



## Legislation Details (With Text)

**File #:** TA2017-03005(1)      **Version:** 1      **Name:** Amendments to the Community Development Code relating to signage and pass Ordinance No. 9029-17 on first reading

**Type:** Planning Case      **Status:** Passed

**File created:** 5/26/2017      **In control:** Planning & Development

**On agenda:** 6/14/2017      **Final action:** 6/14/2017

**Title:** Approve amendments to the Community Development Code relating to signage and pass Ordinance 9029-17 on first reading. (TA2017-03005)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord. 9029-17 Staff Report, 2. Ord 9029-17 for Council Consideration 6.14.17.pdf, 3. Motion to Amend Ordinance No 9029-17 on first reading.pdf, 4. Ord 9029-17 As Amended on First Reading.pdf

Date	Ver.	Action By	Action	Result
6/14/2017	1	City Council		
6/12/2017	1	Council Work Session		

**SUBJECT/RECOMMENDATION:**

Approve amendments to the Community Development Code relating to signage and pass Ordinance 9029-17 on first reading. (TA2017-03005)

**SUMMARY:**

In 2015, the United States Supreme Court issued a decision in *Reed v. Town of Gilbert, Ariz.*, - U.S.-, 135 S. Ct. 2218 (2015), which requires temporary signs to be regulated in a content-neutral manner. This ruling requires amendments to the Clearwater Community Development Code as temporary signs are currently regulated by sign message. The Court also confirmed the decision in *Walker v. Texas Division, Sons of Confederate Veterans, Inc.* 135, S. Ct. 2239 (21015) which essentially exempts government speech from 1<sup>st</sup> Amendment scrutiny. Additionally, in 2016, City Council discussed their desires to consider expanding uses eligible for electronic changeable message signs.

Proposed Ordinance 9029-17 implements recommendations by the City's outside legal counsel regarding temporary signs, government signs and electronic changeable message signs, as well as limited amendments generated by the Planning and Development Department. Below is a summary of the substantive amendments included in the ordinance.

- Deletes existing temporary sign regulations and replaces them with two new tables in Section 3-1806 (one for sidewalks signs and one for all other temporary signs). Retains existing regulations for sidewalk signs but presents them in a new format and provides new standards (size, height, location, etc.) for the all other temporary signs.
- Exempts government signs from the sign regulations.
- Reorganizes existing provisions regulating electronic changeable message signs, allows schools and places of worship to incorporate them in freestanding signs and establishes design criteria for all such signs.
- Revises flag provisions.

- Creates limited flexibility for the required setback for freestanding signs.
- Adds requirement for street address signs.
- Adds general sign maintenance provisions.
- Increases allowable sign area for schools.

The Community Development Board (CDB) reviewed proposed Ordinance 9029-17 at its May 16, 2017 meeting and unanimously recommended approval.