



Legislation Text

File #: 070890., **Version:** 2

ELECTRONIC AND ANIMATED SIGNS (B)

Ordinance No. 0-07-80; Petition No. 139TCH-06 PB

An ordinance of the City of Gainesville, Florida, amending the Land Development Code relating to signs; amending section 30-23 by revising the definition of animated sign, deleting the definition of changing message device and adding a definition of electronic sign; amending section 30-316 to prohibit electronic signs; providing directions to the codifier; providing for a mandatory review; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

The City Commission adopt the proposed ordinance.

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

The City Plan Board heard this Petition at its public hearing on March 15, 2007, and by a vote of 5-0 recommended that electronic signs be prohibited and that definitions of animated signs, electronic signs and changing message devices be revised. On April 23, 2007, the City Commission heard this petition and approved the concept of allowing electronic portions of signs up to 20 square feet, directed staff to bring back visual examples and design standards, and approved a temporary moratorium on electronic signs until October 23, 2007.

On September 24, 2007, the City Commission held another public hearing on this petition and voted to (1) extend the moratorium on electronic signs until April 14, 2008, (2) refer this petition back to the City Plan Board to consider allowing portions of electronic signs limited to 20 square feet, and (3) direct staff to coordinate electronic signs with other parts of the sign ordinance to incentivize bringing into compliance legal non-conforming signs and other aesthetic benefits.

Staff held a public workshop with stakeholders on November 16, 2007. Discussion included previously presented criteria for electronic signs, limitation of electronic signs to one bulb color, whether LED signs violate city code provisions regarding light trespass, non-conforming signs, amortization of non-conforming signs, and possible reduction of maximum height and area of ground-mounted signs.

The City Plan Board held a public workshop on November 29, 2007, discussed this petition and voiced its support for a 5-year prohibition on electronic signs, an amortization process in which iconic, historical signs could be designated and preserved with some type of criteria, and a variance procedure that could allow for a longer amortization period for a non-conforming sign.

On January 24, 2008, the City Plan Board held another workshop on signs and concluded that electronic signs should be prohibited for 3-5 years and that it does not support changing the sign code to require amortization of non-conforming signs, it does not support lowering the maximum allowable 10-foot height of ground-mounted signs, and it is not in favor of prohibiting pole signs. The Plan Board also advised staff to keep the electronic signs petition separate from the other sign issues addressed in the workshop.

CITY ATTORNEY MEMORANDUM

On February 4, 2008, the Gainesville City Commission held a special meeting regarding electronic signs. Following staff presentation, comments from the public, and discussion by the Commission, the Commission approved a prohibition of electronic signs, subject to a mandatory review within three years and directed staff to separate other sign code topics (e.g., sign aesthetics, limitations on non-conforming signs) to be considered under a different petition in the future.

This ordinance requires two public hearings. If the ordinance passes on the first reading, second and final reading will be held on April 14, 2008.