



**SIGN CODE ROUNDTABLE  
MINUTES**

**Charlotte County Community Development, BCS Conference Room  
18400 Murdock Circle  
Port Charlotte, Florida 33948**

**JUNE 1, 2016**

This was a Roundtable meeting called to discuss Charlotte County Sign Codes.

**County Staff Present:**

Claire Jubb – Community Development Director  
Shaun Cullinan – Planning and Zoning Official  
Shawn Horton – Code Enforcement  
Maryann Franks – P & L Supervisor  
Jie Shao – Principal Planner  
Josh Moyer – Assistant County Attorney, Charlotte County  
Karen Banek – Paralegal  
Lorah Steiner – Tourism Development Director

**Visitors Attending:**

Joe Tiseo – Local Business Owner  
Julie Mathis - Charlotte County Chamber of Commerce  
Eddie Fasbio – Local Resident  
Peter Gerhardt – Local Resident  
David Hilston – Urban Design City of Punta Gorda  
Rob Berntsson – Local Land Use Attorney

Ed Pazmino - Resident  
Ric Pritchett – Local Business Owner  
Andy Pritchett  
Gary  
Susan Hutt  
Jenny Casch  
Kim Campanella

**1. CALL TO ORDER:**

Claire Jubb, Community Development Director called the meeting to order at 2:01 pm.

**2. ROLL CALL:**

Sign-in

**3. ROUNDTABLE SYNOPSIS:**

Claire Jubb – We are looking to start initial discussions today as to what we like, don't like and what we would like to see changed concerning Charlotte County's current Sign Code. Staff will then work on some language and we will move forward from there.

Shaun Cullinan – We would like to have an open discussion today and at future roundtable meetings as to our Sign Code. What works, what doesn't and what the public, staff and Commission would like to see changed. From these discussions we will craft a document that works for everyone. We have not yet created a draft or agenda. Staff will start producing documents based on the ideas received from today's meeting and future roundtable meetings.

**Discussion began as to flutter flags.** Years ago, a small permit fee was required for Grand Opening purposes, good for 30-60 days. It appears, from what has been heard at Commission meetings that the County became lax on that as the economy took a down turn.

Shaun Cullinan - In 2011 the Code was changed allowing these sign permit types to last for a year. The previous Code stated these types of signs could be placed temporarily, twice a year for 30-60 days. The majority of problems we have now are due to people not obtaining permits; Code Enforcement is addressing those. The proliferation of temporary flags such as flutter flags, banners and pennants are one of the County's largest complaints. Based on direction from the Board of County Commissioners (BCC) and Citizens groups this is one of our main focuses. Esthetically, these signs are not as pleasing as other types of signs.

Discussion - Charlotte County allows up to 750 sq footage of signage. Most people leave signage on the table when it comes to additional signage. These permits can be renewed yearly. If the Code is changed, these temporary signs will be able to run out till the end of their permit then it will cease.

Currently, the yearly permit fee is \$22.00 for as many of these signs as the property owner wants. If the property owner decides he wants additional signs an additional permit would need to be obtained.

Certainly, signage is important to any business but on the other hand, when driving US41, these signs are an issue. There is too much clutter. You don't want to take away anyone's ability to make a living but everyone has sign allowances with their property.

### **Should people have the right to have signs in front on US41?**

Shaun Cullinan - Currently, anything in the Right of Way (ROW) is not allowed. The BCC has reinforced that they do not want to see any snipe signs in the ROW.

### **Was there an out cry with the old Code?**

Discussion - Yes, people were complaining that they couldn't advertise their businesses. Due to the down turn in the economy at the time, people wanted to have more advertising and flutter flags were becoming big business. Thirty (30) days was not seen as being long enough to advertise.

### **It was suggested that we need to utilize a phased in approach when changing the Sign Code, possibly two temporary sixty (60) day periods.**

Discussion - It was mentioned that this temporary signage can be brought to the edge of commercial property and that some property has land that looks like ROW but is not. The property on the other side of the access road may be owned by the business and temporary signs can be placed there. They have rights to the parking lot.

### **Discussion proceeded to Trucks as a temporary device, which is addressed in the Code.**

Discussion - Trucks are addressed currently in the Code. It can be difficult to prove that a vehicle is used solely for advertising. The large yellow truck by Gatorz which comes and goes is licensed, has no advertising and is not a violation. Charlotte County allows for "on street" parking. One of the issues with the vehicles that are licensed, have tags and run is that they can be parked

anywhere on commercial property. There is nothing that prohibits them from parking in the front.

**Discussion returned to flutter flags and it was suggested that we not swing back too quickly but rather amortize it.**

Discussion - People have gone out and expended a great deal of money on these signs; it would be important to know roughly what kind of expenditure this is. If people have been told they can do this year after year and have purchased expensive signs that would last for awhile. I think, it would be a good to amortize. In the first period they can only do it for six (6) months instead of a year and then you go to another period.

Shaun Cullinan - They would still be able to use the sign(s) until their existing permit ceased. If the permit was renewed a day before the new Code went into effect they would have a year to utilize that.

Susan Hutt - It appears, the largest complaints from business owners is lack of knowledge as to the rules, manner in which Code Enforcement Officers has dealt with sign violators and Code Enforcement fees.

Claire Jubb - As we go thru this process, getting the Code to where it needs to be is important but it is not the only part of making this successful. The next part is communicating out to the citizens and business owners, making sure everyone is aware. It is exciting to see so many people attending the Roundtable today.

Discussion - The price of flutter flags was discussed further; a stock flag generally starts at \$40.00 and will start to tatter after a year. Custom made flutter flags are more expensive. Phasing in the new Code was mentioned again, possibly starting in the new year and then going to six (6) months and then three (3) months the next year; then back to the thirty (30) day temporary sign(s) twice a year.

**One of the complaints received by Code Enforcement is for unprofessional signs. We may want to consider as we move forward the professionalism of the signs used, Design Standard.**

**Sign Wavers** – Discussion proceeded as to free speech and being paid to advertise. Currently the Code states that sign wavers have to be on a public sidewalk or on the property, they can't be in the Right of Way (ROW) unless they are on an actual sidewalk. The Sheriff should be addressing this if there is a traffic safety issue.

**Discussion proceeded to Block Signs in the County before Hurricane Charley.**

Discussion - These were on poles, possibly attached to traffic lights. They gave people a sense of where they were. It's good for business, so people know where they are. Shaun Cullinan said Public Works could be contacted as to a discussion with DOT to address the Block signs. Facelift 41 is currently working on zones so that people can use it in their advertising.

**Claire Jubb - How do we feel about the level of permanent signage? Is it appropriate, too much, too little.**

Shaun Cullinan - Punta Gorda only allows monument signs. Right now, we allow pole signs and several different types of signs with any physical structure you like. There are square footage requirements.

Discussion - There is a 20 ft. max on US41 and 150 ft. for primary. Charlotte Harbor is different but they are looking at adopting our current sign code.

**A citizen asked how many signs a business needs.**

Discussion - It was suggested that one sign would be sufficient for a single use, stand alone business but if you have multiple businesses each one would want their own sign. One business owner stated that 150 square feet was not an issue.

Shaun Cullinan - People want to retain their signs because of the rights associated with them when multiple signs were allowed, which is understandable.

Discussion - Fort Myers also has a 20 ft max and 150 ft primary requirement; reader boards have been utilized to accommodate multiple tenants. It really depends on who you ask how much signage is needed. A large box store is recognizable from a distance and may require very little signage. A monument sign with LED can have good visibility.

Lorah Steiner– For the record, what change to the sign code would be acceptable if something is destroyed; you have X amount of time to repair or replace and after that it becomes a code case.

Shaun Cullinan explained that currently that is in code but there are legal ramifications.

Lorah Steiner– Could we pose some questions like that or have a list of statements or questions? Also, could you elaborate on the legal issues with damaged signs?

Shaun Cullinan – Essentially, there are certain speech rights that have been granted to you. If a sign comes down and there is another sign on the plaza property, under our current code if that sign is removed only one sign is allowed. They would lose that right and then there are potential legal issues.

**Is there anything in the Code that says if you remove the building you must remove the sign?**

They're separate rights.

A sign can be placed on a vacant piece of property, up to 32 sq. ft.

Discussion as to appearance of US41 - Citizens are concerned with the appearance of US41; flags and signs.

Shaun Cullinan - Two Commercial Code Enforcement Officers have been approved to address these issues as well as working to build relationships with the business owners by going into the stores and educating them. The Facelift 41 Group and these Roundtable discussions are trying to address citizen concerns. We need to put the proper foundation in place to fix this.

**Claire Jubb – Punta Gorda has very different regulations, what do we think about that?**

David Hilston – We're dense and urban. We don't have the large blocks of Walmart Super Center type stores. What the City of Punta Gorda would like to see is smaller and less.

Shaun Cullinan - We have commercial design standards but the majority of our buildings predate these standards.

Rob Berntsson - It sounds like there is not an over riding consensus to change the physical Sign Code as far as monuments and pole signs, that seems to be working. As new signs are coming in they are tasteful and it's working. It doesn't seem we need a major overhaul of that section of the Code.

Shaun Cullinan - That was staff's thoughts are as well. We do have a few large tracts of land that might have a lot of road front.

Discussion – That land could be platted and each parcel would have its rights. The monument sign, when you're driving is where you're looking but from a distance your line of site is now at 30ft. higher.

**If we could give the Board direction on the flutter flags, do we want to take the amortization approach?**

Discussion - More of a phased in, stepped approach was suggested, such as keeping the current Code as it is through this year, then going to six (6) months and so forth. As long as the public is notified as to the starting time. It was proposed that from whenever it goes into affect the business owner gets one full year, then six (6) months.

With technology today, the LED lighting can be seen further away. You don't need to be 30 ft in the air. It costs more money; it's cheaper to go smaller. You get the same impact for less money.

Rob Berntsson – In your Sign Code you have examples of signs and one of the pictures that you show is Eye Glass World which has a sign on the building, a banner and every window basically has a sign. Do you regulate the window signs?

Discussion - Yes, a permit is needed but they can have many signs. You can place whatever you want on the inside of the glass. We don't regulated what is on the inside only what is stuck to the outside of the Window. You can have window clings on the inside of your premises. It was stated that this could be a safety issue.

It was noted that small yard signs have gone away considerably, everything looks much better.

Rob Berntsson– In the Code under general provisions it says, "Signs on Public Property, any signs placed on public property or any public right of way must conform to the requirements of this Code" but you're not allowed to have them. This is something you might want to look at.

## **Claire Jubb – What do you think about Billboards?**

Rob Berntsson - Billboards use to be regulated as Class B signs; originally in the 1970's they were 1000 ft. apart and in the 1980's they went to 2000 ft. apart and in the early 2000's they were prohibited, except along I75. The Code was amended in the last six months to allow for those that were legally placed to be upgraded. For many, the first reponse is "I don't like them", but you really see a mixture of businesses using them, including local governments. One of the issues that has come up in the industry because you can have the one you have, you can't move it ten feet to the property next door. This makes them somewhat of a hostage to the landlord if they want renew the lease. They can just raise the rent, as these leases were negotiated when the Sign Code allowed billboards and as long as you were 2000 ft. you could go 100 ft. down the road and still relocate. It's not that anyone's looking for a proliferation of billboards at 50 ft apart or anything like that, just allow some flexibility to the existing industry.

It was stated that given the 2000 ft. separation there really aren't many places you can put billboards anymore.

## **A question was posed as to Benches?**

Claire Jubb - The agreement goes back to 1988; there is a company that has those benches and can advertise on them. They are in the County ROW and there is really nothing we can do about it.

Discussion - The Lease automatically renews every 12 years as long as certain triggers are met, they are maintained and insured.

## **Newspaper stands that are no longer being used and Clothes Collection Dropboxes?**

Shaun Cullinan - We have Code Officers looking into the Clothes Collection Dropboxes as they see them. It's not something that is allowed because they have to be in a fully enclosed building.

Discussion - There appear to be some newspaper stands that haven't been used for many years. Discussion ensued as to first amendment issues with newstands and that it sounds more like a campaign to identify them and contact the owners of them, asking if they can be removed if



they aren't being used as opposed to regulating because there are free speech issues. They can be regulated as far as the slab.

**Claire Jubb – Are there any other issues we need to discuss that are causing problems?**

Are you going to meet with business owners?

Shaun Cullinan - We will be having atleast one more if not two of these type of discussions.

Could you have it in the evening for business owners who are working during the day?

Claire Jubb – Yes, we can do that.

What kind of outreach have you done for the business owners, especially the small business owners on the access roads to find out what they would like to see changed?

Discussion – There is the Facelift 41 Citizen Group that has been in contact with business owners. We speak frequently at functions and have discussions with the ECEC Group, advertise in the paper and on websites. We have a survey and banner on the County website and Shaun Cullinan will be doing a spot on the evening news for CCTV.

Claire Jubb - There are some outreach tools that are becoming more available to us, that we will be using as we move forward. The County has a Facebook page now and we will be launching ours fairly soon. The next step will be to have a look at the language, your comments and the survey and see if we can come up with something. We'll schedule another meeting to go through those. If anyone would like to be notified please add your email address to the sign in sheet.

Rob Berntsson- – **I think you should look at something where you're talking about buildings that are on a different scale, like Walmart.** When you put the sign that is allowed on that face of the building it almost looks silly because it is so small.

Claire Jubb – Is there anything else anyone would like to add?

There was no further discussion.

Meeting adjourned at 3:17 pm.

Meeting recorded and transcribed by Beth Scott