



### City of Largo Agenda Item 2

Meeting Date  
11/13/18

Presenter: Carol Stricklin, AICP Community Development Dir

Department: CD – Community Development

**TITLE:**

SIGN REGULATION ALTERNATIVES

At the September 11, 2018 Work Session, staff presented an update regarding the amortization of non-conforming signs (agenda memo attached). The City Commission discussed the amortization requirements contained in the Comprehensive Development Code (CDC) and requested that staff develop alternatives for sign regulation and provide additional information regarding non-conforming signs and signs that have come into compliance. Staff has conducted additional research and analysis and worked with the City Attorney to develop sign regulation alternatives.

Additional analysis was performed regarding the inventory of remaining free-standing signs that was originally compiled in 2014. After elimination of duplication in the inventory, it was determined that there may be as many as 640 non-conforming free-standing signs, which includes pole signs and others that may be non-conforming due to their height and size; 23 of these signs are subject to standards applicable only to properties along US 19 and are yet to be determined if they comply with the maximum height and size standard. At the time of enforcement actual height and size will be field verified in collaboration with the sign owners. These signs are located on 567 individual properties; 451 of which are commercial properties. The remaining inventory are located on institutional or residential properties. Since 2007, 162 signs were documented as removed and/or converted to monument signs, and a total 236 new monument signs have been permitted. During the period that incentives were offered, seven properties utilized the program for bonus sign area, and another seven took advantage of the \$200 credit towards permit fees.

The reasons for non-conforming, free-standing signs being removed include the following:

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Budgeted Amount: \$0.00      Budget Page No(s): NA      Available Amount: \$0.00      Expenditure Amount: \$0.00

Additional Budgetary Information: Not applicable

Funding Source(s): N/A      Sufficient Funds Available:  Yes  No      Budget Amendment Required:  Yes  No      Source: N/A

City Attorney Reviewed:  Yes  No  N/A      Advisory Board Recommendation:  For  Against  N/A      Consistent With:  Yes  No  N/A      Strategic Plan

Potential Motion/Direction Requested: DOES THE CITY COMMISSION WISH TO PROCEED WITH ANY OF THE ALTERNATIVE APPROACHES OUTLINED IN THE ATTACHED SIGN ALTERNATIVES TABLE?

Staff Contact: Carol Stricklin, AICP, Com Dev Director      587-7490      cstrickl@largo.com

Attachments: Agenda Memo, Page 2 , Sign Alternatives Table, September 11, 2018

- Removal due to vacancy. When a commercial property becomes vacant, the sign on the property is considered to be abandoned. The property owner is given a 90 day notice to have a business with a valid Business Tax Receipt operating at the property, or the sign must be removed.
- Removal due to damage - When a sign is determined to be damaged, it must either be repaired (if the cost to restore the damaged sign is 25% or less of replacement cost of a conforming sign) or removed if not repaired within 90 days. For example, 66 signs were damaged during Hurricane Irma. Of those signs, 42 signs were repaired within the 90 day timeframe, and 24 were referred to the Special Magistrate and ordered to be removed. It should be noted that the provision allowing for repair of a sign was added to the CDC in March 2015. Prior to that time, any damaged sign that required a permit for repair had to be removed.
- Redevelopment - Properties that undergo full scale site plan review and receive a development order are required to bring all aspects of a site into compliance, including signage. Properties such as Tri-City Plaza, the new Walmart on Missouri, and many other sites have installed conforming monument signs as the result of redevelopment.

Other information requested by the City Commission is as follows. The number of business establishments in Largo in 2018 is 3,127 according to ESRI data. The City Commission also requested information regarding the number of other non-conforming signs in the City which are not free-standing signs. At this time, staff has not yet performed an inventory of all other signage in the City. If the City Commission wishes to proceed with the amortization process, it is staff's intent to evaluate how to approach other types of non-conforming signs, such as wall signs that are non-conforming for reasons such as sign area or height. Staff would anticipate bringing information about this issue back to the City Commission at a Work Session in late 2019.

### **Sign Alternatives**

Community Development staff have worked with the City Attorney to develop alternative approaches, as described in the attached Sign Alternatives Table. Staff will present these alternatives at the Work Session and request direction as to how to proceed. Alternative #4, to remove the amortization period and require removal of non-conforming signs with code changes to accelerate sign removal, includes sub-alternatives 4a through 4f with options for changes to the CDC.

Sign Regulations Work Session  
Alternatives

Number	Alternative	Pros	Cons	Staff Recommendation
1.	Keep non-conforming sign amortization deadline*	<ul style="list-style-type: none"> <li>• Will provide certainty for the business community</li> <li>• Fulfill original legislative intent</li> </ul>	<ul style="list-style-type: none"> <li>• Financial impact to business and property owners</li> <li>• Will require additional staff time and resources</li> <li>• Must also address other types of non-conforming signs</li> </ul>	<p>Defer to City Commission</p> <p>*Demolition or permit fee waiver will require payment in lieu. Florida Statutes prevent outright waiver</p>
2.	Extend amortization period	Defers required removal while additional signs are removed through redevelopment and voluntary removal	Creates uncertainty in community as to legislative intent	Do not pursue
3.	Remove amortization period and requirement to remove non-conforming signs by date certain with no other code changes	Creates certainty in community as to legislative intent	Slower process to improve community appearance through redevelopment and voluntary removal	Defer to City Commission
4.	Remove amortization period and requirement to remove non-conforming signs by date certain with code changes to accelerate sign removal	Creates certainty in community as to legislative intent	Slower process to improve community appearance through redevelopment and voluntary removal	Defer to City Commission
4a.	Repeal repair provision (allows permit to repair sign if repair cost is 25% or less of replacement value)	<ul style="list-style-type: none"> <li>• Will require removal of any damaged sign requiring permit to repair</li> <li>• Encourage property owners to invest in new signage in lieu of older, non-conforming signs</li> </ul>	Financial impact to property owners to remove signs that could be repaired	Amend CDC to repeal repair provision
4b.	Enhanced Enforcement of Damaged Sign Provisions - CDC amendment to adopt minimum maintenance standards	<ul style="list-style-type: none"> <li>• Will require removal or repair of signs in poor condition</li> <li>• Improve appearance of community</li> </ul>	Will require additional staff time and resources	Develop a proposal for City Commission review

4c.	Modify Vacant, Abandoned Sign standards to reduce 90 day notification period	Will accelerate removal of non-conforming signs	Financial impact to property owners to remove signs	<ul style="list-style-type: none"> <li>• Amend CDC to reduce notification period to 30 days</li> <li>• Add provisions to allow vacant/ conforming signs to remain with cover/blank face</li> </ul>
4d.	Modify Vacant, Abandoned Sign standards to require removal of "substantially vacant" signs for multi-tenant properties	Will accelerate removal of non-conforming signs that are partially vacant	Financial impact to property owners to remove signs	<ul style="list-style-type: none"> <li>• Amend CDC to require removal of signs that have sign face that is 60% or more vacant</li> </ul>
4e.	Require non-conforming sign removal at time of new business	Will accelerate removal of non-conforming signs	<ul style="list-style-type: none"> <li>• Difficult to administer/enforce</li> <li>• May conflict with lease provisions</li> <li>• Financial impact to new businesses</li> <li>• Legal concerns</li> </ul>	Do not pursue
4f.	Require non-conforming sign removal with Small Scale approvals	Will accelerate removal of non-conforming signs	<ul style="list-style-type: none"> <li>• Contrary to intent of Small Scale review to provide flexible process</li> <li>• May dissuade smaller projects</li> <li>• Legal concerns</li> </ul>	Do not pursue

Revised 10/30/2018



# City of Largo Agenda Item 5

**Meeting Date**  
09/11/18

**Presenter:** Carol Stricklin, AICP Community Development Dir

**Department:** CD – Community Development

**TITLE:**

**NON-CONFORMING SIGN AMORTIZATION UPDATE**

The City of Largo sign code underwent a major revision in 2007 to improve the aesthetic appearance of the City by adopting standards to require all new free-standing signs to be monument signs. Existing signs that did not meet the new standards became non-conforming, but were allowed to remain through an amortization period that ends on June 5, 2019. This memorandum will provide a status update of the successful efforts to date to remove non-conforming signs, and will outline the steps that Community Development will take to encourage the remaining properties to come into compliance as the amortization period comes to an end.

Over the past 11 years, reduction in the number of non-conforming signs has been achieved with the removal and replacement of non-conforming signs with monument signs. The transformation of the City's major corridors through removal of visual clutter has been noticeable as the City redevelops and businesses reinvest in their properties.

The goal of Community Development is to continue efforts for voluntary compliance through outreach, education, and incentives. Compliance efforts will initially be targeted at the approximately 645 properties and businesses with existing, non-conforming pole signs. This memorandum will describe the steps staff will take to achieve voluntary compliance through sign removal and, if necessary, enforcement action through the Special Magistrate. Staff is also proposing an incentive in the form of reduced or waived demolition permit fees and expedited processing of demolition permits.

(Continued on Page 2)

**Budgeted Amount:** \$0.00      **Budget Page No(s):** NA      **Available Amount:** \$0.00      **Expenditure Amount:** \$0.00

**Additional Budgetary Information:** Not applicable

**Funding Source(s):** N/A      **Sufficient Funds Available:**  Yes  No      **Budget Amendment Required:**  Yes  No      **Source:** N/A

**City Attorney Reviewed:**  Yes  No  N/A      **Advisory Board Recommendation:**  For  Against  N/A      **Consistent With:**  Yes  No  N/A      Strategic Plan

**Potential Motion/Direction Requested:** DOES THE CITY COMMISSION WISH TO PROVIDE DEMOLITION FEE REDUCTION AND EXPEDITED PROCESSING AS AN INCENTIVE FOR NON-CONFORMING SIGN REMOVAL?

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**Attachments:** Pages 2 and 3

## **History**

Ordinance No. 2007-27, adopted in June 2007, created a ten (10) year amortization period for the removal of non-conforming signs, ending in June 2017. The revised sign code also provided standards for the size, height and location of new monument signs which replaced pole signs as the type of free standing signs allowed under the sign code. For several years, property owners have been notified of the changes to the sign code and the effect of the amortization period on signs on their property by means of a notice included in business tax receipt renewal notices.

A tiered incentive program was created to encourage businesses to replace pole signs with monument signs (Ordinance No. 2012-52, adopted September 4, 2012). This program operated for a four (4) year period between October, 2012 and September, 2016 and offered a credit against permit fees (first year of the program) and a graduated bonus for allowable sign area for either a new monument sign or wall signs (all four (4) years of the program).

Staff conducted an inventory of existing pole signs in early 2014 and presented this information at a City Commission Work Session in March, 2014. Discussion with the City Commission at this and a subsequent Work Session led to the following:

- The amortization period was extended by the City Commission until June 2019 (Ordinance No. 2014-72) to allow time for a marketing program and other incentives to be implemented;
- An annexation incentive provision was included in Ordinance No. 2014-72 to allow businesses that annex into the City near the original amortization date of June 5, 2017 a full five-year term for compliance;
- A marketing program was created to educate businesses about the sign requirements in order to encourage early, voluntary compliance ("Refine the Sign"). The program included pamphlets and other promotional materials, mailers to businesses and affected property owners, a workshop sponsored by the Mid Pinellas Chamber of Commerce and informational material on the City website.

Finally, in March, 2015, the City Commission adopted Ordinance No. 2015-12, which created a threshold for the repair of damaged nonconforming signs (including pole signs). This provision allowed for the repair of a damaged, nonconforming sign up to 25% of the replacement value of a new, conforming sign. If the repair cost is greater than 25%, or is not accomplished within 90 days of written notification from the City, then the sign must be replaced with a conforming sign. If the nonconforming sign is a pole sign, then it must be replaced with a conforming monument sign if a freestanding sign is desired.

## **Economic Development**

The Economic Development Division will play a crucial role in outreach efforts to assist businesses in understanding the City's regulations, and navigating the permitting process, if needed. Staff will continue to provide regular updates to the Mid Pinellas Chamber of Commerce Economic Development Committee. The last update was provided in May 2018. The Economic Development staff also administers the incentive program for sign replacement in the West Bay Drive Community Redevelopment District. This incentive provides all property owners or businesses who are bringing their signs into conformance a payment of \$1,000 to help off-set the costs associated with the removal and replacement of the new signage.

## **Planning**

An inventory completed in 2014 determined that there were 753 pole signs within the City limits and that 49 pole signs had been permitted for conversion to monument signs. The Planning Division recently conducted a 2018 inventory and identified 645 remaining non-conforming pole signs. The reduction in non-conforming signs has been a result of new development orders, voluntary replacement, and removal of abandoned and damaged signs. It should be noted that the inventory of pole signs has increased due to annexation of properties, which are subject to the additional five year extension of the amortization period.

Building upon past marketing programs, an informational postcard will be mailed in October 2018 and in March 2019 to the property owners and property address of properties with non-conforming pole signs advising them of the upcoming amortization deadline. The postcard will also be sent to sign companies doing business in the City of Largo. The Planner on Call and pPlanning staff will be available to assist property owners in planning for replacement signage for their sites.

Through the site plan review process, all properties proposing to redevelop or expand existing uses are required to bring all non-conforming signs into compliance. The Comprehensive Development Code (CDC) requires a Master Sign Plan for commercial site plans prior to issuance of a Development Order to ensure sites with multiple signs are not exceeding their maximum aggregate signage amount. Also, the CDC provides an Alternate Master Sign Plan option for large multi-building/tenant campuses that meet certain requirements to provide for flexibility for sign size, height and placement that corresponds with the identification needs of larger developments typically located along high traffic corridors and in activity centers.

### **Building**

Compliance with the sign ordinance requires a building permit for demolition and removal of the non-conforming sign. Replacement with a conforming sign is not required for compliance. New sign construction will be permitted separately. The Building Division will provide an information sheet for sign demolition outlining the process to obtain a permit for sign removal and the requirements for demolition and inspection. In order to provide an incentive for properties to obtain the appropriate demolition permit, staff is requesting City Commission direction to create a partial reduction of the cost of demolition permits for sign removal prior to June 5, 2019. The present cost of a demolition permit is \$137.40. Staff is recommending reducing the permit fee for a permit to demolish a non-electrical non-conforming sign to a flat fee of \$50 including the state surcharges, or \$75, if an electrical inspection is required. In addition, staff will expedite the processing of non-conforming sign demolition permits by issuing the demolition permit to a licensed general contractor within two business days with only a Building Division review.

### **Code Enforcement**

Code Enforcement's primary approach is one of voluntary compliance through education. Following the mailing of the information postcard to property owners, Code staff will personally visit all locations to speak with business owners about the upcoming responsibilities and opportunities for compliance.

Once the amortization period expires, Code Enforcement will determine which properties are in violation for not having removed the non-conforming pole signs. These property owners will be issued a Notice of Violation (NOV) with 30 day time frame to obtain a demolition permit and remove the non-conforming sign. Those property owners who fail to comply with the NOV will have their case set and heard by the Special Magistrate. It is anticipated that this process will occur over the period of several months, depending on the number of non-conforming signs that remain.

### **Future Activities**

Following the compliance efforts targeted at non-conforming pole signs, staff will evaluate how to approach other types of non-conforming signs, such as wall signs or other free-standing signs that are non-conforming for reasons such as sign area or height. Staff anticipates bringing information about this issue back to the City Commission at a Work Session in late 2019.