



City Commission

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Joanne Simone

City Manager

Samuel A. May

Interim City Attorney

Goren, Cherof,
Doody & Ezrol, P.A.

City Clerk

Joseph J. Kavanagh

REGULAR MEETING OF THE PLANNING AND ZONING BOARD MINUTES

Tuesday, December 5, 2017

7:00 PM

City of Margate
Municipal Building

PRESENT:

Todd E. Angier, Chair
Antonio Arserio
August Mangeney
Richard Zucchini

ALSO PRESENT:

Julie F. Klahr, Interim City Attorney, Goren, Cherof, Doody & Erzol, P.A.
Reddy Chitepu, Acting Director of Economic Development and Director of D.E.E.S
Andrew Pinney, Senior Planner
Andy Dietz, Associate Planner

ABSENT:

Phil Hylander, Vice Chair

The regular meeting of the Planning and Zoning Board of the City of Margate, having been properly noticed, was called to order by Chair Todd Angier at 7:13 p.m. on Tuesday, December 5, 2017. A roll call of the Board members was done followed by the Pledge of Allegiance.

- 1A) APPROVAL OF THE MINUTES FROM THE PLANNING AND ZONING BOARD MEETING ON NOVEMBER 7, 2017

Mr. Arserio made the following motion, seconded by Mr. Zucchini:

MOTION: SO MOVE TO APPROVE

ROLL CALL: Mr. Arserio, Yes; Mr. Mangeney, Yes; Mr. Zucchini, Yes; Mr. Hylander, Absent; Mr. Angier, Yes. The motion passed with a 4-0 vote.

- 2) **NEW BUSINESS**

ID 2017-763

- 2A) **PZ-23-17** CONSIDERATION OF AN ORDINANCE TO REVISE WINDOW SIGN REGULATIONS AND PROVIDE AN AMORTIZATION DATE

Economic Development Department

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PETITIONER: CITY OF MARGATE

Andrew Pinney led with a PowerPoint presentation. He provided a timeline by explaining that there was a discussion at the City Commission meeting on July 12, 2017, which included some initiatives that could be taken to alleviate concerns that the Sign Code was not being enforced. He said the discussion prompted a workshop that was held on August 23, 2017, where direction was given to evaluate the sign regulations prior to moving forward with any initiative. He said the changes that were suggested were reviewed at the Development Review Committee meeting on October 24, 2017. He said the theme of the changes was to reduce the regulations down from being content-based regulations to time, place, and manner regulations. In addition, the regulations would be streamlined by reducing duplications that existed in the Code.

Mr. Pinney referenced a Summary of Changes table that was included in the meeting back-up and displayed on the Mondopad and noted the following proposed changes:

- Elimination of specific letter heights
- Elimination of the existing "no prices" sign policy (content based regulation)
- Change in the sign coverage size limit per window to a size limit per storefront
- Elimination of duplicate language
- Addition of a new requirement for permits for permanent signs
- Elimination of the existing requirement that one illuminated sign must read "open" if there were two or more of them (content based regulation)
- Addition of a six-month amortization period to enable businesses to come into compliance upon adoption of the new ordinance
- Addition of more enforceable window tint restrictions for massage and convenience stores (copied the window tint regulations used on vehicles).

He showed a slide of a storefront that had illegal signs because their signs exceeded 50 percent per window coverage and the lettering was more than 12 inches tall. He said the storefront's signage would become legal if the proposed changes were adopted. He showed a second slide of an example of illegal signage because prices were displayed. He said the use of pricing would become legal if the ordinance passed because content based regulations would be eliminated.

Mr. Zucchini asked if the window tint restrictions would apply to all commercial storefronts or only massage and convenience stores. Mr. Pinney responded that it would apply only to businesses that provided massage services and convenience stores, and he read the applicable section of the ordinance. Mr. Zucchini asked if that meant that other businesses would be able to have complete blackout on their windows. Mr. Pinney responded, "Yes." Mr. Zucchini commented that it seemed counter-productive to the intent of the original design of the signs which were to not obstruct visibility into a business and provide a measure of safety so that police could look inside before entering. Mr. Pinney said it based on the feedback given at the workshop. He said an example given of Camp Canine where they wanted to keep the blackout tint so that the dogs would not be alarmed by outdoor passerby's. He said the City Commission expressed concern about massage services and convenience stores having blackout. Mr. Zucchini commented that the City Commission oversimplified an issue that was more complicated than they anticipated. He said their issue was they wanted it to be safer for the police to be able to see inside before they entered, but their solution was for 50 percent coverage on the total window area. He said the 50 percent coverage could be anywhere; it could be the front doors or the front windows which were the most important sight access

areas needed by the police. He said a change to the blanket 50 percent language should be made so that the glass frontage of the doors and areas surrounding the doors had enough square footage to visibly see into the cashier's area for businesses that were cashier or cash oriented or high value targets for robberies. Mr. Pinney suggested he make a motion. Mr. Zucchini also asked how it worked when a business had blinds, i.e., venetian, vertical, drop down shades, etc., because they prevented any visibility to the inside. Mr. Pinney said it was addressed in the window sign regulations. Mr. Zucchini commented that, depending on the layout or the direction they faced, a business could get a lot of heat and sun. He said he had no issue if professional offices, daycare, schools, hardware stores, restaurants

Mr. Mangeney made the following motion, seconded by Mr. Arserio:

MOTION: To approve

ROLL CALL: Mr. Arserio, Yes; Mr. Mangeney, Yes; Mr. Zucchini, No;
Mr. Hylander, Absent; Mr. Angier, Yes. The motion passed with
a 3-1 vote.

ID 2017-774

2B) APPROVAL OF 2018 MEETING CALENDAR

ID 2017-769

2C) DISCUSSION OF RULES OR ORDER AND PROCEDURE FOR THE PLANNING AND ZONING BOARD

3) **GENERAL DISCUSSION**

There being no further business, the meeting was adjourned at 7:58 p.m.

Respectfully submitted,

Prepared by Rita Rodi

Todd E. Angier, Chair

