



MEMORANDUM
Office of the City Attorney

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TO: Mayor and City Commission

DATE: March 13, 2000
SECOND READING

FROM: City Attorney

SUBJECT: Ordinance No. 0-00-28; Petition No. 98TCH-99PB
An ordinance of the City of Gainesville, Florida, revising and amending the Land Development Code relating to temporary signs; amending subsection 30-317(6) to allow signs for special events of University of Florida student organizations located on property in the University Context Area under certain conditions; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Recommendation: The City Commission adopt the proposed ordinance.

STAFF REPORT

On August 19, 1999, the Plan Board reviewed the petition and recommended that the petition be continued so that staff could attempt to address some of the Board's concerns. During the hearing, the Board raised concerns about the amount of time the signs would be displayed, the purpose of the signs, height limitations, construction materials, and limiting the signs to just fraternities and sororities and property ownership. Staff reviewed the concerns and revised the proposed changes to address those concerns. On November 18, 1999, the Board reheard the petition.

Staff revised the language to state that signs shall not be displayed more than three days before the beginning of the special event or sale. The actual amount of time that a sign can be displayed is limited to 10 days for any one event and to four times within a 12-month period. The 10-day limitation is consistent with University of Florida policy.

The main purpose of the proposed code changes is to allow off-campus student organizations to advertise special events and membership drives the same as on-campus organizations. There are many organizations that are located on property off the main campus owned by the State of Florida and the University that are governed by the Campus Master Plan. In some instances, these organizations are located across the street from officially registered university organizations that are governed by City codes. These organizations are not allowed by City

codes to have signs larger than 16 square feet in commercial districts, and no signs are allowed in residential districts. Most of these organizations are located in multi-family districts. Staff's proposal is to limit these signs to the University Context Area in areas that are designated for non-residential use and multi-family areas.

On this issue staff has considered the following options: Keep the maximum sign size for all non-profits at 16 square feet and a height of 10 feet; increase the size for University organizations to a size between 16 square feet and 100 square feet with a maximum height of 10 feet; or—staff's recommendation—allow a maximum size of 32 square feet with a maximum height of 10 feet. Planning Division staff recommended that the petition limit the size of signs for officially registered University organizations to 32 square feet. As an alternative, Planning Staff recommended that the Board should consider the request by the City Commission to allow the same size of sign that the University of Florida allows for on-campus organizations.

The proposed changes limit construction material to materials constructed of heavy cloth, heavy vinyl or heavy plastic, properly sewn and vented. This is consistent with the University's policy. However, under the City proposal, wall-mounted signs may be made out of wood. The University does not allow wall-mounted signs of wood and they do not allow any type of sign to be screwed or nailed to a building.

The code changes would limit the signs to organizations that actually own the property where they are located, within the University Context Area.

The final issue relates to limiting the code changes to fraternities and sororities. It is staff's opinion that limiting the code changes to fraternities and sororities would not be fair to other campus organizations. Staff does not feel that this will be a problem given the proposed requirement on property ownership.

The City Plan Board reviewed the petition and recommends approval of the petition to allow a 32-square-foot sign as presented by staff, with changes. The Board voted to eliminate the property ownership provision and require owner permission instead. The Board also asked staff to make it clear that the ordinance language states that the banners are allowed for student organizations. The Board also eliminated the provisions for wood-mounted signs.

Public notice was published in the Gainesville Sun on November 2, 1999. The Plan Board held a public hearing November 18, 1999.

The Plan Board recommended that the City Commission approve Petition 98TCH-99 PB. Plan Board vote 7-0.

Fiscal Note
None

CITY ATTORNEY'S MEMORANDUM

This ordinance requires two public hearings. If the Commission adopts the ordinance on first reading, the second and final reading will be held on March 13, 2000.

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Approved and
Submitted by: Marion J. Radson
Marion J. Radson,
City Attorney

MJR:PMC:sw

PASSED ON FIRST READING BY A VOTE OF 4-0.