

ORDINANCE NO. _____

PROPOSED ORDINANCE NO. 16-056

AN ORDINANCE RELATING TO THE LAND DEVELOPMENT CODE; CHANGES TO ARTICLE 4 (GENERAL SITE DEVELOPMENT STANDARDS) TO ADOPT NEW HISTORIC OR LANDMARK SIGN STANDARDS; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Ordinance 5425, adopted on December 16, 2013, the City Commission of the City of Lakeland, Florida adopted the Land Development Code for the City of Lakeland; and

WHEREAS, it has been determined that amendments are necessary to update the regulations contained within the Land Development Code; and

WHEREAS, the City Commission, upon recommendation by the Planning and Zoning Board, wishes to adopt the amendments to the Land Development Code set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA:

SECTION 1. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2. The amendments to the Land Development Code set forth in Attachment "A," attached hereto and made a part hereof, are hereby adopted.

SECTION 3. The City Commission does hereby expressly find that the provisions of this ordinance are in conformity with the Comprehensive Plan of the City of Lakeland adopted by Ordinance 5188, and that all procedures for the enactment of this ordinance have been complied with.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. If any word, sentence, clause, phrase, or provision of this ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this ordinance shall not be affected thereby.

SECTION 6. This ordinance shall take effect immediately upon its passage.

PASSED AND CERTIFIED AS TO PASSAGE this 19th day of December, A.D. 2016.

R. HOWARD WIGGS, MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: _____
TIMOTHY J. McCAUSLAND
CITY ATTORNEY

ATTACHMENT "A"

ARTICLE 4: GENERAL SITE DEVELOPMENT STANDARDS

4.9 SIGNS

4.9.3.1.h.(d) Nonconforming on-premises signs may be considered conforming to this ordinance, if determined to be a historic or landmark sign subject to the terms and conditions set forth below:

- i. Any person who chooses to pursue the historic or landmark designation for a nonconforming sign shall make application to the Historic Preservation Board. The Historic Preservation Board shall conduct such investigation and inquiry as is necessary to determine that a sign is eligible for the historic or landmark designation. The Board may refer the application to its Design Review Committee for a recommendation to the full Board. The Board is not empowered to approve an increase in the degree of nonconformity of a sign when approving it for a historic or landmark designation.
- ii. To be considered for designation as an historic or landmark sign by the Historic Preservation Board, a sign shall be 50 years old, or possess the following characteristics:

~~The sign shall have been erected or installed prior to 1960;~~
~~The sign is a unique example of a time period or era prior to 1960;~~

The sign must be structurally sound or repairable;

~~The sign may contain neon which is characteristic of the era or period prior to 1960;~~

~~The sign shall have been designed and constructed as an integral part or feature of a structure, development or development site.~~

The sign is associated with historic or cultural figures, events, or places;

The sign is significant as evidence of the history of a product, business, or service advertised;

The sign is significant as reflecting the history of a building or the development of a historic district;

The sign is important in defining the character of a district;

The sign is characteristic of a specific historic period, such as, but not limited to, gold leaf on glass, neon, or stainless steel lettering;

The sign is integral to a building's design or physical fabric;

The sign is an outstanding example of the signmaker's art, whether because of its excellent craftsmanship, use of materials, or design;

The sign is locally recognized as a popular focal point in Lakeland.

- iii. Effect of historic or landmark sign designation. Historic or landmark signs shall be maintained and kept in good repair. Historic or landmark signs may not be altered, removed, or covered unless the Historic Preservation Board grants a Certificate of Review to that effect. See Section 11.6 Certificates of Review.

MEMORANDUM

DATE: DECEMBER 5, 2016

TO: MAYOR & CITY COMMISSION

FROM: L. BURL WILSON, JR., CHAIRMAN
PLANNING & ZONING BOARD

SUBJECT: PROPOSED CHANGES TO ARTICLE 4 (GENERAL
SITE DEVELOPMENT STANDARDS) TO ADOPT
NEW HISTORIC OR LANDMARK SIGN STANDARDS

CASE NUMBER: LDC16-007

APPLICANT: CITY OF LAKELAND

P&Z HEARING: NOVEMBER 15, 2016

P&Z FINAL DECISION: NOVEMBER 15, 2016

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances. The proposed changes to Article 4 (General Site Development Standards) to adopt new Historic or Landmark Sign standards are included as Attachment "A."

Article 4 establishes minimum standards for the layout and design of development sites. Section 4.9 addresses the regulation and control of signage. Sub-Section 4.9.3.1.h.3 (d) addresses the terms and conditions of which nonconforming on-premises signs may be considered for historic or landmark sign designation. The current historic or landmark sign regulations state that the Historic Preservation Board may designate historic or landmark signs based on five characteristics, three of which are tied arbitrarily to the 1960 date and historical era. At present, there are relatively few signs in the city that date to this era. The proposed regulations provide designation criteria that are consistent with National Park Service Preservation Brief 25: The Preservation of Historic Signs, which allow for more flexibility in designating historic or landmark signs, as historic, cultural, or local significance, is taken into consideration along with the age of a sign. Fifty (50) years is considered the baseline age for historic designation of a resource by the National Park Service, and this is reflected in the proposed regulations. Sub-Section 4.9.3.1.h.3 (d) iii. is a new provision that addresses the effect of historic or landmark sign designation, and that alterations to designated signs require a Certificate of Review granted by the Historic Preservation Board.

The Historic Preservation Board considered the proposed changes to the historic or landmark sign standards in the LDC, as described in Attachment "A," and recommended approval of these changes during their October 27, 2016 regular meeting.

The Community Development Department and the Board reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan.

The Community Development Department reviewed this request and recommended the proposed changes to the LDC.

This recommendation was approved by a 6-0 vote of the Board.

Recommendation

It is recommended that the proposed changes to the LDC, as described in Attachment "A," be approved.