

CITY PLAN BOARD SPECIAL MEETING ACTION AGENDA

September 29, 2011 6:30 PM
City Hall Auditorium
200 E. University Ave

- I. Roll Call
- II. Approval of Agenda (*Note: order of business subject to change*)
- III. Approval of Minutes: N/A
- IV. Requests to Address the Board
- V. Old Business

01. **Petition PB-10-93 TCH** City Plan Board. Amend the Land Development Code Article IX, Division 1 to update, clarify, and reorganize sign regulations.
Discuss Petition PB-10-93 TCH and approve the regulations as provided by staff or provide directions for changes to the proposed regulations.
- Staff Report
Notes regarding the Sept 7th Stakeholders meeting
Staff Report City Plan Board June 23rd meeting
Appendix A Proposed sign regulations
Supplemental Sign information
(non-conforming signs and I-75 corridor signs)

BOARD MEMBERS

Chair: Robert Ackerman | Vice Chair: Adrian Taylor
Laurel Nesbit, Crystal Goodison, Bob Cohen
Danika Oliverio, Erin Condon, April Griffin (school board representative)
Staff Liaison: Dean Mimms

Approved Petition PB-10-93 TCH with the following changes:

1. Change the minimum linear street frontage required for two signs from 600 to 500 feet;
2. Change the landscaping requirement for monument sign bases to eliminate Florida Grade 1 Nursery stock;
3. No change to the current sign code requirements pertaining to I-75 corridor signs;
4. Change the allowed time for temporary signage from 60 to 120 days;
5. Allow the bottom 3 feet of monument signs to be excluded from sign area if the material has the appearance of brick or stone;
6. Approve the additional sections on non-conforming and abandoned signs (Sec. 30-324 as provided in the packet), but increase the time limit for abandoned signs to 12 months;
7. Direct staff to study directional signage for pedestrians.

Plan Board voted 4:0

VI. New Business

VII. Information Items: N/A

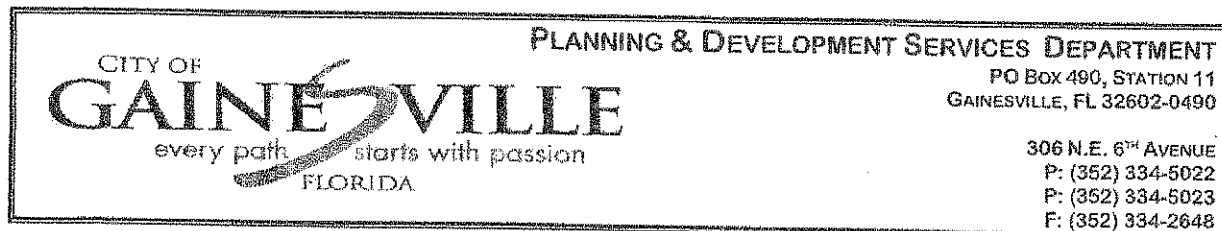
VIII. Board Member Comments

IX. Adjournment

The meeting was adjourned at 9:01 PM.

For further information, please call 334-5022.

If any person decides to appeal a decision of this body with respect to any matter considered at the above-referenced meeting or hearing, he/she will need a record of the proceedings, and for such purposes it may be necessary to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities who require assistance to participate in the meeting are requested to notify the Equal Opportunity Department at 334-5051 (TDD 334-2069) at least 48 hours prior to the meeting date.



TO: City Plan Board **Item number: D**
FROM: Planning & Development Services Staff **DATE: July 28, 2011**
SUBJECT: Petition PB-10-93TCH. City Plan Board. Amend the Land Development Code Article IX, Division 1 to update, clarify, and reorganize sign regulations.

On June 23, 2010, Planning staff presented Petition PB-11-93TCH to the City Plan Board requesting changes to the portion of the Land Development Code regulating signs. The Plan Board moved to approve the petition, with the exception of the following portions:

- *Sec. 30-324, Non-conforming signs.* Staff made the requested changes to this section: adding a definition of development activity that would indicate the property is not abandoned; extending the time period for a sign to be considered abandoned to 180 days; and extending the time allowed for the sign to be removed or brought into conformance to 30 days.

In addition to the requested changes to sec. 30-324, staff has added additional language (indicated by underlines in Exhibit 1) that further establishes and clarifies the intent of this section. This section has been reviewed by the City Attorney's office.

- *Off-premises signs,* subject to further discussion. The City Attorney's office will be providing a presentation at this meeting to address the City Plan Board's questions and concerns.
- *I-75 corridor signs,* subject to further discussion about whether to exclude this type of signage. The specific code section concerning I-75 signs is provided as Exhibit 2, to clarify what this sign type is and what the provisions for allowing them currently are in the code.

Staff will be presenting this as an information item at the July 28 Plan Board meeting, with no vote expected. The petition will be re-advertised and brought back to the Plan Board at the August 25 meeting.

Respectfully submitted,

Onelia Lazzari, AICP
Principal Planner

Prepared by: Susan Niemann

Exhibit 1

Sec. 30-324. Nonconforming and abandoned signs

- (a) *Nonconforming signs.* Any sign not allowed by this article, but for which a permit has previously been issued by the city, shall automatically become a lawful nonconforming sign. The owner of any other sign not allowed by this article, or the owner of any property upon which such sign is located, shall ~~have a period of six months from the effective date of this article to~~ establish to the satisfaction of the building official that such sign was in compliance with the laws and ordinances of the city when it was constructed. The building official shall maintain the list of such signs, which shall continue to be lawful nonconforming signs. ~~At the expiration of the six-month period,~~ all other signs which are not in compliance with the terms of this article shall immediately be removed or brought into compliance with this article.

[all text after this point is new to the sign code; strikethrough/underline represents changes since the June 23, 2011 version that was reviewed by the Plan Board]

- (b) *Limitations.* All nonconforming signs shall be allowed to remain as originally permitted or constructed subject to the following limitations:
- (1) Permanent structural components of a nonconforming sign may not be altered in any way; neither the sign area nor the structure of a nonconforming sign may be increased; nor may the height of a nonconforming sign be increased.
 - (2) Reasonable repair and maintenance of a nonconforming sign is allowed, as provided for herein.
 - a. Reasonable repair and maintenance means the work necessary to keep the sign in a good state of repair. Reasonable repair and maintenance includes, by way of example and not limitation:
 - i. Changing light bulbs, neon, or other light source;
 - ii. Changing the face of a cabinet sign, or other modification that only involves a change of copy;
 - iii. Replacing cladding or other components that hold a sign face in place;
 - iv. Painting, cleaning, and other maintenance activities that do not affect the type, height, or size of the sign structure; and
 - v. Repairing electrical components.
 - b. Reasonable repair and maintenance does not include, by way of example and not limitation:
 - i. Any modification that changes the structure or type of structure, such as conversion of a wooden sign structure to a metal sign structure, or otherwise prolongs the life of the sign structure;
 - ii. Any modification, including the addition of embellishments, that changes the sign area or the height above ground level;
 - iii. Any modification that adds internal or external illumination, or increases the existing illumination.

- (3) A nonconforming sign shall be removed or brought into conformance with this sign code if any of the following conditions apply:
- a. Should a nonconforming sign become damaged, destroyed or deteriorated by any means to the extent that it requires more than reasonable repair and maintenance, as described in subsection (1) above, ~~then the sign shall not be repaired or reconstructed except in compliance with this sign code.~~
 - b. Should the principal structure on the parcel or parcels be demolished or require renovations the cost of which exceed 50 percent of the assessed value of the structure.
 - c. Should a nonconforming sign be moved for any reason, ~~it shall thereafter conform to the regulations for the district in which it is located after it is moved.~~
 - d. Should the lawful use of the property be changed to another use that is not within the same major group, as identified in the Standard Industrial Classification manual (SIC), as long as it remains otherwise lawful.
- (4) Historic signs. A sign that has been added to the local historic register in accordance with sec. 30-112 shall not be considered a non-conforming sign and shall be exempt from the limitations of this subsection.
- (c) *Abandoned signs.*
- (1) Determination.
- a. A sign shall be deemed abandoned if either the sign or the sign structure has not been used, or if the parcel or parcels upon which the sign is located becomes vacant or unoccupied and exhibits no signs of development activity, for a period of ~~120~~ 180 consecutive calendar days or more.
 - b. Development activity, for the purposes of this section, includes but is not limited to the following: building permit, sign permit, development plan review, occupational license, lease, or contract for sale.
- (2) A nonconforming abandoned sign shall be removed or brought into conformance within ~~ten (10)~~ thirty (30) days after it is deemed abandoned.
- (3) An abandoned sign that otherwise conforms to the requirements of this sign code may remain, provided the property owner takes one of the following actions:
- a. Paints over or otherwise conceals the commercial message on the sign;
 - b. Removes the sign face and replaces it with a blank sign face;
 - c. Reverses the sign face and does not illuminate the sign; or
 - d. Utilizes the sign structure to display the message "this space available" or words of similar significance, and the name and telephone number of the owner or the owner's agent, while the premises are vacant. A sign which contains such a message shall be deemed an allowable real estate sign for which a permit shall not be required.

Exhibit 2**Sec. 30-318 Permanent signs.****(b) Ground-mounted signs for single- and multiple-occupancy developments.****(4) I-75 corridor signs.**

- a. In addition to other ground-mounted and wall-mounted signs otherwise allowed by this section, an additional ground-mounted or free-standing sign on a development site (including out-parcels) with a maximum height of 18 feet shall be allowed, provided that the sign face area of such sign in combination with other permitted signs on the site does not exceed a maximum sign area of 300 square feet. Such sign shall be oriented and located to achieve a view-shed from I-75. The location of this sign shall not be limited to properties actually abutting I-75 however no I-75 corridor sign shall be located on any frontage where the adjacent or facing properties are designated single-family on the future land use map.
- b. An applicant for this additional ground-mounted sign may apply for a special use permit for an I-75 corridor sign which allows a maximum height above 18 feet. The plan board shall review sign height and the overall site design in order to make the appropriate findings in accordance with article VII and the following special considerations. Under no circumstances may a special use permit be granted for any sign exceeding 90 feet in height. The burden shall be on the applicant to prove by clear and convincing evidence that all requirements of article VII, division 5, are met and that no on-site sign of a height of 18 feet or less can be seen by motorists on I-75 at a distance of one-fourth mile from the nearest exit ramp and that the sign requested is of the minimum height and orientation necessary to achieve such visibility due to special conditions and circumstances relative to topography, vegetation or the built environment. Applicants for the special use permit must include certification by a registered engineer or other reliable documentary evidence of the factual and methodological basis that no on-site ground-mounted or roof-mounted sign of a height of 18 feet or less could be seen as specified above and that the requested sign is of the minimum height and orientation required to establish the clear view-shed above visual obstacles such as topographical conditions, vegetation or built environment. If the applicant cannot prove that such visibility will be achieved within the 90 feet height, then no special use permit shall be issued. In addition, no special use permit for an I-75 corridor sign shall be granted unless the applicant can prove that the special conditions and circumstances do not result from actions of the applicant.
- c. Any sign authorized pursuant to a special use permit granted by the terms of this section shall comply with all other standards of this section except as specifically addressed above. In granting any special use permit the plan board may prescribe appropriate conditions and safeguards to ensure the structural integrity and safety of the sign and to landscape and buffer the sign structure.