

EXECUTIVE SUMMARY



To: Jim Scholl, City Manager

Through: Thaddeus Cohen, Planning Director

From: Enid Torregrosa-Silva, Historic Preservation Planner

Meeting Date: November 1st, 2016

RE: Proposed revisions of HARC Guidelines for Signage and Lighting.

ACTION STATEMENT:

Request: **AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING THE HISTORIC ARCHITECTURAL REVIEW COMMISSION'S GUIDELINES FOR BANNERS, FLAGS, SIGNAGE AND LIGHTING AS REFERENCED IN SECTION 90-142 OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

Location: Key West Historic District.

BACKGROUND:

On March 28, 2013, the Historic Architectural Review Commission and the Planning Board held a joint public signage workshop. The consensus was to create a Task Force to review the existing ordinances and guidelines specific to signage in the historic zoning districts. The City Commission created the historic district signage task force under Resolution 13-286. For one year, members of the task force met and drafted recommendations for new guidelines pertaining signage.

The most significant recommendation promotes the designation of specific corridors and areas within the historic zoning districts that recognizes the intensity of businesses and mixed use structures while areas that are more residential in nature will have a more restrictive use of signage. This recommendation will allow high intensity commercial corridors to have signs that are more diverse.

Another substantial recommendation includes the recognition of the amount of commercial frontage space a business uses for its operation on a structure. The actual regulations has a "one size fits all" parameter on which businesses are treated the same, a business can only have two (2) signs unless located on a corner in which case can display three (3) signs. In

other words, if a business operates in an entire first floor on a corner it will have the same amount of signs as a business that operates in one third of a building that is located on a corner. The recommendation includes that one linear foot of frontage will equal to *one and a quarter square feet of signage*. This new guideline is fairer to business owners and it takes into consideration the proportions of the building where the business is located.

The Task Force also proposed new language to be incorporate under definitions. The new definitions include terminology specific to signage review and regulations and adds new language pertinent to today's available technology. The proposed guidelines also recognize historic and iconic signs located across the historic district and the importance to protect them, as they are part of the streetscape.

Since 2002, the HARC Guidelines are incorporated by reference into the Land Development Regulations, Section 90-142, and therefore are regulatory tools. Any amendment to the Guidelines must follow the same process as an amendment to the Land Development Regulations.

Previous City Actions:

City Commission Second Reading	June 21, 2016- Postponed
City Commission First Reading	June 7, 2016
Planning Board Approval	April 21, 2016
HARC Recommendation of Approval	January 26, 2016

Planning Staff Analysis:

After the postponement of the second reading, staff has met with citizens that had concerns and recommendations for the proposed Guidelines. Many of the proposed recommendations are incorporated in the revised Guidelines. As a result, the revised Guidelines reflect the proposed changes to the Ordinance document. After several meetings staff is recommending the following changes:

1. Incorporating all changes under definitions and other sections in order to reflect consistency with the proposed revised Ordinance for Signage.
2. Included a cap year at 2005 to recognize legal non-conforming signs and adding wording as to how legal non-conforming signs are repaired or replaced, and the required evidence to support the existence of the legal non-conforming sign.

3. Revision of Historic and Iconic signs table to include language that *the proposed signs are not inclusive and that the table can be amended or added to*. The table reflects two new signs, the historic and iconic *sea bass fish at Captain Tony's signage* and the iconic *freestanding metal arch at the Bahama Village Market*. Staff found a historic photograph from 1950's of the actual fish over Captain Tony's boat greyhound car!



4. Included specific criteria for the determination of historic and iconic signs.

5. Included specific guidelines for signage for *booths, kiosks and carts*. The previous proposed guidelines treated the businesses that use this type of structures the same way as buildings and found that the proposed requirements were too restrictive for them. New proposed language includes *two square feet of signage per each linear open side with a maximum of twenty square feet*.

6. Language that included no *exceptions to the guidelines will be granted and prohibited signs will not be considered* has been deleted, as it did not allowed an applicant for a due process.

7. Revisions of language that is more technically appropriate with the signage trade.

These new revisions have improved considerably the proposed guidelines and staff opines that the document is a better one for all stakeholders. The proposed guidelines are much less restrictive than the actual ones but at the same time are designed to preserve the historic character and integrity of the commercial corridors within Old Town.

Signage in the historic district can adversely affect the integrity of a building and its surrounding context; therefore, precise and clear guidelines will help not only business owners and public to understand HARC's main objectives, but will make the review process of proposed signs more effective.

From January 2014 through August 2016 HARC reviewed 263 Certificate of Appropriateness applications for new signs or renovations to existing signs. In many cases, HARC does not have specific guidelines and clear regulations for particular signs submitted for review. The new guidelines are an educational tool for anyone that references them, as they clearly explain the objectives and goals for each signage regulation. These proposed guidelines are more comprehensive than the actual ones and they provide specific regulations to each type of signage, including location, materials, design, lighting and guidance when several businesses are located on a same building. The guidelines also include illumination of buildings, which in many cases can become a means of attracting people to the premises.

Options/Advantages/Disadvantages:

Option 1: Approve the proposed changes to the HARC guidelines.

- 1. Consistency with the City's Strategic Plan, Vision, and Mission:** This action would provide enhanced services consistent with the mission and vision of the City.
- 2. Financial Impact:** There will be no direct finance impact. Nevertheless, the approval of the proposed Ordinance will improve the efficiency of staff and the HARC members when reviewing an application, which will streamline the City's plans review process.

Option 2: Do not approve the proposed change to the HARC guidelines.

- 1. Consistency with the City's Strategic Plan, Vision, and Mission:** This action would not be consistent with the City's strategic plan, as the current signage guidelines lacks of specific regulations much needed to review proposed signs.
- 2. Financial Impact:** There will be no direct finance impact. Nevertheless, by not approving the proposed Ordinance the city will not solve a current problem HARC members and staff finds in actual vague or non existing regulations pertaining signs.

Recommendation

The Planning Department recommends, Option 1, **approval** of the proposed Ordinance setting the *Business Advertisement- Signage, Signage Lighting, and light fixtures for Commercial Properties* guidelines