



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 29-20

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

PROPOSED ORDINANCE NO. 29-20 - PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE - REPEALING AND REPLACING SECTION 12-4-6 AND AMENDING SECTION 12-14-1- PERTAINING TO TEMPORARY SIGNS.

RECOMMENDATION:

That City Council adopt Proposed Ordinance No. 29-20 on second reading.

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PENSACOLA, FLORIDA, TITLE XII LAND DEVELOPMENT CODE, CHAPTER 12-4 REGULATING SIGNS; REPEALING AND REPLACING SECTION 12-4-6 TEMPORARY SIGNS TO CONFORM TO THE REQUIREMENTS OF LAW AND PROVIDING FOR ENFORCEMENT; AMENDING SECTION 12-14-1 DEFINITIONS ENUMERATED; AMENDING DEFINITION OF TEMPORARY SIGNS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: Public

SUMMARY:

The Mayor requests action be taken on an item reviewed by the Planning Board in 2018. An ordinance drafted by the former Building Official, Bill Weeks, was proposed for approval by the Planning Board in 2018, but the only action taken was a workshop to invite further public input. The Planning Department, Code Enforcement, Inspections, and the City Attorney's office have reviewed the input, and the proposed ordinance and a suggested revision are also submitted by the City Attorney with a recommendation for action to update the Code of Ordinances of the City of Pensacola for compliance with United States Supreme Court precedent. The Planning Board's review, including the original proposed ordinance and minutes from a meeting and workshop, are attached for review by the City Council for the history on this item. It is requested that Council review both the version reviewed by the Planning Board in 2018 as well as the updated version and approve updating Section 12-4-6. Please note, this ordinance is not intended to apply to handheld signs. Although this portion of the Land Development Code is designated as being enforced by the Building Official, staff consensus has been reached that this ordinance will be implemented by Code Enforcement. The penalty provision in the updated draft is recommended by Legal. Code Enforcement will focus on education efforts to teach compliance during 2020 as this will be new. Please note some feedback from Planning Board review reflected a desire to allow signs in the right-

of-way. City staff do not recommend permitting temporary signs in the right-of-way.

PRIOR ACTION:

May 28, 2020 - The City Council held a public hearing regarding Proposed Ordinance No. 29-20 and voted to approve Proposed Ordinance No. 29-20 on first reading.

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

5/15/2020

STAFF CONTACT:

Keith Wilkins, City Administrator

Richard Barker, Jr., Deputy City Administrator - Administration & Enterprise

John Pittman, Director of Sanitation Services and Fleet Management

Steve Richards, Code Enforcement Administrator

ATTACHMENTS:

- 1) Proposed Ordinance No. 29-20
- 2) Planning Board Minutes May 2018
- 3) Planning Board Workshop Minutes June 2018
- 4) Proposed Ordinance Draft Reviewed by Planning Board

PRESENTATION: No