Paper: The Lake Worth Herald, Palm Beach Post</p> <p>Mailing</p> <p><input type="checkbox"/> Required</p> <p><input checked="" type="checkbox"/> Not Required</p> <p>Notice Distance: _____</p>
<p>Attachments:</p> <ul style="list-style-type: none"> • Ordinance 2023-01 	<p>City Council Action:</p> <p><input checked="" type="checkbox"/> Approval</p> <p><input type="checkbox"/> Approve with conditions</p> <p><input type="checkbox"/> Denial</p> <p><input type="checkbox"/> Continued to: _____</p>

I. Executive Summary

On September 23, 2022, the City Council adopted updated sign regulations to be in compliance with state, federal and county regulations. Unfortunately, during the rewrite, inadvertently sign copy area for residential and non-residential signs was omitted. The intent of this zoning text amendment is to include in the zoning code the sign copy area with no proposed changes to the square footage allowed.

II. Proposed Zoning Text Amendments:

The following Zoning Code regulations are impacted by the proposed Zoning Text Amendments. Items which are proposed for deletion are in ~~Strike-Through~~, items proposed for addition are in Single Underline.

Proposed Change

Chapter 16, Zoning Regulations, Article VI, Sign Regulations, to be amended as follows (underlined language is added):

DIVISION 5. SIGN REGULATION BY ZONING DISTRICT.

Sec. 16-983. Identification signs.

(a) *Residential districts.*

- (1) In residential districts, non-residential uses are allowed one (1) identification wall sign.
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III. Zoning Text Amendment Criteria:

A. *The need and justification for these changes:*

The principal intent of these proposed text amendments to the Zoning Code is to include sign copy area which was inadvertently omitted during the last zoning text amendment round. The proposed language is not proposing any changes to the previous sign copy area square footage.

- B. *The relationship of the proposed amendments to the purpose and objectives of the City’s Comprehensive Plan, and whether the proposed change will further the purposes of the City’s Zoning Code regulations and other City codes, regulations and actions designed to implement the Comprehensive Plan.*

The proposed amendments are consistent with the City’s Comprehensive Plan and will further the purposes of the City’s Zoning Code regulations and other City codes.

IV. Staff Analysis:

The Development Review Committee Staff met on January 12, 2023, to discuss the proposed amendment. No objections were received.

Planning, GIS, and Engineering Division:	No objections
Building Division,	No objections
Fire Rescue Department	No objections
Public Works Department	No objections
PBSO District #16	No objections
Recreation and Community Services Department	No objections

IV. Staff Recommendation:

Approval of ZTA- 22-18 through the adoption of Ordinance 2023-01.

PLANNING ZONING BOARD OF APPEALS RECOMMENDATION – January 12, 2023

The Planning and Zoning Board of Appeals on a motion made by Board Member Litowsky and seconded by Board Member Fitzgerald, by a vote of five (5) to zero (0) *recommended approval* of Zoning Text Amendment ZTA 22-18, as presented by staff.

CITY COUNCIL ACTION First Reading – February 6, 2023

CITY COUNCIL ACTION Adoption Hearing –
