

Work Copies

ORDINANCE NO. _____-1936

AN ORDINANCE OF MONROE COUNTY, FLORIDA, PROVIDING FOR REGULATION OF SIGNS, PURSUANT TO F.S. 125.0102; PROVIDING FOR REPEAL OF CERTAIN MONROE COUNTY CODE OF ORDINANCE SECTIONS; PROVIDING FOR RULES OF CONSTRUCTION OF LANGUAGE; PROVIDING FOR DEFINITION OF TERMS; PROVIDING FOR THE APPLICABILITY OF THIS ORDINANCE; PROVIDING FOR PROHIBITED AND PERMITTED SIGNS; REGULATION OF TEMPORARY SIGNS AND PERMANENT SIGNS IN RESIDENTIAL, COMMERCIAL AND INDUSTRIAL AREAS; PROVIDING REGULATIONS FOR OFF-SITE MILE MARKER SIGNS, LOGO SIGNS AND BENCH SIGNS; PROVIDING REGULATIONS PERTAINING TO MEASUREMENTS, CONSTRUCTION AND MAINTENANCE OF SIGNS; PROVIDING FOR THE APPLICATION OF THIS ORDINANCE; DESIGNATION OF THE MONROE COUNTY BUILDING OFFICIAL AS ADMINISTRATOR AND OUTLINING HIS AUTHORITY; PROVIDING FOR VARIANCE REQUESTS AND APPEAL; PROVIDING PERMIT PROCEDURES UNDER THIS ORDINANCE; PROVIDING DESIGNATION OF NON-CONFORMING SIGNS; PROVIDING DESIGNATION OF UNLAWFUL AND DANGEROUS SIGNS; PROVIDING PENALTIES; PROVIDING FOR SUPREMACY; PROVIDING FOR INSPECTION, COORDINATION WITH OTHER GOVERNMENTAL AGENCIES AND FEES; PROVIDING SEVERABILITY; PROVIDING VALIDITY; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statute 125.0102 authorizes the Board of County Commissioners to adopt a sign ordinance; and

WHEREAS, the Board of County Commissioners held three public hearings after 5:00 PM at which time members of the public provided input and recommendations as to the provisions of this sign ordinance; and

WHEREAS, the Board of County Commissioners, after hearing interested parties has determined that adoption of a sign ordinance is deemed in the best interests of the health, safety and welfare of the citizens of Monroe County,

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that:

SECTION 1 - REPEAL

a) Sections of the Monroe County Code of Ordinances specifically enumerated as 19-253, 19-254, 19-255, 19-256, 19-257, 19-158, 19-159, 19-260, 19-261, 19-262, 19-263, 19-264 and 19-265 are hereby repealed in their entirety.

b) Likewise the following sections and references in other Monroe County Code of Ordinances sections are hereby repealed as they relate to signage: 19-194(h), 19-195(a)(8), 19-195.1(f), 19-196(h), 19-197(g), 19-199(h), 19-200(b)(6), 19-201(c)(1), 19-201(f), 19-202(f), 19-204(e)(13), 19-216(f), 19-217(e), 19-219(d), 19-400(g)(15).

BILLBOARD COMMITTEE MEETING

MINUTES

June 23, 1986, 9:00 A.M.

The first meeting of the Billboard Committee was held in Commissioner John Stormont's office, with all members present: Jean de St. Croix, Grace Mannillo, Frank Romano, Brad Cooper, Betty Wilson, and John Stormont.

John Stormont explained the purpose of the meeting:

1. An attorney will be retained, if needed, and he has contacted Earl Gallop, former attorney for the South Florida Regional Planning Council, who is familiar with land legislation. He is preparing his costs and will present them to the committee. Commission minutes authorized such employment.
2. Want to get right approach and get everyone's views.
3. Explained status of billboards and signs in regard to:
 - New Land Use Plan makes off-premises signs non-conforming and reduces sizes of Class A (specifies measurements) on-premise signs
 - Sign ordinance for Class A signs (proposed by John Stormont), sizes and descriptions for enforcement
 - Billboard situation to determine where, what, various statutes re permits, etc., and explained the various sign lists and records and their purposes and how they can be used to benefit the Committee and eventually benefit the County in issuing Permits.
4. Explained zoning laws and their effect in relation to when Permit was issued.

He invited members to express their opinions and their expectations for improving the billboard situation.

Jean de St. Croix mentioned the Highway Beautification Committee's work in this area and expressed her desires for billboards to be less commercial, more informative, and more considerate to residents.

Grace Mannillo expressed her feelings that there should be some compromise and that signage regulations should be changed.

Frank Romano expressed the opinion that billboards are not aesthetically objectionable and that more attention should be given from the Highway Beautification Committee to ugly buildings, other signs and debris along the highway. He felt that everyone in the Keys is dependent upon tourism and billboards are a necessary source for information and education.

Betty Wilson pointed out the beauty of the trees, beauty of the Keys and that billboards tend to prohibit the view of these beautiful sights. She said that the Chambers of Commerce and Highway Beautification Committee are doing many things to encourage beautification, and are not picking on billboards. She felt that visitors stations are more important, and suggested that logo signs be used along with the mile marker signs.

Brad Cooper said that signs have been permitted over period of years and there is legal situation involved. He presented the investment aspect and stated that companies should be compensated. He said that the state takes a few signs for widening of roads, etc., but Highway Beautification proposes taking entire business.

John Stormont pointed out that Committee is trying to find approach for signs--not Commission's intention to take all signs.

Brad Cooper stated that it would mean four years income taking. They are currently billing approximately \$70,000/month and next year it will be approximately \$80,000/month, which would mean 48 times these figures. He said slightly over half are Legg signs and they own some of the property the signs

are on (approximately 9). They would have to file a land owner's suit on behalf of land owners.

John Stormont indicated that they did not want to indicate actions without knowing ability. Only courts can decide since "taking" could be done in a variety of legal ways. Objective of Committee is to try to develop what should be done.

Frank Romano mentioned one effect will be that billboards will be scarce, people will run scared, causing limited number of billboard companies who will raise rates for businesses.

The use of a logo system providing an alternate competitive method was discussed.

Brad Cooper agreed that a moratorium would give this advantage to their company. Said probably talking at least 5 million dollars in taking billboards. Is in favor of compromise ordinance. Explained their company in relation to Legg Company. If losing number of signs due to attrition, should be able to replace. Feels in case there is a hurricane, should require companies to make signs safer. Would like to work with County. Needs to be give and take.

John Stormont expressed that there was quite a representation of viewpoints: some "commonances" and some differences. He mentioned that at the last legislative session, a law was passed for the State of Florida that the DOT do a logo system under the Scenic Highway Provision. By act of Legislature can get on Master List. Keys is not on list--can lobby to get on list.

John Stormont also pointed out the importance of legality. During discussion of moratorium and purchase of companies two years ago, it was not realized that the Land Use Plan that was written and will be law prohibits off-premises signs. Legal answers will be necessary because of different views on off-premises.

John Stormont then asked everyone to prepare for next meeting:

Date, places, times?

What should we handle? All signs?

Put down what Committee should handle and recommend areas, alternatives, logos, etc.

Recommend Referendum to purchase companies?...or after advice or opinions from attorney, is it necessary?

Frank Romano expressed concern that Land Use Plan would eliminate all signs.

John Stormont clarified by stating that it will prohibit new off-premise signs only. They can be repaired and maintained but if over 50% is destroyed, it may not be replaced.

John Stormont mentioned more things to think about for next meeting...how do we accomplish benefits to community when point reached 1-5-10-20 years from now...when all gone, what do we do?

(Members briefly discussed building permits in replacing signs.)

John Stormont asked members to think about some things for next meeting...should each of us investigate, alternatives, suggest, report, etc. Also for next meeting...any legal questions you may have...should we come up with legal framework?

Betty Wilson brought up the new payment schedule by DOT for replacing and payment for billboard and sign removal. This was briefly discussed by members, and John Stormont pointed out that DOT should inform committee--this has undergone legislative changes.

Along this same line, comments were made regarding eminent domain, just compensation, etc.

There was also discussion on Federal Highway Beautification Act and existing County laws...state laws will not conflict with existing County laws...problems with existing County laws due to lack of data, to be solved by further research and combination of data.