



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 16, 2018

Ms. Paula S. O'Neil
Clerk and Comptroller
The East Pasco Governmental Center
Pasco County
14236 6th Street, Suite 201
Dade City, Florida 33523

Attention: Ms. Shannon Egbert

Dear Ms. O'Neil:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Pasco County Ordinance No. 18-09, which was filed in this office on March 16, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

THE BOARD OF COUNTY COMMISSIONERS

ORDINANCE NO. 18-09

AN ORDINANCE BY THE PASCO COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE, PROVIDING FOR AMENDMENTS TO SECTION 406.1, SIGNS; PROVIDING FOR APPLICABILITY, REPEALER, SEVERABILITY, INCLUSION INTO THE LAND DEVELOPMENT CODE, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VIII, Florida Constitution of 1968, and Chapters 125 and 163, Florida Statutes (2018), Pasco County has the authority to adopt regulations relating to signage; and

WHEREAS, within Pasco County there have been established independent special purpose government districts referred to as Community Development Districts pursuant to Chapter 190, Florida Statutes; and

WHEREAS, pursuant to Section 190.012, Florida Statutes, Community Development Districts have special powers and obligations relating to public improvements and community facilities that require enhanced communication with District residents; and

WHEREAS, the County Commission finds that digital display on signage within Community Development Districts will provide a mechanism for conveying multiple differing messages in a short amount of time to the District's residents without creating the clutter of temporary signage and advertising devices; and

WHEREAS, the County Commission finds that digital display on Community Development District signs located within the boundaries of a District and not visible from outside of a District is appropriate and must be constructed and operated within the regulatory standards established by this Ordinance; and

WHEREAS, the County Commission finds that digital display, due to animated images, lighting, incongruity in relation to the character of the area, potential for distracting drivers and disrupting protected areas and places; must be reasonably regulated to protect the health, safety and welfare of the County's citizens and drivers and other interests within the County; however, in the interest of the health, safety, and welfare the County Commission finds it appropriate to delegate to the County Administrator or designee the authority to require the

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reduction in brightness of any digital display deemed to be interfering with health, safety, or welfare; and

WHEREAS, the County Commission has conducted duly noticed public hearings as required by law, at which hearings all parties in interest and citizens were afforded notice and the opportunity to be heard; and

WHEREAS, the County Commission hereby finds and declares that this Ordinance is in the best interest of the public health, safety, and welfare, and that it advances a valid and important public purpose.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pasco County, Florida, as follows:

Section 1. Recitals.

The Whereas Clauses above are true and accurate and are incorporated by reference and made part of this Ordinance.

Section 2. Section 406.1.8, General Standards, Signs, is hereby amended as follows:

Section 406.1.8.J.

J. Digital Signs – Community Development Districts (CDD).

1. Intent and Purpose

The intent and purpose of this subsection is to allow digital display on signs in limited situations for the use by governmental entities, specifically Community Development Districts (CDDs) established pursuant to Chapter 190, Florida Statutes. Pursuant to Section 190.012, Florida Statutes, CDDs have special powers and obligations relating to public improvements and community facilities that require enhanced communication with District residents. Therefore, it is appropriate that CDDs may, meeting the requirements of this Code, construct signs with digital display.

2. Qualifying CDDs

A CDD applicant for a digital display must have a majority of the CDD board of supervisors as elected residents (electors) of the District.

3. Location Requirements

a. Signs with digital display shall be located within the boundaries of a CDD and not visible from any location outside of the boundaries; and

b. Signs with digital display shall be located in a highly visible area of the community such as amenities centers, clubhouses, etc. that are frequented by residents of the District.

4. Sign Structure Requirements

a. Digital display may be permitted in conjunction with a new monument sign or installed on an existing conforming monument sign. Only one sign structure containing digital display shall be permitted for a CDD.

b. A new sign structure shall not exceed five (5) feet in height and (24) square feet of sign structure area. Where an existing monument sign is converted to contain digital display, the display shall not exceed (24) square feet.

c. A digital display face is permissible on both sides of the monument sign structure provided the faces are back to back. The digital display shall be an integral component of the permanent monument sign and compatible with the design of the sign including width, depth, and color of the cabinet.

5. Siting Requirements

a. Signs with digital display shall not be erected closer than 100 feet from any residential use.

b. Only one sign face shall be viewable from any one direction. Sign faces must be back to back and not in a V formation.

c. Signs containing digital display must comply with all applicable requirements of Section 406.1.8, General Standards, of this Code which at a minimum shall include 406.1.8. A, C, D, E, F, G (in part), and H.

6. Technical Requirements

All Technical Requirements of Section 406.1.8.I.6 shall be complied with.

Section 3. Applicability.

All provisions of this Ordinance shall apply to the unincorporated areas of Pasco County, Florida.

Section 4. Repealer.

Any and all ordinances in conflict herewith are hereby repealed to the extent of any conflict.

Section 5. Severability.

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance shall be declared invalid, the remainder of this Ordinance shall be construed as not having contained said section, subsection, sentence, clause, or provisions and shall not be affected by such holding.

Section 6. Inclusion into the Land Development Code.

It is the intent of the Board of County Commissioners that the provisions of this ordinance shall become and be made part of the Pasco County Land Development Code and that the sections of this ordinance may be renumbered or relettered.

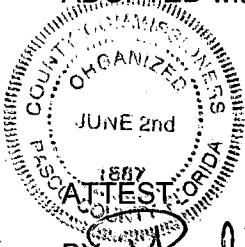
Section 7. Scrivener's Error.

The County Attorney may correct scrivener's error found in this Ordinance by filing a corrected copy of this Ordinance with Board Records.

Section 8. Effective Date.

This Ordinance shall be transmitted to the Department of State by the Clerk to the Board by electronic mail within ten (10) days of the adoption of this Ordinance, and this Ordinance shall take effect upon filing with the Department of State.

ADOPTED with a quorum present and voting this 14th day of March, 2018.



BY: *Paula S. O'Neil*
Paula S. O'Neil, Ph.D.
Clerk & Comptroller

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

BY: *[Signature]*
Mike Wells, Chairman

APPROVED
IN SESSION

MAR 14 2018

PASCO COUNTY
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