

ORDINANCE NO. 5162

PROPOSED ORDINANCE NO. 10-021

AN ORDINANCE RELATING TO LAND DEVELOPMENT REGULATIONS; ADOPTING VARIOUS AMENDMENTS TO THE CITY OF LAKELAND LAND DEVELOPMENT CODE RELATED TO SIGN REGULATIONS; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Ordinance 3412, adopted on March 1, 1993, the City Commission of the City of Lakeland, Florida, adopted Land Development Regulations for the City of Lakeland; and

WHEREAS, it has been determined that text amendments are necessary to establish standards governing the placement of sidewalk signs in C-6 (downtown commercial) and C-7 (Munn Park Historic District) zoning districts; and

WHEREAS, the City Commission of the City of Lakeland, upon recommendation by the Planning and Zoning Board, wishes to adopt amendments to the Land Development Regulations set forth herein.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA:

SECTION 1. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2. Those sections of the Land Development Regulations, adopted by Ordinance 3412, are amended as set forth in Attachment "A" attached hereto and made a part hereof.

SECTION 3. The City Commission does hereby expressly find that the provisions of this ordinance are in conformity with the Comprehensive Plan of the City of Lakeland adopted by Ordinance 4140, as amended, and that all procedures for the enactment of this ordinance have been complied with.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. If any word, sentence, clause, phrase, or provision of this ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this ordinance shall not be affected thereby.

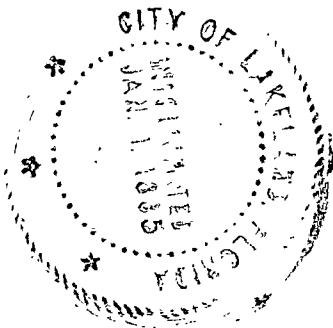
SECTION 6. This ordinance shall take effect immediately upon its passage.

PASSED AND CERTIFIED AS TO PASSAGE this 3rd day of May, A.D. 2010.


GOW B. FIELDS, MAYOR

ATTEST: 
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: 
TIMOTHY J. McCAUSLAND
CITY ATTORNEY



ATTACHMENT "A"

ARTICLE 36 SIGN REGULATION

36.02.00.00 DEFINITIONS

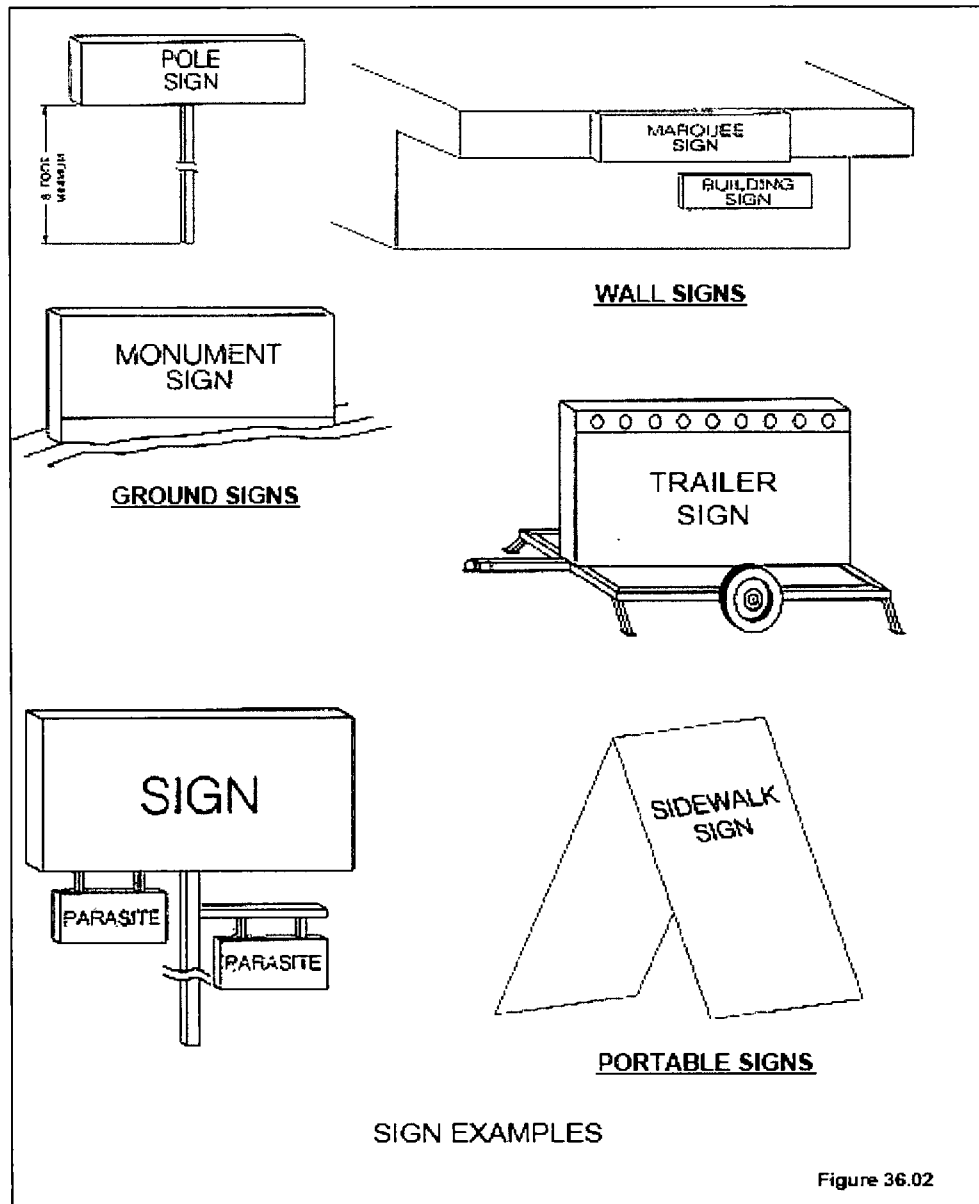
Portable Sign

A sign which is not permanently erected upon the ground or on the roof of any building or affixed to the wall of any building and shall include, but is not limited to, the following:

- a. ~~A frame sign, which is a sign having a metal or wooden frame adequately braced so as to be free standing;~~
- b. a. Trash receptacles, and similar sidewalk appliances which display advertising copy;
- c. b. ~~A sandwich Sidewalk signs, which is a sign not secured or attached to the ground; and~~
- d. c. A sign, of any material, for use with or without changeable copy, illuminated or non-illuminated, mounted on a trailer or similar device, with or without wheels.

Sidewalk Sign

A self-supporting, portable sign designed to be placed upon a public or private sidewalk, plaza, courtyard or other area where pedestrians walk or gather.



36.03.02.00 PROHIBITED SIGNS

All of the following signs shall be prohibited and shall be removed in accordance with the procedure established for each category of prohibited signs, or as specified in Section 36.05.03.04.

1. Abandoned signs.
2. Animated signs and flashing lights on signs.
3. Banners, pennants, spinners, streamers, balloons, inflatable objects, fluttering devices other than flags, designed to attract attention.
4. Billboards and Off-premises signs.
5. Parasite signs.
6. Portable signs, except sidewalk signs where specifically permitted.

...

36.04.04.00 RETAIL COMMERCIAL AND LARGE LOT OFFICE ZONING DISTRICT REGULATIONS (C-2, C-3, C-4, C-5, C-6, C-7 AND O-3)

36.04.04.02 Sidewalk Signs

a. Sidewalk signs are limited to the C-6 and C-7 zoning districts and shall be subject to the following conditions:

(1) Location Standards

- (a) One (1) sidewalk sign may be permitted per principal ground-floor retail business use frontage, which sign may be placed on a sidewalk, plaza, courtyard or other pedestrian walkway directly in front of the business premises.
- (b) The display of sidewalk signs shall be limited to business hours only.
- (c) Signs shall only be placed where the sidewalk or pedestrian walkway is a minimum of ten (10) feet in width.
- (d) Signs shall not block or restrict pedestrian movement and when the sign is in place and shall conform to Americans with Disabilities Act accessibility guidelines. There shall be a minimum of five (5) feet clear sidewalk or walkway width for pedestrian travel.
- (e) Signs shall not be placed within two (2) feet of the face of any curb.
- (f) Signs shall not be placed where they interfere with any exit, fire hydrant, parking meter, bus stop, loading zone, bicycle rack, sidewalk ramp, wheelchair ramp, or similar public facility.
- (g) Signs shall not be attached to any tree, light pole, fire hydrant, street furniture or similar fixed object.

(2) Design Standards

- (a) Signs shall be of a type that has been pre-approved by the Lakeland Downtown Development Authority (LDDA) or alternative designs meeting these standards may be submitted to the LDDA for review and approval.

- (b) Signs shall be constructed of durable, weather-resistant materials such as wood, steel, aluminum and PVC. The use of cardboard, paper, fabric and non-rigid materials is prohibited.
- (c) Maximum sign area: Six (6) square feet per side. Maximum number of sides: Two (2).
- (d) Sign height: Maximum four (4) feet. Minimum three (3) feet
- (e) Signs must be readily portable but stable, able to withstand modest wind speeds and accidental contact from pedestrians.
- (f) Signs shall not be illuminated.
- (g) Signs may contain a changeable copy area which shall consist of a chalkboard or whiteboard only
- (h) Signs may have a transparent sleeve or holder that does not extend beyond the sign area in which temporary printed material may be displayed.
- (i) Lights, balloons, parasite signs or other attachments are prohibited.

(3) Other

- (a) Sidewalk signs shall require sign permits. For those signs to be placed on public property, the permit shall include proof of Comprehensive General Liability insurance with limits of at least \$300,000 per occurrence naming the City of Lakeland as an additional insured and an agreement to indemnify and hold the city harmless in any claim or cause of action against the city arising from the placement of such signs. Violation of any provisions or conditions of this section shall be grounds for revocation of the sign permit.
- (b) Sidewalk signs shall not be displayed during severe weather watches or warnings.
- (c) Sidewalk signs on South Florida Avenue shall be subject to FDOT review and approval.

b. Amortization

Sidewalk signs in use as of the effective date of this section that do not conform to the above standards and conditions shall be removed and their use discontinued within six (6) months of the effective date of this section.