

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: December 3, 2007

Agenda Item: 6 (B)	Prepared By: Steve Olmsted, Comm. Dev. Director Date: November 16, 2007
Agenda Section: Business: Public Hearing/Ordinance – First Reading	
Subject: Real Estate/Open House Directional Signs	Department: Community Development

BACKGROUND:

City Council is asked to hold a public hearing and to consider at First Reading an Ordinance to amend the City's Code of Ordinances, Chapter 30, "Land Development Code", Article VI, "Signage", as recommended by the Marco Island Planning Board.

Proposed amendments to Article VI of the Land Development Code include the following:

Amendment to Section 30-522 to increase the number of permitted off-premise real estate open house directional signs from one to three, and to increase the permitted size of such signs from 1.5 square feet to 3 square feet. The proposed amendment to Section 30-522, "Temporary Signs", allowing for an increase in the number and size of directional signs is proposed to remain in effect until June 1, 2010. After this date, the requirements and regulations of Section 30-522 as they currently exist, prior to adoption of the proposed amendments, would be fully reinstated.

Amendment to Section 30-521, "Purpose and Intent" to allow for "Substitution of Non Commercial Speech for Commercial Speech" and "Severability" as recommended by City Attorneys Alan Gabriel and Nancy Stuparich.

Amendment to Section 30-528, "Definitions" of Article VI, to include a definition of an open house directional sign.

On March 18, 2002, City Council adopted a new ordinance to establish new sign standards and regulations following public hearings before the Planning Board. The new sign regulations allowed for an open house directional sign as well as other signs related to real estate sales and rentals. The sign ordinance was developed at the recommendation of the Marco Island Area Association of Realtors and the Marco Island Chamber of Commerce.

Recently, City Council agreed to schedule for discussion the topic of real estate signs. Following discussion, Council directed that the issue be forwarded to the Marco Island Planning Board for review and consideration.

A letter from the Marco Island Association of Realtors, dated September 25, 2007 (attached), urges consideration of an increase in the number of open house directional signs from 1 to 3 due to the nature of the current market and construction activity.

Article VI of the City's Land Development Code, Sections 30-521 through 30-528, provides for the regulation of signage. Real Estate, Open House, and Open House Directional Signs are currently permitted as follows:

Real Estate Signs: One ground or wall "for sale" or "for rent" sign is permissible for each lot having street frontage. If a lot also has frontage on a navigable water body or golf course, one such sign shall be permitted on each frontage.

Open House Signs: In addition to the real estate sign, one "open house" sign, no larger than 4 square feet may be posted on the property where the open house is taking place.

Open House Directional Signs: *One right-of-way directional sign is allowed during a supervised open house. The sign is required to be placed at the intersection of the arterial or collector street providing access to the street on which the open house is being conducted.*

Following consideration of various alternatives at advertised Public Hearings, on November 9, 2007, the Planning Board voted 5-2 to recommend that City Council amend Article VI of the City's Land Development Code as proposed in the attached Ordinance, including the requirement that amendments to Section 30-522 "sunset" on June 1, 2010.

RECOMMENDED ACTION: Hold Public Hearing on proposed Ordinance, amending Article VI, Signage, of the City's Land Development Code. If considered appropriate, approve at First Reading.

Reviewed by Department Director

Gene Olmsted

Reviewed by City Manager

A. W. Smith

Council Action:

Motion by:

Second by: