



AGENDA
PLANNING COMMISSION
CITY OF PORT ORANGE

Meeting Date: Monday, May 3, 2021

Time: 5:30 PM

Location: Council Chambers, City Hall
1000 City Center Circle
Port Orange

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call

B. DISCUSSION/ACTION

3. APPLICATION: LDC Text Amendment/Chapters 2, 15, 16, 17, & 18
CASE NO.: 21-25000004
STAFF CONTACT: Tim Burman, Community Development Director (386) 506-5675/tburman@port-orange.org
APPLICANT: City of Port Orange

An amendment to Chapters 2, 15, 16, 17, & 18 of the Land Development Code to remove content-based sign regulations and replace with content-neutral sign regulations, remove redundant, out-of-date, and/or inconsistent signage requirements and definitions, and provide requirements for alternative types of permanent signage.

C. OTHER BUSINESS

4. Commissioner Comments
5. Staff Comments

D. PUBLIC COMMENTS

E. ADJOURNMENT

NOTICES – PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.



Planning Commission Meeting

Monday, May 3, 2021

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FOR SPECIAL ACCOMODATIONS, PLEASE NOTIFY THE CITY CLERK'S OFFICE (PHONE: 386-506-5563) AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE.



HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.



STAFF REPORT

CASE NO. 21-25000004

LDC Amendment/Chapters 2, 15, 16, 17 and 18

REQUEST:	To amend Chapters 2, 15, 16, 17 and 18 of the Land Development Code (LDC) related to Signage.
APPLICANT:	City of Port Orange
STAFF RECOMMENDATION:	Approval
STAFF CONTACT:	Tim Burman, Community Development Director (386) 506-5675
PLANNING COMMISSION:	May 3, 2021

Summary

The proposed text amendment to the Land Development Code is to revise the current signage regulations, primarily to conform to the United States Supreme Court ruling in *Reed v. Town of Gilbert* that signage regulations are to be content neutral. This means that sign regulations cannot vary standards such as size, location, and duration based on the message of the sign (e.g. "political sign" or "grand opening sign"). The draft amendment includes necessary changes to the City's sign regulations to remove content-based requirements and replace with content natural requirements.

In the Spring of 2021, presentations were made to the Planning Commission and City Council with necessary updates to the City's signage regulations to shift from content-based sign regulations to content neutral sign regulations, along with sign standards to provide new sign opportunities and streamline the sign code to no longer include redundant, out-of-date, and/or inconsistent requirements. Based on the feedback, staff developed a proposed draft to the sign regulations to shift from content base to content neutral and add new sign opportunities and streamline the sign code. The following is a summary of proposed revisions to the sign regulations. Majority of the proposed revisions are related to compliance with the Reed case to provide content natural requirements regulations while still maintaining the existing character of Port Orange as it relates to the type of signage allowed. The following is a summary of the proposed revision, new requirements, and requirements or prohibited signage not changing:

- **Compliance with Reed v. Gilbert:** Developed a draft version of the City's sign code that has attempted to eliminate content-based regulations and replace them with content-neutral regulations. In many cases, the general framework of the content-based regulation (for example, permitted location, duration, and quantity) has been preserved, but in other cases regulations and sign categories have been merged, changed, or eliminated.
- **Code clean-up:** Developed a streamlined code that no longer includes redundant, out-of-date, and/or inconsistent provisions.

- **New Sign Types:** Developed new requirements to allow for permanent signage options not previously allowed for all non-residential uses, such as projecting signs, sandwich board signs, digital signs (percentage of allowed sign area), etc....
- **Ridgewood Corridor Sign Regulations:** Developed new requirements specific to businesses located along the Ridgewood Avenue corridor to allow alternative design styles of monument signage and location requirements.
- **Digital Signage:** Allow a percentage of the sign area allowed for freestanding sign to be digital. Updated standards for digital sign allowed on multi-tenant buildings and applied those to single-tenant signage.
- **Signage Districts:** Established applicable by districts that signage requirements for each type of signage can be found.
- **Definitions:** Developed new or updated existing definitions to more clearly define terms used throughout the sign code.
- **Prohibited Signs:** There has been no changes to feather flags, inflatable objects, animated signs, signs in public right-of-way, etc.... being prohibited.
- **Temporary Sign Sections:** Developed new requirements to regulate temporary signs (banner, site signs, and year signs) and provide options for temporary signage for residential and non-residential uses similar to those allowed in the current code but now these requirements are content neutral.
- **Chapters 16, 17, and 18:** Removed sign criteria from Chapters 16, 17 and 18 and replaced text to refer to Chapter 15 for all sign regulations.

RECOMMENDATION:

Approval of the amendment to the LDC related to Signage, subject to ordinance preparation and review by the City Attorney's office prior to 1st Reading at City Council.

Attachments

Exhibit A - Proposed LDC Amendments to Chapters 2, 15, 16, 17 and 18

EXHIBIT A

Chapter 15

Section 1: - Purpose.

These sign regulations safeguard the health, safety, convenience, order and welfare of all residents and visitors of Port Orange. The City of Port Orange recognizes that signs may act as a visual means of communication between the public and businesses and those businesses have an expectation of using signs to identify and advertise themselves.

Specifically, the purpose of these regulations is to provide a balanced and fair legal framework for the design, construction, and placement of signs that:

- a) Enhance the City's economy and its businesses by promoting reasonable, orderly, and effective signs which assist in wayfinding and achieve better communication with the public;
- b) Promote the efficient communication of messages, ensure that persons exposed to signs are not overwhelmed by the number of messages presented, and enhance the appearance and economic value of the landscape by reducing and preventing sign clutter;
- c) Ensure that signs are compatible with their surroundings, and prevent the construction of signs that are a nuisance to occupants of adjacent and contiguous property due to brightness, reflectivity, bulk, or height;
- d) Ensure commercial signs are designed for the purpose of identifying a business in an attractive and functional manner;
- e) Ensure signs on the façade of buildings are complimentary to the architectural design of buildings or structures in Port Orange;
- f) Minimize light pollution from signs;
- g) Provide fair and consistent permitting, maintenance of existing signs, and enforcement; and
- h) Promote the safety of persons and property by ensuring that signs do not create a hazard by:
 - 1) Confusing or distracting motorists;
 - 2) Impairing drivers' ability to see pedestrians, obstacles, or other vehicles, or to read traffic signs.
- i) Establish procedures for removal of nonconforming signs, abandoned signs, and consideration of variances and appeals

Section 2. Intent

It is the intent of these regulations to provide for the proper control of signs in a manner consistent with state and federal constitutional guarantees of free speech. It is not the intent of these regulations to regulate signs based on the content of their messages. Rather, these regulations advance important, substantial, and compelling governmental interests.

- a) Prevention of sign clutter that can create public safety hazards through visual distraction, obstructed views, or physical obstructions; or that can degrade the aesthetics of the City, making the City a less attractive place for tourism, commerce, and private investment; or that can dilute message display through proliferation of distracting structures and competing messages:
 - 1) Prevention of traffic accidents.
 - 2) Prevention of negative impacts associated with temporary signs that may be degraded, damaged, or destroyed by environmental conditions and that may harm the safety and aesthetics of the City if they are not removed.
 - 3) Prevention of certain types of speech that are not constitutionally protected due to the harm they cause to the individual or the community.
 - 4) Prevention of distraction and obstructions that may potentially create a public safety hazard for motorists, bicyclists, and pedestrians.
- b) Apply standards that permit signage compatible with the purpose of this Chapter; and
- c) Apply standards based on placement, location, materials, lighting, and context; and
- d) Provide a content-neutral regulatory document that preserves the rights of protected free speech; and
- e) Provide alternative compliance and guidelines for site specific variation and flexibility for solutions that may achieve acceptable alternatives in keeping with the purpose of this Chapter.

Section 3. Applicability

All signs placed upon lands within the City of Port Orange shall conform to the standards set forth in this Chapter except where deviations have been permitted by Planned Unit Development, Planned Commercial Development (PCD), variance, or an agreement with the City of Port Orange.

- a) Signs may be erected, altered, and maintained only for, and be a permitted use in, the district in which the signs are located; shall be located on the same lot as the permitted uses to which they relate, customary and commonly associated with the operation of the permitted use.
- b) Notwithstanding anything contained in this section or code to the contrary and subject to any required face-change sign permit(s), any legal sign erected pursuant to the provisions of this section or code may, at the option of the owner, contain a non-commercial message in lieu of a commercial message and the non-commercial copy may be substituted at any time in place of the commercial copy. The non-commercial message (copy) may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to non-commercial messages, or from one non-commercial message to another non-commercial message, once per day as desired by the owner of the sign, provided that the size, height, setback, other dimensional criteria and permitting requirements contained in this chapter and code have been satisfied.
- c) Effective Date: The effective date of this Chapter is *****, 2021
- d) All signs displayed, constructed, erected, or altered after the effective date of these regulations, as adopted on ****, 2021, by Ordinance ****, shall be in conformance with the provisions of these regulations. All signs that are existing at the time of the adoption of these regulations shall not be altered or enlarged without being brought into conformance with these regulations.
- e) Completion of Permits Commenced Under Previous Code
 - 1) A valid building permit issued for a permanent or temporary sign issued prior to the effective date of this Code shall remain valid for the term of approval of the permit.
 - 2) A complete building permit application for a sign or any other type of approval for signs shall be reviewed and considered in accordance with either the provisions of the Code in place on the date of submittal of the application or the provisions of this Code, at the applicant's option.

Section 4: Permit Required

- a) An application for a sign permit shall be submitted to the Community Development Department on the forms provided by the Community Development Department in order to change copy, erect, move, alter, reconstruct, or repair any permanent or temporary sign, except signs that are exempt from permitting and in compliance with Section 4 of this Chapter. Each application for a sign permit shall include the following, unless waived by the administrative official:
- 1) An elevation drawing of the proposed sign, drawn to scale, showing the height, size, sign area, dimensions, the proposed copy (optional), and all other information required to determine zoning compliance for the sign that is proposed to be erected or installed.
 - 2) The color, finish, and construction materials of the sign and sign structure.
 - 3) A scaled survey of drawing showing the location of the sign to be erected on the property along with distance from a right-of-way or driveway and all other information required to determine zoning compliance.
 - 4) All measurements, sign height, sign area, location, and number of existing signs to remain on the property, where applicable to determine zoning compliance for the sign that is proposed to be erected or installed.
 - 5) Engineered drawings certified by a State of Florida registered engineer for method of construction, attachment, structural integrity, wind pressure requirements in accordance with the current edition of the Florida Building Code, where applicable.
 - 6) Landscaping plan that includes the dimensions of the landscape area and number of shrubs and groundcover to be installed, if required.
 - 7) Lighting and/or electrical components of the proposed sign(s) showing all pertinent electrical details are in accordance with the current edition of the Florida Building Code.
 - 8) Additional submittal requirements to determine zoning compliance with this Code, as requested at the discretion of the City.
 - 9) The number of copies of application submittal items as determined by the City.
 - 10) The appropriate fee as adopted and required by the City.
 - 11) If an applicant wishes to appeal a decision on an application for a sign, the applicant must file a request for appeal as provided in this Code.

- b) Upon receipt of a complete application the City shall review the application for compliance with these regulations, all applicable Florida Building Code requirements, and any other applicable City codes and regulations, and approve, approve with conditions, or deny the application.
- c) The City shall have the right to inspect the proposed sign location prior to acting on the application and shall also have the right to inspect the sign after construction to ensure compliance with these regulations and any conditions of approval.
- d) A sign permit shall expire and become invalid in accordance with the rules set forth in the building code for all permits in general.

Section 5. Exempt Signs

- a) The following signs are exempt from the permit requirements of Section 4; however, exempt signs remain subject to the remaining provisions of these regulations. Exempt signs shall otherwise be in conformance with all applicable requirements of these regulations, and the construction and safety standards of the City. Exempt signs shall be placed on private property by the property owner or by consent of the property owner and shall not reduce otherwise allowed signage for a property. Unless otherwise specifically provided, exempt signs may not incorporate illumination.
- b) Exempt signs include:
- 1) Ordinary repair and upkeep of an existing Sign.
 - 2) Changing the Changeable Copy of a Sign unless the Changeable Copy is being replaced with a Permanent Sign.
 - 3) Address sign less than 4 square feet.
 - 4) Signs required or specifically authorized for a public purpose by law or erected by a government entity, including but not limited to transit or bus stop signs, interpretive signs, commemorative or historic plaques or signs, wayfinding signs for public facilities, towing signs, traffic control signs, and civic or public event signs. These signs may utilize illumination for safety purposes.
 - 5) No trespassing, no dumping, no solicitation, private property, vacancy/no vacancy signs and other similar announcements not exceeding two (2) square feet in area.
 - 6) Temporary decorations or displays, for a period of not more than forty-five (45) consecutive days nor more than seventy-five (75) days in any one year. Such decorations or displays may be of any type, number, area, height, location, illumination, or animation, provided that such decorations or displays:
 - a) Are maintained and do not constitute a fire hazard; and
 - b) Are located so as not to conflict with, interfere with or visually distract from traffic regulatory devices.



Public safety and warning sign



Temporary Decorations



Sign Displayed on a Vehicle

- 7) Merchandise displays behind storefront windows so long as no part of the display moves or contains flashing lights.
- 8) Incidental objects such as small decals less than one (1) square-foot affixed to machines, equipment, fences, gates, walls, gasoline pumps, public telephones, utility cabinets, or windows and door panes.
- 9) A sign affixed to a vehicle, except as provided in Section 6 below.
- 10) Window signs, subject to the standards in Section 12.
- 11) Site signs, subject to the standards in Section 13.
- 12) Yard signs, subject to the standards in Section 13.
- 13) Signs carried by a person, subject to the person or the sign being held does not obstruct or makes hazardous the free passage of pedestrians and motor vehicles on any street, sidewalk, or public-right-of way.
- 14) Flags subject to the following:
 - a) A flag shall not exceed thirty-two (32) square feet in area and shall be generally rectangular in shape.
 - b) A flag shall be attached to a permanent flagpole or a flag bracket or flag stanchion mounted to a building, dwelling, or accessory structure.
 - c) A maximum of three (3) flags shall be allowed per lot zoned residential or multi-family and a maximum of six (6) flags per lot zoned non-residential. Unless otherwise required or authorized by state law, no more than two (2) flags are allowed on a flagpole, flag bracket or flag stanchion.
 - d) Maximum height of a flagpole shall be according to Chapter 16 of this Code. A building permit is required to install a flagpole.
 - e) A flag may be externally illuminated in compliance with this Code.
 - f) A flag on a lot zoned non-residential or multi-family shall maintain a minimum clearance of eight (8) feet from any surface.
 - g) Flags shall not be torn or in disrepair.



15) Umbrella signs subject to the following:

- a) An umbrella having a sign affixed shall only be allowed outside a seating area for a licensed business establishment where the outside seating area is designated on an approved site plan on building permit.
- b) One (1) umbrella sign per table is allowed.
- c) A sign affixed to an umbrella shall not exceed six (6) square feet.
- d) An umbrella having an affixed sign shall not exceed ten (10) feet in height.
- e) An umbrella having an affixed sign shall be mounted on or in the table or in an umbrella holder adjacent to the table.
- f) Changeable copy is not permitted on umbrellas.

Section 6: Prohibited Signs

- a) The following types of signs are prohibited and shall neither be erected nor maintained within the City, except as noted:
- 1) All signs not expressly permitted in this Chapter.
 - 2) Signs that communicate obscenities.
 - 3) Any sign other than traffic control signs, that is erected, constructed, or maintained within, over or upon a public right-of-way or city property, except civic event signs otherwise granted permission for such location by the City.
 - 4) Abandoned signs.
 - 5) Animated signs.
 - 6) Audible signs.
 - 7) Beacons or searchlights.
 - 8) Emitting sign.
 - 9) Billboards.
 - 10) Attention-Getting Devices. This includes feather flags, teardrop banner sign, pennants, streamers, lighter than air objects, or other similar wind driven signs, inflatable object, sign, or material placed on the ground or on buildings or tethered to other objects or structures, and rope lights, string lights, LED, neon tubes, or similar lighting strings of light bulbs surrounding or otherwise drawing attention to a sign except strings of lights during holidays, or in conjunction with approved outdoor seating areas as approved by the City.



- 11) Off-premises signs, unless allowed by an approved variance or agreement with the City.
- 12) Any sign that is projected onto a surface using light from a remote source.

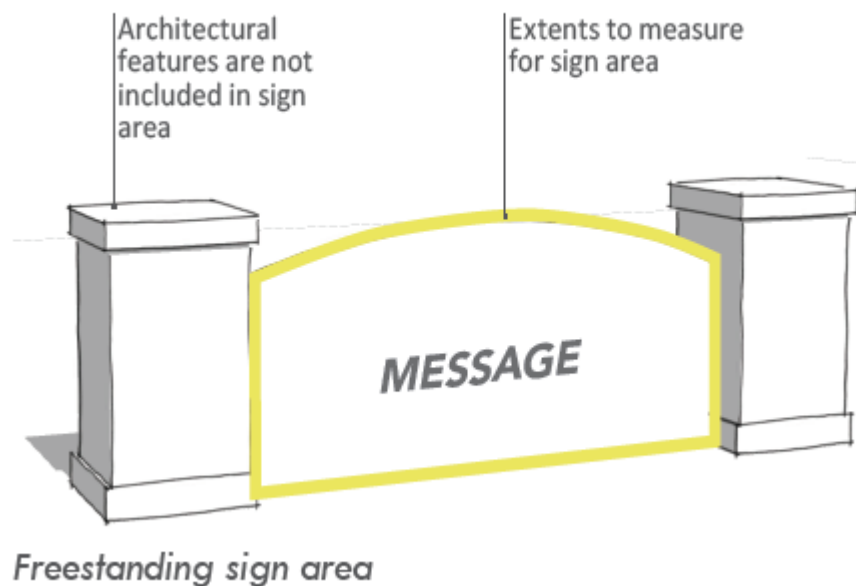
- 13) Any sign painted, erected, and/or constructed upon, above or over the roof or parapet of any building.
- 14) Any sign attached to a tree or utility pole on public or private property.
- 15) Any sign which is of a size, location, movement, content, coloring, or manner which may be confused with, or construed as a traffic control sign, signal or device or which obscures or interfere any traffic or street sign or signal, such as those signs approved and shown in the current edition of the Uniform Traffic Code.
- 16) Signs which obstruct free ingress to or egress from a door, window, fire escape or other required exit way;
- 17) Any sign (other than a bumper sticker) displayed on a vehicle, trailer, boat, or recreational vehicle that is used primarily to display the sign. Signs are permitted on a vehicle, trailer, boat, or recreational vehicle if:
 - a) The vehicle is used by a business owner or employee of the business as a means of transportation of people or goods or for delivery of services (i.e. tow truck).
 - b) The vehicle, trailer, boat, or recreational vehicle is parked behind the front plane of the building of the business advertised on the vehicle and the vehicle is parked in a designated parking spot.
 - c) The vehicle displays current registration and is insured to operate on public streets or waterway in the State of Florida.
- 18) Signs erected within any navigable waterway within the city so as to be located beyond any established bulkhead line.
- 19) Signs mounted to fences or walls, except signage that is incorporated as part of an approved entrance feature for a residential subdivision with a recorded plat.
- 20) Signs shall not extend into or be placed within a public right-of-way unless specified by an approved License Agreement or approval from the City Council.
- 21) A sign structure that no longer contains a sign panel.
- 22) Handbills unless distributed as provided the City Code of Ordinances.
 - a) It shall be unlawful for any person to distribute or place or cause to be distributed or placed on any public or private property in the city any handbills, circulars, dodgers or other advertising matter in such a manner that the same may be blown, carried by water or otherwise scattered by the elements, or so to constitute litter.

- b) It shall be unlawful for any person to distribute or cause to be distributed in the city any handbill or other similar form of advertising by placing the same on or into vehicles within the city.

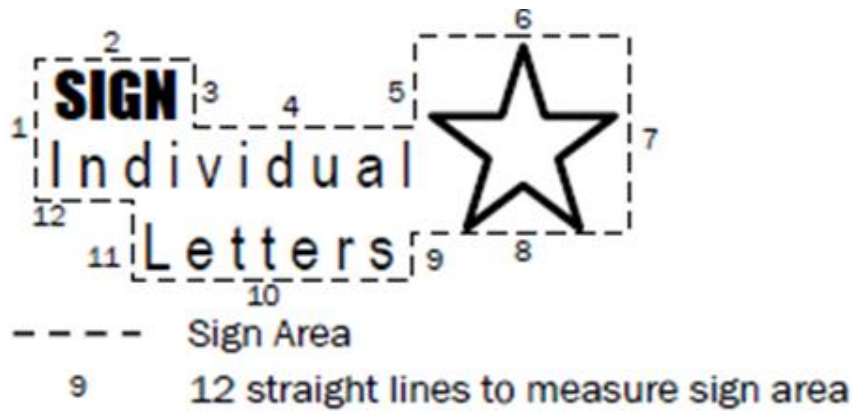
Section 7: - Sign Measurement

a) Area of single-faced signs.

- 1) Sign area is the entire surface area of a sign, including non-structural trim, frame, or other material or color forming an integral part of the display or used to differentiate the sign's contents from the background against which they are placed. The supports, uprights, or structures on which any sign is mounted shall not be included in measuring sign area. A building's architectural features, structural supports, and landscape elements shall not be included within the sign area.

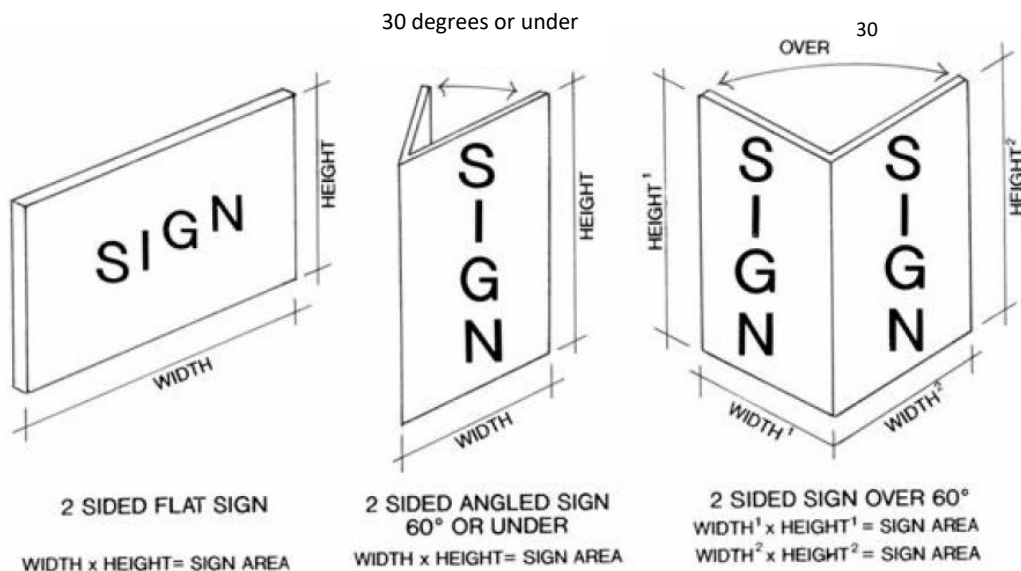


- 2) An awning, canopy, projecting, or non-cabinet wall sign's area shall be measured by including within a single continuous rectilinear perimeter of not more than twelve straight lines that enclose the extreme limits of writing, representation, lines, emblems, or figures contained within all modules together with any air space, materials, or colors forming an integral part or background of the display or materials used to differentiate such sign from the structure against which the sign is placed.

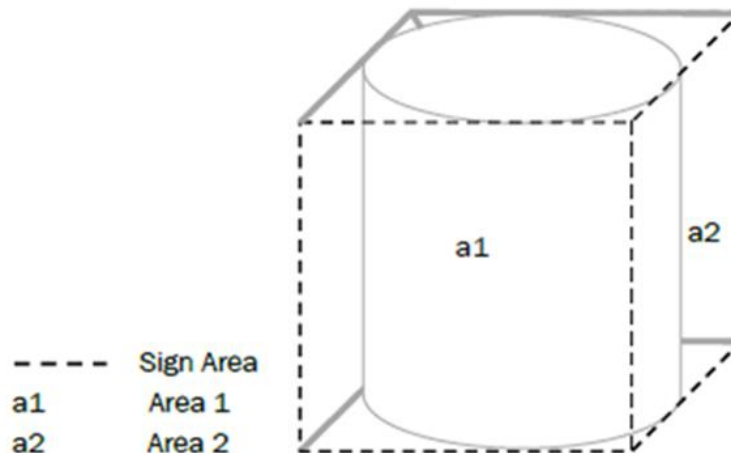


b) Area of multiple-faced signs.

- 1) Sign area is the entire surface area of a sign, including non-structural trim, frame, or other material or color forming an integral part of the display or used to differentiate the sign's contents from the background against which they are placed. The supports, uprights, or structures on which any sign is mounted shall not be included in measuring sign area. If the sign faces are connected in a manner that forms an angle between the two sign faces of greater than 30 degrees, then each sign face is considered a separate sign.

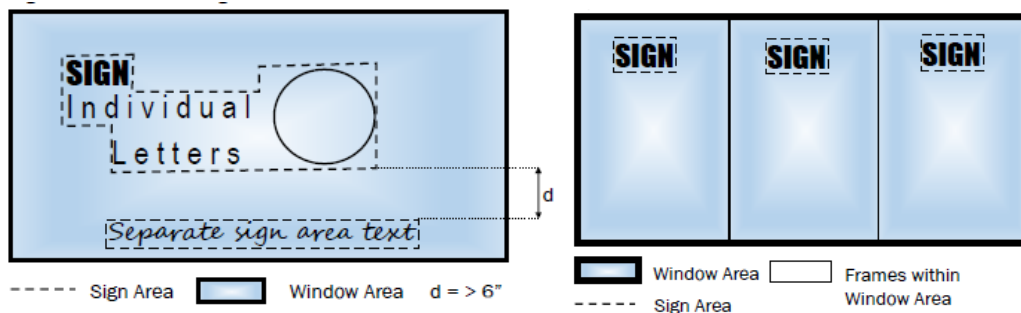


- 2) Sign area of a free form sign shall be the sum of two adjacent vertical faces (Area 1 + Area 2 = Free Form Sign), as seen at the same time from a viewer's perspective, of the smallest cube that can encompass the sign.



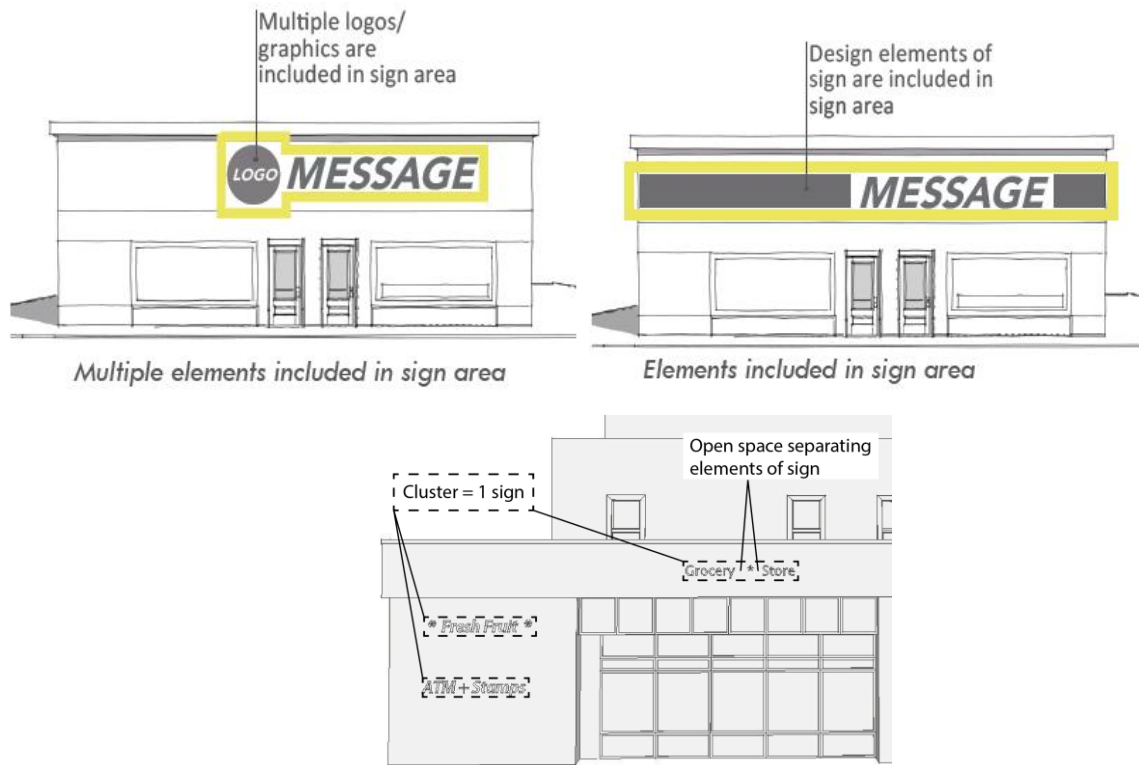
c) Area of Window Signs:

- 1) Window sign area is the total window area of all window signs for a tenant divided by percentage of window signage allowed. If a window includes multiple areas or frames, the outer most frame will determine the extent of the window area.

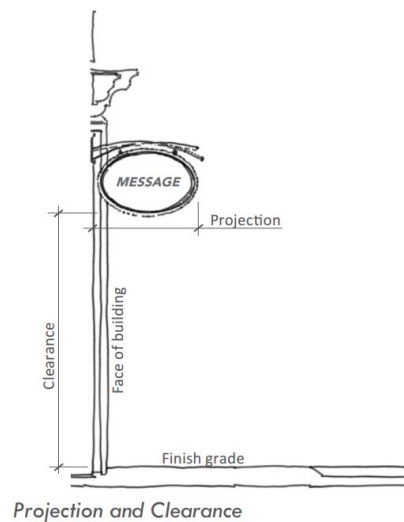


d) Area of multiple signs.

- 1) Whenever more than one (1) sign is placed on a freestanding structure, or on a projecting structure, the combination of signs shall be considered as one sign for the purpose of computing sign area and determining the number of signs on a site.
- 2) Total sign area shall be computed by adding the areas of the individual signs.
- 3) A distinct cluster of individual letters, figures or elements is considered a single sign for purposes of determining the number of attached signs per facade for each wall.

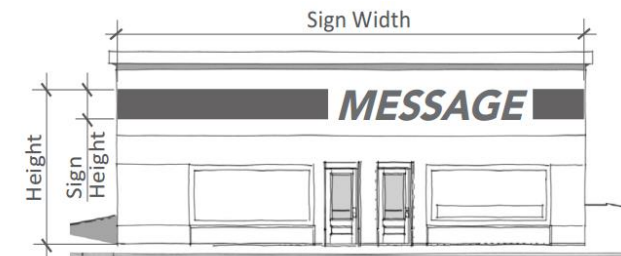
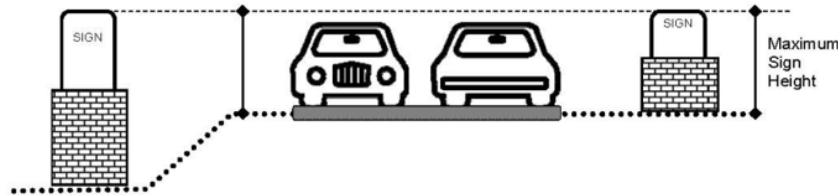


- e) Projection. Projection is measured as the distance from the face of the building to which a sign is mounted to the furthest point on the sign away from the wall.
- f) Clearance. Clearance is measured as the shortest distance between the bottom of a sign and the grade below.



g) Height:

- 1) The height of a freestanding sign is the vertical distance to the top of the structure or sign face, whichever is higher, measured from the elevation of average grade in the area within the required landscape area around the base of the sign.
- 2) For freestanding signs adjacent to a street, if average grade around the base of the sign is lower than the average grade of the nearest abutting street, then the height of the sign shall be measured from the roadway line elevation of said street to the top of the sign face or sign structure, whichever is higher. This only applies to surface roadways and shall not apply to bridges, overpasses or similar elevated roads.
- 3) The sign height of an attached sign is the vertical distance of the sign area.



Wall sign measurements

Section 8: - Sign Placement or Location

- a) A sign shall meet the visual clearance zone and setback requirements in Chapter 16 of this Code.
 - 1) On existing lots of substandard width, where existing conditions or requirements conflict with the ability to meet the signage setback requirements of this chapter, the administrative official may allow the setback to be reduced to the largest dimension available.
 - 2) Front setback requirements for signs may be reduced or waived by the administrative official where properties front on a dedicated right-of-way with sufficient width to accommodate any foreseeable future widening and still maintain a minimum 20-foot distance between the sign and the nearest edge of the travel lanes.
- b) A sign shall be setback 25 feet from a side lot line unless reduced by the administrative official.
- c) Frontage is the portion of a lot abutting a public right-of-way, alley, access easement, drive aisle, private access, public right-of-way, private right-of-way
 - 1) Primary is the frontage that a business or tenants abut or adjacent to and addressed from.
 - 2) Secondary is the frontage that a business or tenant abuts or adjacent to that is not the primary frontage.
- d) Incidental signage (See Section 12) shall be placed in consistent locations near site entries, key points on the internal automobile and pedestrian circulation system, building entries, seating areas, and sidewalk intersections.
- e) A sign shall not obstruct any window, door, fire escape, stairway, ladder or opening intended to provide light, air, ingress, egress for any building as required by law.
- f) Except as provided in F.S. § 812.173, if the view from a front window is obscured by a window sign, window treatment, window tint or any combination thereof, such that, a reasonable line of sight is obstructed either a clear glass front door must be installed or the property is subject to immediate inspection to confirm compliance.
- g) Signs shall be located to maintain clearance from all overhead electrical or utility lines. Clearance to be determined by the electrical or other utility provider.

Section 9: - Sign Design and Materials

- a) In general, permanent signs and supporting sign structures shall be designed as a compatible architectural element to the principal structure or development/neighborhood in which it is located and have common unifying elements which may include materials, primary finish and colors, size, scale with the building it advertises, height, letter style, sign type, shape, lighting, location on buildings, and design theme.
- b) Signs shall be constructed of durable, all-weather materials and may include but are not limited to metal, galvanized steel or of an equivalent corrosion resistant material, glass, stone, stucco or similar material, concrete, brick, plexiglass, fiberglass, wood, or other approved materials.
 - 1) Paint, vinyl, or other similar materials may be used for window or wall signage.
 - 2) Plastic substrate, particle board, Masonite, paper, fabric, plywood, unfinished wood, or similar materials are prohibited, unless it is shown to the satisfaction of the administrative official that an otherwise prohibited material has been modified or packaged to eliminate any unacceptable characteristics.
 - 3) Temporary Signs shall be constructed of durable, all-weather materials and may include but are not limited to metal, plexiglass, fiberglass, wood, plastic substrate, plywood, woven fabrics, vinyl fabrics, or other approved materials.
- c) Exposed raceways shall be as thin and narrow as possible and not exceed 8-inches. Exposed raceways shall be finished to match the background wall and shall not extend in width or height beyond the area of the sign's lettering or graphics.
- d) The numeric street address of the property upon which the sign is located shall be identified on the top portion of the side and front of a monument sign, unless waived by the administrative official. The street address numbers shall be between six to 12 inches in height.
- e) The supporting features or structures of a sign shall appear to be free of any extra bracing angle iron, guy wires, cables, etc. The supports shall appear to be an architectural and integral part of the building and/or sign.

Section 10: - Illuminated and Digital Signs

a) Illuminated Signs.

- 1) An "illuminated sign" means any sign that incorporates illumination on or in the sign, or that directs illumination toward or over all or part of the sign, or that is created by the projection of illuminations onto a surface (such as a building wall). Types of illumination include:

- a) External Illumination: A sign that is illuminated by an external light source.



- b) Halo Lit: Illumination created by concealing the light source behind three-dimensional opaque letters, numbers, or other characters of a sign, resulting in the nighttime perception of a halo around the silhouette of each character. This is also referred to as "reverse channel" or "reverse lit" illumination. A halo lit sign is not considered an internally illuminated sign.

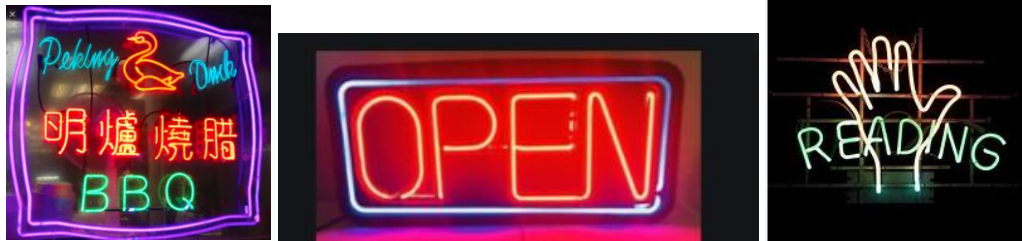


- c) Internal Illumination: Illumination created by a light source internal to the sign, transparent or translucent material from a light source within the sign structure or panel, or exposed lighting located on the same plane as the sign face.



- d) Neon: A source of light supplied by a glass tube that is filled with neon gas, argon, mercury or other inert gas that produces ultraviolet light, and bent to form letters, symbols, or other

shapes. Neon includes all tubular light sources that employ a charged gas to illuminate a tube that glows, similar gas-activated tubular light systems that emit colors, and other tubular light sources (including fiber optics) that are used to form letters and shapes.



b) Digital Signs.

- 1) A “digital sign” means any sign that displays digital copy, including any illuminated sign on which the illumination is not kept stationary or constant in intensity and color when the sign is in use, including any light emitting diode (LED) or digital panel, and which varies in color or intensity. In the sign industry, digital signs are also referred to as dynamic signs, changeable



Electronic message center at a gas station



Discuss map with Planning Commission

- 2) The electronic message area of a freestanding sign shall be integrated into the design of the freestanding sign. Such electronic message portions of freestanding signs shall not be an add-on feature, but rather must be fully integrated into the sign design.



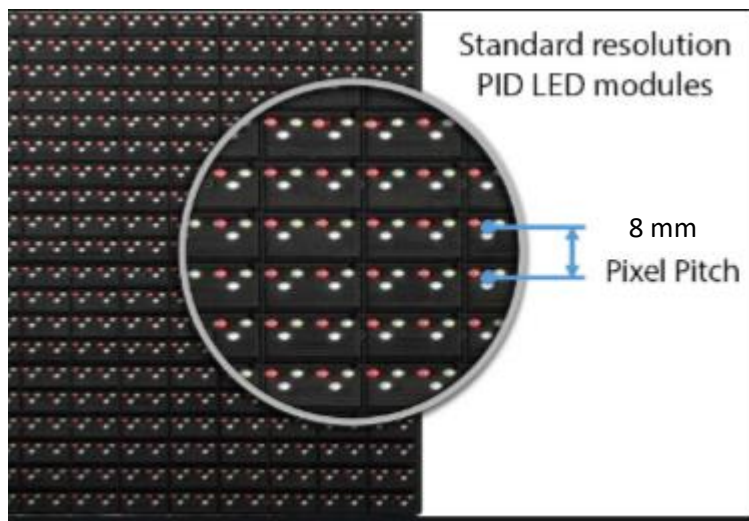
- 3) Each message on the sign must be displayed for at least sixty (60) seconds duration. Message changes shall be completed instantaneously and shall be unnoticeable. Transition effects are prohibited.
- 4) Digital signs shall contain static messages only changed only through dissolve or fade transitions and shall not have movement or the appearance or optical illusion of movement during the static display period of any part of the sign. A static message shall not include any flashing or the varying of light intensity, and the message shall not scroll. The change of message using dissolve or fade transition shall not exceed one (1) second of time between each message displayed on the sign.
- 5) The intensity of the light source for a digital sign shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety, or welfare.
- 6) Digital signs shall not operate at brightness levels of more than 0.3 foot-candles above ambient light as measured using a foot candle (Lux) meter at a preset distance depending on sign area, measured as shown in **Table x.x**. Illuminance measurement requires two steps: First – ambient light shall be measured with the sign turned off. Second – sign light output shall be measured with the sign turned on as a solid white display. The difference between the two measurements shall be 0.3 foot-candles or less. For signs with an area in square feet other than those specifically listed in the table below the measurement distance is calculated with the following formula: The square root of the product of the sign area multiplied by one-hundred (100) - Measurement Distance = $\sqrt{(12 \text{ Sq. Ft.} \times 100)} = 34.6$

Table x.x

Area of Sign (sf)	Measurement Distance (feet)
5	22
10	32
15	39
20	45
25	50
30	55

- 7) Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 0.3 foot-candles above ambient light and that the intensity level is protected from end-user manipulation by password-protected software or other method as deemed appropriate by the Administrative Official. The City may require lower light level than 0.3 foot-candles if it determines less light is appropriate for the surrounding area. The electronic message center shall have automatic dimmer software or solar sensors to control brightness for nighttime viewing. The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard.

- 8) Each digital sign must have a light sensing device that will adjust the brightness as ambient light conditions change.
- 9) The technology currently being deployed for digital signs is LED (light emitting diode), but there may be alternate, preferred and superior technology available in the future. Any other technology that complies with the performance standards for digital signs, including the maximum brightness levels as stated above, is permitted.
- 10) Automatic Shutoff. A digital sign must:
 - a) A digital sign shall have automatic dimmer software or solar sensors to control brightness for nighttime viewing and variations in daytime ambient light. The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard.
 - b) Include systems and monitoring to either turn the display off, show "full black" on the display, or include a default mechanism that freezes the sign in one position if a malfunction occurs, and
 - c) Be designed so that a catastrophic power surge will cause the sign to go dark or to deploy the maximum brightness limitations, and
 - d) Automatically adjust the intensity of its display according to natural ambient light conditions.
- 9) Digital sign faces shall have a pixel pitch of no more than 8 millimeters. "Pixel pitch" means a measurement of the resolution of a digital display, in terms of the distance (generally in millimeters) between the center of a light-emitting diode (LED) cluster (pixel) and the center of the next LED pixel. Lower pixel pitch measurements indicate higher display resolution.



- 10) Prior to the issuance of a sign permit, the applicant shall provide the phone number and email address of a person or company available to be contacted at any time and to turn off the digital sign promptly if a malfunction occurs.
- 11) The light modules on digital sign shall be repaired or replaced if they become broken, burned-out or substantially dimmed.

d) String Lights.

- 1) String lights are allowed in all zoning districts as accent element for outdoor dining area, porches, patios, event spaces, or similar structures or elements.
- 2) String lights are not counted toward the maximum wall sign area allocation in this Chapter.
- 3) String lights on non-residential or multi-family zoned lots shall be shown and approved on a site plan, subdivision, building permit, or an approved application form provided by the Community Development Department.



Section 11: - District Areas

- a) The regulations in Section 12 set forth standards applicable by districts. Contact the Community Development Department to confirm which district is applicable.
- 1) Residential (Res): Generally, this area is comprised of residentially zoned properties, or properties developed with residential uses (attached or detached). This area includes properties zoned AP, A, RMH, RR, R-20SF, R-10SF, R-8SF, R-7SF, NP, PUD, and R-2D. This also may include properties zoned PC-A with residential uses.
 - 2) Multi-Family/Institutional (MF/I): Generally, this area includes properties with multi-family or institutional zoned properties, or properties developed with multi-family or institutional uses. This area includes properties zoned R-3L, R-3M, R-3H, REC and GPU. This also may include properties zoned PC-A, PUD, PCD, or PC-R with multi-family or institutional uses.
 - 3) Commercial (Comm): Generally, this area includes properties with commercial zoning. This area includes properties that are zoned F-C, PO, NC, CC, HC, ICD, CI, LI, and RD located north of Dunlawton Avenue. This also may include properties zoned PC-A, PUD, PCD or PC-R with commercial uses.
 - 4) Mixed-Use (MXU): Generally, this area includes properties that are zoned MXC, ORT, PC-A *West Town Center District* or PC-R *Riverwalk Mixed Use District*.
 - 5) Ridgewood Corridor (RC): This area includes properties with Ridgewood Development (RD) zoning and properties abutting Ridgewood Avenue between Dunlawton Avenue and the Rose Bay Bridge and properties located on the west side of Ridgewood Avenue abutting Ridgewood Avenue from Dunlawton Avenue to City limits.

- Discuss map with Planning Commission

Section 12: - Permanent Signs

a) The City recognizes that there are persons and entities that have an interest in communicating with the public using signs that serve to identify businesses and services, residences, and institutions, and provide for expression of opinions. The standards of this Section apply to all permanent signs. Permanent signs may be subject to additional standards set out elsewhere in these regulations. The standards below do not authorize the installation of a sign without first obtaining any necessary building permit in compliance with the current edition of the Florida Building Code and this Code.

1) Monument Sign: Freestanding signs in commercial areas are subject to the following standards.

a) All freestanding signs shall be located along a primary or secondary public street frontage. A site only has one primary frontage. Sites may have more than one secondary frontage.

b) I-95 frontage sign: I-95 frontage areas are defined as those properties with at least 100 feet of common property line with the I-95 right-of-way. Each such property shall be permitted one additional freestanding ground sign, oriented toward I-95, with a maximum height of 15 feet and a maximum area of 200 square feet. All such freestanding signs shall be monument signs.

c) Freestanding signs can be designed with the sign placed on a base at least 18 inches in height measured from the average grade elevation or mounted between two decorative columns. Freestanding sign base and column supports shall be consistent with and/or complements the building design and materials.



d) A sign shall be located in a landscaped area. A minimum of three (3) square feet of landscaping area shall be provided for one (1) square foot of sign area. Only one face of the sign shall be counted for sign area. The minimum quantity of shrubs or groundcover plants shall be based on the following formula:

- 1) Total area of the sign face (in square feet) $\times 0.45$ = the number of shrubs or groundcover plants, rounded up to the nearest whole number. The administrative official may reduce or waive this requirement if the sign is installed within an approved right-of-way landscape buffer required by this Code.

e) Two (2) additional feet in height shall be allowed for architectural embellishments consistent with and/or complements the building design and materials and the border on all sides of the sign shall be consistent with and/or complements the building design and materials. Internally lit cabinet signs without a border are prohibited.

Standard	Com	MXC	RD
Permitted	Yes	Yes	Yes
Permit Req'd	Yes	Yes	Yes
Max.			
Number of Signs for single tenant building	1 per primary frontage, 1 per secondary frontage, not to exceed 2 total signs on a frontage	1 per primary frontage, 1 per secondary frontage, not to exceed 2 total signs on a frontage	1 per primary frontage, 1 per secondary frontage, not to exceed 2 total signs on a frontage
Max. Sign Area for single tenant building	48 sf – Arterial or Collector Roadway 32 sf – All other roadways	48 sf – Arterial or Collector Roadway 32 sf – All other roadways	48 sf – Arterial or Collector Roadway 32 sf – All other roadways
Max. Height for Single Tenant Building Sign	8 ft	8 ft	8 ft
Max. Number of Signs for multi-tenant building	Sites with more than three hundred (300) feet of primary or secondary frontage shall be allowed to place an additional sign meeting the	Sites with more than three hundred (300) feet of primary or secondary frontage shall be allowed to place an additional sign meeting the	Sites with more than three hundred (300) feet of primary or secondary frontage shall be allowed to place an additional sign meeting the

	standards on the frontage the second sign is located.	standards on the frontage the second sign is located.	standards on the frontage the second sign is located.
Max.	56 sf - less than 10,000	56 sf - less than 10,000	56 sf - less than 10,000
Number for	sf of floor area	sf of floor area	sf of floor area
tenant in a	84 sf – 10,000 sf to	84 sf – 10,000 sf to	84 sf – 10,000 sf to
multi-tenant	75,000 sf of floor area	75,000 sf of floor area	75,000 sf of floor area
building	112 sf – greater than 75,000 sf	112 sf – greater than 75,000 sf	112 sf – greater than 75,000 sf
Min Size for Tenant Panel	10 sf	10 sf	10 sf
Max. Sign Height	12 ft	12 ft	12 ft
Illumination	Internally, Externally or halo lit	Internally, Externally or halo lit	Internally, Externally or halo lit
Changeable Copy	50% of the sign face	No	50% of the sign face
Digital	25% of the sign face	25% of the sign face	25% of the sign face

- e) For all signs located on a lot that abuts Dunlawton Avenue or Taylor Road or is accessed from Dunlawton Avenue or Taylor Road through a recorded cross-access easement, the border on all sides of the sign shall be consistent with and/or complements the building design and materials. Internally lit sign cabinet signs without a decorative base and border are prohibited. Sign base and border shall be constructed of brick, stone, stucco, wood, decorative concrete, high quality metal, other similar materials as approved by the administrative official.



f) Post Sign: Post signs are subject to the following standards

- 1) A Post Sign may be installed in lieu of a Freestanding Monument sign.
- 2) The design of the post(s) for a post sign shall include a decorative base, decorative cap, ball or other embellishment, and be consistent with and/or complement the building design and materials.
- 3) The sign copy shall be engraved into or affixed onto a beveled edge sign panel, but exceptions can be made by the administrative official for attractively designed panels.
- 4) A sign shall be located in a landscaped area. A minimum of three (1) square feet of landscaping area shall be provided for one (1) square foot of sign area. Only one face of the sign shall be counted for sign area. The minimum quantity of shrubs or groundcover plants shall be based on the following formula:
 - a) Total area of the sign face (in square feet) $\times$ 0.45 = the number of shrubs or groundcover plants, rounded up to the nearest whole number. The administrative official may reduce or waive this requirement if the sign is installed within an approved right-of-way landscape buffer required by this Code or in areas without reasonable access to water for irrigation.



Standard	Res	MF/I	Comm	MXU	RC
Permitted	No	No	No	No	Yes
Permit Req'd	--	--	--	--	Yes

	--				1 per primary frontage, 1 per secondary frontage or parking lot frontage, not to exceed 2 total signs on a lot
Max. Number	--	--	--	--	
Max. Area	--	--	--	--	16 sf. - sign with 1 pole 32 sf – sign with 2 poles
Illumination	--	--	--	--	External
Max Sign Height	--	--	--	--	6 ft
Digital	--	--	--	--	No
Changeable Copy	--	--	--	--	No

- 3) Subdivision Entry Sign: A monument sign located along the entry to a subdivision or phase/neighborhood within a subdivision. These regulations do not authorize the installation of Subdivision Entry Sign without obtaining any necessary building permit in compliance with the current edition of the Florida Building Code and this Code.
- a) A sign may be affixed to a wall that complies with the architectural requirements in Chapter 14 of this Code, provided the wall is expressly authorized by an approved subdivision plan, site plan, or building permit and is not located in a public right-of-way.
 - b) A sign shall be located at a primary or secondary subdivision entrance or entry drive, on privately owned common area, or a privately owned and maintained median. Such signs shall be setback at least ten (10) feet from the nose of the median.
 - c) A sign must be constructed of an opaque background or uniform color and shall be of high-quality materials that are compatible with the character of the neighborhood. Freestanding sign bases or column supports shall be constructed of stone, brick, wood, decorative concrete, high quality metal, or other similar materials.
 - d) A sign shall only be permitted for subdivision with a Homeowners' Associations (HOA) to ensure signs are properly maintained over time. If a HOA dissolves, the HOA shall be responsible for removal of the sign prior to dissolving.
 - e) In place of one sign at a subdivision entrance, a sign may be placed on each side of the street at the neighborhood entrance, provided the maximum area of both signs combined does not exceed the permitted maximum area for one sign.

f) A sign shall be located in a landscaped area on privately owned common area. A minimum of three (3) square feet of landscaping area shall be provided for every one (1) square foot of sign area. Only one face of the sign shall be counted for sign area. The minimum quantity of shrubs or groundcover plants shall be based on the following formula:

2) Total area of the sign face (in square feet) $\times$ 0.45 = the number of shrubs or groundcover plants, rounded up to the nearest whole number. The administrative official may reduce or waive this requirement if the sign is installed within an approved right-of-way landscape buffer required by this Code.



Standard	Res	MF/I
Permitted	Yes	Yes
Permit Req'd	Yes	Yes
Max. Number	1 sign at each entrance into a subdivision or entrance into a phase of a subdivision	1 sign at each entry drive
Max. Sign Area per entrance	60 sf - Located on a collector or arterial roadway 32 sf - Located on a local street	48 sf – All roadways
Max. Sign Height	8 ft	8 ft
Illumination	Externally lit or halo lit	Externally or halo lit
Digital	No	No
Changeable Copy	No	No

4) **Incidental Freestanding Sign:** Incidental Freestanding Signs are subject to the standards below. These regulations do not authorize the installation of Incidental Freestanding sign without obtaining any necessary building permit in compliance with the current edition of the Florida Building Code and this Code.

- a. Sign with copy located on a rigid background and mounted on a base, pedestal, or similar structure, with a structural frame or similar frame, that is normally incidental to the allowed use of the property.
- b. Signs four (4) square feet or less can be mounted on a base or pole.
- c. Signs greater than four (4) square feet shall be designed with a base at least 18 inches in height measured from the average grade elevation or mounted between two decorative columns and shall be constructed of brick, stone, stucco, wood, decorative concrete, high quality metal, or other similar materials and be consistent with and/or complements the building design and materials.



Standard	Res	MF/I	Comm	MXU	RC
	Yes, only to identify subdivision improvements on common area				
Permitted	Yes	Yes	Yes	Yes	Yes
Permit Req'd	Yes	Yes	Yes	Yes	Yes
Max. Number	Unlimited, subject to max. sign area allowed	Unlimited, subject to max. sign area allowed	Unlimited, subject to max. sign area allowed	Unlimited, subject to max. sign area allowed	Unlimited, subject to max. sign area allowed

Max. Area	40 sf	40 sf	Sites < 5 acres = 40 sf Sites > 5 acres = 80 sf	Sites < 5 acres = 40 sf Sites > 5 acres = 80 sf	Sites < 5 acres = 40 sf Sites > 5 acres = 80 sf
Illumination	External	External, Internal or Halo lit	External, Internal or Halo lit	External, Internal or Halo lit	External, Internal or Halo lit
Max Sign Height	8 ft	8 ft	8 ft	8 ft	8 ft
Digital	No	No	No	No	No
Changeable Copy	Yes	No	No	No	No

e) Vehicle Display Signs: Display signs are subject to the standards below. These regulations do not authorize the installation of a Vehicle Display sign, without obtaining any necessary building permit in compliance with the current edition of the Florida Building Code and this Code.

- A sign may emit sound only as part of a business transaction subject to Chapter 18 of the Code of Ordinances.
- A sign is allowed in addition to freestanding and wall signs permitted by this Chapter.
- A sign support structure shall be constructed from similar materials and consistent with and/or complementary to the building design and materials.
- A sign shall be screened from a public right-of-way by placement, landscape, or wall or fence.



Standard	Res	MF/I	Comm	MXU	RC
Permitted	No	No	Yes	Yes	Yes
Permit Req'd	--	--	Yes	Yes	Yes

Max. Number of Signs	--	--	1 per drive-thru lane per tenant	1 per drive-thru lane per tenant	1 per drive-thru lane per tenant
Max. Area	--	--	6 sf – building wall 54 sf - drive-thru per drive-thru	6 sf – building wall 54 sf - drive-thru per drive-thru	6 sf – building wall 54 sf - drive-thru per drive-thru
Max. Height	--	--	12 ft	12 ft	12 ft
Digital	--	--	100% of the sign area, subject to Section 10(b) and the display changes no more than three (3) times in a 24-hour period	100% of the sign area, subject to Section 10(b) and the display changes no more than three (3) times in a 24-hour period	100% of the sign area, subject to Section 10 (b) and the display changes no more than three (3) times in a 24-hour period
Illumination	--	--	Internally or Externally lit	Internally or Externally lit	Internally or Externally lit
Changeable Copy	--	--	Yes	Yes	Yes
Subject to Max. Wall Sign Allowance	--	--	No	No	No

- 5) Awnings: Signs on awnings are subject to the standards below. These regulations do not authorize the installation of awnings, with or without signs, without obtaining any necessary building permit in compliance with the current edition of the Florida Building Code and this Code.
- a) Awnings that contain signs shall be designed to be compatible with the storefront in scale, proportion, material, and color.
 - b) The sign displayed on an awning shall be used to determine the sign area. The entire awning area shall not be included in sign area calculation.
 - c) No awnings with signs shall extend above the roof line of a building, or the first story, whichever is less.
 - d) No sign affixed to an awning shall project beyond, above, or below the face of the awning.
 - e) The principal function of any awning with a sign shall be to provide shelter for a window, a door, or an outdoor seating area.



Standard	Res	MF/I	Comm	MXU	RC
Permitted	No	Yes	Yes	Yes	Yes
Permit Req'd	--	Yes	Yes	Yes	Yes
Max. Number	--	1 per building	1 per awning installed	1 per awning installed	1 per awning installed
Max. Sign Area	--	40% of area of awning face	40% of area of awning face	40% of area of awning face	50% of area of awning face
Min. Clearance	--	8 ft	8 ft	8 ft	8 ft
Illumination	--	External	External	External	External
Subject to Max. Wall Sign allowance	--	Yes	Yes	Yes	Yes
Changeable Copy	--	No	No	No	No
Digital	--	No	No	No	No

- 6) Canopy Signs in Vehicular Areas: Signs on canopies in vehicular areas are subject to the standards below. These regulations do not authorize the installation of a canopy sign in a vehicular area, with or without signs, without obtaining any necessary building permit in compliance with the current edition of the Florida Building Code and this Code
- Canopies in vehicular areas with signs shall be designed to be compatible with the associated building(s) in scale, proportion, and color.
 - Sign on a canopy in a vehicular area shall be located on the face of the canopy that abuts a public roadway.
 - Corporate stripes, logos, and designs proposed on the canopy in a vehicular area shall be counted as part of the overall permitted sign area.



7) Canopy Signs in Pedestrian Areas: Signs on a canopy in a pedestrian area are subject to the standards below. These regulations do not authorize the installation of a canopy sign in a pedestrian area, with or without signs, without obtaining any necessary building permit in compliance with the current edition of the Florida Building Code and this Code.

- a) Signs mounted to the top of a canopy shall be designed such that:
 - 1) Sign can be affixed to the canopy and shall only be comprised of channel letters or other three-dimensional forms.
 - 2) Mounting hardware and supporting structures of the sign are to be concealed from view unless hardware and supporting structures are integral to the design of the structure.
 - 3) Sign does not extend more than two (2) feet above the top of the canopy, or extend above the nearest roofline, whichever is less.
- c) Sign is prohibited to extend beyond the vertical edge of the canopy.
- d) Canopy with a sign shall be designed to be compatible with the building in scale, proportion, material, and color.

Standard	Res	MF/I	Comm	MXU	RC
Permitted	No	Yes	Yes	Yes	Yes
Permit Req'd	--	Yes	Yes	Yes	Yes
Max. Number	--	1 per lot	1 per frontage	1 per frontage	1 per frontage

Max. Sign Area	--	20 sf	20 sf	20 sf	30 sf
Illumination	--	External	External, Internal or Halo lit	External, Internal or Halo lit	External, Internal or Halo lit
Max. Sign Height	--	2 ft	2 ft	2 ft	2 ft
Subject to Max.					
Wall Sign Allowance	--	Yes	Yes	Yes	Yes
Changeable Copy	--	No	No	No	No
Digital Sign	--	No	No	No	No

- e) Corporate stripes, logos, and designs proposed on the canopy in a Pedestrian Areas shall be counted as part of the overall permitted sign area.



- 8) Projecting Signs: Projecting signs are subject to the following standards. These regulations do not authorize the installation of a projecting sign, without obtaining any necessary building permit in compliance with the current edition of the Florida Building Code and this Code.
- a) Projecting signs may be attached vertically or horizontally to any building frontage.

- b) Vertical Projecting signs shall be attached to any building frontage that abuts an arterial or collector roadway.
- c) Vertical Projecting signs shall not extend four (4) feet above the top of the building wall to which it is attached.
- d) Projecting signs shall be spaced a minimum of ten (10) feet apart on multi-tenant buildings, unless there is less than ten (10) feet separating tenant entrances.

Standard	Res	MF/I	Comm	MXU	RC
Permitted	No	No	Yes	Yes	Yes
Permit Req'd	--	Yes	Yes	Yes	Yes
Max. Number	--	1 per building	1 per tenant	1 per tenant	1 per tenant
Max. Area	--	48 sf	48 sf	48 sf	32 ft
Min. Clearance	--	8 ft	8 ft	8 ft	8 ft
Max. Projection from Wall	--	4 ft	4 ft	4 ft	4 ft
Illumination	--	External	External, Halo, or Internal	External, Halo, or Internal	External, Halo, or Internal
Subject to Max. Wall Sign allowance	--	Yes	Yes	Yes	Yes
Changeable Copy	--	No	No	No	No
Digital Sign	--	No	No	No	No



- 9) **Suspended Signs:** Suspended signs are subject to the following standards. These regulations do not authorize the installation of a suspended sign, without obtaining any necessary building permit in compliance with the current edition of the Florida Building Code and this Code.
- a) Sign shall be perpendicular to the primary face of the building wall and located under an overhang of a covered porch or walkway, within ten (10) feet of the primary pedestrian entrance of the associated tenant or use



Standard	Res	MF/I	Comm	MXU	RC
Permitted	No	No	Yes	Yes	Yes
Permit Req'd	--	--	Yes	Yes	Yes
Max. Number	--	--	1 per tenant	1 per tenant	1 per tenant
Max. Area	--	--	6 sf	6 sf	6 sf
Min. Clearance	--	--	8 ft	8 ft	8 ft
Illumination	--	--	Internally or Externally	Internally or externally	Internally or externally

Subject to Max. Wall Sign allowance	--	--	Yes	Yes	Yes
Changeable Copy	--	--	No	No	No
Digital Sign	--	--	No	No	No

10) Murals: Murals are subject to the following standards.

- a) Murals may be located on a principal structure, accessory structure, fence or wall, or other structure on a lot.

Standard	Res	MF/I	Comm	MXU	RC
Permitted	No	Yes	Yes	Yes	Yes
Permit Req'd	--	Yes	Yes	Yes	Yes
Max. Number	--	Unlimited, subject to max. area	Unlimited, subject to max. area	Unlimited, subject to max. area	Unlimited, subject to max. area
Max. Area	--	25% of an eligible building facade or accessory structure area	75% of an eligible building facade or accessory structure area	75% of an eligible building facade or accessory structure area	100% of an eligible building facade or accessory structure area
Max. Height	--	Roof line	Roof line	Roof line	Roof line
Illumination	--	External	External	External	External
Subject to Max. Wall Sign allowance	--	No	No	No	No

11) Wall Signs: The standards below apply to all wall signs. These regulations do not authorize the installation of a wall sign, without obtaining any necessary building permit in compliance with the current edition of the Florida Building Code and this Code.

- a) No sign part, including channel letters, shall project more than twelve (12) inches.
- b) Signage shall be permitted on the building frontage. Signage may be transferred from the building frontage to the sides and rear of a building provided those sides are not oriented toward a residential use and finished with a similar architectural facade treatment and quality as the building frontage.
- c) The sign area allowance for wall signs shall include any sign area utilized on a canopy sign, awning sign, illuminated window sign, or a projecting sign.
- d) Signage attached to a multi-story (greater than 2 stories) multi-tenant building shall be arranged so the signs share a common horizontal centerline along the façade, spaced evenly across the building façade, are separated vertically from all other signs a minimum of two times the height of the building height.

Standard	Res	MF/I	Comm	MXU	RC
Permitted	Yes	Yes	Yes	Yes	Yes
Permit Req'd	No	Yes	Yes	Yes	Yes
Max. Number for single tenant building	1 per dwelling unit	1 per building	Unlimited, subject to max. area	Unlimited, subject to max. area	Unlimited, subject to max. area
Max. Number for tenant in a multi-tenant building	--	Unlimited, subject to max. area for institutional uses	Unlimited, subject to max. area	Unlimited, subject to max. area	Unlimited, subject to max. area
Max. Sign Area	4 sf	1 sf per 1 linear ft of the primary building frontage, not to exceed 200 sf.	2 sf per 1 linear ft of the primary building frontage, not to exceed 500 sf.	2 sf per 1 linear ft of the primary building frontage, not to exceed 500 sf.	2 sf per 1 linear ft of the primary building frontage, not to exceed 500 sf.
Max. Sign Height for single tenant building	N/A	3 ft	25% of building height	25% of building height	25% of building height
Max. Sign Height for tenant in a multi-tenant building	--	2 ft. or 25% of building height for anchor tenant or tenant with specialized architectural feature	2 ft. or 25% of building height for anchor tenant or tenant with specialized architectural feature	2 ft. or 25% of building height for anchor tenant or tenant with specialized architectural feature	2 ft. or 25% of building height for anchor tenant or tenant with specialized architectural feature
Illumination	External	External, Internal or Halo lit	External, Internal or Halo lit	External, Internal or Halo lit	External, Internal or Halo lit
Digital Sign	No	No	No	No	No
Changeable Copy	No	No	No	No	No
Channel Letters (raceway or mounted to wall)	N/A	Yes	Yes	Yes	Yes
Cabinet & Box Sign	N/A	No	No	No	Yes

12) **Window Signs:** Permanent window signs are subject to the following standards:

- a. A window sign may be painted on, attached to, or placed within three feet of the inside of a window.



Standard	Res	MF/I	Comm	MXU	RC
Permitted	Yes	Yes	Yes	Yes	Yes
Permit Req'd	No	No	No	No	No
Max. Number	Unlimited, subject to max. area	Unlimited, subject to max. area	Unlimited, subject to max. area	Unlimited, subject to max. area	Unlimited, subject to max. area
Max. Sign Area	6 sf	10% of total door and window area for a tenant	50% of total door and window area for a tenant	50% of total door and window area for a tenant	50% of total door and window area for a tenant
Illumination	No	Internal	Internal or Neon	Internal or Neon	Internal or Neon
Subject to Max. Wall	No	No	No	No	No

11) **Light Pole Signs:**

- a) Light pole signs shall only be attached on a decorative parking light pole, walk light pole, or streetlight pole located on private property or a private right-of-way that has been approved through city-approved site plan, subdivision, or building permit.
- b) Light pole signs shall be consistent throughout the site, including size, height, cohesive theme and colors.

- c) Light pole signs shall not encroach into existing tree canopies and trees shall not be unnecessarily trimmed in an effort to accommodate light pole signs.
- d) Light pole signs shall be attached securely to a decorative parking light pole, walk light pole, or streetlight pole on all four corners to ensure they do not move or flap and shall maintain the minimum clearance requirement.
- e) All light poles on a property shall be compliant before a light pole sign permit is issued for any portion of the property.
- f) Sign can be changed out on intervals throughout the year as long as the new sign complies with this Chapter.
- g) If light pole signs are not maintained in an attractive condition, the light pole signs are to be removed and replaced within 30 days with a new light pole sign in compliance with this Chapter. Failure to maintain and replace the light pole signs in compliance with this Code shall require the property owner to remove all light pole signs within 30-days.

Standard		Res	MF/I	Comm	MXU	RC
Permitted			Yes	Yes	Yes	Yes
Permit Req'd			No	No	No	No
Max. Number	Unlimited, subject to max. area		Unlimited, subject to max. area	Unlimited, subject to max. area	Unlimited, subject to max. area	Unlimited, subject to max. area
Subdivision or lot						
Max. Number on a pole	2	2	2	2	2	2
Max. Sign Area	6 sf	6 sf	6 sf	6 sf	6 sf	6 sf
Illumination		No	No	No	No	No
Subject to Max. allowed attached or freestanding signage	No	No	No	No	No	No
Changeable Copy	No-	No-	No	No	No	No
Clearance over pedestrian areas	8 ft	8 ft	8 ft	8 ft	8 ft	8 ft



Section 13: - Temporary Signs

1. The standards of this Section apply to all temporary signs. Temporary signs may be subject to additional standards set out elsewhere within these regulations.
2. The purpose of a temporary sign is to display a message for a temporary duration. Temporary signs shall not be used to circumvent the regulations that apply to permanent signs or to add permanent signage to a property in addition to that which is allowed by these regulations.
3. If any person, business or organization erects a temporary sign that requires a permit without receiving a permit, as herein provided, the person, business or organization shall be ineligible to receive a permit for a temporary sign for the remainder of the calendar year.
4. In general, a temporary sign shall be removed as of the date:
 - a) The sign becomes abandoned, as defined in this code;
 - b) The sign is no longer in the condition in which it was installed. This includes no longer being in an upright position, is missing structural components or has become detached from the structure to which it was affixed, or the sign copy is no longer legible; or
 - c) It becomes expired as per the number of days in the tables below.
5. Sign Types. Temporary signs include the following types:
 - a) Banner:
 - 1) Banners shall be attached to the wall of the building front elevation and shall not obstruct any portion of a window, doorway, or other architectural detail.
 - 2) Banners shall not be attached to trees, non-metal poles or support, or landscaping. A banner can be attached between two temporarily installed metal poles not exceeding 6 feet in height.



Standard	Res	MF/I	Comm	MXU	RC
Permitted	No	Yes,	Yes	Yes	Yes
Permit Req'd	--	Yes	Yes	Yes	Yes
Max. Number	--	1 per lot	1 per tenant	1 per tenant	1 per tenant
Max. Area	--	32 sf	32 sf	32 sf	32 sf
Max. Height	--	Roof line or 25 ft, whichever is less if attached to a principal building & 6 ft if display at ground mounted	Roof line or 25 ft, whichever is less if attached to a principal building & 6 ft if display at ground mounted	Roof line or 25 ft, whichever is less if attached to a principal building & 6 ft if display at ground mounted	Roof line or 25 ft, whichever is less if attached to a principal building & 6 ft if display at ground mounted
Max. Time Permitted	--	30 days in a calendar year, not required to be consecutive	60 days in a calendar year, not required to be consecutive	60 days in a calendar year, not required to be consecutive	90 days in a calendar year, not required to be consecutive
Illumination	--	No	No	No	No

- b) **Sandwich Board Sign:** Sandwich board signs are subject to the standards below.
- A “sandwich board” is a portable sign that is ordinarily in the shape of an "A" with back-to-back sign faces, an easel, or a similar configuration.
 - A sandwich board may convey changeable messages through the use of re-writable surfaces, such as chalkboards or dry-erase boards. Individual changeable copy plastic letters shall not be permitted, and paper signs shall not be attached to a portable sign. Sandwich Board with changeable message shall not be composed of plastic.
 - A sandwich board sign shall not obstruct pedestrian circulation. A minimum of four (4) feet of sidewalk clearance or as otherwise required by the ADA requirements, whichever is greater shall be maintained at all times.
 - Sandwich board signs shall be located no more than fifteen (15) feet from the main pedestrian entrance of the use. This distance may be increased only by the minimum amount necessary to achieve the minimum width for pedestrian clearance.
 - Sandwich board signs must be removed each day at close of business and stored indoors.
 - Sandwich board signs must be anchored to the ground or weighted sufficiently to prevent movement by wind.
 - Other sign types similar to a conventional sandwich board sign such as an “A-frame”, “T-frame”, or other design may be approved by the Administrative Official.

Standard	Res	MF/I	Comm	MXU	RC
Permitted	Yes, only for permitted model homes in a subdivision	Yes,	Yes	Yes	Yes
Permit Required	Yes	Yes	Yes	Yes	Yes
Max. Number	1 per lot or parcel	1 per lot	1 per tenant	1 per tenant	1 per tenant
Max. Area	6 sf	6 sf	6 sf	6 sf	6 sf
Max. Height	4 ft	6 sf	6 ft	6 ft	6 ft
Illumination	No	No	external	external	external



- c) **Site Signs:** Site signs are subject to the following standards:

- a) Site signs are not intended to be installed in place of a permanent sign.
- b) Site signs are only allowed on properties with active listings for sale or for rent, or on properties with an active building permit, site development permit, a subdivision development permit, or a special event permit approved by the City.



Standard	Res	MF/I	Comm	MXU	RC
Permitted	Yes	Yes	Yes	Yes	Yes
Permit Required	Yes, if sign area is greater than 6 sf	Yes, if sign area is greater than 6 sf	Yes, if sign area is greater than 6 sf	Yes, if sign area is greater than 6 sf	Yes, if sign area is greater than 6 sf
Max. Number	1 per lot < then 3 acres & 2 per lot ≥ then 3 acres	2 per lot with minimum 100 ft distance between site signs	2 per lot with minimum 100 ft distance between site signs	2 per lot with minimum 100 ft distance between site signs	2 per lot with minimum 100 ft distance between site signs
Max. Area	6 sf for lot < then 3 acres & 32 for parcel ≥ 3 acers	6 sf for lot < then 3 acres & 32 for parcel > 3 acers	32 sf	32 sf	32 sf
Max. Height	6 ft for lot < then 3 acres & 8 ft for parcel ≥ 3 acers	8 ft	8 ft	8 ft	8 ft
Illumination	No	No	No	No	No
Min. Setback	2 ft for lot < 1.5 acres & 5 ft for lot ≥ 3 acers	5 ft	5 ft	5 ft	5 ft

- d) Yard Sign: Yard signs are subject to the standards below.
 - a) Yard signs may not be placed in a visual clearance area.
 - b) Three (3) additional small yard signs may be allowed during each period that is 45 days prior to an election day, as such term is defined in F.S. § 97.021 on any lot regardless of

zoning district, or on a vacant property. Within 5 days after each election day, any additional yard sign authorized by this subsection shall be removed.

Standard	Res	MF/I	Comm	MXU	RC
Permitted	Yes	Yes	Yes	Yes	Yes
Permit Required	No	No	No	No	No
Max. Number	1 per lot	1 per lot	1 per tenant	1 per tenant	1 per tenant
Max. Area	6 sf	6 sf	6 sf	6 sf	6 sf
Max. Height	4 ft	4 ft	4 ft	4 ft	4 ft
Max. Time Permitted	None	None	None	None	None
Illumination	No	No	No	No	No
Min. Setback	None	None	None	None	None

- e) Temporary Sign Cover: Temporary Sign Cover signs are subject to the standards below:
- a) Applies to a monument sign that have been approved with a City issued building permit.
 - b) Temporary Sign Cover shall be fitted tightly and be secured to the permanent monument sign to avoid movement in windy conditions.
 - c) Total of 60 days in a calendar year.
 - d) A permit is required each time a temporary sign cover is placed over a permanent sign.

Section 13: - Maintenance

- 1) The owner or lessee of any sign shall take all reasonable actions so that the sign will be maintained
- 2) All signs and sign structures shall be maintained in good condition, in compliance with this Code and in accordance with the following:
 - a) A sign or sign structure that is broken, torn, bent, has a broken, bent, or damaged support, leaning more than 15 degrees from vertical, or is not reasonably level and plumb shall be repaired or reinstalled.
 - b) A sign or sign structure that is disfigured, cracked, rippled, or peeling material or paint shall be repaired or repainted.
 - c) A sign or sign structure, including lighting, shall function properly at all times as approved by a permit and/or required by this Code.
 - d) A sign panel that is broken or damaged shall be replaced with a tenant sign panel or a blank neutral color sign panel.
 - e) The vegetation around, in front of, behind, and underneath an approved freestanding sign with column supports shall be kept trimmed and free of trash and debris as required by this Code and Code of Ordinance.
 - f) A freestanding monument sign with a solid base shall be maintained so there is not visible area between the sign base and ground, except for an approved freestanding monument sign with columns.
 - g) A Freestanding Monument sign that no longer contains a sign panel shall be removed or replaced with a blank neutral color sign panel within 30 successive days.
 - h) An allowed or permitted temporary sign that is obviously damaged (e.g., broken yard sign, leaning more than 15 degrees from vertical, or torn banner) shall be removed within twenty-four (24) hours after notification. If not done, no more app temp signs that year?
- 3) All signs shall be maintained in a safe condition, in compliance with all applicable building and electrical codes and this Code. The City may inspect at any time a sign or sign structure regulated by this Chapter for the purposes of determining whether the structure is safe, in need of repair or maintenance, not in conformance with the approved permit or otherwise in violation of the provisions of this Chapter. If it is determined that a violation has occurred, the city shall give written notice to the owner or lessee of such

structure. If the owner or lessee fails to remove or alter the structure to comply with the regulations set forth in this Chapter within the time prescribed in the notice, such sign or other advertising structure may be removed or altered to comply by the city at the expense of the owner or lessee of the property upon which it is located.

- 4) The issuance of any sign permit shall be conditioned upon the restoration of any building facade which has been damaged by placement of a previous sign. Such restoration shall include, but not be limited to, patching, repainting, and concealing visible electrical components, when applicable.
- 5) Repair work required by this Chapter shall comply with the permit requirements in this Chapter.

Section 14: - Nonconforming signs.

- (a) *Intent.* It is the intent of this chapter to allow nonconforming signs permitted before the adoption of this code to continue until they are no longer used, or become hazardous, but not to encourage their survival. Such signs are hereby declared to be incompatible with the overall intent of this chapter.
- (b) *Removal of nonconforming signs.* All nonconforming and nonpermitted signs, except as provided herein, shall be removed immediately or as otherwise provided under this chapter.
- (c) *Continuance of nonconformities.* Use of a nonconforming sign may be continued, subject to the following regulations:
 - (1) No nonconforming sign shall be enlarged or increased in any way from its lawful size at the time of the adoption of this code, nor shall a nonconforming sign be relocated from its location at the time of adoption of this code.
 - (2) Nonconforming signs or sign structures that are defined as abandoned signs under this chapter shall not be permitted for reuse.
 - (3) Use of a nonconforming sign shall immediately terminate upon a change of business, business ownership or business name, regardless of whether ownership of the lot on which the nonconforming sign is located has been transferred.
 - (4) Except as otherwise provided herein, nonconforming signs specifically identified as prohibited signs by this chapter shall be eliminated no later than five years after the date of adoption of this code. Thereafter, all such nonconforming signs shall be deemed unlawful and prohibited and subject to the enforcement provisions of this chapter.
 - (5) Signs existing as of the date of this amendment, whose height and/or sign area do not exceed 115 percent of that allowed by section 4 of this chapter, shall be deemed conforming. Installation or construction of all new signs, and any modification or replacement of signs permitted under this paragraph, shall comply with all applicable height, sign area, and other requirements of section 4 of this chapter.
 - (6) Any sign that is nonconforming and is determined by the administrative official to be in good repair shall be permitted to continue past the compliance deadline established by this code. Signs that have substantial rust, missing parts, dents, or other structural or aesthetic deficiencies shall not be considered in good repair.
 - (7) Nonconforming real estate or construction signs shall be removed no later than six months after the date of adoption of this amendment. Thereafter, all such nonconforming signs shall be deemed unlawful and prohibited and subject to the enforcement provisions of this chapter.

- (d) *Repairs, maintenance and improvements.* Normal repairs, maintenance and improvements may be made, however, the cost of such improvements made during any two-year period shall not exceed 25 percent of the replacement cost of the sign at the end of the two-year period.
- (e) *Reconstruction after catastrophe.* If any nonconforming sign as defined in the Land Development Code is damaged by fire, flood, explosion, collapse, wind, war or other catastrophe to such an extent that the cost of repair and reconstruction will exceed 50 percent of the replacement cost at the time of damage, it shall not be used or reconstructed except in full conformity with the provisions of this code, except as follows:
 - (1) A nonconforming offsite sign damaged by catastrophe exceeding 50 percent of the replacement cost may be reconstructed pursuant to the authority set forth in F.S. § 70.20, if the reconstruction agreement complies with all of the requirements set forth as follows:
 - (a) The reconstructed sign shall be located on the same property as the damaged sign and the reconstructed sign shall not be relocated to any other property location;
 - (b) The reconstructed sign shall be located within a commercially zoned district, not including a planned commercial development or a planned unit development zoned district, and shall comply with the Land Development Code Regulations regarding prohibited signs;
 - (c) The sign owner shall submit an agreement for the reconstructed sign to community development for staff review and comment prior to consideration by city council; the sign owner shall obtain the approval of the agreement by city council resolution;
 - (d) The reconstructed sign shall be a nonconforming sign;
 - (e) The sign owner agrees to remove or to not rebuild other damaged nonconforming signs within the city at a ratio of at least four sign faces for each reconstructed sign face;
 - (f) The vertical dimension for the reconstructed sign face shall not exceed 25 percent of the permitted building height in the commercial district or 12 feet, whichever is greater;
 - (g) The reconstructed sign face shall not exceed the square footage of the largest damaged sign face for any one sign display being removed or not rebuilt, notwithstanding the location within the city of the sign face removed or not rebuilt;
 - (h) Structural components surrounding the sign face shall not exceed a size of ten percent of the sign face;
 - (i) The reconstructed sign face may change copy; each sign display copy shall contain only one complete message, and if electronic or digital, the frequency of copy change, dwell time, shall not be less than ten seconds;

- (j) The reconstructed sign, if electronic or digital, shall provide a high quality resolution for the display of not more than 20 millimeter pixel spacing, and shall include dimmers installed and operated to eliminate glare, and at night the sign face display light shall not exceed a brightness of 2,500 NITS (a unit of light intensity, as measured by candelas per square meter), as certified by the manufacturer; and shall not emit light on to the adjacent property in excess of 0.5 footcandle when measured at any adjoining residential property line;
 - (k) The tallest portion of the reconstructed sign, including appurtenances, shall not exceed the permitted building height in the commercial district.
 - (l) The sign owner entering into the reconstruction agreement shall not require the city to pay compensation for any sign removed or not rebuilt pursuant to the agreement;
 - (m) The reconstructed sign shall comply with setback, landscaping and architectural standards consistent with the requirements for the construction of a building within the zoning district and applicable design manuals; and
 - (n) The sign owner shall devote time for public service announcements and other official messages as designated by the city (e.g. Crimestoppers and other alerts, disaster/evacuation, or other community events/information).
- (f) *Casual, temporary or illegal use.* The casual, temporary, or illegal use of any sign shall not be sufficient to establish the existence of a nonconforming use or to create any rights in the continuance of such use.

Section 15: - Enforcement.

The department shall be empowered to enforce this code.

(a) *Removal of prohibited signs.*

- (1) Prohibited signs on public property or rights-of-way shall be removed immediately and may be removed by the city or its agent without notice.
- (2) Temporary signs and parasite signs shall be removed within 48 hours after receipt of written notification of the code enforcement officer or building official.
- (3) Abandoned signs shall be removed by the owner, agent or person in charge of the premises within 30 days after receipt of written notification by the code enforcement officer or building official. If the sign is not removed in a timely manner, the code enforcement officer may refer the violation to the special magistrate.

(b) *Removal of unsafe signs.* Should any sign become unsecured or in danger of falling, in disrepair or deteriorated, or otherwise unsafe in the opinion of the building official, the owner thereof, or person or firm maintaining it, shall, upon receipt of written notification from the building official immediately, in the case of imminent danger, or within ten days in other instances, secure the sign or cause it to be placed in good repair in a manner approved by the building official, or said sign shall be removed by the owner thereof. If such order is not complied with, the city may remove the sign at the expense of the owner and may place a lien for the cost thereof upon the property on which the sign was located together with any other cost incurred by the city by filing such lien. The lien may be foreclosed in the same manner provided by law for the foreclosure of mortgages and the city shall have the right to receive all costs of court including reasonable attorney fees.

(c) *Removal of illegally erected signs.* Where this chapter requires work to be done by a licensed contractor and such work is not performed by a licensed contractor, the owner or lessee of the property where such illegally erected sign is located shall either:

- (1) Have the sign immediately removed; or
- (2) Have a licensed contractor secure a permit for such sign. City inspections of the sign shall be performed. If neither of the above actions is completed within ten days after notification by the building official or code enforcement officer the violation may be referred to the special magistrate.

(d) *Termination of unlawful illumination.* Upon receipt of written notification by the department that a sign is unlawfully illuminated in violation of this chapter, the owner, his agent, or person in control of the premises, shall immediately terminate the prohibited illumination or animation of such sign.

- (e) *Violation; penalties; continuing violations and penalty therefor.* Violations of this code, including those sections authorizing city removal of signs or other penalties, may be referred to the special magistrate as prescribed by the Code of Ordinances.

Section 16: - Variances and appeals.

- (a) *Technical appeals.* Appeals from technical decisions of the administrative official or any other official empowered to rule on sign issues shall be processed according to the procedures outlined this code.
- (b) *Variances.* Variances from the requirements of this chapter shall be processed according to the provisions of chapter 19 of this code.

Section 17: - Severability.

- (a) *Generally.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter.
- (b) *Severability where less speech results.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection (a), or elsewhere in this chapter, this code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.
- (c) *Severability of provisions pertaining to prohibited signs.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection (a), or elsewhere in this chapter, this code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter or any other law is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed under section 3 of this chapter. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of section 3 is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of section 3.
- (d) *Severability of prohibition on billboards.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter and/or any other code provisions and/or laws are declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the prohibition on billboards as contained herein.

Chapter 2 - DEFINITIONS AND INTERPRETATIONS

Section 2: - Definitions.

Animated sign: Any sign or part of a sign that changes physical position or light intensity by any movement, rotation, strobing, illumination or other means, or that gives the visual impression or illusion of movement, rotation, illumination or rotation. An animated sign may not be a Digital Sign.

Attention Getting Device: A sign, device, or ornamentation designed for the purpose of attracting attention or promotion, except as otherwise expressly permitted in this Chapter. Attention getting devices include feather signs, inflatable signs, temporary pole signs, pennants, streamers, balloons, wind sign, teardrop banner sign, and similar devices

Audible Sign. A sign that projects an audible message intended to be heard by either pedestrians or vehicles

~~Awning. A rooflike cover, securely fastened on one side or end to a building, and the balance of which extends over or before a place (as over walkway or before a window) as a shelter and whose bottom edge is at least seven feet above the highest grade level beneath it.~~ An architectural projection that provides weather protection, identity or decoration, and is partially or wholly supported by the building to which it is attached. An awning is comprised of a lightweight frame structure over which a covering is attached.

~~Awning, illuminated. A structure, which is illuminated from the reverse side with artificial light emanating from a minimum 800-milliwatt high output fluorescent fixture, to the extent that such artificial light is visible through to the exterior.~~

Awning Sign: Any sign painted, printed, attached, or otherwise applied to any facet or support structure of an awning.

~~Banner. Any sign with characters, letters, illustrations, or ornamentation applied to cloth, paper, or fabric of any kind that is not permanently attached to a solid backing of wood, plastic, metal, masonry, or similar rigid material. A flag shall not be considered a banner. A sign made of fabric, cloth, bunting, plastic, paper, or any other non-rigid material with no enclosing framework. This definition does not include flags, pennants or streamers.~~

~~Box or cabinet sign. Any sign, the face of which is enclosed, bordered or contained within a box-like structure, frame or other device.~~

Bumper Sticker: a strip of adhesive paper or plastic of up to two square feet bearing a printed message affixed to any part of a motor vehicle.

Building Elevation: The view of any building or other structure from any one of its sides.

Cabinet sign means a sign structure consisting of the frame and face(s), not including the internal components, embellishments or support structure.

Canopy: A permanent structure or architectural projection of rigid construction over which a covering is attached that provides weather protection, identity or decoration. A canopy may be structurally independent (a “detached canopy”) or supported by attachment to a building on one or more sides.

Canopy, Detached: A canopy that is structurally independent of a building.

Canopy Sign: sign permanently affixed to a roofed shelter covering a sidewalk, walkway, driveway, or other similar area which shelter may be wholly supported by a building or may be wholly or partially supported by columns, poles, or braces extended from the ground.

~~Changeable copy sign. A sign which has letters, numbers, symbols or other characters which can be manually attached to or removed from the face of a sign, without altering the face or structure of the sign. Such signs are sometimes referred to~~

as reader boards. Copy that can be changed or rearranged without altering the Sign Face or Sign Structure, excluding Digital Copy

Channel Letter: A fabricated or formed three-dimensional letter, number, logo or symbol.

Character: Any letter, number, symbol, picture, or logo.

Commercial message. Any sign, wording, logo, or other representation or image that directly or indirectly names, advertises, or calls attention to a product, service, sale or sales event or other commercial activity. Any sign text, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

Digital Copy: Static images that are controlled by electronic communications that allow the images to be turned on or off intermittently.

Digital Sign: A sign that displays Digital Copy, including any illuminated sign on which the illumination is not kept stationary or constant in intensity and color when the sign is in use, including any light emitting diode (LED) or digital panel, and which varies in color or intensity. In the sign industry, digital signs are also referred to as dynamic signs, changeable electronic variable message signs (CEVMS), electronic message centers (EMCs), etc.

Double-Faced Sign: A sign with two faces of equal area, placed back-to-back.

~~Directional sign. Any sign used to indicate the direction to entrances, exits, parking areas, restrooms, drive-through facilities or other nonbusiness related facilities on the site.~~

~~Directory sign. A sign which gives the names of the businesses or individuals located in the building or complex where it is located. A directory sign shall be of a unified design and common material, and shall allow for a uniform size sign for each~~

~~business or unit of space in the development. Directory signs shall be limited to the name and type of business and its location within the building or complex.~~

~~Double-faced sign. A sign with two faces which are no more than three feet apart at their closest point, and which describe an internal angle between face planes extended of no more than 30 degrees.~~

Embellishment: An addition to the sign structure on which a continuation of the copy is placed. Standard bases and standard trim are not considered embellishments. An embellishment is considered part of the sign area.

Emitting Sign. A sign that emits smoke, open flames, visible vapors, particles, sound, or odor.

Exposed Neon: A neon sign in which the neon tubes are not enclosed by an opaque covering.

Façade: The exterior wall of a building exposed to public view or a wall viewed by persons not within the building.

Fascia: The horizontal plain just below the roof or coping, and above the wall or supports.

Feather Sign: A sign made of flexible material in the shape of a feather, quill, sail, blade or teardrop, and mounted on a solid or flexible pole or cord. These are sometimes referred to as “quill signs” or “sail banners.”

~~Flag. A rectangular piece of fabric of distinctive design that is used as a symbol (as of a nation, state or city), or is displayed to show affiliation with a specific recognized organization (such as fraternal, religious or charitable organizations). a piece of fabric or other flexible material, with distinctive colors and patterns, customarily mounted on a pole or similar freestanding structure or a pole mounted on a building.~~

~~Free expression sign. A sign, not in excess of three square feet in size (area) and the top of the sign is not more than six feet off the ground, communicating information or views on matters of public policy concern or containing any other noncommercial message, that is otherwise lawful.~~

~~Freestanding sign. Any sign supported by uprights or braces placed upon or in or supported by the ground, a fence or nonstructural wall. This shall include signs attached to buildings but supported in whole or in part as described above. A single or double-faced sign placed upon or supported by the ground independent of any other structure, such as a monument sign. A flagpole shall not be considered a freestanding sign.~~

Front-foot, building. Each lineal foot, or major portion thereof, measured along the main entry side of a building. Where buildings form an L or U, all main entry sides are measured.

Front-foot, property. Each lineal foot, or major portion thereof, measured along the public right-of-way where the subject property abuts said right-of-way.

Front-foot, tenant. Each lineal foot, or major portion thereof, measured along the main entry side of a tenant space.

Frontage: The linear frontage(s) of a lot or parcel abutting on a private or public street that provides principal access to, or visibility of, the premises.

~~Ground sign. A sign which is in contact with or in close proximity, to the ground for a minimum of 80 percent of its greatest horizontal dimension.~~

~~Height of sign. The distance between the top of a sign and the average grade elevation below it, or centerline grade of the adjacent roadway, whichever is less. The height of sign shall be measured to surface roads only and shall not apply to bridges, overpasses or similar elevated roads.~~

Halo Lit: Illumination created by concealing the light source behind three-dimensional opaque letters, numbers, or other characters of a sign, resulting in the

nighttime perception of a halo around the silhouette of each character. This is also referred to as "reverse channel" or "reverse lit" illumination. A halo lit sign is not considered an internally illuminated sign."

Handheld sign means a temporary sign held, suspended, or supported by an individual. Handheld signs do not include handheld signs utilized for traffic control or safety purposes. Also known as a human directional, sign spinner, or sign twirler sign.

Illegal Sign: A sign that does not meet the requirements of this Code and that has not received legal nonconforming status.

Illuminated Awning: Any awning lighted by or exposed to artificial lighting, either by lights on or in the awning, or directed toward the awning.

Illumination: An artificial light source incorporated internally or externally to emanate light from, or direct light to, a surface. Light sources may include exposed tubing, electrical bulbs, fluorescent lights, neon tubes, light emitting diodes (LED), liquid crystal displays, or other artificial sources of light.

Illumination, External: A sign that is illuminated by an external light source.

Illumination, Internal: Illumination created by a light source internal to the sign, transparent or translucent material from a light source within the sign structure or panel, or exposed lighting on the sign face.

Illuminated Sign: Any sign that incorporates illumination on or in the sign, or that directs illumination toward or over all or part of the sign, or that is created by the projection of illumination onto a surface (such as a building wall).

~~Illuminated sign. A sign that uses artificial light, either internal or external to the sign faces, to draw attention to the sign or otherwise increase its visibility.~~

Incidental Sign: A sign with copy located on a panel and mounted on a pole or a wall

or similar structure, with or without a structural frame, that is normally incidental to the allowed use of the property, but can contain any message or content.

Light: For purposes of defining a window, the aperture through which daylight may pass, such as a pane of glass. Lights are surrounded by mullions or transoms.

Maintenance: The cleaning, painting, repair, or replacement of worn or defective parts of a sign in a manner that does not alter in any way the approved signage.

~~Identification sign. A sign that indicates the name and type of business or service, or the name of the development located on the site where the sign is located including street address, phone number, and graphic of business logo.~~

~~Instructional sign. A sign conveying nonadvertising information relating to the use of the premises, including such signs as no parking, no trespassing and warning signs.~~

~~Internally illuminated sign. A sign that uses artificial light from behind the sign face to increase its visibility.~~

~~Memorial sign. A permanent sign, plaque, inscription or similar group of symbols recording historical data relating to the construction of the building to which it is affixed.~~

Mural means a sign in a non-residential area which consists of a picture or graphic illustration applied directly to a wall of a building or structure that does not advertise or promote a particular business, service, or product.

Monument Sign: a freestanding sign whose sign face is attached to a base or structural frame with a width and thickness of at least two-thirds (2/3) the width of the widest part of the sign face.

Mullion: Vertical posts between the lights of a window.

Nit: A unit of illuminative brightness equal to one candle per square meter, measured perpendicular to the rays of the source.

Neon: source of light supplied by a glass tube that is filled with neon gas, argon, mercury or other inert gas that produces ultraviolet light, and bent to form letters, symbols, or other shapes. Neon includes all tubular light sources that employ a charged gas to illuminate a tube that glows, similar gas-activated tubular light systems that emit colors, and other tubular light sources (including fiber optics) that are used to form letters and shapes.

Non-Commercial Copy: Any copy other than commercial copy.

Nonconforming Sign: Any sign that does not conform to one or more applicable provisions of this Code, but that was lawfully erected and maintained, or approved in an official development plan, prior to the applicable provision or provisions.

Over-Canopy Sign: See Section 11-11-10(C). [That section states: "[a]n 'over-canopy sign' is a sign on the top of a roof overhang of a covered porch or walkway."]

Painted Sign: Paint that is applied directly on a building wall to create a sign.

Panel: A plate, backing material, or other delineating surface that contains copy within a sign structure.

Pennant: A sign made of flexible materials that typically features a series of geometric shapes (e.g., triangles), suspended from one or two corners fastened to a string, which is secured or tethered so as to allow movement and used as an attention-getting form of media.

~~Neon, decorative. Neon used as an accent feature on a roof, wall or around openings, which does not contain copy or any identifiable design, logo or symbol.~~

~~New employment sign. A sign which announces that a new business has employment vacancies, including "now hiring" sign.~~

~~Noncommercial message. Any message that is not a commercial message.~~

~~Noncommercial onsite directional or instructional sign. A noncommercial on-site sign that functions to provide direction, information or instruction to pedestrian or vehicular traffic that is related or reasonably necessary to the movement of pedestrian or vehicular traffic on the premises, and not displaying a commercial message, e.g., "entrance," "exit," "caution," "no parking," "one way only," "no trespassing," and the like.~~

Parasite sign. Any sign not exempted by this sign code, for which no permit has been issued, and which is attached to another sign.

Pixel Pitch. The distance between the center of one pixel to the center of an adjacent pixel.

~~Pennant. Any flag-like piece of cloth, plastic or paper attached to any staff, cord, building or other structure that hangs loosely for the purpose of attracting attention to its site.~~

Pole sign. A sign which is supported by one or two poles of no greater than eight inches in diameter and otherwise separated from the ground by air. A "pole sign" does not include a flag mounted on a flagpole, where permitted by this Chapter

~~Portable sign. A sign that has no permanent attachment to a building or to the ground by means of a footing, including but not limited to, an A-frame sign, sign with wheels, pull attachments, or hot air or gas filled balloons.~~

Portable Sign: Any sign designed to be moved easily and not permanently affixed to the ground, a structure, or a building.

Post Sign: A freestanding sign that projects perpendicular from a structure, or that is suspended from or mounted between one or more posts constructed of wood, masonry, iron, or similar materials.

Projecting sign. ~~A sign supported by a wall of a building, projecting away from that wall 12 inches or more, and designed with a face or faces reading at an angle to that~~

~~wall. This term shall include the term "blade sign." a sign supported by, and with any part extending at least eighteen (18) inches from, a building wall.~~

Public Property: Any property, real or personal, owned, leased or licensed by the City, county, state or federal government, including public rights-of-way, and for which the right to possess and control such property has not been legally surrendered, granted, licensed, or conveyed to a private person or entity.

Public Sign: A sign erected by any governmental entity in conjunction with the conduct of any governmental program, operation or activity, including, but not limited to, federal, state, county, and City governments, and school and recreation districts

Raceway means an enclosed box that functions as a mounting mechanism, and electronic component enclosure for wall mounted signage.

Roofline: The eave or fascia of any wall plane

Roof sign. A sign painted on or affixed to the roof of a building and primarily supported by that roof structure, except fascia signs as defined in this sign code.

Sandwich board sign. ~~Any sign consisting of two faces that are partially joined together and is free of structure or support and not secured to the ground.~~ a portable sign that is ordinarily in the shape of an "A" with back to back sign faces, an easel, or a similar configuration

~~Sign. Any device, fixture, placard or structure which uses color, form, graphics, illumination, architectural style or design, with text or writing to advertise, attract attention, announce the purpose of, or identify the purpose of, or identify the purpose of any person or entity or to communicate information of any kind to the public. The term "sign" includes sign structure. The term "sign" does not include artwork or holiday and seasonal decorations. Any object, device, flag, display, structure, or part thereof, situated outdoors or indoors, that is used to advertise, identify, display, direct, or attract~~

attention to an object, person, institution, organization, business, product, service, event, or location by any means, including, but not limited to, words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. A “sign” includes the sign structure

~~Sign, area of. The total surface of a sign including the background and frame but not structural supporting elements outside of its frame. Where a sign is composed of skeleton letters, characters, or symbols applied to a background which is not a structural part of the sign, the area of the sign shall be the smallest rectangle (measured perpendicular to a horizontal grade), triangle or circle which will include the display. Where a sign is built with two faces back to back, the area of the sign shall be the larger of the areas of the two faces computed as herein before specified. In the case of three-faced signs forming an equilateral triangle, sign area shall be calculated as 1½ times the largest face. In the case of four-faced signs forming a square or cube, sign area shall be calculated as two times the largest face. The entire sign face, including the advertising surface and any framing, trim, or molding, but not including the supporting structure. The sign area shall be measured as a rectangle, encompassing the largest horizontal width and largest vertical height.~~

Sign Copy: The graphic content of a sign in either permanent or removable words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images

~~Sign face. The area or display surface used for the graphic message. Any plane, surface, curve or other area containing a sign. The total surface of a sign including the background and frame but not structural supporting elements outside of its frame. Where a sign is composed of skeleton letters, characters or symbols applied to a background which is not a structural part of the sign, the face of the sign shall be the smallest rectangle, triangle or circle which will include the display.~~

Sign Permit: A permit authorizing the erection or maintenance of a sign pursuant to Chapter 15

Sign structure. Any combination of materials to form a construction for the purpose of attaching, fixing, or otherwise supporting a sign, whether installed on, above, or below the surface of the land, a building, or any other solid surface. Any structure which is designed specifically for the purpose of supporting a sign, which has supports or which is capable of supporting a sign. The definition shall include any decorative covers, braces, wires, supports, or other components attached to or placed around the sign structure.

Site construction permit. A development permit issued by the city to commence construction on a property subject to an approved site plan or subdivision development order. The site construction permit is issued after the preconstruction meeting is held, conditions on the development order have been met, and the site inspection fee has been submitted.

Sign Height: The vertical distance measured from the highest point of a sign to the lowest grade beneath the sign.

Site sign means a temporary freestanding sign constructed of vinyl, plastic, wood, or metal and designed or intended to be displayed for a limited period of time on a site with an active listing for sale or for rent, or on properties with active building permits

Snipe Sign: A sign illegally attached to a utility pole or utility box or affixed to a public sign.

Streamer: An attention-getting device consisting of two or more balloons, ribbons, reflectors, fringes or similar objects strung together on a common line, pole, or sign structure, or attached to one or more products offered for sale.

String Light: A lighting fixture that is composed of electrical wiring encased in plastic with sockets for bulb placement.

Subdivision Entry Sign: A monument sign located along the entry to a subdivision from a collector, arteria, or local street.

Teardrop banner sign means a type of temporary sign consisting of cloth, bunting, canvas, or similar fabric, attached to a single vertical support structure with distinctive color, words, patterns, or symbolic logos for display. Also known as a feather banner, flying banner, or a wave banner sign.

Temporary Sign: sign based upon its materials, location, and/or means of construction, e.g., light fabric, cardboard, wallboard, plywood, paper, or other light materials, with or without a frame, intended or designed to be displayed for a limited period of time.

Tenant. That portion of a façade attached to interior space that is occupied by one occupant that has a ground floor entry that provides public or customer access to the occupant. An “occupant” includes one tenant, owner or business. One who is in possession of a premises under title, lease, or rental plan. Such premises, for purposes of this code, is referred to as a tenant space.

Transom: A horizontal element framed across a window.

Traffic control sign means a sign erected in a public right-of way by an authorized governmental agency for the purposes of traffic regulation and safety.

Transition duration means the time interval it takes the display to change from one complete static message to another complete static message.

Transition method means a visual effect applied to a message to transition from one message to the next.

Transition methods include:

- a. Dissolve – a frame effect accomplished by varying the light intensity or pattern, where the first frame gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second frame.
- b. Fade – a frame effect accomplished by varying the light intensity, where the first

frame gradually reduces intensity to the point of not being legible (i.e. fading to black) and the subsequent frame gradually increases intensity to the point of legibility.

Vehicle sign means a sign that is printed, painted upon, or attached to motor vehicles, including semi-truck trailers, used primarily for the delivery of products, passengers or services or for business purposes other than as a sign.

Wall sign. A sign that is fastened to or painted on the wall of a building or other structure so that the wall becomes the supporting structure for, or forms the background surface of, the sign; and does not extend more than 12 inches from a building surface.
~~A sign painted on or affixed to the structural wall of a building, with a sign face approximately parallel to the wall perpendicular to the ground and projecting no more than 12 inches from the wall. The general term "wall sign" shall also include window signs and fascia signs. A banner made of cloth, paper, or fabric of any kind shall not be considered a wall sign.~~

Warning Sign: Any temporary or permanent sign used for warning or informing the public of any hazardous, dangerous or unsafe condition at any public or private property.

Wind Sign: An attention-getting device with or without copy, or a series of devices such as streamers, balloons, feather signs, and pennants with or without copy, fastened in such a manner as to move in the wind.

Window: An opening constructed in a wall and which admits light or air to an enclosure, is framed and spanned with glass, and which may be mounted to permit opening and closing.

Window Sign: A sign posted, painted, placed, or affixed to a window and inside a building, but clearly visible from outside the building. This includes any sign that is mounted within three (3) feet of a window and oriented to the window in a manner that is visible from the outside of the building or wraps or film that reduce the transparency of the window. For purposes of this definition, a curtain wall or window wall is not considered a window.

~~Window sign. A permanent sign affixed to, suspended within three feet behind, or painted on either face of a window or glass door that leads to the exterior of the building.~~

Yard sign means a temporary freestanding sign constructed of paper, vinyl, plastic, wood, metal, or other comparable material, and designed or intended to be displayed for a limited period of time on a lot with one or more existing permanent structures.