



To: Honorable Mayor and Village Council

Date: September 9, 2015

From: Edward Silva, Village Manager

Re: School Signage
Ordinance for 1st Reading

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; AMENDING SECTION 30-90.17(b) OF THE LAND DEVELOPMENT CODE RELATING TO SCHOOL SIGNAGE WITHIN RESIDENTIAL DISTRICTS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

BACKGROUND:

On October 20, 2008, the Mayor and Village Council adopted Ordinance 08-20, which established Division 30-90, Sign Regulations, of the Village's Land Development Code. That Division, among other things, established signage development standards for schools located within single family residential zoning districts. Specifically, section 30-90.17(b) permits schools within single residential districts to have a freestanding sign at the entrance with up to 24 square feet of signage area. This signage type, however, is not always the most desired within such neighborhoods. Staff believes a signage option affixed to the perimeter wall at the school facility entrance would be more in line with the development standards of a typical single family residential subdivision. However, it is not recommended that a freestanding option be repealed. The proposed amendment provides the school facility the option to choose either the perimeter wall or a free standing sign option. This approach provides for flexibility without creating an unintended nonconformity.

ANALYSIS:

The proposed ordinance was reviewed for consistency with the criteria established in Section 30-30.7(b). The Background section provided above shall be considered supplemental information to this analysis and thusly shall be incorporated into each criterion delineated below. The following is a review of those criteria:

Criteria (1): Whether the proposal is consistent with the comprehensive plan, including the adopted infrastructure minimum levels of service standards and the Village's Concurrency Management Program.

Analysis: The Village's Comprehensive Plan or Concurrency Management Plan does not address signage requirements.

Finding: Not applicable.

Criteria (2): Whether the proposal is in conformance with all applicable requirements of Chapter 30.

Analysis: Please see Background section of this report. The proposed ordinance is internally consistent with the remaining portions of Section 30-90 in that it seeks to fulfill the stated Intent and Purpose of Division 30-90.

Findings: Consistent.

Criteria (3) Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether the changes support or work against the proposed change in land use policy.

Analysis: Please see Background section of this report. As reflected in the Background Section of this report, free standing signs are not commonly used in residential districts. The proposed change provides for an option more consistent with subdivision development, while also avoiding an unintended creation of nonconformity for existing freestanding signs.

Findings: Consistent.

Criteria (4) Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and locations of uses involved, the impact on the adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed land uses.

Analysis: Please see Criteria 1 and 2, and the Background section of this report. The proposed ordinance does not change permitted uses.

Finding: Consistent.

Criteria (5) Whether, and the extent to which, the proposal would result in demands on transportation systems, public facilities and service; would exceed the capacity of the facilities and services, existing or programmed, including: transportation, water and wastewater services, solid waste disposal, drainage, recreation, education, emergency services, and similar necessary facilities and services.

Analysis: The proposed ordinance does not alter permitted use, intensities or densities. As such, it does not impact the above systems.

Finding: Consistent.

Criteria (6) Whether, and to the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetland protection, preservation of groundwater aquifer wildlife habitats, and vegetative communities.

Analysis: The proposed ordinance does not impact the above systems.

Finding: Consistent.

Criteria (7) Whether, and to the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.

Analysis: Please see Criteria 1 and 2, and the Background Section of this report. The amendment provides a signage option more in line with subdivision development standards.

Findings: Consistent.

Criteria (8) Whether the proposal would result in an orderly and compatible land use pattern. Any positive and negative effects on land use pattern shall be identified.

Analysis: The proposed ordinance does not change permitted uses or change any provisions which affect the development of land.

Findings: Consistent.

Criteria (9) Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose of Chapter 30.

Analysis: See Analysis under Criteria 2, 3 and the Background section of this report.

Finding: Consistent.

Criteria (10) Other matters which the local planning agency or Village Council in its legislative discretion may deem appropriate.

Analysis: As per the direction of the Village Council.

Finding: As determined by the Village Council.

FISCAL/BUDGETARY IMPACT:

There is no anticipated fiscal impact. All such signage will continue to require building permits.

RECOMMENDATION:

Decision for the Village Council.



Darby Delsalle, AICP
Planning & Zoning Director

1 **DIVISION 30-90. - SIGN REGULATIONS**

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5 **Sec. 30-90.17. - ~~Temporary signs~~ Signs requiring a permit.**

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9 (b) *Permanent point of sale signs for single-family, two-family, and townhouse residential zoning*
10 *districts.* Type of signs permitted: detached and flat. All lettering or numbering shall
11 be a minimum of three inches in height, and placed in location visible to public right-
12 of-way for identification purposes. A nonconforming use(s) in a residential district is
13 permitted a flat sign only of the same size as if the use was established on a property
14 in a zoning district permitting the use concerned. Religious facilities, schools and
15 universities when located in these districts shall be permitted one freestanding,
16 detached sign not to exceed 24 square feet. In-lieu-of a freestanding sign, schools
17 may have a 24 square foot sign at the property entrance which is affixed to a
18 perimeter masonry wall. Religious facilities, schools, universities, and governmental
19 uses may in addition provide a flat, wall, awning, or canopy attached building sign
20 per use, not to exceed six square feet per attached sign.
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23 **Section 3. Conflicting Provisions.** The provisions of the Code of Ordinances of the
24 Village of Palmetto Bay, Florida and all ordinances or parts of ordinances in conflict with the
25 provisions of this ordinance are hereby repealed.
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27 **Section 4. Severability.** The provisions of this Ordinance are declared to be severable,
28 and if any sentence, section, clause or phrase of this Ordinance shall, for any reason, be held to be
29 invalid or unconstitutional, such decision shall not affect the validity of the remaining sentences,
30 sections, clauses or phrases of the Ordinance, but they shall remain in effect it being the legislative
31 intent that this Ordinance shall stand notwithstanding the invalidity of any part.
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33 **Section 5. Codification.** It is the intention of the Village Council and it is hereby
34 ordained the provisions of this Ordinance shall become and be made part of the Code of
35 Ordinances of the Village of Palmetto Bay, Florida, that sections of this Ordinance may be
36 renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be
37 changed to "Section" or other appropriate word.
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39 **Section 6. Effective Date.** This ordinance shall take effect immediately upon
40 enactment.
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43 **PASSED and ENACTED** this ____ day of _____, 2015.
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46 First Reading: _____

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Second Reading: _____

Attest: _____
Meighan Alexander
Village Clerk

Eugene Flinn
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

Dexter W. Lehtinen
Village Attorney

FINAL VOTE AT ADOPTION:
Council Member Karyn Cunningham _____
Council Member Tim Schaffer _____
Council Member Larissa Siegel Lara _____
Vice-Mayor John DuBois _____
Mayor Eugene Flinn _____