

ORDINANCE NO. 9217-19

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA MAKING AMENDMENTS TO THE COMMUNITY DEVELOPMENT CODE BY AMENDING ARTICLE 3, DIVISION 18. SIGNS, SECTION 3-1807, REMOVING SIGN REGULATIONS SPECIFIC TO THE DOWNTOWN ZONING DISTRICT AND INDICATING SUCH REGULATIONS ARE PROVIDED FOR IN APPENDIX C, DOWNTOWN ZONING DISTRICT AND DESIGN STANDARDS; AMENDING ARTICLE 4, DIVISION 10. SIGN PERMIT, SECTION 4-1001 ADDING A REFERENCE TO APPENDIX C, DIVISION 7 SIGN STANDARDS; AMENDING APPENDIX C, DOWNTOWN ZONING DISTRICT AND DESIGN STANDARDS, DIVISION 7. SIGN STANDARDS (RESERVED), ESTABLISHING NEW SIGN STANDARDS SPECIFIC TO THE DOWNTOWN ZONING DISTRICT INCLUDING THE MAXIMUM ALLOWABLE NUMBER OF SIGNS AND SIGN AREA, AS WELL AS DESIGN CRITERIA; AMENDING ARTICLE 8. DEFINITIONS AND RULES OF CONSTRUCTION, SECTION 8-102, DEFINITIONS RELATED TO SIGNAGE; CERTIFYING CONSISTENCY WITH THE CITY'S COMPREHENSIVE PLAN AND PROPER ADVERTISEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted the updated and amended Clearwater Downtown Redevelopment Plan as the Special Area Plan for Downtown Clearwater on March 1, 2018 which reaffirmed the City's vision for Downtown Clearwater as the urban core and heart of the City which will be an attractive place to live, work, shop and play; and

WHEREAS, to achieve this vision, the Clearwater Downtown Redevelopment Plan policies called for new development standards to be adopted into the Community Development Code to ensure Downtown redevelops as an economically vibrant, transit- and pedestrian-supportive mixed-use environment with quality urban design, a high quality public realm, and a dense and livable pattern of development; and

WHEREAS, on August 2, 2018, the City of Clearwater adopted Ordinance No. 9149-18 that established Appendix C, Downtown Zoning District and Design Standards, and reserved Division 7 for Sign Standards; and

WHEREAS, the City of Clearwater finds and determines that limitations on signs are related to the zoning districts for the parcels and properties on which they are located; and

WHEREAS, the City of Clearwater has determined that sign regulations unique to Downtown are warranted to create an inviting visual environment, lively streetscape and

vibrant Downtown consistent with the vision, goals and objectives of the Downtown Clearwater Redevelopment Plan and Downtown Zoning District and Design Standards; and now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEARWATER, FLORIDA:

Section 1. That Article 3, Development Standards, Section 3-1807, Permitted Signs Requiring Development Review, be amended to read as follows:

Section 3-1807 – Permitted signs requiring development review.

* * * * *

- B. *Non-residential.* All signs must be architecturally integrated into the design of the building and/or site using similar and coordinated design and style features, materials and colors. Attached signs shall be horizontally and vertically proportionately located on each façade with no protrusions above roof lines, over windows, trim, cornices, or other building features. Signs for new shopping centers with three or more tenants, including all out parcels, office parks or any master plan development shall be reviewed and approved through the Comprehensive Sign Program set forth in Section 3-1808.

* * * * *

2. *Monument signs in the Tourist and Downtown Districts.* The following shall govern permanent monument signs in the Tourist District ~~and Downtown District~~ as follows:
- a. One monument sign not exceeding six feet in height per parcel for development in the Tourist District with no more than two sign faces, unless located on a corner or through lot. ~~One monument sign with no more than two sign faces per parcel for development in the Downtown District provided the primary building on the parcel is setback at least 20 feet from the front property line, unless located on a corner or through lot.~~
 - b. Corner lots or through lots have the option of erecting one monument sign or two monument signs, one on each street frontage. The total maximum area of the sign faces of the one sign or of the two signs shall not exceed the total maximum allowable area allowed in Section 3-1807.B.2.c. below plus an additional 15 square feet. Sign area shall be measured from the road frontage which results in the greater square footage.

- c. The area of a monument sign face shall not exceed three percent of the building façade facing the street or one square foot of signage for every three feet of linear lot frontage, whichever is less, but in no case less than 24 square feet and no more than 36 square feet.
- d. The total area of all sign faces on all monument signs shall not exceed 72 square feet per parcel proposed for development.
- e. Sign design shall be consistent with or complement the architecture of the building through the use of colors, materials, textures, design features and architectural styles as set forth below and as may be required by the ~~Clearwater Downtown Redevelopment Plan and Beach by Design~~.
 - i. The sign design shall include a distinctive design or architectural element used on the building such as an arch, capstone, pediment, distinctive roof form/material, column pilaster, cornice; or a shape, form or motif that portrays the business. The design elements shall be used on the top and/or side of the sign face/panels.
 - ii. Defining materials, textures and colors used on the building shall be included on the sign.
 - iii. The sign base and/or supports shall be of a width that creates proportionality to the overall sign design.
 - iv. The sign shall be consistent with or complementary to the overall design, colors, font style of the attached sign on the property.
 - v. The sign may include no more than two lines of zip track for manual changeable messages provided it does not exceed 25 percent of the sign face area and the zip track and letter colors are coordinated with the color of the sign.
 - vi. In the event the building lacks architectural details or distinguishing design features or materials, the sign shall be designed to improve the overall appearance of the site. To achieve this, the sign shall include a distinctive design feature and use of colors and materials that present a high quality finish.
- f. All monument sign structures shall be installed in a landscaped area consisting of shrubs and/or ground cover not less than three feet in width around the entire base of the sign.
- ~~g. Properties located within the area governed by the Clearwater Downtown Redevelopment Plan shall only be permitted to erect a monument sign if the primary building is setback at least 20 feet or more from the front property line. Areas for manual changeable copy cannot occupy more than 25 percent of the sign face area.~~

Section 2. That Article 3, Development Standards, Section 3-1807, Permitted Signs Requiring Development Review, Section B. Non-residential, be amended to read as follows and renumber the remaining subsections accordingly:

Section 3-1807.B – Non-residential.

* * * * *

3. Freestanding signs in the Downtown District. Freestanding signs in the Downtown District shall be governed by Appendix C, Division 7. Sign Standards.
- ~~3-4.~~ Attached signs in non-residential districts. The following attached signs shall be permitted in all non-residential districts, except that signage in the Downtown District shall be governed by Appendix C, Division 7. Sign Standards:
 - a. One attached sign shall be permitted for each building structure. For any building structure with multiple business tenants on the ground floor, one attached sign may be permitted per business establishment with a principal exterior entrance. The area of an attached sign face shall not exceed:
 - i. Twenty-four square feet in total sign face area; or
 - ii. Three percent of the primary façade area not to exceed 36 square feet in total sign face area. Such signs are limited to one of the following sign types: channel letters mounted directly to the building, flat cut out letters, contour cabinet, illuminated capsule, sign applied to awning provided awning is externally illuminated, letters on backer panels if designed as an integral part of the sign and any other sign type of a higher quality of design if approved by the community development coordinator. Square/rectangular cabinet signs, back-lit awnings, and signs on raceways are prohibited.
 - b. In addition to the attached sign allowed in Section 3-1807.B.3.a above, corner lots or through lots may erect one attached sign on each building wall (or façade) abutting a street frontage. Any such attached sign shall not exceed the sign face area specified in Section 3-1807.B.3.a above.
 - c. Where individual business establishments with exterior entrances are located in a single building, multi-tenant buildings, or as part of a business/office complex or shopping center, attached signs shall be designed according to a common theme including similar style, color, materials or other characteristics to provide a sense of uniformity. Changes to individual tenant signage shall be reviewed for compliance with the established or projected theme of the development site.
 - d. Projecting signs may be used as a type of attached sign in the ~~Downtown (D)~~ and Tourist (T) Districts, unless otherwise permitted by the community development coordinator. They shall be installed with a minimum eight-foot clearance from the bottom of the sign to grade or the sidewalk. Projecting

signs shall comply with encroachment into setback and rights-of-way Section 3-908. The community development director coordinator may permit such signs for second story or businesses above the first story in the ~~Downtown~~ and Tourist Districts if they meet all other criteria for attached signage.

- e. Business establishments with rear façades with rear public entrances facing parking lots or rear public entrances facing Clearwater Harbor or Mandalay Channel with boating access may erect one additional attached sign not exceeding 16 square feet in area above or adjacent to the rear entrance provided such sign is not a traditional cabinet sign or channel letters erected on a raceway.
- f. Gasoline pump island canopies may be permitted one attached sign on the canopy fascia facing a public right-of-way provided such sign does not exceed eight square feet in total sign face area.

C. On-premise signs on school grounds. On any school grounds in any zoning district, except in the Downtown District, the following signs are permitted.

Section 4. Article 4, Development Review and Other Procedures, Division 10, Sign Permit, Section 4-1001, City of Clearwater Community Development Code, is hereby amended as follows:

Section 4-1001. Purpose

It is the purpose of this division to establish procedures for the review and approval of signs, and signs as part of a Comprehensive Sign program, in accordance with the standards of Article 3, Division 18 and Appendix C, Division 7.

Section 5. Article 8, Division, Section 8-102, City of Clearwater Community Development Code, is hereby amended by adding the following in the appropriate as follows:

Sign, auxiliary freestanding means an additional freestanding sign allowed due to exceptional property frontage characteristics.

Sign, awning means a sign affixed flat to the surface of the awning.

Sign band means an integral part of a storefront design that architecturally defines the top of the ground floor, or the location on the building's façade between the building entrance and the bottom of the second floor windows, or for a one-story building, the eave line.

* * * * *

Sign, billboard means a non-point-of-sale sign that exceed 24 square feet and advertises a business, organization, event, person, place or thing or other commercial message.

Sign, building means a sign placed on a wall, awning, canopy, under a canopy, or projecting from a building.

Sign, cabinet means a three-dimensional structure which includes a frame, borders and sign face within a frame on which the sign letters and logos are placed or etched. The sign may include internal lights.

Sign, canopy means a sign attached to, applied or affixed to the visible surface of an attached canopy.

* * * * *

Sign, portable means a sign that is not permanently fixed to the ground or a structure utilizing standard construction procedures, and/or materials that will not deteriorate, or a sign that is transported over or parked along or next to a public right-of-way.

Sign, projecting means a sign, other than a wall sign, that is attached to and projects outward from the exterior building wall. Projecting signs include shingle signs and blade signs.

* * * * *

Sign, safety means a sign that serves a compelling governmental purpose by providing a warning of a dangerous condition or situation that might not be readily apparent or that poses a threat of serious injury (e.g. gas line, high voltage, condemned building, etc.)

Sign, shingle means a small building sign that projects outward, typically at a ninety degree angle, and hangs from a bracket or support.

Sign, sky dancers or air dancer sign means an inflatable sign that is taller than five feet and that exhibits movement when filled with air to attract attention.

Sign, skyline means a wall sign attached to the top portion of a high-rise building.

* * * * *

Sign, transit shelter means a sign affixed to a transit shelter which is erected pursuant to the requirements of Article 3 Division 22.

Sign, under canopy means a sign suspended from, and located entirely under a covered porch, walkway, or canopy supported by the building.

* * * * *

Section 6. That Appendix C, Division 7. Sign Standards [Reserved], shall be amended as set forth in the attached Exhibit A.

Section 7. Amendments to the Community Development Code of the City of Clearwater (as originally adopted by Ordinance No. 6348-99 and subsequently amended) are hereby adopted to read as set forth in this Ordinance.

Section 8. The City of Clearwater does hereby certify that the amendments contained herein, as well as the provisions of this Ordinance, are consistent with and in conformance with the City's Comprehensive Plan.

Section 9. Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared to be invalid.

Section 10. Notice of the proposed enactment of this Ordinance has been properly advertised in a newspaper of general circulation in accordance with applicable law.

Section 11. This ordinance shall take effect immediately upon adoption.

PASSED ON FIRST READING

PASSED ON SECOND AND FINAL
READING AND ADOPTION

George N. Cretekos
Mayor

Approved as to form:

Attest:

Michael Fuino

Rosemarie Call

Assistant City Attorney

City Clerk