

AN ORDINANCE AMENDING TITLE XV “LAND USAGE”, CHAPTER 155, “SIGN CODE”, SECTION 155.03, SIGN REGULATION PROCEDURES” OF THE CODE OF ORDINANCES OF THE CITY OF PORT ST. LUCIE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida adopted amendments to the City of Port St. Lucie Comprehensive Plan by Ordinance 12-19 (the “Comprehensive Plan”); and

WHEREAS, Section 163.3202, Florida Statutes, provides for the amendment and enforcement of land development regulations that are consistent with and implement the adopted comprehensive plan; and

WHEREAS, Section 163.3174, Florida Statutes, provides that the Local Planning Agency shall review proposed land development regulations and make recommendations to the governing body as to the consistency of the proposed land development regulations with the adopted Comprehensive Plan; and

WHEREAS, this City initiated code amendment, P22-158, proposes to amend section 155.03 to remove the requirement that projects with Master Sign Programs create a review board; and

WHEREAS, the City of Port St. Lucie Planning and Zoning Board having been duly designated as the local planning agency pursuant to Section 163.3174, Florida Statutes, and having held a public hearing thereon, has considered this proposed amendment to the Code of Ordinances (P22-158) and submitted its recommendations thereon to the City Council; and

WHEREAS, having considered the recommendations of the Planning and Zoning Board, the Port St. Lucie City Council has found and determined that the adoption of an amendment to section 158.216 will foster and preserve the public health, safety, and welfare; improve and protect the environment and value and character of the community; and implement the adopted comprehensive plan.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Ratification of Recitals. The City Council of the City of Port St. Lucie, Florida, hereby adopts and ratifies those matters as set forth in the foregoing recitals.

Section 2. Section 155.03 (Sign Regulation Procedures), Chapter 155 (Sign Code), Title XV (Land Usage) of the Code of Ordinances of the City of Port St. Lucie is amended as follows:

Sec. 155.03. - Sign Regulation Procedures.

All signs erected, replaced, or relocated on any property shall conform with the provisions of this sign code and with all other applicable codes of the city. Any sign which could fall into more than one category of signs shall be classified within the most restrictive category possible. Anything not addressed in the code is prohibited, unless specifically addressed in a Master Sign Program. Anything not addressed in the code may be presented to the Planning and Zoning Director for review.

(A) *Administration of sign permit applications and fees.* The building and/or the planning and

zoning departments are responsible for administering sign permit applications for permanent signs. An application and fee shall be submitted first to the planning and zoning department. The format of the application shall be as provided by the building department. Additional fees will be required by the building department at the time of permitting.

(1) *Sign applications.* The application format for a sign permit shall fully describe the following information:

(a) Name, address, email address, and telephone number of the licensed sign contractor and the business owner.

(b) Written statement signed by the landowner, authorizing the placement of the proposed sign on the premises.

(c) Location of building (or structure) and lot to which or upon which the sign is to be placed and/or maintained.

(d) Position of the sign in relation to lot lines, nearby buildings or structures, sidewalks, streets and intersections. All freestanding monument signs must be shown on site plan.

Type of sign and general description of design and materials to be used.

(e) Two prints of drawings of the plans which shall contain dimensions of sign structure, sign copy/letters (smallest and largest), and sign logo and/or

(f) pictorial designs. Façade signs will include height of sign, linear footage of business, and square footage of sign area. Monument signs will include linear frontage of property, address location and dimensions on sign, dimensions of sign panel/s, and will need to be shown on an approved site plan. Once sign area is approved, square footage and location cannot change without a new sign application.

A statement indicating whether the sign is illuminated and whether the illumination is direct or indirect.

(g) A layout with sign colors shown or specified.

Two prints of signed and sealed engineered drawings of sign specifications.

(h) The specifications concerning structural details of the methods of sign construction and installation shall show dimensions, elevations, means of

(i) support, method of illumination and any other significant engineering aspect of the proposed sign.

- (j) NOTE: The structure of a monument sign is separate and distinct to the sign to which is attached to it. To be approved and permitted by the building department prior to submitting an application for the monument is not shown on the site plan a compliance form must be filed.
- (2) *Review of application for completeness.* The planning and zoning department and the building department shall review each application to assure that each application is complete. If the application is complete it shall be submitted through the review process. If the application is not complete the planning and zoning department and/or the building department shall return it to the applicant.
- (B) *Sign plan review.* All permanent signs shall receive plan approval by the planning and zoning and building departments. The planning and zoning department shall review each sign application for compliance with criteria established herein and the building department shall review application documents which illustrate construction, design and electrical work for compliance with the current building codes.
- (C) *Permitting procedure.* No sign which requires a permit shall be erected, replaced, reconstructed, structurally altered, expanded, relocated, or used without securing a permit from the Building Department. No permit shall be required on a mere change of copy on a changeable copy sign. No permit shall be required for a change in a tenant panel on an existing permitted sign; however, the tenant panels shall conform to code and must be reviewed and approved by the planning and zoning department.
- (1) *Determination of allowable sign area.* In determining the allowable sign area pursuant to this chapter, the area of a sign shall include the entire area within a circle, rectangle, or triangle enclosing the extreme limits of writing, representation, or character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed.
- (a) Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such signs share identical dimensions, are placed back to back, and are parallel to one another, the area of the sign shall be taken as the area of one face.
- (b) Where a sign consists solely of lettering or other sign elements printed or mounted on a wall, window, or door of a building without any distinguishing border, panel or background, such lettering and sign elements shall be treated

as a single sign for purposes of area computation.

- (2) *Approval required prior to receipt of permit.* No sign permit requiring a plan review shall be issued until the sign application and plan have been reviewed and approved for building code compliance by the building department and sign code compliance by the planning and zoning department.
 - (3) Changes to the name of a building identification on an existing permitted monument sign shall be reviewed and considered for approval by the planning and zoning department.
- (D) *Reserved.*
- (E) *Inspections.* The building department shall inspect each sign or advertising structure within the city's limits to determine the sign's compliance with this chapter as they deem necessary to protect the public health, safety, general welfare. An inspection fee to be determined by resolution of the city council will be paid by the owner or lessee for each sign inspected, excluding signs exempted from the permitting procedure and temporary signs.
- (F) *Revocation of permits.* The building department may revoke a permit approval, issued under this section, if it is found that there has been any intentional or unintentional false statement, concealment or misrepresentation concerning any fact submitted in the application or plans on which the permit approval was based. A permit may also be revoked upon failure of the permit holder to comply with any provision of this section.
- (G) *Reserved.*
- (H) *Master sign program.* The overall project developer of a project or development containing at least two (2) acres shall have the option of submitting a master sign program for the total project, or for specified phases within the total project in accordance with the following criteria.
- (1) The master sign program, which includes a plan of all existing and proposed signs, must be submitted for review and approval by the city council after consideration by the site plan review committee and the planning and zoning board.
 - (2) Prior to consideration by the site plan review committee, applicants for approval of master sign programs must provide written approval from the owner of the proposed project.
 - (3) Anything not specifically addressed in a Master Sign Program regulations will revert to the city sign code.
 - (4) As described in subsection (H)(5), the master sign program may include

modifications to standard sign regulations:

- (a) The proposed modifications are consistent with the purpose and intent of this chapter;
 - (b) The master sign program incorporates designs which are consistent with accepted principles of street graphics, including consideration of sign placement, size, shape, proportion, lettering, color, and overall relation to the overall project and adjacent properties;
 - (c) The design concepts employed reflect unified design concepts harmonious with the overall project and adjacent properties; and
 - (d) The proposed variations are not detrimental to public property or the health, safety and welfare of the general public.
- (5) Variations to the following subsections shall supersede the standard sign regulations and may be permitted within the master sign program subject to the conditions noted in subsection (H)(4).
- (a) Subsection 155.05(V)—Prohibition of signs within road rights-of-Way. Signs within road rights-of-way may be permitted subject to compliance with Florida Department of Transportation standards and a written agreement with the affected property owner.
 - (b) Section 155.08—Regulations for permanent identification signs requiring permits.
- (6) ~~A design review board shall be established for the proposed program. The design review board shall review all sign applications for consistency with the specific provisions of the approved master sign program. The design review board must approve each sign, prior to the submittal of any required city sign sign applications.~~
- (7) After verification, by the Planning and Zoning Department, that the sign permit application is consistent with the approved master sign program the building department shall issue all sign permits.
- (8) Any proposed revisions to the master sign program must be approved by the planning and zoning board and city council.

(I) *Reserved.*

(J) *Reserved.*

ORDINANCE 22-

Section 3. All remaining provisions of section 155.03 shall remain in full force and effect.

Section 4. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 5. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 6. Codification. The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; the word “ordinance” may be changed to “section” or other appropriate word as may be necessary.

Section 7. Effective Date. This Ordinance shall become effective ten (10) days after final adoption on second reading.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____, 2022.

CITY COUNCIL
CITY OF PORT ST. LUCIE

BY: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney