

**PLANNING BOARD  
RESOLUTION NO. 2023-033**

**A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD RECOMMENDING AN ORDINANCE AMENDMENT TO THE CITY COMMISSION AMENDING CHAPTER 114 OF THE CODE OF ORDINANCES ENTITLED "SIGNS" BY AMENDING SECTION 114-2 TITLED "POSTING NOTICES, SIGNS OR ADVERTISING MATTER ON TREES, POLES OR PUBLIC PROPERTY" AND BY AMENDING SECTION 114-103 TITLED "PROHIBITED SIGNS" AND AMENDING CORRESPONDING HARC SIGN GUIDELINES TO PROVIDE FOR EXCEPTIONS FOR NON-PROFIT TEMPORARY BANNER SIGNS AND OPEN HOUSE REAL ESTATE SIGNS; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Key West currently has a comprehensive ordinance that prohibits any signage whatsoever on city property without written approval from the City Manager; and

WHEREAS, at a noticed public meeting on December 12, 2023, the Key West Planning Board considered a proposed ordinance, and found that creating an exception for non-profit and open house signs on city property, with a provision requiring an indemnification agreement, serves an important community interest; and

WHEREAS, the Historic Architectural Review Commission for the City of Key West approved the Guideline amendments at their meeting on November 29, 2023; and

WHEREAS, The Planning Board for the City of Key West approved this proposed ordinance revision at their meeting on December 12, 2023, and recommends approval by the City Commission; and

WSB Chairman

KPH Planning Director

NOW, THEREFORE, BE IT ORDAINED BY THE PLANNING BOARD OF THE CITY OF KEY WEST, FLORIDA:

Section 1: That the above recitals are incorporated by reference, as if fully set forth herein.

Section 2: That proposed amendments to Chapter 114 of the Code of Ordinances are recommended for approval by the City Commission hereby as follows\*:

**Sec. 114-2. Posting notices, signs or advertising matter on trees, poles or public property.**

1. No notice, sign or any advertising matter shall be posted on any tree or telegraph or telephone pole erected on the city streets nor on the walls of any city building nor on any property of the city, ~~without the written approval of the city manager,~~ except that legal, election and similar notices may be posted on bulletin boards.

2. Exceptions.

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\*(Coding: Added language is underlined; deleted language is ~~struck through~~.)

WSK Chairman

KPH Planning Director

a. Charitable Events- There shall be an exception for registered 501(c)(3) non-profit organizations advertising fundraising events on 3' by 5' banner signs that are properly affixed to city-owned fencing and walls. Banner signs can be placed 10 days prior to the event and must be removed within 24 hours after the event.

b. Open House Signs- Locally licensed real estate agents, brokers or property managers can place Open House signage and flags on the city rights of way that do not impair the safe passage of vehicular or pedestrian travel. Signs and flags may not occupy a parking space, nor impair required access under the Americans with Disabilities Act. Signs and flags can be placed up to 48 hours in advance of the open house and can only be placed during daylight hours. A hold harmless agreement must be submitted to the Licensing Official indemnifying the City of Key West for any and all claims arising from such signage.

**Sec. 114-103. - Prohibited signs.**

(a) The following signs are not appropriate to any building or site within the historic district, therefore their use is prohibited:

(1) Animated signs within one (1) foot of a building facade facing any right-of-way and including vacant lots or parking areas.

(2) Bus bench signs.

USK Chairman

KPL Planning Director

(3) Digitally printed signs, with the exception of printed letters, symbols, or logos attached to high relief surfaces of three dimensional, carved, or sand blasted panels. The use of corrugated PVC and molded plastic is prohibited, with exception of matte finished painted plastic letters.

(4) Portable signs, with the exception of "A" frame signs deemed appropriate by the historic architectural review commission.

(5) Roof signs.

(6) Signs painted directly on the exterior wall or directly on the roof surface of a building, unless deemed historically appropriate by the historic architectural review commission.

(7) Snipe signs.

(8) Temporary store window signs, including going out of business signs, when their square footage cause a violation of section 114-104; provided, however, that menus and public notice signs are not included in this prohibition. A public notice sign means a sign advertising an arts event, a political event or candidate, a community event, or such other event open to the public.

(9) Posterboard signs.

(10) Billboards

WJH Chairman

KPH Planning Director

(11) Animated rotating and or fluttering devices, fringe, and pennant string streamer.

(12) Off-premises signs.

(13) Signs that are placed on public sidewalks or public property, including but not limited to hydrant, utility pole, tree, or public fence- subject to the exceptions in Sec. 114-2.

(14) Interior illuminated signs.

(b) If a flag advertises or promotes the business or a product sold by that business, then it shall be deemed a sign and is subject to the permitted square footage pursuant to section 114-104 and the Historic Architectural Guidelines.

Section 3: That proposed amendments to guidelines for the Historical Architectural Review Commission are hereby recommended as follows\*:

Page 50-n: Subject to the exception in Sec. 114-2(2), Signs that are placed on public sidewalks or public property, including but not limited to hydrants, utility poles, trees, or public fences.

Page 50-p: Exceptions- An exception may be granted if the “A” frame sign is used as a

USA Chairman

KPH Planning Director

menu board, only for restaurants or bars, or if it meets an exception in Sec. 114-2(2).

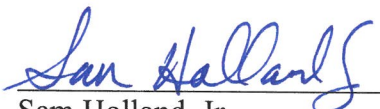
USA Chairman

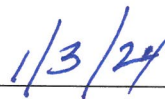
KPT Planning Director

**Section 4.** This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Planning Board.

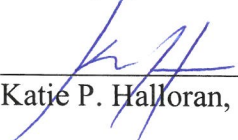
Read and passed on first reading at a regularly scheduled meeting held this 12<sup>th</sup> day of December 2023.

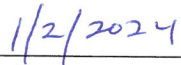
Authenticated by the Chairman of the Planning Board and the Planning Director.

  
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Sam Holland, Jr.,  
Planning Board Chair

  
\_\_\_\_\_  
Date

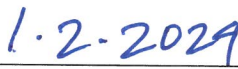
**ATTEST:**

  
\_\_\_\_\_  
Katie P. Halloran, Planning Director

  
\_\_\_\_\_  
Date

**FILED WITH THE CLERK:**

  
\_\_\_\_\_  
Kerri O'Brien, City Clerk

  
\_\_\_\_\_  
Date

 Chairman

 Planning Director