

## ORDINANCE NO. 518

### AN ORDINANCE OF THE CITY OF ORANGE CITY, FLORIDA, AMENDING APPENDIX A – LAND DEVELOPMENT CODE OF THE ORANGE CITY CODE OF ORDINANCES; PROVIDING FOR AMENDMENTS TO CHAPTER 2, DEFINITIONS, AND CHAPTER 9, SIGNS; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

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**WHEREAS**, on August 12, 2003 the City Council of the City of Orange City adopted Appendix A, the City's Land Development Code, via Ordinance No. 157, thereby establishing a unified code to implement the comprehensive plan and establish a development review process, setting forth regulations and procedures governing the use and development of land for the purpose of protecting health, safety, and general welfare of the citizens of the City of Orange City;

**WHEREAS**, on May 23, 2006 the City Council of the City of Orange City amended Appendix A, the City's Land Development Code, via Ordinance No. 273, modifying Section 9.2.8 related to portable signs;

**WHEREAS**, on May 25, 2010 the City Council of the City of Orange City amended Appendix A, the City's Land Development Code, via Ordinance No. 420, modifying Section 9.9 extending amortization period for non-conforming sign;

**WHEREAS**, on October 26, 2010 the City Council of the City of Orange City amended Appendix A, the City's Land Development Code, via Ordinance No. 424, modifying Section 9.7.4 related to temporary signs;

**WHEREAS**, The City Council finds that in order to preserve and promote the City as a desirable community in which to live, vacation and do business, a pleasing, visually-attractive environment is of foremost importance. The regulation of signs within the City is a highly contributive means to achieve this desired end;

**WHEREAS**, through a series of public meetings and community workshops, the City Council has found that amending the sign regulations to provided for additional sign types, flexible regulations, and higher level of design for signs is in the best interest of the community as a whole, including maintaining and enhancing its small community identity and lifestyle and sustaining its historical character;

**WHEREAS**, the City Council finds that this ordinance promotes the public health, safety and welfare through reasonable consistent and non-discriminatory sign standards. The sign regulations herein do not to censor speech or to regulate viewpoints, but instead regulate the secondary effects that may adversely impact aesthetics and safety;

**WHEREAS**, the proposed amendments to the Land Development Code are consistent with the Comprehensive Plan and support orderly growth and development within the City of Orange City;

**WHEREAS**, on July 9, 2014 the Local Planning Agency, being the Planning Commission of the City of Orange City, reviewed the requested amendments, to Chapter 2 and Chapter 9, and made recommendations thereon to the City Council;

**WHEREAS**, on July 22, 2014 the City Council held a first reading of this Ordinance to amend Chapter 2 and Chapter 9 of the City's Land Development Code and continued the request to their meeting on November 12, 2014;

**WHEREAS**, on November 12, 2014 the City Council held a first reading of this Ordinance to amend Chapter 2 and Chapter 9 of the City's Land Development Code;

**WHEREAS**, on December 9, 2014 the City Council held a second Public Hearing on this Ordinance to review and consider the amendments to Chapter 2 and Chapter 9 of the City's Land Development Code; and

**WHEREAS**, the City of Orange City finds and determines that it is appropriate to update and revise Appendix A - Land Development Code of the City of Orange City Code of Ordinances, and Chapter 2 Definitions and Chapter 9 Signs;

**WHEREAS**, the City of Orange City finds and determines that the limitations on signs, as adopted herein, is based upon sign types and sign functions;

**WHEREAS**, the City of Orange City finds and determines that the modification to the sign regulations adopted hereby still allow adequate alternative means of communications and advertising;

**WHEREAS**, the City of Orange City finds and determines that the sign regulations adopted hereby allow and leave open adequate alternative means of communications, such as newspaper advertising, internet advertising and communications, advertising in shoppers and pamphlets, advertising in telephone books, advertising on cable television, advertising on UHF and/or VHF television, advertising on AM and/or FM radio, advertising on satellite radio, advertising on internet radio, advertising via direct mail, and other avenues of communication

available in the City of Orange City [see State v. J & J Painting, 167 N.J. Super. 384, 400 A.2d 1204, 1205 (Super. Ct. App. Div. 1979); Board of Trustees of State University of New York v. Fox, 492 U.S. 469, 477 (1989); Green v. City of Raleigh, 523 F.3d 293, 305-306 (4th Cir. 2007); Naser Jewelers v. City of Concord, 513 F.3d 27 (1st Cir. 2008); Sullivan v. City of Augusta, 511 F.3d 16, 43-44 (1st Cir. 2007); La Tour v. City of Fayetteville, 442 F.3d 1094, 1097 (8th Cir. 2006); Reed v. Town of Gilbert, 587 F.3d 966, 980-981 (9th Cir. 2009); Interstate Outdoor Advertising, L.P. v. Zoning Board of the township of Mount Laurel, 706 F.3d 527, 534 (3rd Cir. 2013)];

**WHEREAS**, the City of Orange City finds and determines that the amendments, as set forth herein, are consistent with all applicable policies of the City's adopted Comprehensive Plan;

**WHEREAS**, the City of Orange City finds and determines that the amendments, as set forth herein, are not in conflict with the public interest;

**WHEREAS**, the City of Orange City finds and determines that the amendments, as set forth herein, will not result in incompatible land uses;

**WHEREAS**, the City of Orange City finds and determines that one of the City's goals under its comprehensive plan and included within the future land use element is to promote, protect, and improve the public health, safety and welfare of the City's residents through the provision of appropriate land uses and regulations;

**WHEREAS**, the City of Orange City finds and determines that another one of the City's goals is to minimize threats to natural and manmade resources;

**WHEREAS**, the City of Orange City finds and determines that in its comprehensive plan it is a City objective to implement land uses and regulations consistent with the community's character;

**WHEREAS**, the City of Orange City finds and determines that in its comprehensive plan it is a City objective to continue to implement appropriate land use techniques which ensure that all future development activities protect natural resources including vegetation;

**WHEREAS**, the City of Orange City finds and determines that under its comprehensive plan it is a goal within the future land use element to promote, protect, and improve the public health, safety, and welfare of the City's residents through the provision of appropriate land uses and regulations;

**WHEREAS**, the City of Orange City finds and determines that in order to preserve the city as a desirable community in which to live, vacation and do business, a pleasing, visually-attractive urban environment is of foremost importance;

**WHEREAS**, the City of Orange City finds and determines that the regulation of signs within the city is a highly contributive means by which to achieve this desired end, and that the modification of sign regulations, as set forth herein, is prepared with the intent of enhancing the environment and promoting the continued well-being of the city;

**WHEREAS**, the City of Orange City finds and determines that Article II, Section 7, of the Florida Constitution, as adopted in 1968, provides that it shall be the policy of the state to conserve and protect its scenic beauty;

**WHEREAS**, the City of Orange City finds and determines that the regulation of signage for purposes of aesthetics directly serves the policy articulated in Article II, Section 7, of the Florida Constitution, by conserving and protecting its scenic beauty;

**WHEREAS**, the City of Orange City finds and determines that the regulation of signage for purposes of aesthetics has long been recognized as advancing the public welfare;

**WHEREAS**, the City of Orange City finds and determines that as far back as 1954 the United States Supreme Court recognized that “the concept of the public welfare is broad and inclusive,” that the values it represents are “spiritual as well as physical, aesthetic as well as monetary,” and that it is within the power of the legislature “to determine that the community should be beautiful as well as healthy, spacious as well as clean, well balanced as well as carefully patrolled” [Justice Douglas in *Berman v. Parker*, 348 U.S. 26, 33 (1954)];

**WHEREAS**, the City of Orange City finds and determines that aesthetics is a valid basis for zoning, and that the regulation of the size of signs and the prohibition of certain types of signs can be based upon aesthetic grounds alone as promoting the general welfare [see *Merritt v. Peters*, 65 So. 2d 861 (Fla. 1953); *Dade Town v. Gould*, 99 So. 2d 236 (Fla. 1957); *E.B. Elliott Advertising Co. v. Metropolitan Dade Town*, 425 F.2d 1141 (5th Cir. 1970), cert. dismissed, 400 U.S. 805 (1970)];

**WHEREAS**, the City of Orange City finds and determines that the enhancement of the visual environment is critical to a community’s image and its continued presence as a tourist destination;

**WHEREAS**, the City of Orange City finds and determines that the sign control principles set forth herein create a sense of character and ambiance that distinguishes the city as one with a commitment to maintaining and improving an attractive environment;.

**WHEREAS**, the City of Orange City finds and determines that the goals, objectives and policies from planning documents developed over the years have demonstrated a strong, long-term commitment to maintaining and improving the City's attractive and visual environment;

**WHEREAS**, the City of Orange City finds and determines that, from a planning perspective, one of the most important community goals is to define and protect aesthetic resources and community character;

**WHEREAS**, the City of Orange City finds and determines that the purpose of the regulation of signs is to promote the public health, safety and general welfare through a comprehensive system of reasonable, consistent and nondiscriminatory sign standards and requirements;

**WHEREAS**, the City of Orange City finds and determines that the sign regulations are intended to enable the identification of places of residence and business;

**WHEREAS**, the City of Orange City finds and determines that the sign regulations are intended to allow for the communication of information necessary for the conduct of commerce;

**WHEREAS**, the City of Orange City finds and determines that sign regulations are intended to lessen hazardous situations, confusion and visual clutter caused by proliferation, improper placement, illumination, animation and excessive height, area and bulk of signs which compete for the attention of pedestrian and vehicular traffic;

**WHEREAS**, the City of Orange City finds and determines that the sign regulations are intended to enhance the attractiveness and economic well-being of the city as a place to live and conduct business;

**WHEREAS**, the City of Orange City finds and determines that the sign regulations are intended to protect the public from the dangers of unsafe signs;

**WHEREAS**, the City of Orange City finds and determines that the sign regulations are intended to permit signs that are compatible with their surroundings and aid orientation, and to preclude placement of signs in a manner that devalue adjacent properties and land uses;

**WHEREAS**, the City of Orange City finds and determines that the sign regulations are intended to encourage signs that are appropriate to the zoning district in which they are located and consistent with the category of use to which they pertain;

**WHEREAS**, the City of Orange City finds and determines that the sign regulations are intended to curtail the size and number of signs and sign messages to the minimum reasonably necessary to identify a residential or business location and the nature of any such business;

**WHEREAS**, the City of Orange City finds and determines that the sign regulations are intended to preclude signs from conflicting with the principal permitted use of the site or adjoining sites;

**WHEREAS**, the City of Orange City finds and determines that the sign regulations are intended to regulate signs in a manner so as to not to distract motorists;

**WHEREAS**, the City of Orange City finds and determines that the regulation of signage was originally mandated by Florida's Local Government Comprehensive Planning and Land Development Regulation Act in 1985 (see Chapter 85-55, §14, Laws of Florida), and this requirement continues to apply to the City of Orange City through Section 163.3202(2)(f), Florida Statutes;

**WHEREAS**, the City of Orange City finds and determines that in the 1980's model provisions for the regulation of signage by cities and counties in Florida were initially developed within Article VIII (Signs) of the Model Land Development Code for Cities and Counties, prepared in 1989 for the Florida Department of Community Affairs by the UF College of Law's Center for Governmental Responsibility and by a professional planner with Henigar and Ray Engineering Associates, Inc.;

**WHEREAS**, the City of Orange City finds and determines that the City of Orange City has adopted the Orange City Sign Code in order to implement its comprehensive plan, and to comply with the minimum requirements in the State of Florida's Growth Management Act, at Section 163.3202, Florida Statutes;

**WHEREAS**, the City of Orange City finds and determines that it is required to regulate signage;

**WHEREAS**, the City of Orange City finds and determines that its signage regulations were and are intended to maintain and improve the quality of life for all citizens of the City;

**WHEREAS**, the City of Orange City finds and determines that off-site commercial signs, referred to herein as billboards, detract from the natural and manmade beauty of the City;

**WHEREAS**, the City of Orange City agrees with the American Society of Landscape Architects' determination that billboards tend to deface nearby scenery, whether natural or built, rural or urban;

**WHEREAS**, the City of Orange City finds and determines that states such as Vermont, Alaska, Maine, and Hawaii have prohibited the construction of billboards in their states and are now billboard-free in an effort to promote aesthetics and scenic beauty;

**WHEREAS**, the City of Orange City finds and determines that the prohibition of the construction of billboards and certain other sign types such as pole signs and electronic signs is consistent with the policy set forth in the Florida Constitution that it shall be the policy of the state to conserve and protect its scenic beauty;

**WHEREAS**, the City of Orange City agrees with the courts that have recognized that outdoor advertising signs tend to interrupt what would otherwise be the natural landscape as seen from the highway, whether the view is untouched or ravished by man, and that it would be unreasonable and illogical to conclude that an area is too unattractive to justify aesthetic improvement [see *E. B. Elliott Adv. Co. v. Metropolitan Dade Town*, 425 F.2d 1141 (5th Cir. 1970), cert. dismissed, 400 U.S. 805 (1970); *John Donnelly & Sons, Inc. v. Outdoor Advertising Bd.*, 339 N.E.2d 709, 720 (Mass. 1975)];

**WHEREAS**, the City of Orange City finds that local governments may separately classify off-site and on-site advertising signs in taking steps to minimize visual pollution [see *City of Lake Wales v. Lamar Advertising Association of Lakeland Florida*, 414 So.2d 1030, 1032 (Fla. 1982)];

**WHEREAS**, the City of Orange City finds that billboards attract the attention of drivers passing by the billboards, thereby adversely affecting traffic safety and constituting a public nuisance and a noxious use of the land on which the billboards are erected;

**WHEREAS**, the City of Orange City recognizes that billboards are a form of advertisement designed to be seen without the exercise of choice or volition on the part of the observer, unlike other forms of advertising that are ordinarily seen as a matter of choice on the part of the observer [see *Packer v. Utah*, 285 U.S. 105 (1932); and *General Outdoor Advertising Co. v. Department of Public Works*, 289 Mass. 149, 193 N.E. 799 (1935)];

**WHEREAS**, the City of Orange City acknowledges that the United States Supreme Court and many federal courts have accepted legislative judgments and determinations that the prohibition of billboards promotes traffic safety and the aesthetics of the surrounding area. [see *Metromedia, Inc. v. City of San Diego*, 453

U.S. 490, 509-510 (1981); *National Advertising Co. v. City & Town of Denver*, 912 F.2d 505, 409 (10th Cir. 1990), and *Outdoor Systems, Inc. v. City of Lenexa*, 67 F. Supp. 1231, 1239 (D. Kan. 1999)];

**WHEREAS**, the City of Orange City acknowledges that the United States Supreme Court and many federal courts have held that a complete prohibition on offsite commercial billboards is constitutional [see *Members of the City Council of L.A. v. Taxpayers for Vincent*, 466 U.S. 789, 806-07 (1984) (noting that in *Metromedia* seven Justices had concluded that an aesthetic interest was sufficient to justify a prohibition of billboards; *City of Cincinnati v. Discovery Network, Inc.*, 507 U.S. 410, 425, n. 20 (1993) (seven Justices in the *Metromedia* case were of the view that San Diego could completely ban offsite commercial billboards for reasons unrelated to the content of those billboards); *City of Ladue v. Gilleo*, 512 U.S. 43, 49 n. 8 (1994) (a majority of the Members of the Court in *Metromedia* had approved of the city's decision to prohibit off-site commercial billboards while permitting on-site billboards); *Ballen v. City of Redmond*, 466 F.3d 736, 744 (9th Cir. 2006) (the externalities of billboards include perdurable visual pollution that pervades a substantial volume of our eyesight and grows into an unignorable part of our cultural landscape); *RTM Media, L.L.C. v. City of Houston*, 584 F.3d 220, 223 (5th Cir. 2009) (*Metromedia* unambiguously held that the city could discriminate between on- and off-premise commercial speech); *Coastal Outdoor Advertising Group, L.L.C. v. Township of East Hanover, N.J.*, 630 F.Supp.2d 446, 456 (D.N.J. 2009), *aff'd*, 397 Fed. Appx. 794 (3rd Cir. 2010) (noting Supreme Court statement that a blanket prohibition on billboards may be the only effective way to solve the aesthetic and traffic problems that billboards create); *CBS Outdoor, Inc. v. Village Plainfield, Ill.*, 959 F.Supp.2d 1054, 2013 WL 3975171 (N.D. Ill. 2013) (banning billboards has long been considered to be a reasonable regulation of expression that is narrowly tailored to serve interests of aesthetics and traffic concerns);

**WHEREAS**, the City of Orange City recognizes that on-site business signs are considered to be part of the business itself, as distinguished from off-site outdoor advertising signs, and finds and determines that it is well-recognized that the unique nature of outdoor advertising and the nuisances fostered by billboard signs justify the separate classification of such structures for the purposes of governmental regulation and restrictions [see *E. B. Elliott Adv. Co. v. Metropolitan Dade Town*, 425 F.2d 1141, 1153 (5th Cir. 1970), *cert. denied*, 400 U.S. 805, 91 S.Ct. 12, 27 L. Ed. 2d 35 (1970), quoting *United Advertising Corp. v. Borough of Raritan*, 93 A.2d 362, 365 (1952)];

**WHEREAS**, the City of Orange City finds and determines that a prohibition on the erection of off-site outdoor advertising signs will reduce the number of driver distractions and the number of aesthetic eyesores along the roadways and highways of the City [see, e.g., *E. B. Elliott Adv. Co. v. Metropolitan Dade Town*, 425 F.2d 1141, 1154 (5th Cir. 1970), *cert. denied*, 400 U.S. 805 (1970)];



**WHEREAS**, the City of Orange City finds and determines that billboard signs are public nuisances given their adverse impact on both traffic safety and aesthetics;

**WHEREAS**, the City of Orange City finds and determines that billboards are a traffic hazard and impair the beauty of the surrounding area, and the prohibition of the construction of billboards will reduce these harms [see *Outdoor Systems, Inc. v. City of Lenexa*, 67 F.Supp.2d 1231, 1239 (D. Kan. 1999)];

**WHEREAS**, the City of Orange City finds and determines that the presence of billboards along the federal interstate and the federal-aid primary highway systems has prevented public property in other jurisdictions from being used for beautification purposes due to view zones established by state administrative rule;

**WHEREAS**, Scenic America, Inc. recommends improvements in the scenic character of a community's landscape and appearance by prohibiting the construction of billboards, and by setting height, size and other standards for on-premise signs [see *Scenic America's Seven Principles for Scenic Conservation*, Principle #5];

**WHEREAS**, more than two hundred fifty Florida municipalities have adopted ordinances prohibiting the construction of billboards in their communities in order to achieve aesthetic, beautification, traffic safety, and/or other related goals;

**WHEREAS**, the City of Orange City finds and determines that in order to preserve, protect and promote the safety and general welfare of the residents of the City, it is necessary to regulate off-site advertising signs, commonly known as billboard signs or billboards, so as to prohibit the construction of billboards in all zoning districts, and to provide that the foregoing provisions shall be severable;

**WHEREAS**, the City of Orange City finds and determines that the prohibition of billboards as set forth herein will improve the beauty of the City, foster overall improvement to the aesthetic and visual appearance of the City, preserve and open up areas for beautification on public property adjoining the public roadways, increase the visibility, readability and/or effectiveness of on-site signs by reducing and/or diminishing the visual clutter of off-site signs, enhance the City as an attractive place to live and/or work, reduce blighting influences, and improve traffic safety by reducing driver distractions;

**WHEREAS**, the City of Orange City wishes to assure that new billboards are effectively prohibited as a sign-type within the City;

**WHEREAS**, the City of Orange City hereby finds and determines that anything beside the road which tends to distract the driver of a motor vehicle directly affects traffic safety, and that signs, which divert the attention of the driver and occupants of

motor vehicles from the highway to objects away from it, may reasonably be found to increase the danger of accidents, and agrees with the courts that have reached the same determination [see In re Opinion of the Justices, 103 N.H. 268, 169 A.2d 762 (1961); Newman Signs, Inc. v. Hjelle, 268 N.W.2d 741 (N.D.1978)];

**WHEREAS**, the City of Orange City finds and determines that the definition of “electronic sign” should be revised so as to provide more specificity;

**WHEREAS**, the City Council of the City of Orange City finds the requested amendment to be consistent with the provisions of the Comprehensive Plan of the City of Orange City, and in overall best interest of the public health, safety and welfare of the citizens of the City.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, AS FOLLOWS:**

**SECTION 1. AMENDMENTS TO THE LAND DEVELOPMENT CODE, CHAPTER 2.** The Orange City Land Development Code, Chapter 2 Zoning Regulations; is hereby amended in accordance with **Attachment A**, attached hereto in strike-thru and underline format and incorporated herein with full force and effect.

**SECTION 2. AMENDMENTS TO THE LAND DEVELOPMENT CODE, CHAPTER 9.** The Orange City Land Development Code, Chapter 9 Signs, is hereby deleted in its entirety and replaced with new Chapter 9, Signs as provided in **Attachment B**, attached hereto and incorporated herein with full force and effect.

**SECTION 3. CONFLICTS.** All ordinances or parts of Ordinances and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

**SECTION 4. SEVERABILITY.** If any section, part of a section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon its adoption by the City Council of the City of Orange City, Florida, and approval as provided by law.

**ROLL CALL VOTE AS FOLLOWS:**

First Reading this 12<sup>th</sup> day of November, 2014.

Gary A. Blair, Vice Mayor	<u>yes</u>	Michael G. Wright	<u>no</u>
Ronald L. Saylor	<u>yes</u>	Tom Abraham	<u>Absent</u>
O. William Crippen	<u>yes</u>	Anthony Pupello	<u>yes</u>
Tom Laputka, Mayor	<u>yes</u>		

**ROLL CALL VOTE AS FOLLOWS:**

Second Reading this 9<sup>th</sup> day of December, 2014.

Gary A. Blair, Vice Mayor	<u>yes</u>	Michael G. Wright	<u>no</u>
Ronald L. Saylor	<u>yes</u>	Tom Abraham	<u>no</u>
O. William Crippen	<u>yes</u>	Anthony Pupello	<u>yes</u>
Tom Laputka, Mayor	<u>yes</u>		

**PASSED and ADOPTED** this 9<sup>th</sup> day of December, 2014.

**ATTEST:**

Deborah J. Renner  
Deborah J. Renner, CMC, City Clerk

**AUTHENTICATED:**

Tom Laputka  
Tom Laputka, Mayor

Approved as to form and legal sufficiency:

William E. Reischmann, Jr.  
William E. Reischmann, Jr., City Attorney

**Attachment A**  
**Chapter 2, Definitions**

# 1 Chapter 2. Definitions.

## 2 Section 2.1. General meaning and interpretation.

3 For the purpose of this code, certain terms or words used herein shall be interpreted as follows:

4 A. The word "person" includes an individual, firm, association, organization (whether social, fraternal or  
5 business), partnership, joint venture, trust, company, corporation, receiver, syndicate, business trust, or other group  
6 or combination acting as a unit.

7 B. The present tense includes the future tense, the singular number includes the plural and the plural number  
8 includes the singular.

9 C. The word "shall" is mandatory; the word "may" is permissive.

10 D. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."

11 E. The word "lot" includes the words "plot," "parcel" or "tract."

12 F. The word "land" includes the words "water," "marsh" or "swamp."

13 G. The latest edition of Merriam-Webster's Collegiate Dictionary shall be used to define any words not defined  
14 in this code.

15 (Ord. No. 261. § 1. 1-24-06)

## 16 Section 2.2. Specific terms defined.

17 *Abandon.* Any cessation of an existing use of land or of any structure thereon, other than the cessation  
18 necessarily incident to probate or mortgage foreclosure proceedings, or to the temporary absences of part-time  
19 residents.

20 *Accessory use or structure.* A use or structure of a nature customarily incidental and subordinate to the  
21 principal use or structure and, unless otherwise provided, on the same premises. On the same premises with  
22 respect to accessory uses shall be construed as meaning on the same lot or on a contiguous lot having the same  
23 zoning district and in the same ownership, provided that the lot shall meet the minimum requirements as specified in  
24 chapter 8 of this code. Where a building is attached to the principal building, it shall be considered a part thereof  
25 and not an accessory building. Outdoor storage of materials and equipment used in an enterprise and outdoor  
26 display of merchandise for sale shall be considered accessory uses where the principal business activity or  
27 enterprise is conducted in a building.

28 *Addition (to an existing building).* Any walled and roofed expansion to the perimeter of a building in which  
29 the addition is connected by a common load bearing wall other than a firewall. Any walled and roofed addition that is  
30 connected by a firewall or is separated by independent perimeter load bearing walls is new construction.

31 *Adult family-care home.* A full time, family-type living arrangement, in a private home as regulated by F.S.  
32 ch. 400, pt. V, under which a person who owns or rents the home provides room, board, and personal care, on a  
33 24-hour basis, for no more than five disabled adults or frail elders who are not relatives.

34 *Alley.* A right-of-way primarily designated to serve as a secondary means of access to the side or rear of  
35 abutting properties having principal access from a street.

36 *Alteration.* Any changes in structural parts, types of construction or class of occupancy. The word  
37 "alteration" shall include the words "alter" and "reconstruct."

38 *Apartment, garage.* An accessory building containing a storage area for one or more motor vehicles and  
39 one dwelling unit. Said dwelling unit shall not have more than 575 square feet of living space and shall not be  
40 marketed as a rental unit.

41 *Aquifer.* An underground formation, group of formations, or part of a formation that is permeable enough to  
42 transmit, store or yield usable quantities of water.

43 *Area of special flood hazard.* The land in the floodplain within the City of Orange City subject to a one  
44 percent or greater chance of flooding in any given year.

1            *Artificial drainage system.* Any canal, ditch, culvert, dike, storm sewer or other manmade facility that tends  
2 to control the surface flow of water.

3            *As-built plans.* The amended plans and/or plats specifying the locations, dimensions, elevations, capacities  
4 and capabilities of structures or facilities as they have been constructed.

5            *Assembly.* The fitting together of manufactured parts into a complete machine, structure, unit of a machine  
6 or product.

7            *Assisted living facility (ALF).* Any building or buildings, section or distinct part of a building, private home,  
8 boarding home, home for the aged, or other residential facility, whether operated for profit or not as regulated by  
9 F.S. ch. 400, pt. III (F.S. § 400.401 et seq.), which undertakes through its ownership or management to provide  
10 housing, meals and one or more personal services for a period exceeding 24 hours to one or more adults who are  
11 not relatives of the owner or administrator.

12            *Automobile.* See definition of "vehicle."

13            *Automobile oriented use.* An establishment that is designed with a drive-up window or other type of drive-  
14 up facilities for the purpose for providing customer services at said window or facilities.

15            *Automobile parts store.* An establishment that sells automobile parts and related accessories but does not  
16 service or repair any type of motor vehicle.

17            *Availability.* With regard to the provision of facilities and services concurrent with the impacts of  
18 development said terms mean that at a minimum the facilities and services will be provided in accordance with the  
19 standards set forth in Rule 9J-5.0055(2), Florida Administrative Code. The term availability includes the term  
20 available.

21            *Available capacity of public facilities.* Unused or unallocated portion of the total capacity of a public facility  
22 (i.e., potable water, sanitary sewer or road system) based on current levels of demand, to be considered through  
23 the concurrency management system for the approval and/or permitting of new development as required by this  
24 code.

25            *Average ground elevation.* The average level of the natural surface grade of the ground at a distance of 20  
26 feet perpendicular from the linear midpoint of the exterior wall or face of each structure or building (or at cardinal  
27 directions from each structural support for structures lacking faces), or at the property line, whichever is less.

28            *Backlogged roads.* Roads that operate below the adopted level-of-service, are not in the FDOT three-year  
29 work program and are not "constrained."

30            *Bar.* Premises devoted primarily to the retailing and drinking of malt, vinous and other alcoholic beverages,  
31 or any other premises where any sign is exhibited or displayed indicating that alcoholic beverages are obtainable for  
32 consumption inside the principal structure on the premises. The word "bar" shall include any establishment  
33 dispensing alcoholic beverages as a principal activity. Under chapter 8 of this code, the planning commission may,  
34 at its discretion, deny an application for conditional use for a bar located within 1,000 feet of a school, as measured  
35 by straight line from property line to property line, where, in its opinion, such denial is necessary to protect the public  
36 health, safety and welfare of the community. The term bar includes cocktail lounges and saloon.

37            *Base flood.* The flood having a one percent chance of being equaled or exceeded in any given year.

38            *Basement.* That portion of a building having its floor subgrade (below ground level) on all sides.

39            *Bed and breakfast homestay.* An owner-occupied building used as a single-family residential dwelling that  
40 provides overnight lodging and breakfast to transient, paying guests. The homestay use shall be incidental to the  
41 primary use as a private residence.

42            *Best management practice (BMP).* A practice or combination of practices that are determined to be the  
43 most effective, practical means of preventing or reducing pollution.

44            *Bicycle and pedestrian ways.* Any road, path or way that is open to bicycle travel and foot traffic and from  
45 which motor vehicles are excluded.

46            *Block.* A group of lots existing within well-defined and fixed boundaries, usually being an area surrounded  
47 by streets or other physical barriers and having an assigned number, letter or other name through which it may be  
48 identified.

49            *Boardinghouse.* An establishment, other than an assisted living facility, group home, nursing home, with  
50 lodging for four but not more than nine persons. There shall be no provision for cooking in individual sleeping rooms  
51 but meals may be regularly prepared and served for compensation, provided that food is placed upon the table

1 family-style without service or ordering individual portions from a menu. The term boardinghouse includes the term  
2 rooming house.

3 *Building.* A structure having an impervious roof, enclosed by vertical walls, and constructed upon a fixed  
4 base or foundation that is designed or used as an enclosure or shelter for persons, animals or property.

5 *Building elevation.* See Elevation, architectural.

6 *Building height.* The vertical distance from the mean finished grade along the front of the building to the  
7 highest point of the roofline, exclusive of chimneys, roof-mounted structures and the like.

8 *Building line.* A line on a lot, generally parallel to a lot line or right-of-way line, located a sufficient distance  
9 therefrom to provide the minimum yards required by this code. The building line delineates the area of a lot in which  
10 buildings are permitted subject to all applicable provisions of this code. The term building line includes the term  
11 setback line.

12 *Cafeteria.* Premises where a variety of foods and beverages are prepared in advance and then selected by  
13 customers from a buffet for consumption on the premises.

14 *Camouflaged communication tower.* A tower designed to unobtrusively blend into the existing surroundings  
15 and disguised to not have the appearance of a communication tower. Such structures shall be considered  
16 communication towers and not spires, belfries, cupolas or other appurtenances usually required to be placed above  
17 the roof level for purposes of applying height limitations. It is recognized that due to their height, such structures  
18 must be designed with sensitivity to elements such as building bulk, massing and architectural treatment of both the  
19 tower and surrounding development. Camouflaged towers on developed property must be disguised to appear as  
20 either a part of the structure housing the principal use or an accessory structure that is normally associated with the  
21 principal use occupying the property. Camouflaged towers developed on unimproved property must be disguised to  
22 blend in with the existing vegetation.

23 *Car detailing.* An area of land with a structure that involves machine or hand operated facilities used  
24 principally for the cleaning, polishing or waxing of motor vehicles. Washing of said vehicles is accessory to the  
25 facility.

26 *Carport.* An unenclosed accessory structure or portion of a principal building, consisting of a roof and  
27 designed or used for the storage of motor vehicles owned and used by the occupants of the premises and/or their  
28 guests and customers.

29 *Carwash.* A structure containing specialized mechanical apparatus and facilities for washing motor  
30 vehicles. Detailing is accessory to the facility.

31 *Child care center.* A facility or center which provides, for any portion of the day, child care services to more  
32 than five children unrelated to the owner or operator and which receives payment, fee or grant for any of the  
33 children receiving care, whether or not operated for profit. This term includes daycare centers, nursery schools, and  
34 kindergartens, when not accessory to an elementary school; but does not include any center under the jurisdiction  
35 of the state board of public instruction, or any private school except those solely below first-grade level.

36 *Church.* See "house of worship."

37 *City.* The City of Orange City, Florida.

38 *City clerk.* The city clerk of Orange City, Florida.

39 *City council or council.* The duly constituted members of the city council of the City of Orange City as  
40 prescribed by the City Charter.

41 *City engineer.* A professional engineer registered in the state of Florida appointed by the city manager to  
42 assist in the review of certain applications for development. The city engineer may be an employee of the City of  
43 Orange City, a consulting firm, or staff member thereof.

44 *Clearing.* The removal of trees and brush from a part of the land, but shall not include mowing.

45 *Clinic, medical or dental.* A medical, mental health or dental clinic is an establishment where patients, who  
46 are not lodged overnight, are admitted for examination and treatment by one person or a group of persons  
47 practicing any form of the healing arts, whether such persons be medical doctors, chiropractors, osteopaths,  
48 chiropodists, naturopaths, optometrists, dentists or any such professional; the practice of which is regulated by the  
49 State of Florida. A public clinic is one operated by any governmental organization for the benefit of the general  
50 public. All other clinics are private clinics.

1           *Club, night.* Commercial premises where food, alcoholic beverages or other refreshments may be obtained  
2 for consumption on the premises and where floorshows or other forms of entertainment may be provided for the  
3 customers.

4           *Club, private.* Private clubs shall pertain to and include those associations and organizations of a civic,  
5 fraternal or social character not operated or maintained for profit and to which there is restricted public access or  
6 use. The term "private club" shall not include casinos, nightclubs, bottle clubs or other establishments operated or  
7 maintained for profit.

8           *Cluster subdivision.* A subdivision in which building lot sizes are reduced below the minimum lot size of the  
9 zoning district in which the subdivision is located provided that the total number of dwelling units shall not exceed  
10 the number of dwelling units permitted within the zoning district in which the subdivision is located; and further  
11 provided that the subdivision is designed and developed in accordance with the requirements of chapter 8, section  
12 8.7.17.B of this code.

13           *Communication antenna.* An antenna designed to transmit or receive communications as authorized by the  
14 Federal Communications Commission.

15           *Communication tower.* A tower greater than 35 feet in height (including antenna) that supports  
16 communication (transmission or receiving) equipment. The term communication tower shall not include amateur  
17 radio operators' equipment, as licensed by the Federal Communications Commission (FCC). Communication towers  
18 are generally described as either monopole (freestanding), guyed (anchored with guy wires), or self-supporting  
19 (square, triangular or pyramidal in plain view and constructed of steel lattice, tubular steel, reinforced concrete, or  
20 wood).

21           *Community residential home.* A dwelling unit licensed to serve clients of the department of children and  
22 family services as regulated by F.S. ch. 419, which provides a living environment for seven to 14 unrelated  
23 residents who operate as a functional equivalent of a family, including such supervision and care by supportive staff  
24 as may be necessary to meet the physical, emotional, and social needs of the residents.

25           *Comprehensive plan.* The official guide for the physical, social and economic growth of the city or its  
26 constituent parts, properly enacted by the city council pursuant to F.S. ch. 163.

27           *Concurrency.* The necessary public facilities and services to maintain the adopted level of service  
28 standards are provided as required in chapter 4.

29           *Conditional use.* A certain use that would generally not be appropriate throughout a particular zoning  
30 district, but which, if controlled as to number and magnitude, area coverage, location or relation to the  
31 neighborhood, buffering, and/or hours of operation and the like, may not adversely impact the public health, safety,  
32 morals, order, comfort, convenience, appearance, prosperity or general welfare. Only those uses specifically listed  
33 as conditional uses within chapter 8, section 8.6.1 may be considered for approval by the planning commission.

34           *Construction plan.* The maps or drawings showing the specific location and design of improvements to be  
35 installed as a condition of approval.

36           *Convenience food store.* A small retail store that sells grocery and deli items, and other day-to-day goods  
37 and stocks such goods on the premises, all on a limited basis. A convenience store may offer the retail sale of  
38 motor fuels.

39           *Demolition.* The complete or constructive removal of any part or whole of a building or structure upon any  
40 site when same will not be relocated intact to a new site.

41           *Density.* The number of dwelling units per acre of land, based on the total area of a tract of land, less water  
42 area, but inclusive of areas proposed for streets and other public use areas. In determining the number of dwelling  
43 units allowed, fractions shall be rounded up or down in accordance with standard mathematical fraction rounding  
44 methodologies.

45           *Developer.* Any person or legal entity engaged in development of or the subdivision of land.

46           *Development.* Any manmade change to improved or unimproved real estate, including but not limited to,  
47 buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or  
48 materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing  
49 activities.

50           *Development order.* Any order granting, denying or granting with conditions an application for approval of a  
51 development project or activity.

52           *Development permit.* Any official city document which authorizes the commencement of construction or  
53 land alteration without need for further application and approval. Development permits include all types of



1 construction permits (plumbing, electrical, foundation, mechanical and so forth, in addition to the building permit  
2 itself), grading and clearing permits, tree removal permits, street graphic permits, etc.

3 *Development services director.* An employee of the city appointed by the city manager having  
4 responsibilities to administer and coordinate the activities of the development services departments and all  
5 applicable provisions of this code.

6 *Diameter at breast height (DBH).* The trunk diameter of a tree measured 4½ feet above the average  
7 ground level at the base of the tree. However, if the tree forks 4½ feet above ground level it is measured below the  
8 swell resulting from the double stem. Stems that fork below 4½ feet above ground level should be considered  
9 separate trees.

10 *Discharge; discharge point.* The outflow of water from a project, aquifer, drainage basin or facility.

11 *Drainage system.* A manmade system that conveys water to a point of discharge.

12 *Dripline.* An imaginary perpendicular line that extends downward from the outermost tips of the tree  
13 branches to the ground.

14 *Driveway.* That minimum area of land required to provide reasonable vehicular access from the street to an  
15 off-street parking area.

16 *Drought-tolerant plants.* Plants or trees capable of surviving extended periods with little or no rainfall.

17 *Dwelling, multifamily.* A building containing three or more dwelling units intended to be occupied primarily  
18 by permanent residents.

19 *Dwelling, single-family.* A building containing only one dwelling unit.

20 *Dwelling, two-family.* A building containing only two dwelling units. The term two-family dwelling includes  
21 the term duplex.

22 *Dwelling unit, attached.* A dwelling unit attached to another dwelling unit's foundation, wall or roof.

23 *Dwelling unit, detached.* A dwelling unit entirely surrounded by open space and not attached to another  
24 dwelling unit's foundation, wall or roof.

25 *Dwelling unit, manufactured.* A single-family, two-family or multifamily dwelling which is either wholly  
26 manufactured or is in substantial part manufactured in manufacturing facilities and bearing a seal certifying that it is  
27 constructed to standards under the authority of F.S. § 553.35 et seq. and rules adopted, by the state department of  
28 community affairs under F.A.C. ch. 9B-1 et seq.

29 *Dwelling unit, model.* Any new dwelling unit temporarily used by the builder/developer for the purpose of  
30 on-site sales, construction or security, of the type of unit being constructed only in the development in which it is  
31 located.

32 *Dwelling unit, standard.* A single-family, two-family or multifamily dwelling built on the site where it is to be  
33 occupied and constructed to the standards of the Florida Building Code.

34 *Easement.* A strip of land for public or private utilities, drainage, sanitation or other specified uses having  
35 limitations, the title of which shall remain in the name of the property owner, subject to the right of use designated in  
36 the reservation of the servitude.

37 *Efficiency unit.* A dwelling unit consisting of not more than one room in addition to kitchen and bath. The  
38 term efficiency unit includes the term studio unit.

39 *Elevated building.* A non-basement built to have the lowest floor elevated above the ground level by means  
40 of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls or breakaway walls.

41 *Elevation.* The vertical distance above or below sea level based on United States Geological Service  
42 (USGS) system measurements.

43 *Elevation, architectural.* A fully dimensioned drawing of the front, rear, sides, and overhead view  
44 (sometimes called roof view) of a structure. The five separate views together constitute a full set of Architectural  
45 Elevation. An elevation provides a view of one exterior face of a structure. The elevations shall include all  
46 projections and features or ornaments that would be visible from the outside when built. Elevations are required to  
47 be labeled to clearly convey dimensions, color and materials.

48 *Elevation, finished floor.* The vertical distance of a structures' finished floor above sea level that is based  
49 on USGS system measurements.

1           *Elevation, floor.* The vertical distance of a structures floor above sea level that is based on USGS system  
2 measurements.

3           *Elevation, ground.* The vertical distance of the ground above sea level that is based on USGS system  
4 measurements.

5           *Emergency services.* Emergency services include police, fire, rescue or ambulance (but not funeral home)  
6 services, whether operated by a government agency or by a quasipublic agency performing a public service.

7           *Enforcement official.* An employee of the city appointed by the city manager having responsibility for the  
8 enforcement of this code.

9           *Engineer, city.* See definition of "city engineer."

10          *Engineer of record.* A registered Florida professional engineer representing the applicant.

11          *Entertainment and recreational uses.* For-profit entertainment and recreational uses such as bowling  
12 alleys, skating rinks, movie theaters, game rooms and the like.

13          *Essential services.* The erection, construction or alteration or maintenance by public utilities or publicly  
14 regulated utilities of distribution systems for gas, water, sewer, telephone, television, radio or electricity of less than  
15 230 kilovolts, including poles, wires, mains, drains, sewers, pipes, conduits, cable towers, antennas less than 70  
16 feet in height and other similar equipment and accessories, which are necessary for furnishing of service by such  
17 public utilities, but not including electric power plants, substations, water tanks, gas transfer stations, and water and  
18 sewage treatment plants.

19          *Exterior reconstruction.* A change that alters or expands the exterior of an existing structure, and/or  
20 increases the number of parking spaces or accessways required by the zoning ordinance.

21          *Facade.* The face of a building.

22          *Family.* One or more persons occupying a single dwelling unit, provided that, unless all members are  
23 related by law, blood, adoption or marriage, no such family shall contain more than six non-related persons, but  
24 further provided that domestic servants employed on the premises may be housed on the premises without being  
25 counted as a separate or additional family or families. The term "family" shall not be construed to mean a fraternity,  
26 sorority, club, monastery or convent, or institutional group.

27          *Family day care home.* An occupied residence in which child care services for children from at least two  
28 unrelated families is regularly provided to no more than five children unrelated to the owner or operator, when such  
29 owner or operator receives a payment, fee, or grant for any of the children receiving care, whether or not operated  
30 for profit.

31          *Farm market.* Permanent location for the retail sale of agricultural produce, but not animal products, from a  
32 temporary structure or vehicle on a lot.

33          *Fascia.* A band located at the top edge of a building but below the actual roofline and above the building  
34 wall. Fascia material is typically of a different type than either the actual roof or the building wall.

35          *Finish grade elevation.* The finished ground level shown or stated on any building plan or application.

36          *Flea market.* Permanent location for the sale of merchandise at retail from individually rented tables or  
37 spaces. This term does not include a homeowner's garage sale or church charity event.

38          *Flood or flooding.* A general and temporary condition of partial or complete inundation of normally dry land  
39 areas from:

40           A.

41                   The overflow of inland or tidal waters; or

42           B.

43                   The unusual and rapid accumulation or runoff of surface waters from any source.

44          *Flood hazard boundary map (FHBM).* The official map issued by the Federal Emergency Management  
45 Agency, where the areas of special flood hazard have been designated as zone A.

46          *Flood insurance rate map (FIRM).* The official map of a community, on which the Federal Emergency  
47 Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable  
48 to the community.

1           *Floodway.* The channel of a river or other watercourse and the adjacent land areas that must be reserved  
2 in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

3           *Floor.* The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete  
4 slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage  
5 used solely for parking vehicles.

6           *Floor area.* The total horizontal floor area of a building based on exterior dimensions and applied to all full  
7 stories designed or intended for occupancy or use, but excluding open or screened porches and entries, attached or  
8 detached structures that enclose mechanical or electrical equipment, attic areas with a headroom of less than seven  
9 feet, parking structures, and basement space where the ceiling is not more than an average of 48 inches above the  
10 finished grade elevation of the lot.

11           *Floor area ratio (FAR).* The floor area as defined above, divided by the lot area.

12           *Florida Building Code.* The family of codes adopted by the Florida Building Commission, including: Florida  
13 Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida  
14 Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas; and such standards  
15 as adopted in chapter 5 of the Orange City Code of Ordinances.

16           *Frontage.* The length of the property line of a lot abutting any street. The term frontage includes the term  
17 lot frontage.

18           *Frontage, building.* The length of an exterior building wall measured along the main entry side of a building.  
19 Where buildings form an "L" or "U," all main entry sides are measured.

20           *Frontage, property.* Each foot, or major portion thereof, measured along the public right-of-way where the  
21 subject property abuts said right-of-way.

22           *Frontage, tenant.* Each foot, or major portion thereof, measured along the main entry side of a tenant  
23 space.

24           *Garage, parking.* A building or portion thereof designed or used for temporary parking of automobiles.

25           *Garage, private.* A structure designed or used for inside parking of private passenger vehicles, recreation  
26 vehicles or boats by the occupants of the main building. A private garage attached to or a part of the main structure  
27 is to be considered part of the main building. A detached private garage shall be considered as an accessory  
28 building.

29           *Gas station.* Refer to definition of "vehicle repair station."

30           *Groundwater.* Water beneath the surface of the ground, whether or not flowing through known and definite  
31 natural channels.

32           *Group home.* A facility, which is subject to licensing and approval by state department of health and  
33 rehabilitative services. A group home may be, but is not limited to: an adult congregate living facility as defined in  
34 F.A.C. ch. 10A-5; and adult foster home as defined in F.A.C. ch. 10A-114; and a residential treatment facility as  
35 defined in F.A.C. ch. 10E-4. A group home consists of seven or more persons.

36           *Guesthouse or cottage.* Detached accessory building located on the same premises as a principal  
37 residential building but not exceeding 50 percent of the floor area of said principal residential building, intended for  
38 intermittent or temporary occupancy. Such dwelling unit shall not be marketed as a rental unit.

39           *Hardship,* as related to variances from this land development code, means the exceptional difficulty  
40 associated with the land that would result from a failure to grant the requested variance and must be exceptional,  
41 unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional.  
42 Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's  
43 neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems may be resolved  
44 through other means without granting a variance, even if the alternative is more expensive, or requires the property  
45 owner to build elsewhere or put the parcel to a different use than originally intended.

46           *Height, structure.* The vertical distance measured from the average finished ground elevation of the  
47 structure foundations highest point of such structure.

48           *Home occupation.* An occupation conducted entirely within a dwelling unit that meets the standards and  
49 requirements set forth in chapter 8 of this code.

50           *Hospital.* A building or group of buildings having facilities for overnight care of one or more human patients,  
51 providing services to inpatients and medical care to the sick and injured, and which may include as related facilities

1 laboratories, outpatient services, training facilities, central service facilities, and staff facilities. Any related facility  
2 shall be incidental and subordinate to principal hospital use and operation.

3 *Hospital, veterinary.* Any structure or premises used primarily and essentially for the medical and surgical  
4 care of ill, injured or disabled animals other than humans. A kennel shall not be included in this definition.

5 *Hotel.* These terms are considered synonymous and mean a building or a group of buildings in which  
6 sleeping accommodations are offered to the public and intended primarily for rental to transients with daily charge,  
7 as distinguished from multiple-family dwellings (apartments) and rooming or boarding houses, where rentals are for  
8 periods of a week or longer and occupancy is generally by residents rather than transients. The term hotel includes  
9 the terms motel, motor hotel, and motor lodge.

10 *House of worship.* Premises used for worship and permitted accessory uses as may be held by an  
11 organization of religious believers. The term house of worship includes the term church.

12 *Hydrograph.* A graph of the flow of water over a certain period of time for a selected point.

13 *Hydrologic cycle.* The movement of water through the environment on, above and below the surface of the  
14 earth.

15 *Improvements.* Physical changes made to land and structures placed on or under the land surface to make  
16 the land more usable. Typical improvements would be grading, street pavements, storm and sanitary sewer  
17 facilities, drainage ditches, water mains, sidewalks, planting strips, off-street parking areas, utility lines of all types,  
18 street name signs, permanent control points (PCPs), permanent reference monuments (PRMs) or other facilities  
19 required by this code.

20 *Industry.* Any activity involving the manufacturing of any commodity including the assembly, packaging,  
21 canning, bottling or processing of any items, but not including retail sales and services on the premises of products  
22 manufactured. To change any commodity in composition, form, size, shape, texture or appearance is deemed to be  
23 an industrial process. The term industry shall include the term manufacture.

24 *Industry, heavy.* A use engaged in the basic processing and manufacture of materials or products  
25 predominately from extracted or raw materials, or a use engaged in storage of or manufacturing processes using  
26 flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or  
27 commonly recognized offensive conditions.

28 *Industry, light.* A use engaged in the manufacture, predominately from previously prepared materials, of  
29 finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage,  
30 sales, and warehousing and distribution of such products, but excluding basic industrial processing. All  
31 manufacturing activities and associated equipment and storage occur inside a completely enclosed building unless  
32 otherwise authorized by the city.

33 *Infill tract.* A parcel of land large enough to accommodate up to five standard size single-family residence  
34 lots, some of which will have to be internal lots, and shall comply with the requirements of chapter 6, section 6.4.8.

35 *Infrastructure.* Man-made structures which serve the common needs of the population, including but not  
36 limited to roadways, water and wastewater treatment systems, solid waste facilities, drainage and retention facilities,  
37 and wellfields.

38 *Inoperable motor vehicle.* Any unregistered motor vehicle or one that is unable to be driven under its own  
39 power.

40 *Institution, educational.* Any premises upon which there is an there is an institution of learning for minors,  
41 whether public or private, which conducts regular classes and/or course of study for eligibility to certification by,  
42 accreditation to, or membership on the state department of education, the Southern Association of Colleges and  
43 Secondary Schools, or the state council of independent schools. The term educational institution includes the terms  
44 elementary school, middle school, senior high school, any special institute of learning, vocational school, community  
45 college, junior college, four-year college or university.

46 *Institution, financial.* Any premises where a variety of banking and financial services are offered, such as  
47 but not limited to checking accounts, saving accounts, trust accounts, loans, certificate if deposit, safe deposit  
48 compartments and notarization services.

49 *Institution, religious.* Any premises which is used primarily or exclusively for religious worship and related  
50 religious activities.

51 *Internal lot.* A lot located inside an infill tract, which contains the minimum lot and yard dimensions as  
52 specified in section 8.6.2 o this Code and fronts the public right-of-way through a fingerlike extension that meets the  
53 requirements of chapter 6, section 6.4.8.

1           *Internally accessed building.* An enclosed structure usually having one or two main entrances and having  
2 individual tenants with entrances on an internal corridor or hallway.

3           *Junkyard.* Premises where scrap materials are bought, sold, exchanged, stored, baled, packaged, packed,  
4 disassembled or handled. It is synonymous with "automobile wrecking yard," "salvage yard" and "automobile  
5 recycling."

6            *kennel.* Any premises, except where accessory to an agricultural use, where five or more dogs or other  
7 domestic animals that are not sick or injured, and are four months in age or older are boarded for compensation,  
8 cared for, trained for hire, kept for sale or bred for sale, but not including veterinary hospital.

9           *Kitchen.* Any room or portion thereof that is primarily used or designed for cooking and/or the preparation  
10 of food, and contains a sink with counter working space, adequate space and wiring or connections for installing  
11 cooking and refrigeration equipment, and space for the storage of cooking utensils.

12           *Lot.* A parcel of land contained within property lines of a specific area, including land within easements and  
13 building setback lines of said area, but excluding any land within street rights-of-way, and intended as a unit for  
14 building development, or for transfer of ownership, or both. The term lot includes the term plot, parcel and tract. A lot  
15 shall have frontage on a public street or on an approved private street, and may be of the following types:

16           A.       *Corner lot.* A lot located at the intersection of two or more streets. A lot abutting on a curved street  
17 or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side  
18 lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees. A corner  
19 lot shall be deemed to have two front yards.

20           B.       *Interior lot.* A lot other than a corner lot with only one street frontage.

21           C.       *Reversed frontage lot.* A lot on which the frontage is at right angles or approximately right angles  
22 (interior angle less than 135 degrees) to the general pattern of the area. A reversed frontage lot  
23 may also be a corner lot, an interior lot or a through lot.

24           D.       *Through lot.* A lot, other than a corner lot, which has frontage on more than one street. Through lots  
25 abutting two streets may be referred to as double-frontage lots.

26           *Lot coverage.* That area of a lot that is occupied by principal and accessory buildings.

27           *Lot depth.* The average horizontal distance between the front and rear lot lines.

28           *Lot frontage.* That portion of a lot adjoining a street right-of-way. Corner lots and through lots have two  
29 street frontages. The term lot frontage includes the term frontage.

30           *Lot line.* A line bounding a lot that divides one lot from another or from a street or any other public or  
31 private space.

32           *Lot of record.* A lot of record is a lot which is part of a subdivision recorded in the office of the Clerk of the  
33 Circuit Court of Volusia County or a lot or parcel described by metes and bounds, the description of which has been  
34 so recorded in the office of the clerk of the court.

35           *Lot width.* The horizontal distance between the side lot lines measured along the front building line.

36           *Manufactured home.* A structure, transportable in one or more sections, which is eight feet or more in width  
37 and greater than 400 square feet, and which is built on a permanent, integral chassis and is designed for use with or  
38 without a permanent foundation when attached to the required utilities. The term "manufactured home" does not  
39 include a "recreational vehicle" or "park trailer" or "mobile home."

40           *Manufactured home park or mobile home park.* An area of land under unified ownership where designated  
41 spaces for mobile homes are rented. The overall operation is managed on a full or part-time basis and provides  
42 various services and facilities for common use.

43           *Market value.* The price at which a property will change hands between a willing buyer and a willing seller,  
44 neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As  
45 used in this land development code, the term refers to the market value of buildings and structures, excluding the  
46 land and other improvements on the parcel. Market value may be established by a qualified independent appraiser,  
47 actual cash value (replacement cost depreciated for age and quality of construction), or tax assessment value  
48 adjusted to approximate market value by a factor provided by the property appraiser.

49           *Mean sea level.* The average height of the sea for all stages of the tide. It is used as a reference for  
50 establishing various elevations within the floodplain. For purposes of this article, the term is synonymous with  
51 National Geodetic Vertical Datum (NGVD).

1            *Mobile home.* A single-family dwelling fabricated in a manufacturing facility, having a width of more than  
2 eight feet and a minimum floor area of 600 square feet and bearing a seal certifying it is constructed either to the  
3 Federal Manufactured Housing Construction and Safety Standards Code or to the obsolete ANSI 119.1, Mobile  
4 Home Design and Construction Standards.

5            *Multiple frontage property.* A lot or parcel that is contiguous to more than one public right-of-way being  
6 either a corner lot or a through lot.

7            *Multi-tenant.* Any development containing three or more business or industrial tenants that are under  
8 common land ownership or that share common property frontage.

9            *Natural drainage system.* Surface streams or swamps that convey water to natural points of discharge.

10           *Natural flow pattern.* The rate, volume and direction of the surface water flow or groundwater flow, or both,  
11 occurring under natural conditions for any given portion of the city.

12           *New construction.* Structures for which the "start of construction" commenced on or after the effective date  
13 of this code.

14           *Nonconforming lot, structure or use.* These terms are defined as follows:

15           A.        *Nonconforming lot.* A lot that does not meet the minimum area and width requirements of its zoning  
16 district.

17           B.        *Nonconforming structure.* A structure that does not meet required parking and loading regulations,  
18 height regulations, area and yard regulations, floor area regulations or other applicable regulations  
19 for the zoning district in which it is located.

20           C.        *Nonconforming use.* Any use of land or structure that does not conform to the use regulations of  
21 this code for the zoning district in which it is situated.

22           *Nursing home.* A private home, institution, building, residence or other place, whether operated for profit or  
23 not, including those places operated by units of government, that undertakes through its ownership or management  
24 to provide, for a period exceeding 24 hours, maintenance, personal care or nursing for six or more persons not  
25 related by blood, marriage, or adoption to the operator, who by reason of illness, physical infirmity or advanced age,  
26 are unable to care for themselves. The term "nursing home" includes the term extended care.

27           *Office, business.* A place of business for such uses as real estate agencies, advertising agencies (but not  
28 sign shop), insurance agencies, travel agencies, chamber of commerce, abstract and title agencies, insurance  
29 companies, stockbrokers, telemarketers and the like.

30           *Office, home.* The use of a portion of a residential dwelling as an office for contractors, subcontractors,  
31 consultants, computer repair, desktop publishing, professional and business office activities and the like that do not  
32 involve clients, customers, or employee visits to the premises, or a business that provides off-site services to  
33 homeowners or businesses that do not involve the use of tools and machinery in size and or numbers beyond that  
34 customarily found in a residential dwelling unit.

35           *Office, professional.* A place of business for persons generally classified as professionals, such as  
36 architects, engineers, attorneys, accountants, doctors, lawyers, dentists, psychiatrists, psychologists and the like.

37           *Official zoning map.* The map that graphically illustrates the zoning boundaries and districts as required by  
38 chapter 8, [section 8.4](#) of this code.

39           *Off-street loading and unloading space.* A permanently located off-street space for the temporary parking  
40 of vehicles that pick up, deliver, load or unload goods, supplies and merchandise.

41           *Off-street parking space.* A permanently located off-street space for the temporary parking of vehicles.

42           *Opaque.* Not reflecting or giving out light, obscure.

43           *Open space.* That portion of a lot not used for buildings, street rights-of-way or off-street parking and  
44 loading and maneuvering areas. Open space areas are naturally vegetated or landscaped areas not covered by  
45 impervious surfaces.

46           *Open space, common.* Open space as required by this code that is reserved for the use of residents within  
47 a development in perpetuity.

48           *Package store.* A licensed place of business where alcoholic beverages are sold in sealed containers only  
49 for consumption off the premises.

50           *Pain management clinic.* Any publicly or privately owned facility as defined by F.S. § 458.3265:

- 1           1.       That advertises in any medium for any type of pain management services; or  
2           2.       Where in any month a majority of patients are prescribed opioids, benzodiazepines, barbiturates, or  
3           carisoprodol for the treatment of chronic nonmalignant pain.

4       *Exceptions.* There is a affirmative defense that a business is not a pain management clinic if it has at least one of  
5       the following characteristics:

- 6           1.       Licensed as a hospital or other licensed facility pursuant to F.S. ch. 395, as may be amended;  
7           2.       The majority of the physicians who provide services in the clinic primarily provide surgical services;  
8           3.       Owned by a publicly held corporation whose shares are traded on a national exchange or on the  
9           over-the-counter market and whose total assets at the end of the corporation's most recent fiscal  
10          quarter exceed 50 million dollars;  
11          4.       Owned or operated by a governmental entity for the sole purpose of serving that governmental  
12          entity.

13          *Park trailer.* A transportable unit which has a body width not exceeding 14 feet and which is built on a  
14          single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities  
15          necessary for operation of installed fixtures and appliances.

16          *Park trees.* Trees, shrubs, bushes and all other woody vegetation in designated public parks and all areas  
17          owned by the city or to which the public has free access as a park.

18          *Parking bays.* Parking areas subdivided into uninterrupted rows of parking spaces and their adjoining  
19          accessways, the individual spaces of which are generally separated by only a painted line.

20          *Parking, covered.* An accessory structure for the protection of motor vehicles from the elements and having  
21          an external surface, appearance, architectural definition or type of construction resembling that of the principal  
22          building. Use of aluminum or other sheeting shall not qualify as covered parking unless the principal building is  
23          similarly constructed.

24          *Permitted principal use.* A principal use of a parcel of land or a structure permitted by right in a particular  
25          zoning district.

26          *Personal services.* Beauty parlor, shop or salon, barbershop, tanning salon and similar uses.

27          *Planned unit development.* An area of land consisting of one or more principal use or buildings, which are  
28          planned and developed as a single unified project. Such a project may be developed in phases or increments  
29          subject to a plan for the entire development. Regulations governing planned unit developments are set forth in  
30          chapter 8 of this code.

31          *Planning commission.* The planning commission of the City of Orange City.

32          *Plants.* Any of a kingdom (Plantae) of living beings, excluding grass, typically lacking locomotive movement  
33          or obvious nervous or sensory organs and possessing cellulose cell walls, such as young trees, vines, shrubs, or  
34          herbs planted or suitable for planting.

35          *Plat.* A map or delineated representation of a subdivision of lands, being a completed exact representation  
36          of the subdivision and other information in compliance any applicable local regulations, as hereafter amended, and  
37          F.S. ch. 177. The term may include the terms "replat," "amended plat" or "revised plant." The following types of plats  
38          are defined:

- 39          A.       *Sketch plat.* A conceptual plan of the proposed subdivision drawn with reasonable scale accuracy,  
40          including such other information as may provide a general description of the proposed subdivision.  
41          B.       *Preliminary plat.* A plan drawn to scale and other supporting data required hereunder indicating and  
42          describing the layout of the proposed subdivision, the type and nature of improvements to be  
43          installed or provided, and provisions for dedication and maintenance with respect to all lots, streets,  
44          drainage facilities, utilities, and other areas and improvements.  
45          C.       *Final plat.* A plan drawn to scale acceptable for recording in the official public records of the county  
46          and containing all supporting data, certifications, dedications and other information required.

47          *Premises.* A lot, together with all buildings and structures thereon.

48          *Principal use or structure.* The primary purpose for which the premises are intended to be used, including  
49          the structure in which the principal use is conducted or located.

1           *Project.* The particular structures and improvements proposed by the applicant on a particular land area  
2 that are part of a common plan of development, and shall include the subdivision of land.

3           *Project initiation.* All acts prior to actual construction activities, and includes, but is not limited to, land  
4 clearing, utility construction and the like.

5           *Public notice.* Public notice, if any is required, shall be in accordance with state law and chapter 3 of this  
6 code.

7           *Public use.* A use of any premises by a public body, board, commission or authority, such as municipal,  
8 county, state or federal government, or any agency or department thereof for governmental or proprietary purpose.

9           *Public utility buildings and structures.* Publicly owned or regulated electric power plants, substations, water  
10 tanks, gas transfer stations, water and sewage treatment plants, and other buildings and structures not classified as  
11 "essential services."

12           *Rate.* The volume of water per unit of time.

13           *Recovered materials* means metal, paper, glass, plastic, textile, or rubber materials that have known  
14 recycling potential, can be feasibly recycled, and have been diverted and source separated or have been removed  
15 from the solid waste stream for sale, use, or reuse as raw materials, whether or not the materials require  
16 subsequent processing or separation from each other, but does not include materials destined for any use that  
17 constitutes disposal. Recovered materials as described above are not solid waste.

18           *Recovered materials processing facility* means a facility engaged solely in the storage, processing, resale,  
19 or reuse of recovered materials. Such a facility is not a solid waste management facility if it meets the conditions of  
20 Section 403.7045(1)(f), Florida Statutes.

21           *Recreational vehicle.* A vehicle, including a park trailer, travel trailer, camping trailer, truck campers and  
22 motor homes, which is:

- 23           1.       Built on a single chassis;
- 24           2.       Four hundred square feet or less when measured at the largest horizontal projection;
- 25           3.       Designed to be self-propelled or permanently towable by a light-duty truck; and
- 26           4.       Designed primarily not for use as a permanent dwelling but as temporary living quarters for  
27               recreational, camping, travel, or seasonal use.

28           *Recreational vehicle park.* An area of land under unified ownership and divided into rental spaces for the  
29 placement of mobile recreational shelters or recreational vehicles as temporary living quarters for purposes of  
30 recreation or vacation.

31           *Recyclable material* means those materials which are capable of being recycled and which would  
32 otherwise be processed or disposed of as solid waste.

33           *Redevelopment.* For the purposes of chapter 10 of this code, the term "redevelopment" means any  
34 proposed change to an existing multifamily and/or nonresidential building or structure that either increases the gross  
35 floor area of said building or structure by more than 35 percent of its gross floor area or exceeds 50 percent of the  
36 value of the existing structure or building as of the effective date of this code. This definition does not apply to  
37 accessory structures or accessory buildings.

38           *Religious display.* An exhibit as may be presented by an organization of religious believers to  
39 commemorate a sacred holiday or event.

40           *Remove or removal of trees.* The actual removal of a tree by digging up or cutting down, or the effective  
41 removal through damage.

42           *Replacement tree.* An immature tree having an overall diameter at breast height (DBH) of at least two  
43 inches. A replacement tree cannot be of any species listed as exempt in chapter 11. A list of acceptable  
44 replacement trees is available from the development services department. All trees must be state department of  
45 agriculture Nursery Grade 1 or better.

46           *Restaurant.* Premises where meals, including beverages or confections are served to customers.  
47 Restaurants are classified as:

48           *Type A:* Buildings where the customers normally order from individual menus while seated at a table. The  
49 order is then normally served by a restaurant employee to the same table and there consumed by the  
50 customer. Type A restaurants also include cafeterias.



1           *Type B:* Any building containing a restaurant other than type A.

2           *Retail sales and services.* Those business activities customarily providing retail goods and household  
3 services. Such uses shall include daily needs retail sales and services, department stores, variety stores,  
4 convenience food stores, drug and sundry stores, laundromats, dry cleaning (pick-up only), pharmacies, grocers  
5 and markets, gift shops, wearing apparel, home and auto supply, hardware stores, furniture stores, stationery  
6 stores, shoe repair shops, printing shops (limited to copying and duplicating), luggage shops, bakeries and candy  
7 shops (provided that all products made on the premises are sold on the premises), camera and photo supply shops,  
8 radio and television sales and service, floor coverings, sporting goods, florists, jewelers, music and musical  
9 instrument sales and service, art shops, electrical and lighting fixtures, and wine, beer and liquor stores (when  
10 included as an integral part of a supermarket or located within a shopping center) and similar uses.

11           *Right-of-way.* Land dedicated, deeded, used or intended to be used for a street, alley, walkway, drainage  
12 facility, electric transmission line, sanitary sewer or water facility, access for ingress or egress, or other purposes by  
13 the public, certain designated individuals or governing bodies.

14           *Riverine.* Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

15           *Section.* A dimensioned drawing produced "to scale" of a detail, from the view of a cross-section of the  
16 structure or feature depicted.

17           *Self-service laundry.* Premises where equipment for washing and drying laundry is made available to retail  
18 customers for a charge. The term self-service laundry includes the term laundromat.

19           *Service establishment.* Businesses primarily engaged in providing services to persons and property, where  
20 the sale of merchandise is nonexistent or is clearly incidental to the services provided, but not including those  
21 services customarily housed in business and professional offices, as defined herein. For purposes of this definition,  
22 service establishments include, but are not limited to, barber and beauty shops, tailors, shoe repair, self-service  
23 laundries and dry cleaners, funeral homes, plumbing and electrical contractors, and the like.

24           *Setback line.* The depth of required front and rear yards and width of side yards as measured on the  
25 perpendicular from the street or lot lines that define a lot or parcel. The term setback line includes the term building  
26 line.

27           *Shopping center.* Premises containing a group of retail sales, service or other commercial establishments  
28 planned, developed and organized as a unit.

29           *Sign.* Any object, device, display, structure, supporting structure or part thereof situated outdoors or  
30 indoors that is used to advertise, identify, display, direct or attract attention to an object, person, institution,  
31 organization, business, religious group, product, service, event or location by any means, including words, letters,  
32 figures, designs, symbols, fixtures, colors, illumination or projected images. Signs do not include the flag or emblem  
33 of any nation, organization of nations, state, county, city, religious, fraternal or civic organization; or merchandise  
34 and pictures, or models of products or services incorporated in a window display, works of art that in no way identify  
35 a product or scoreboards located on athletic fields. "Sign" also includes a human sign, which is a sign that is  
36 carried, waved, or otherwise displayed by a person, including a sign worn as an article of clothing or costume, while  
37 outside, for the purpose of advertising a business, service or product.

38           *Sign, abandoned.* A sign which no longer correctly advertises a bona fide business, lessee, owner, product  
39 or activity conducted or product available on the premises where the sign is displayed.

40           *Sign, advertising.* Sign copy intended to promote directly or indirectly the sale or use of a product, service,  
41 commodity, entertainment or real personal property.

42           *Sign, animated.* A sign which includes action, motion, or color changes, or the optical illusion of action,  
43 motion, or color changes, including a sign set in motion by movement of the atmosphere, or made up of a series of  
44 sections that turn, whether such movement or rotation is by human energy, mechanical or electronic means.

45           *Sign, animated character.* A human or other character dressed in plain clothes or costume located inside a  
46 business or on the premises for the purpose of advertising or drawing attention to a business, commodity, service or  
47 products.

48           *Sign, area of (aka Sign copy area).* The total surface of a sign including its background and frame but not  
49 structural supporting elements outside its frame. The area of a sign includes corporate colors and logo, when such  
50 are used as building decorations, striping, accents or trim. Where a sign is composed of letters, characters or  
51 symbols applied to a frame or to a background that provides no border or frame, the area of the sign shall be the  
52 smallest rectangle, triangle or circle which will include the cumulative sign display.

1           *Sign, auxiliary.* A sign that provides special information such as ~~price, sales information,~~ hours of operation  
2 or warning, and that does not include names, brand names, logos, commercial message or information regarding  
3 product lines or services. ~~Examples of such signs include directories of tenants in buildings, "no trespassing" signs~~  
4 ~~and signs listing prices of gasoline.~~

5           *Sign, awning or canopy.* A sign that is painted onto or fastened to an awning or canopy, including signs  
6 which are attached by metal screws or metal bands and that are hung from, or attached to, the underside and made  
7 of any material.

8           *Sign, awning illuminated.* A structure, as described previously, with or without commercial message that is  
9 illuminated from the reverse side with artificial light emanating from an interior light source to the extent that such  
10 artificial light or glow is visible through the exterior.

11           *Sign, balloon.* A sign, object or character supported by wind, air or ~~air~~other gas and attached to the ground,  
12 a building, structure or other sign.

13           *Sign, banner.* See definition of "temporary sign."

14           *Sign, billboard.* See definition of "Sign, off-site or off-premises."

15           *Sign, building.* A sign mounted to a building facade or other vertical building surface. Wall signs shall also  
16 include those signs that are placed below the outside edge of a building overhang and those that are placed below  
17 the lowest roofline.

18           *Sign, construction.* A temporary sign identifying an architect, contractor, subcontractor and/or material  
19 supplier participating in construction on the property on which the sign is located.

20           *Sign, copy.* The wording or graphics on a sign surface in either permanent or removable letter form.

21           *A. Noncommercial copy also known as free expression: Any language, wording or expression not related*  
22 *to the economic interests of the speaker and its audience, such speech generally considered to be*  
23 *ideological, political or of a public interest nature.*

24           *B. Commercial Copy: Any commercial message as well as any language, wording, expression, display of*  
25 *characters, graphic, ornamentation, letters, or other display such as, but not limited to, a symbol, logo,*  
26 *picture, text or other device used to attract attention, promote economic interest, to identify, to advertise, to*  
27 *announce a speaker, an owner, a property, a service, an event, an activity or a business. Any message*  
28 *not deemed to be noncommercial message.*

29           *Sign, copy area.* The cumulative area of signage on a sign that is used for outdoor advertising, including  
30 the wording on a sign surface in either permanent or removable letter form, as well as any logos, graphics or other  
31 commercial messages.

32           *Sign, copy, changeable.* A sign message ~~such as that may include a~~ manual, digital, electronic or electric-  
33 controlled changeable copy or otherwise variable or changeable text~~time and temperature message, message~~  
34 ~~center or reader board, whether electronic, electric or manual,~~ where the copy changes but ~~shall does~~ not have any  
35 flashing, fluttering, undulating, swinging, rotating, rolling, moving or scrolling lights, graphics or messages.

36           *Sign, development.* A sign that by symbol or name identifies a development. It may also provide an index  
37 of uses (tenants) included in the development.

38           *Sign, directional.* Any sign used to indicate the direction to entrances, exits, parking areas, restrooms or  
39 other nonbusiness-related facilities on the site.

40           *Sign, directory.* A sign used to identify the tenants of a shopping center and office and industrial parks.

41           *Sign, door.* A sign that is located on a door of a building.

42           *Sign, electronic.* A sign on which the copy changes automatically on a lamp bank or in a similar fashion,  
43 including but not limited to LED (light emitting diodes), LCD (liquid crystal displays), CEVMS (commercial electronic  
44 variable message signs), plasma displays, dynamic displays, projected images, or any other functionally equivalent  
45 technology, and which is capable of automated, remote or computer control to change the image, or through any  
46 electronically illuminated, scrolling or moving text, symbols or other images, utilizing LED, LCD, CEVMS, or other  
47 digital or electronic technology, commonly known as electronic message or reader boards, electronic marquees,  
48 message centers, moving message displays, or digital signs. This also includes any sign that facilitates a variable  
49 advertising face or moving media pallet, or that in any way changes the sign content or message, including those  
50 which presents multiple static advertisements on a rotating basis, through electronic, digital, video (or other media),  
51 lasers, lights, LEDs, or other illuminated graphic, video screen, LCD or other similar electronic or digital media  
52 technology.

1            ~~Sign, election campaign. Signs that support a candidate for public office or measures on an election ballot.~~  
2            A temporary non-illuminated sign that functions to communicate support for or opposition to a candidate or states a  
3            position regarding a ballot issue upon which the voters of the City will consider.

4            *Sign face.* The part of a sign that is or may be used for copy.

5            *Sign, fascia.* A sign that is located on the fascia of the building.

6            *Sign, fence.* A sign that is located, placed upon or attached to a fence or wall.

7            *Sign, figurative.* A sign that depicts objects, figures, or commercial message in the form of  
8            representational art, symbols, or other representational graphics—this is often in the form of three dimensional  
9            graphics or objects representing the products or services provided.

10           *Sign, flags.* Devices generally made of flexible materials, such as cloth, paper or plastic, and displayed on  
11           strings, poles, ropes or wires.

12           *Sign, free expression.* A sign including wording or expression not related to the economic interests of the  
13           speaker and its audience, such speech generally considered to be ideological, political or of a public interest nature.

14           *Sign, freestanding.* A self-supporting sign resting on or supported by means of poles~~decorative posts,~~  
15           standards or any other type of base on the ground and not supported by or attached to a building. This definition  
16           shall include the term "ground sign."

17           *Sign, gateway identification sign.* A sign or monument with our without commercial message that is utilized  
18           to identify the primary entrance(s) or gateway(s) into a community, as well as establish the cohesive and/or iconic  
19           boundaries of a master planned community.

20           *Sign, governmental.* Any sign used for posting legal notices, identification of streets, traffic regulations,  
21           municipal boundaries, statutory information or requirements, notices of danger or other emergencies by a  
22           governmental authority. Includes traffic control and off-street parking signs that are in conformance with the Manual  
23           Uniform Traffic Control Devices (MUTCD).

24           *Sign, ground.* See definition of "sign, freestanding."

25           *Sign height.* The vertical distance as measured from the grade of the closest street right-of-way that  
26           accesses the site where the sign is located to the highest point of such sign.

27           *Sign, historical.* A permanent sign, plaque, inscription or similar group of symbols recording historical data  
28           relating to the building to which it is affixed. May also include appropriately sized historical sign mounted on  
29           monument or pillar, subject to permitting.

30           *sign, human or living sign* Any sign or any other form of commercial message held by or attached to a  
31           human or character (animated or otherwise) for the purposes of advertising or otherwise drawing attention to a  
32           business, commodity, service or product. This can also include a person or a live or animated character dressed in  
33           costume carrying or wearing a commercial message for the purpose of advertising or drawing attention to a business,  
34           commodity, service or product.

35           *Sign, identification (also known as primary identification sign).* A sign that indicates the name and type of  
36           business or service, or the name of the development located on the site where the sign is located, ~~including; such~~  
37           signs may include the street address, phone number and graphic of business logo. Sizes and types shall be  
38           governed by the ~~zoning district~~Sign District in which the sign is located.

39           ~~*Sign, illuminated.* A sign that has characters, letters, figures, designs or outlines illuminated by electric~~  
40           ~~lights or luminous tubes designed and provided for such illumination.~~

41           *Sign, inflatable.* See definition of "sign, balloon."

42           *Sign, institutional.* A sign identifying the premises of a church, school, hospital, rest home or similar  
43           institutional facility.

44           *Sign, intermittent.* Any illuminated sign which contains, includes or is illuminated by an intermittent light or  
45           lights.

46           *Sign logo.* A symbol representing a whole word or phrase including trademarks and corporate or business  
47           identity symbols.

48           *Sign luminaire.* A complete lighting unit consisting of a light source and all necessary mechanical, electrical  
49           and decorative parts.

1           *Sign maintenance.* The cleaning, painting, repair or replacement of defective parts of a sign in a manner  
2 that does not change or alter the basic copy, design, support, frame or structure of the sign.

3           *Sign, marquee.* A structure projecting from and supported by a building that may or may not extend beyond  
4 the building line or property line and that may or may not fully or partially cover a sidewalk, public entrance or other  
5 pedestrian way, ~~often containing a changeable copy signboard that is used to announce special events or~~  
6 ~~information. A portable sign or a temporary sign shall not be considered a marquee or changeable copy sign.~~

7           *Sign, maximum permitted illumination.* The maximum illumination measured in foot candles at the interior  
8 buffer yard-property line at ground level.

9           *Sign, membership.* A sign identifying affiliation with a travel club, business association, credit card  
10 company or professional association. ~~(not to exceed 0.1 sq.ft)~~

11           *Sign, memorial and plaques.* Any sign or table used for the purpose of identifying the names of buildings  
12 and the date of erection and which are cut into any masonry surface or inlaid so as to be part of the building or  
13 structure, or are attached to a building or structure and are constructed of bronze or other noncombustible material.

14           *Sign, model: home.* A sign that designates a particular dwelling unit, which is not for sale, but does but  
15 does represent other units of a similar design that are for sale within the development.

16           *Sign, monument.* An independent structure supported from grade to the bottom of the sign with the  
17 appearance of having a solid base.

18           *Sign, mural.* A picture or photograph painted or applied directly on a wall and which in no way identifies a  
19 specific product or business.

20           *Sign, neon decorative.* Neon used as an accent feature on a roof, on or around openings, which does not  
21 contain copy or any identifiable design logo or symbol.

22           *Sign, nonconforming.* A sign that does not meet the requirements of chapter 9 of this code.

23           ~~*Sign, nonilluminated.* A sign that is not illuminated by lights, designed and provided for the purpose, either~~  
24 ~~external or internal.~~

25           *Sign, off-site or off-premises.* A sign that is not located on the same property as the establishment that the  
26 sign's message pertains to, or where the product, service or activity is not present, or where the message does not  
27 pertain to the use of the site. Off-site sign means any combination of structure and message in the form of an  
28 outdoor sign, portable sign, display, devise, figure, painting, drawing, message, placard, poster, billboard,  
29 advertising structure, advertising logos, symbol or other form; whether placed individually or on a V-type, back-to-  
30 back, side-to-side, stacked or double-faced display; designed, intended or used to advertise or inform; any part of  
31 the advertising message or informative contents of which is visible from the public right of way; and which sign  
32 relates in its subject matter to offices, products, accommodations, services or activities which are sold, produced,  
33 available, conducted or rendered at locations other than on the premises where the sign is located. The term does  
34 not include an official traffic control sign, official marker, specific information panel erected, or other form of public  
35 information caused to be erected or approved by any government upon its property or right-of-way.

36           *Sign, off-site directional.* A sign that provides off-site directional information following a standard format for  
37 important municipal, emergency or educational uses.

38           *Sign, on-site or on-premises.* A sign that is located on the same property as the establishment that the  
39 sign's message pertains to, or where the product, service or activity is present, or where the message pertains to  
40 the use of the site upon which the sign is located. On-site sign means any sign where the advertisement is  
41 exclusively related in its subject matter to the use of the premises on which it is located, or to offices, products,  
42 accommodations, services or activities sold, produced, provided, available or conducted on the premises where the  
43 sign is located.

44           *Sign, on-site directional.* A sign indicating the direction or location of some on-site facility or service  
45 incidental to a use and not advertising the use in any way. Such signs shall include vehicular entrance and exit  
46 signs, vehicular flow signs and instructional signs. (See definition of "sign, directional.")

47           *Sign, painted wall.* Any sign that is applied with paint or similar substance on the face of a building wall.

48           *Sign, parasite.* Any sign not specifically exempted by this chapter, which has been installed without a  
49 permit being issued and which is attached to another sign.

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

52           *Sign, permitted.* A sign permitted and approved under this code.

1 Sign, pillar. See monument sign; however, these signs typically have a height greater than their width  
2 giving the appearance of a pillar or pylon.

3 Sign, pole. A freestanding sign, usually double-faced, mounted on a round pole (or poles), square tube, or  
4 other fabricated member without any type of secondary support.

5 Sign, political. A sign that is relating to the election of a person to public office, to a political party or to a  
6 matter to be voted upon at an election called by a public body.

7 Sign, portable. A permanent sign mounted on a frame and/or chassis that is designed for easy and  
8 repeated relocation. Any sign not permanently attached to the ground or other permanent structure, or a sign  
9 designed to be transported, including, but not limited to, signs designed to be transported by means of wheels;  
10 signs converted to "A" or "T" frames; menu and sandwich board signs, balloons used as signs; and umbrellas used  
11 for advertising; ~~and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless~~  
12 ~~said vehicle is used in the normal day-to-day operations of the business.~~

13 Sign, post & panel. An independent decorative sign structure or ground sign that is supported from grade  
14 to the sides of the sign panel by two (2) decorative structural poles.

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

17 Sign, real estate. A temporary sign advertising the real estate upon which the sign is located as being for  
18 rent, lease or sale.

19 Sign, renewal tag. A decal issued to a business owner upon renewing the business tax receipt and  
20 registering their sign(s) with the Clerk of the City of Orange City.

21 Sign, roof. Any sign erected upon, against or above the roof of any building or structure.

22 Sign, sandwich. A sign that is movable and not secured or attached directly or indirectly to the ground,  
23 structure or building.

24 Sign setback. The setbacks for signs specified in chapter 9 of this code shall be measured horizontally  
25 from the vertical plane of the property line or right-of-way line to the closest point of the sign.

26 Sign, shingle. A projecting, hanging or wall sign not more than 1.5 square feet in area.

27 Sign, snipe. Any sign that is tacked, nailed, glued, or in any way affixed to a pole, tree, fence, or other  
28 objects.

29 Sign strip lighting. Lighting that consists of either exposed tubing or strings of lights outlining any part of a  
30 building, accessory structure, or affixed to any site feature or infrastructure thereof.

31 Sign structure. Any device or material that supports has supported or is capable of supporting a sign in a  
32 stationery position, including decorative covers or sign roofs.

33 Sign, subdivision entrance or identification. Any sign exclusively intended for the identification of a platted  
34 subdivision or residential area, which names such subdivision or area without further elaboration, display or  
35 advertisement.

36 Sign, temporary. A sign or advertising display intended to be displayed for a short period of time or a  
37 limited duration of time for a specific purpose, and not intended to be permanent signage or primary identification  
38 signage.

39 Sign, temporary short-term. A sign or advertising display ~~constructed of cloth, canvas, fabric, paper,~~  
40 ~~plywood or other light material and~~ intended to be displayed for a short period of time (~~30~~ 14 or fewer consecutive  
41 days) ~~or signs are up temporarily during the day and removed each evening for a period of time that does not~~  
42 ~~exceed 14 consecutive days, and not intended to be permanent signage or primary identification signage.~~ ~~Included~~  
43 ~~in this category are retailers' signs temporarily displayed for the purpose of informing the public of a sale or "special"~~  
44 ~~offer or used as a temporary display for a special announcement of an upcoming event.~~

45 Sign, temporary extended duration. Temporary signs with a limited duration of display that is typically  
46 longer than a short term temporary sign include real estate signs, development signs, and election campaign signs.  
47 Such signs are typically posted for a period of time that exceeds that of short term temporary signs, however, such  
48 signs may only be posted on a property as provided herein to serve their purpose, and only for the duration that  
49 serves that specific purpose.

50 Sign, trespassing. A sign intended to warn off trespassers from the property on which the sign is located.

1 *Sign, under-canopy.* A pedestrian-scaled sign suspended beneath a canopy or awning, or overhangs that  
2 are designed to provide sheltered pedestrian walkways along business storefronts.

3 *Sign, wall.* A sign mounted parallel to a building facade or other vertical building surface. Wall signs shall  
4 also include those signs that are placed below the outside edge of a building overhang and those that are placed  
5 below the lowest roofline. ~~Parallel signs shall neither extend beyond the edge of any wall or other surface to which~~  
6 ~~they are mounted nor shall they project more than 18 inches from the wall surface.~~

7 *Sign, warning.* Signs warning the public of the existence of danger, but containing no advertising material,  
8 to be removed upon subsidence of the danger for which warning is being given.

9 *Sign, window.* A sign painted or stickered or installed on a window surface for purposes of viewing from  
10 outside the premises. Window signs shall not be completely opaque—they should allow full visibility through the  
11 background/behind text and graphics.

12 *Sign, vehicle.* Any sign or commercial message painted on, affixed to, stickered, wrapped or in any way  
13 attached to a vehicle, including a sign placed inside vehicles windows, or portable signs carried on a vehicle, which  
14 is intended to advertise the business or services provided that are visible from the public right-of-way. Also  
15 including signs on trailers or other towables or commercial vehicles.

16 *Sign, yard.* A small temporary sign placed in the ground or other yard area of a property. Typically a small  
17 aluminum or corrugated plastic sign, which is less than three (3) square feet in size, attached to aluminum or other  
18 light metal stakes that push into the ground.

19 *Signable area.* An area of the facade of a building up to the roof line which is free of windows and doors or  
20 major architectural detail.

21 *Site plan.* The plan required to obtain a development, construction, building or stormwater permit, which  
22 shows the means by which the developer will conform to applicable provisions of this code or other applicable  
23 regulations.

24 *Start of construction.* For other than new construction or substantial improvements under the Coastal  
25 Barrier Resources Act (PL 97-348), includes substantial improvement, and means the date the building permit was  
26 issued, provided the actual start of construction, repair, reconstruction or improvement was within 180 days of the  
27 permit date. The actual start means the first placement of permanent construction of a structure (including a  
28 manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns,  
29 or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent  
30 construction does not include land preparation, such as clearing, grading and filling, the installation of streets and/or  
31 walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms, the  
32 installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not  
33 part of the main structure.

34 *Street.* A public or private right-of-way that affords a primary means of vehicular access to abutting lots or  
35 rental spaces. The term street includes the terms avenue, highway, road, boulevard, lane, thoroughfare or other  
36 similar term.

37 *Street trees.* Trees, shrubs, bushes and all other woody vegetation on land lying between property lines on  
38 either side of all streets, avenues, or ways within the city.

39 *Story.* That part of a building contained between any floor and the floor or roof next above.

40 *Structure.* Anything constructed or erected on or in the ground or attached to anything constructed or  
41 erected on or in the ground. Signs are not to be included in this definition.

42 *Subdivision.* Any division of a parcel of land, whether improved or unimproved, for the purpose, whether  
43 immediate or future, of transfer of ownership. The term includes a resubdivision and, where appropriate to the  
44 context, relates to the process of subdividing and to the land subdivided. The subdivision of land shall meet the  
45 minimum lot requirements established in chapter 8 of this code. A subdivision includes the following types only:

46 A. *Major subdivision.* A subdivision into six or more contiguous lots or parcels abutting an existing  
47 street or any subdivision that requires the establishment of a new street or streets and/or public  
48 water and/or sewer facilities.

49 B. *Minor subdivision.* A subdivision into five or fewer contiguous lots or parcels that requires the  
50 establishment of a new street or streets and/or public water and/or sewer facilities.

51 *Substantial improvement.* Any repair, reconstruction, rehabilitation, addition, or other improvement of a  
52 building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure  
53 before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are

1 considered substantial improvement regardless of the actual repair work performed. The term does not, however,  
2 include either:

- 3 1. Any project for improvement of a building required to correct existing health, sanitary, or safety  
4 code violations identified by the building official and that are the minimum necessary to assure safe  
5 living conditions.
- 6 2. Any alteration of a historic structure provided the alteration will not preclude the structure's  
7 continued designation as a historic structure and the alteration is approved by variance issued  
8 pursuant to section 13.8 of this code.

9 *Technical review committee.* An advisory committee consisting of city staff and advisers appointed by the  
10 city manager for the purpose of reviewing applications for development under this code and advising the planning  
11 commission and other city officials, as appropriate, of its findings.

12 *Thoroughfare map.* The map adopted by the city council showing the streets, highways, and parks  
13 thereafter laid out, adopted and established by law and any additions resulting from the approval of subdivision  
14 plats.

15 *To plat.* To divide or subdivide land into lots, blocks, parcels, tracts, sites or other divisions, however the  
16 same may be designated, and record the plan in the public records of the county.

17 *Tourist/travel court.* An owner-occupied building used as a single family residential dwelling, building that  
18 provides overnight lodging and breakfast to transient paying guests. Up to six accessory structures used for such  
19 guest lodging may be allowed. All transient dwelling shall be incidental to the primary use of the owner-occupied  
20 building as a private residence.

21 *Townhouse.* Three or more attached dwelling units separated by common walls in which the dwellings are  
22 generally owned rather than rented and land may be owned in condominium or fee simple. The term townhouse  
23 includes the term rowhouse.

24 *Trailer.* A vehicle without motor power of its own, designed for carrying property and drawn by an  
25 automobile, truck or tractor. It is intended to include the term "tractor-trailer" and "semi trailer" but not to include  
26 "mobile home" or "recreational vehicle."

27 *Tree.* Any self-supporting woody plant of a species that measures no less than six inches diameter at  
28 breast height (DBH).

29 *Tree survey.* A survey that is prepared by a registered land surveyor and meets the requirements of  
30 chapter 11 of this code.

31 *Undeveloped area.* Total area of property not considered to be a covered area or a landscaped area by  
32 this article.

33 *Utilities.* Includes, but is not limited to, water systems, electrical power, sanitary sewer systems, stormwater  
34 management systems, gas systems, telephone and television cable systems, and street lighting.

35 *Variance.* A variance is a grant of relief from the requirements of the zoning regulations contained within  
36 chapters 8 and 9 of this code where such variance will not be contrary to the public interest and where, owing to  
37 conditions peculiar to the property and not the result of the actions of the applicant including an economic hardship,  
38 a literal enforcement of zoning regulations would result in unnecessary and undue hardship. Variances may be  
39 granted only as authorized by chapter 3, [section 3.6](#) of this code.

40 *Vehicle.* Any motorized conveyance for transporting passengers, goods or apparatus.

41 *Vehicle dealerships.* A premise for the outdoor sale or storage of new or used automobiles, motorcycles or  
42 other motorized vehicles, and may include an on-premise body repair and paint shop, and the sales and service of  
43 any automotive component.

44 *Vehicle repair station.* An establishment involved in the following types of motorized vehicle repair:

45 *Type "A":* A business primarily engaged in servicing of motorized vehicles entirely within an enclosed  
46 building, including the sales and installation of automotive accessories, tires, batteries, engine tune-ups  
47 and repairs, detailing, upholstery, wheel balancing and alignment, and brake service, but not including the  
48 sale of motor vehicles or type "B" uses, other than those that inadvertently result from the initiation of  
49 permitted repair activities. Vehicle repair type "A" includes the term "gas station" provided it does not meet  
50 the definition of vehicle repair station type "B".

1            *Type "B"*: A business primarily engaged in rebuilding or reconditioning of engines, motor vehicles or  
2            trailers, and providing collision service, including body, frame or fender straightening or repair, painting, or  
3            repairs of automobiles, trucks and other large vehicles and includes vehicle compound and storage area.

4            *Vehicle sales area*. An area of land used for the display, sale or rental of new or used motor vehicles in  
5            operable condition and where no repair work is done.

6            *Vines*. Plants normally requiring support to reach mature form.

7            *Volume*. Occupied space measured in cubic units.

8            *Wall*. An upright surface of a building or structure (not including fences) serving to enclose, divide, support  
9            or protect the building. Such upright surface shall be the furthest extension of the building's edges and include  
10           overhangs covering a boardwalk, false roofs and unenclosed porches.

11           *Warehouse, business*. A use that is predominantly intended for storage, but may contain an area for an  
12           office and/or assembly of products primarily related to building supplies and equipment, including but not limited to  
13           plumbing, air-conditioning, roofing, flooring, glazing and the like, provided that no manufacturing, retail sales or  
14           customer drop-off/pick-up or repair services are conducted. Each business unit within a structure must have  
15           adequate bathroom facilities, direct access to an interior loading area, and a separate pedestrian entryway.

16           *Warehouse, mini*. A 100 percent enclosed storage building containing more than one individually rented  
17           compartment for temporary storage only. No sales, service or repair activities are permitted on the premises.  
18           Individually rented compartment for temporary storage shall not be used as a place of business address for the  
19           purpose of obtaining a local business tax receipt.

20           *Warehouse, storage*. A building used for storage. Moving and transfer companies are specifically included  
21           within this definition. This shall not be deemed to include the storage area in connection with a purely retail business  
22           when located on the same property or within the same structure except for purposes of computing parking  
23           requirements for such uses such as furniture stores which generally have high storage-to-sales-area ratios. No  
24           business activity, such as sales or service, shall be conducted on the premises. A storage warehouse shall not be  
25           used as a place of business address for purposes of obtaining a local business tax receipt.

26           *Water*. All water on or beneath the surface of the ground or in the atmosphere, including natural or artificial  
27           watercourses, lakes, ponds or diffused surface water, and water standing, percolating or flowing beneath the  
28           surface of the ground.

29           *Water detention structure*. A facility that provides for storage of stormwater runoff and the controlled  
30           release of such runoff during and after a flood or storm. The term water detention structure includes water  
31           management structure.

32           *Water retention structure*. A facility that provides for storage of stormwater runoff.

33           *Watercourse*. A river, creek, stream, channel or other topographic feature in, on, through, or over which  
34           water flows at least periodically.

35           *Wetlands*. Freshwater marshes, swamps and wet woodlands characterized by specific vegetation types  
36           and plant communities that are flooded at all times; are flooded only seasonally; or have a water table within six  
37           inches of the general surface for at least three months of the year.

38           [Window display. The display of merchandise or models of products or services incorporated in a window](#)  
39           [display or door opening, such that no display items are attached to the window or significantly block the view into](#)  
40           [the business or facility. Signs or banners shall not be incorporated as part of a window display.](#)

41           *Yard*. That minimum area of land required by this code within which no structures or portion thereof shall  
42           be erected, unless otherwise expressly permitted by this code.

43           *Yard, front*. A yard extending across the front of a lot. It is bounded on the front by the front lot line, on the  
44           side by the side lot line and on the rear by the line parallel to and located the minimum distance from the front lot  
45           line permitted by the applicable zoning district. A corner lot shall be deemed to have two front yards.

46           *Yard, rear*. A yard extending across the rear of a lot. It is bounded on the rear by the rear lot line, on the  
47           side by the side lot line and on the front by the line parallel to and located the minimum distance from the front lot  
48           line permitted by the applicable zoning district.

49           *Yard, side*. A yard between the side lot line and parallel to and located the minimum distance from the side  
50           lot line permitted by the applicable zoning district.

51



# **Attachment B**

## **Chapter 9, Signs**

# Chapter 9, Signs

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# Chapter 9, SIGNS

## 9.1. Purpose

It is the purpose of this section to promote the public health, safety and welfare through reasonable consistent and non-discriminatory sign standards. The sign regulations in this section are not intended to censor speech or to regulate viewpoints, but instead are intended to regulate the secondary effects that may adversely impact aesthetics and safety. In order to preserve and promote the City as a desirable community in which to live, vacation and do business, a pleasing, visually-attractive environment is of foremost importance. The regulation of signs within the City is a highly contributive means to achieve this desired end.

No property is guaranteed signage—all proposed signage must meet the intent of this ordinance and requirements contained herein. These sign regulations have been prepared with the intent of improving safety and enhancing the visual environment of the City and promoting its continued well-being, and are intended to accomplish the following:

- A. Protect the safety and welfare of the public by minimizing hazards and distractions to pedestrian and vehicular traffic;
- B. Promote use of signs that are consistent with the Orange City Comprehensive plan and ensure compatibility with surrounding areas, as well as nearby businesses and residents;
- C. Regulate the location of signs to prevent the distraction of drivers on public streets while providing adequate information and assistance to pedestrians and information to drivers while they remain in their cars but out of active traffic;
- D. Avoid unnecessary visual clutter and to avoid the unregulated construction, placement and display of signs that are or may become a distraction or public nuisance;
- E. Provide a means of way-finding in the community, thus improving the pedestrian experience, walkability of the community, usability of transit, and reducing traffic confusion and congestion;
- F. Encourage the effective use of signs as a means of communication for businesses, organizations and individuals in Orange City;
- G. Further economic development by providing for adequate business identification, advertising, and communication, while preserving the natural beauty of the City and its unique character districts;
- H. Prohibit signs of such excessive size and number that they obscure one another to the detriment of the economic and social well-being of the City and its residents, property owners and visitors;
- I. Differentiate from other signs, the small placards, labels and displays that provide warnings, instructions and the like, in sizes and locations that do not add to clutter and that are unlikely to distract drivers;
- J. Minimize adverse effects of signs on nearby property;
- K. Limit signs with commercial messages in residential districts, while allowing those messages that relate to commercial activities lawfully conducted on individual properties within non-residential districts;

- 1 L. Provide broadly for the expression of individual opinions through the use of signs on private  
2 property; and
- 3 M. Authorize the use of signs that are accessory and incidental to the primary residential,  
4 commercial, industrial and related uses in the City and to further allow signs that are  
5 compatible and in character with the area or roadway where they are located.
- 6 The Development Services Director (DSD) shall have the authority to make interpretations of  
7 this Chapter, including allowances for waivers as outlined herein.

## 8 **9.2. Applicability**

9 **9.2.1. Generally.** This Chapter shall apply to all signs, including any outdoor advertising or  
10 commercial message, which are erected, placed, painted, modified or otherwise used in Orange  
11 City. No permanent or temporary sign, outdoor advertising, or display shall be erected, placed,  
12 painted, altered, relocated or otherwise used except as authorized under this Chapter. Signage  
13 may be provided in accordance with the Sign Districts outlined herein.

14 **9.2.2. Sign Review Permit.** Unless expressly excepted herein, Sign Review Permits shall be  
15 obtained prior to installation, alteration, replacement or relocation of any sign or form of outdoor  
16 advertising. Sign Review Permits shall be separate permits from any building permit for the  
17 construction of the building, structures or sitework. In addition to a Sign Review Permit, most  
18 sign installations will also require a separate building permit for the construction of the sign  
19 and/or any electrical or lighting serving the sign.

20 A. **Sign Review Permit Required.** Before erecting, altering, relocating or replacing any sign or  
21 sign copy not specifically exempt under this Chapter, the owner, agent, contractor or other  
22 person having the right to place a sign on real property shall first secure a Sign Review  
23 Permit from the Development Services Department and pay all applicable permit fees.

24 B. **Master Sign Plan.** A Master Sign Plan may be submitted concurrently with a Planned  
25 Development Zoning, a Subdivision, or a Site Plan, but shall pay a separate plan review fee  
26 as established by Resolution of the City of Orange City. The Master Sign Plan must  
27 demonstrate compliance with this code and shall clearly identify any requested waivers or  
28 deviations from the strict interpretation of this code.

29 C. **Sign Permit Review Procedure.** Application forms and submittal requirements shall be  
30 consistent with this Chapter; however, the Development Services Director may request  
31 additional information as may be deemed necessary to support a request for a sign permit  
32 and/or demonstrate compliance with the Land Development Code and the Master Sign Plan,  
33 if any.

34 1. The application shall be accompanied by to-scale engineered drawings demonstrating  
35 compliance with this code and showing the message to be displayed, dimensions,  
36 including height, width and copy area, construction details, materials, colors, electrical  
37 plans, lighting (if any), and dimensions to property lines, buildings, and adjacent signs in  
38 respect to the proposed location of the sign to be erected, as well as all the requirements  
39 set forth in the Florida Building Code. The request shall identify size, copy area and  
40 location of any existing site proposed to remain, as well as any existing signs planned to  
41 be removed. Full color photographs and/or renderings of the building, a sample set of  
42 the proposed materials and/or paint colors and any other documentation, including  
43 photographs and catalogs, which may further support the application or are required to  
44 be included. When there is a Master Sign Plan on file with the City, the individual sign

- 1 permit submittals shall reference the Master Sign Plan and demonstrate compliance with  
2 the Plan.
- 3 2. All signs require to-scale engineered drawings, unless waived in writing by the building  
4 official. All sign installations shall meet the minimum requirements as established by the  
5 Florida Building Code or by policy by Volusia County and/or the City.
- 6 3. An application for a Sign Review Permit shall be filled out at the time such plans are  
7 submitted; and payment made at the time of submittal.
- 8 4. All fees, including building permit fees, shall be paid and permits issued prior to the  
9 installation of or modification to any sign. If the Sign Review Permit and/or Building  
10 Permit are not picked up and paid for within thirty (30) days after staff contacts the  
11 applicant for permit issuance, the review shall expire and a new application and  
12 associated submittals shall be required.
- 13 5. An application which is materially incomplete or which is not accompanied by the  
14 required fee shall not be deemed accepted and the time for review of the application  
15 shall not commence until a complete application accompanied by the required fee is  
16 filed. However, the Development Services Director shall, within forty-five (45) calendar  
17 days of receipt of such an application, send the applicant a written explanation of the  
18 deficiencies in the application and ask that the deficiencies be remedied, explaining that  
19 the application cannot proceed forward otherwise, and that the review will be suspended  
20 pending receipt of the required information or documentation.
- 21 6. Upon determination that the application is sufficient, the Development Services Staff  
22 shall within forty-five (45) calendar days review the proposed signage for compliance  
23 with this Chapter. If the review reveals that an application for a sign review permit is not  
24 in compliance with this Chapter and the Land Development Code, revisions will be  
25 requested. The compliance review period will restart upon receipt of revised plans from  
26 the applicant. If the applicant fails to make the requested revisions within thirty (30)  
27 calendar days of receiving comments, the application shall be denied. In the event that  
28 no decision is rendered within forty-five (45) calendar days following sufficient  
29 submission, the application shall be deemed denied. (Note: The Building Official will  
30 review the sign for compliance with the Florida Building Code as part of the Building  
31 Permit review.)
- 32 7. The sign review permit may be approved as submitted, approved with conditions or  
33 denied. A disapproval shall include or be accompanied by a statement of the reason(s)  
34 for the disapproval. For the purpose of appeal to any court of law, an approval, an  
35 approval with conditions, or disapproval shall be deemed the final decision of the City  
36 upon the application.
- 37 a. If disapproval is the consequence of a failure to decide upon the application within  
38 the deadline set forth herein, the Development Services Director shall, upon request  
39 from applicant within fifteen (15) calendar days of decision, void the permit, refund  
40 any applicable fee to the person who paid the fee, and take no further action on the  
41 permit.
- 42 b. In the case of an approval with conditions or a disapproval, including a disapproval  
43 by lapse of time as described herein, an applicant may ask for reconsideration of the  
44 decision on the grounds that the Development Services Director may have  
45 overlooked or failed to consider any fact(s) that would support a different decision. A  
46 written request for reconsideration, accompanied by such additional fact(s) as the

1 applicant may wish the DSD to consider, shall be filed within ten (10) calendar days  
2 after receipt of the decision. No fee shall be required for a request for  
3 reconsideration. Upon the timely filing of a request for reconsideration, the decision  
4 of the Director shall be deemed stayed and not a final decision until the request for  
5 reconsideration is decided. The request for reconsideration shall be decided within  
6 fifteen (15) calendar days of receipt by the city, not counting any intervening legal  
7 City holiday. Such decision shall be in writing and shall include a statement of the  
8 reason(s) for the decision.

9 c. All decisions shall be mailed, transmitted electronically, or hand delivered to the  
10 applicant. A record shall be kept of the date of mailing, electronic transmittal, or  
11 hand delivery. For the purposes of calculating compliance with the deadlines for a  
12 decision upon an application or the deadline for a decision upon request for  
13 reconsideration, the decision shall be deemed made when deposited in the mail,  
14 transmitted electronically, or hand delivered to the applicant.

15 d. In any case in which the application requires a variance from any provision of the  
16 City Land Development Code, a rezoning of the property, an amendment to the  
17 comprehensive plan of the city or any other pre-requisite application. In such cases,  
18 the review time shall be suspended until a final decision is made upon the application  
19 for the variance, rezoning, comprehensive plan amendment or other requisite  
20 application.

21 In any of the foregoing cases, the applicant may elect to not seek a variance, make  
22 no change to the application, or obtain no approval that may be required by another  
23 governmental agency, and may instead demand a decision upon the sign permit  
24 application as filed. In such event, the Building Director shall make a decision on the  
25 application as appropriate within five business days after receiving such demand. If a  
26 decision is not made in such a time, the application shall be deemed denied

27 8. In most cases a separate building permit will be required for the installation of the sign  
28 as well as any electrical. The changing of the advertising copy or message on a  
29 previously permitted similarly approved sign, which is specifically designed for the use of  
30 replaceable panels, shall require only Sign Permit Review and shall not require a  
31 separate building permit.

32 D. **Duration of permits.** Every Sign Review Permit and/or Building Permit issued for a sign  
33 under this Chapter shall be valid for six (6) months or upon final completion of construction  
34 of the sign, whichever comes first. A Sign Review Permit and any associated Building  
35 Permits shall expire if the work for which the permit was issued has not been completed  
36 within a period of six (6) months after the date of permit issuance. New application and  
37 permit fees shall be required for expired permits. If the sign is an integral part of a new  
38 building structure, then the sign permit, at the discretion of the DSD, may be extended until  
39 completion of the building.

40 E. **Annual Sign Renewal Tag.** An Annual Sign Renewal Tag must be maintained for all signs  
41 after initial installation. On September 30 following the installation of the sign, and every  
42 year thereafter on September 30, the owner/applicant must apply for a Sign Renewal Tag.  
43 Application shall be accompanied by current photographs of all on-site signage. Provided  
44 the signs remain in compliance with these regulations, a Sign Renewal Tag may be issued  
45 for a sign for each successive one-year period upon payment of the sign renewal  
46 tag/inspection fee, as established by resolution of the City Council. It shall be unlawful to  
47 maintain any sign without an original Sign Review Permit or a Renewal Tag. The  
48 reissuance of a Sign Renewal Tag does not waive any requirements of this Chapter;

1 however, it is the intent of this section that the DSD or designee shall review and/or inspect  
2 signs as needed in order to ensure compliance with this Chapter.

3 **F. Inspection.** All signs for which a Sign Permit Review and/or a Sign Renewal Tag is  
4 required by this Chapter are subject to inspection by the authorized City Official. Signs  
5 found to be out of compliance may be deemed illegal signs or may be deemed  
6 nonconforming signs and appropriate procedures followed.

7 **G. Sign Review Permit Exceptions.** The following operations shall not be considered as  
8 creating a sign and, therefore, shall not require a Sign Review Permit:

9 1. Maintenance. Painting, repainting, cleaning and other normal maintenance and repair of  
10 a sign structure unless a structural change is made.

11 2. Exempted signs. Exempted signs as provided herein are exempt from the permit  
12 requirements of this section.

13 **9.2.3. *Fees.*** Each Sign Review Permit Application or Sign Renewal Tag shall be accompanied  
14 by application forms and the applicable fees. Sign Fees, including Sign Renewal Tag Late  
15 Fees, are established by Resolution of the City of Orange City. Sign Permit Review fees are  
16 due at the time application is made. If additional building or electrical permits accompany a  
17 Sign Review Permit, applicable building permit fees will be assessed and due at the time of  
18 permit pick-up. When a sign has been erected, constructed, or altered before necessary  
19 permits are obtained, the permit fees shall be doubled for the first offence and may be  
20 quadrupled for every subsequent offence thereafter, by the tenant, the property owner, or the  
21 sign company.

22 **9.2.4. *Other Permits Required.*** Other provisions of Orange City ordinances or county, state, or  
23 federal law may apply to some signs. Anyone installing or modifying a sign must comply with  
24 applicable provisions of this Chapter as well as with all applicable standards and permit  
25 requirements of other applicable laws or ordinances.

26 Additional permits and standards may include, but are not limited to:

27 A. Electrical permits for any type of electrified or lighted sign;

28 B. Sign Review Permits shall be obtained separate from building permits for sign installation. A  
29 concurrent review will be accommodated. A licensed contractor is required for installation of  
30 signage.

31 C. Right-of-way use permit, if applicable.

32 D. Plumbing/Irrigation permits for any required landscape material.

33 **9.2.5. *Appeals.*** If an application for a sign permit is not in compliance with this section, the  
34 application shall be denied. If the applicant wishes to appeal the decision of the Development  
35 Services Director, he must file written request for appeal within fifteen (15) calendar days of the  
36 written notice that his application was denied. All supporting documentation for the requested  
37 appeal must be included with the request for appeal. Appeals shall be processed as provided in  
38 Chapter 3 of the Land Development Code.

### 39 **9.3. Definitions & Terms**

40 Words and phrases used in this Chapter are defined in Chapter 2 of the City's Land  
41 Development Code. Additional clarification of terms may be found throughout the text of this  
42 Chapter and in the General Sign Standards.



1 **9.4. Prohibited Signs**

2 9.4.1 Signs identified in this section are prohibited and shall be removed immediately in  
3 accordance with this Chapter. In addition to the list below, any sign or commercial message  
4 that is not expressly permitted in the text of this Chapter shall be prohibited.

5 A. Hazardous or confusing signs or a sign which in any way simulate emergency vehicles,  
6 traffic-control signs and devices, or directional, informational and warning signs which are  
7 erected or maintained by the State of Florida, a political subdivision thereof, or by any  
8 railroad, public utility or similar agency concerned with the protection of the public health or  
9 safety. Any sign that obscures or interferes with a sign displayed by public authority for  
10 the purpose of giving traffic instructions or direction or other public information.

11 1. Any sign that uses the word "stop" or "danger" or otherwise presents or implies the  
12 need or requirement of stopping or caution because of existence of danger or which is  
13 a copy or imitation of, or which for any reason, is likely to be confused with any sign  
14 displayed by public authority.

15 2. Any sign that obstructs any window, door, fire escape, stairway, ladder or opening  
16 intended to provide light, air, ingress, egress for any building as required by law. No  
17 sign shall be attached to a standpipe.

18 3. Signs shall not resemble, imitate or approximate the shape, size, form or color of  
19 railroad or traffic signs, signals or devices. Signs shall not obstruct nor interfere with  
20 the effectiveness of railroad or traffic signs, signals or devices, nor be lighted in such a  
21 way so as to cause glare or impair driver vision upon public ways.

22 B. Human signs, sign spinners, animated character signs with commercial message, blow up  
23 signs, any flashing, fluttering, undulating, waving, swinging, rotating or otherwise moving  
24 signs or other decorations such as pennants, ribbons, spinners, streamers or balloons,  
25 outdoor flying banners or other waving fabric sign, inflatable signs or devices designed to  
26 attract attention, or other like signs. This includes humans or inanimate objects or  
27 mannequins wearing or displaying any signage or commercial message, that are in any  
28 way used to attract attention to a business or to deliver a commercial message.

29 C. Except as specifically permitted herein with a temporary sign permit, live or animated  
30 characters, objects or displays, carrying, wearing or displaying any signage or commercial  
31 message, that are used to attract attention to a business or deliver a commercial  
32 message.

33 D. Moving signs or any sign which is in motion by any mechanical, human, wind-blown or  
34 electrical means, including change in color, fluttering, floating, rotating or other signs,  
35 except for traditional barber poles, including any sign with flashing, fluttering, undulating,  
36 waving, swinging, rotating or otherwise moving parts or other decorations such as  
37 pennants, ribbons, spinners, streamers or balloons, outdoor flying banners or other waving  
38 fabric sign, inflatable signs or devices designed to attract attention.

39 E. Electronic signs, intermittent signs, animated signs or any sign that facilitates a variable  
40 advertising face or moving media pallet, or that in any way changes the sign content or  
41 message, including those which presents multiple static advertisements on a rotating  
42 basis, except as specifically permitted for limited changeable copy as provided in this  
43 Chapter.

44 F. Any sign with internal or external light source with brightness that flashes, scintillate, or  
45 other movement so as to create an annoying glare or hazardous condition.

- 1 G. Gobo ("goes between optics") projection signs or any sign that projects light or graphics  
2 through a semitransparent or transparent surface or template, or any sign that projects  
3 lighting beyond the surface of the sign.
- 4 H. Any sign or message board displaying flashing, intermittent, fluttering, undulating,  
5 swinging, rotating or scrolling lights; including any type of screen using animated or  
6 scrolling displays such as LED (light-emitting diode) screen, liquid crystal display (LCD)  
7 or any other type of video or digital media display, even if the message is stationary.  
8 Alternating or intermittent lights or lights of changing degrees of intensity. Signs that have  
9 multiple views and objects that digitally or electronically produce color and or black and  
10 white images similar to a television screen are prohibited. Also, signs may not be multi-  
11 vision signs or display devices capable of presenting two (2) or more separate images or  
12 ad copy sequentially by rotating multi-sided cylinders.
- 13 I. Electronic message board signs including time and temperature signs, except as  
14 specifically provided herein for gas station pricing.
- 15 J. Lighting either by exposed tubing, neon, LED, or strings of lights, either outlining any part  
16 of a sign, building or window, or affixed to any ornamental feature thereof, except strings  
17 of lights used for the celebration of holidays, or in conjunction with approved outdoor  
18 seating areas within town centers and authorized as part of the site plan process.
- 19 K. Any sign or illumination that causes any direct glare into or upon any building or property,  
20 road or vehicle use area other than the building or property it serves. As well as any sign  
21 or illumination that exceeds 800 lumens or that emits greater than 0.5 footcandles at the  
22 property line that the sign serves.
- 23 L. Mirrored Signs, glowing, sparkling or glittering signs, or any sign utilizing overly reflective  
24 material or paint or changing colors, except as may be recommended by Manual Uniform  
25 Traffic Control Devices (MUTCD).
- 26 M. Off-site signs which advertise businesses, establishments, activities, goods, products,  
27 facilities or any services or other message not made, produced, sold or present on the  
28 premises or site where the sign is installed and maintained, except as specifically provided  
29 in this Chapter.
- 30 N. Portable signs, commercial messages, signs, or banners placed in vehicles, on vehicles,  
31 carried by humans, or on any other facility or infrastructure associated with a business.
- 32 O. Portable trailer signs, either fixed or movable.
- 33 P. Portable signs, including sidewalk or sandwich board signs, except those specifically  
34 permitted by this Chapter.
- 35 Q. Signs on public property. Except for approved municipal primary identification signage,  
36 traffic control signs and other governmental signage, any private sign or commercial  
37 message placed on public property, tree or any public right-of-way, including the median,  
38 retention ponds or utility poles or utility boxes is prohibited.
- 39 R. Signs on bus benches, bus canopies or any other public or private multi-modal,  
40 pedestrian, bicycle or transit facility, including any associate street furniture or equipment.
- 41 S. Signs as a principal use.
- 42 T. Snipe signs, except as specifically as provided herein for political signs, real estate signs,  
43 and those permitted in lieu of an authorized banner.

- 1 U. Roof signs, or any sign located on a roof or above the lowest eaves of the roof shall be  
2 prohibited.
- 3 V. Billboard signs.
- 4 W. Obscene Signs or any sign containing statements, words or pictures of an obscene nature.
- 5 X. Parasite Signs or any sign not specifically authorized by this chapter, which has been  
6 installed without a permit being issued and which is added to the building fascia,  
7 mechanical equipment, accessory structures, or attached to another sign.
- 8 Y. Signs mounted to fences, except subdivision signage that is incorporated as part of an  
9 approved entrance feature or wall, or directional signage approved as part of a Master  
10 Sign Plan.
- 11 Z. Painted wall sign, as well as any signs that are painted on accessory structures.
- 12 AA. Signs that are painted or mounted on rocks or other natural features or affixed in any way  
13 to trees.
- 14 BB. Signs painted on or mounted to benches, trash cans, carts, cart corals, street furniture,  
15 light poles, utility infrastructure, outdoor display or storage items, or any other customer  
16 convenience facility, except as provided for in approved special events or sidewalk sales.
- 17 CC. Vehicle signs, except as specifically permitted herein, or any signs attached thereto or  
18 placed on a vehicle, box truck, trailer or boat with the following exception: Buses, taxicabs  
19 and similar common carrier vehicles that are licensed or certified by the City of Orange  
20 City and/or Florida Public Service Commission.
- 21 DD. Signs that emit sound, smoke, vapor, particles or odors.
- 22 EE. Searchlights or beacon lights.
- 23 FF. Outdoor advertising displays and holiday displays permanently attached to a building,  
24 unless specifically approved as part of the site plan and building permit, including zoning  
25 appearance review.
- 26 GG. Inflatable characters or inflatable balloons or any other air blown or air/gas filled object or  
27 character, with or without commercial message, except when approved as part of an  
28 approved short-term Special Event.
- 29 HH. Wind-operated devices or any sign or attention grabbing device that incorporates or  
30 consists of banners, pennants, ribbons, streamers, spinners, flapping material, balloons  
31 containing pressurized air, hot air, cold air, any gas or other substance, or wind-operated  
32 devices shall be a prohibited sign.
- 33 II. Serial signs or any advertisement which uses a series of two (2) or more signs placed in a  
34 line parallel to the highway or in a similar fashion, and carrying a single advertising  
35 message, part of which is contained on each sign.
- 36 JJ. Window signs that exceed fifteen (15) percent of the window area, including windows  
37 whose transparency is diminished by opaque posters, banners, window scrims, graphics  
38 or equipment placed on or adjacent to the window.

## 39 **9.5. Sign Review Permit Exemptions**

- 40 9.5.1 The following signs may be constructed or placed on private property by the property  
41 owner or the tenant with consent of the property owner without a City Sign Review Permit.

- 1 A. Address numbers on buildings as required by Emergency Services. Address plaques not  
2 exceeding two (2) square feet in copy area and bearing the names of residential occupants  
3 of the premises.
- 4 B. Governmental signs as defined herein.
- 5 C. Memorial signs, tablets, historical signs and historic plaques displayed in  
6 cemeteries. Memorial signs, tablets, historical signs and historic plaques less  
7 than six (6) square feet displayed on historic properties.
- 8 D. Membership signs that do not exceed 0.1 sq.ft., and such that cumulative membership  
9 signage shall not exceed 0.5 sq.ft.
- 10 E. Warning signs, provided that no such sign shall exceed two (2) square feet in copy area.
- 11 F. No more than one (1) "open/closed" and one "vacancy/no vacancy" sign, not to exceed two  
12 (2) square feet in copy area and located inside the window of a business.
- 13 G. The change of authorized panels on permitted changeable panel signs or change of letters  
14 on legal nonconforming changeable copy signs.
- 15 H. Non-illuminated, extended duration temporary signs, including real estate signs,  
16 development signs, election campaign signs, that do not exceed three (3) square feet and  
17 comply with the provisions as outlined in this Chapter.
- 18 I. Window and door opening signs that comply with the provisions of this Chapter.
- 19 J. Decorative flags and bunting, etc. for a celebration, convention or commemorative of  
20 significance to the entire community. Any such authorized display may be installed thirty-  
21 five (35) days prior to the event or celebration and must be removed within seven (7) days  
22 after the event or celebration.
- 23 K. Holiday lights and decorations may be displayed no more that thirty-five (35) days prior to  
24 the holiday they are customarily dedicated to and must be removed within seven (7) days  
25 after said holiday.
- 26 L. Signs of one (1) square feet or less that are incorporated into machinery or equipment by a  
27 manufacturer or distributor, which identify or advertise only the product or service dispensed  
28 by the machine or equipment, such signs customarily affixed to vending machines, ice  
29 machines, Automated Teller Machines (ATMs), and telephone booths. The location of any  
30 such equipment must be illustrated on the approved site plan and meet appearance  
31 standards as provided in the LDC and the signage may not include the business name,  
32 business logo, product name or product logo, nor may such signs include corporate colors  
33 of the business where they are located.
- 34 M. Temporary free-standing free expression signs that include no commercial content or off site  
35 advertising message and which comply with the size and location standards established for  
36 temporary real estate signs. Free expression signs carried by a person that are exempted  
37 by this section may not include any commercial content or off site advertising message.  
38 Free expression signs, if any, must be maintained in good condition and shall not fall into  
39 disrepair or become unkempt, nor shall they be placed within or utilized within the public  
40 right-of-way or within any vehicle travel lane, vehicle uses areas, or as otherwise prohibited  
41 by this Chapter. Such signs may not be displayed in any way that presents a hazard to the  
42 human holding the sign or others in proximity to the sign. Signs which contain any  
43 commercial messages may be permitted as provided in this Chapter.



1 **9.6. Sign Districts**

2 **9.6.1. Sign District Map**

3 The Sign District Map as provided in **Appendix A** is adopted as part of this ordinance to  
4 establish character districts where specific types of signs may be permitted. The districts are  
5 established to facilitate a cohesive theme throughout a designated area. Only the signs  
6 expressly provided herein shall be permitted in each sign district.

7 **1. Amendments to the Sign District Map**

- 8 a. **Annexation.** Upon annexation of properties into the City, the Development Services  
9 Director shall assign the most appropriate Sign District based on location and use,  
10 and the Sign District Map shall be updated accordingly, without separate action by  
11 the City Council.
- 12 b. **Change in Land Use.** Upon Comprehensive Plan Future Land Use Map  
13 Amendment or Rezoning, which changes the property land use designation or  
14 zoning district, the Development Services Director may assign or reassign the most  
15 appropriate Sign District based on location and use, and the Sign District Map shall  
16 be updated accordingly, without separate action by the City Council.
- 17 c. **Other Amendments.** All other amendments to the Sign District Map shall be  
18 brought forward as an amendment to the Land Development Code, as provided  
19 herein.

20 **9.6.2. Sign Districts Defined**

21 Each sign district as illustrated on the Sign District Map has a unique character that is intended  
22 to be protected and enhanced through this Chapter.

23 **A. Traditional Neighborhood Sign District (TNSD)**

24 The purpose of this district is to provide for sign standards to protect and enhance the  
25 unique character of the city's historic district as well as the areas that influence the historic  
26 district and historic landmarks, and to ensure all signs are scaled and designed in such a  
27 way as to reflect the historic character of the area. The development standards contained  
28 herein are intended to create an attractive, uncluttered and unified historic appearance  
29 within the Traditional Neighborhood Sign District (TNSD) and to permit sufficient  
30 identification while allowing individual expression and commercial messages. The general  
31 provisions of this Chapter shall also apply to signage within the Traditional Neighborhood  
32 Sign District (TNSD).

33 **B. Gateway Corridor Sign District (GCSD)**

34 The purpose of this district is to provide for sign standards to protect and enhance the  
35 unique character of the City's U.S. 17-92 Corridor (not including areas within the Traditional  
36 Neighborhood Sign District), as well as the areas that influence corridor, including local and  
37 collector roads (as defined in the FDOT Roadway Classification System) and to ensure all  
38 signs are scaled and designed in such a way as to reflect the character of the area. The  
39 development standards contained herein are intended to create an attractive, uncluttered  
40 and unified appearance within the Gateway Corridor Sign District (GCSD) and to permit  
41 sufficient identification while allowing individual expression and commercial messages. The  
42 general provisions of this Chapter shall also apply to signage within the Gateway Corridor  
43 Sign District (GCSD).

1 C. **Saxon -Enterprise Sign District (SESD)**

2 The purpose of this district is to provide for sign standards to protect and enhance the  
3 unique character of the City's Saxon Road and Enterprise Road (not including areas within  
4 the Gateway Corridor Sign District), as well as the areas that influence corridor, and to  
5 ensure all signs are scaled and designed in such a way as to reflect the character of the  
6 area. The development standards contained herein are intended to create an attractive,  
7 uncluttered and unified appearance within the Saxon-Enterprise Sign District (SESD),  
8 facilitate large-scale, urban, mixed use development, and to permit sufficient identification  
9 while allowing individual expression and commercial messages. The general provisions of  
10 this Chapter shall also apply to signage within the Saxon-Enterprise Sign District (SESD).

11 D. **Planned Developments and Mixed Use Development**

12 The purpose of this section is to provide for sign standards to protect and enhance and  
13 establish a unique character for each master planned community and to ensure all signs are  
14 scaled and designed in such a way as to reflect the unique character and high level of  
15 design that is distinctive to the planned community. The development standards contained  
16 herein are intended to create an attractive, uncluttered and unified appearance within the  
17 master planned community and to permit sufficient identification while allowing individual  
18 expression and commercial messages. Signs within a Planned Development shall have a  
19 unified theme and design standard. Unless expressly waived as part of the Planned  
20 Development Master Plan, the general provisions of this Chapter and the provisions of the  
21 applicable Sign District where the Planned Development is located shall also apply to  
22 signage within a Planned Development.

23 1. **PUD Master Sign Plan**

24 As part of the approval of a Planned Development Zoning, the applicant may submit a  
25 Master Sign Plan as an additional sheet to the PUD Master Development Plan (PUD  
26 Master Plan), which establishes the sign development standards to be utilized for all  
27 development within the Planned Development. If a Master Sign Plan is not submitted as  
28 part of the PUD Master Plan then signage shall be consistent with the Sign District  
29 where the sign is located, including consistent theme and adherence to an exceptional  
30 level of design for all signs within the community.

31 2. **PUD Master Sign Plan Submittal**

32 Submittal requirements shall establish cohesive sign theme package for all signage  
33 within the Master Planned Community.

- 34 a. Establish Master Sign Plan illustrating the locations of all freestanding ground signs,  
35 secondary signs, as well as any proposed incidental or ancillary signs.
- 36 b. Establish Design Standards for Free Standing Ground Signs.
- 37 (1.) Establish the type and maximum size, including height and copy area, for all  
38 proposed sign types, providing for community identification as well as a hierarchy  
39 of signs and sign types within the community.
- 40 (2.) Establish cohesive and consistent design standards for all sign types, including a  
41 typical sign design detail, materials, architectural style, embellishments, lighting  
42 and lettering format for each type of sign.
- 43 (3.) Other design details as may be requested through the technical review process.
- 44 c. Establish Design Standards for Building/Wall Signs.

- 1 (1.) Establish maximum size for wall signs, including maximum copy area, for all  
2 proposed sign types, providing for community identification as well as a hierarchy  
3 of wall signs within the community.
- 4 (2.) Establish cohesive and consistent design standards for all sign types, including a  
5 typical sign design detail, identifying materials, architectural style,  
6 embellishments, lighting and lettering format for each type of sign.
- 7 (3.) Other design details as may be requested through the Planned Development and  
8 Technical Review process.

9 **3. Existing Planned Developments**

10 Existing Planned Developments are required to have consistent theme, sign type, and  
11 style throughout the development. Amendments to an existing Master Sign Plan for an  
12 existing PUD shall be processed as a Minor Amendment to the PUD. If an existing  
13 PUD, which does not already have master sign plan, desires to modify their existing  
14 signs, provide opportunity for new types and styles of signs, a Master Sign Plan may be  
15 presented for review and consideration as a Minor Amendment to the PUD.

16 **4. Mixed Use Development without Planned Development Zoning.**

17 In any zone in any Sign District where both residential and nonresidential uses are  
18 allowed, the signage rights and responsibilities applicable to any particular use shall be  
19 determined consistent with the applicable sign district and as follows:

- 20 a. Residential uses shall be treated as if they were located in the residential zoning  
21 district where that type of use would be allowed as a matter of right.
- 22 b. Nonresidential uses shall be treated as if they were located in a zoning district where  
23 that particular use would be allowed, either as a matter of right or subject to a  
24 conditional use permit or similar discretionary process.
- 25 c. When uses are vertically mixed in one building the signage shall be calculated  
26 consistent with that of the predominant first floor uses and allowing shared signage  
27 on the first floor for the uses on the higher floors.
- 28 d. Second floor uses that have their primary entrance on the exterior of the building  
29 may provide wall signage adjacent to their entrance at twenty-five (25) percent of the  
30 sign copy area authorized for their frontage, however in no case shall second floor  
31 signage exceed twelve (12) square feet.

32  
33 **9.7. Permanent, Freestanding Ground Signs**

34 The following standards are applicable to all Non-Residential development and Residential  
35 Communities or Subdivisions related to the provision of permanent, freestanding primary  
36 identification ground signs located within the any Sign District.

37 **9.7.1 Types of Ground Sign by Sign District.**

38 A permanent freestanding sign may be affixed to the ground or to a wall / entry feature, which is  
39 illustrated on an approved site plan and is not part of a building, to serve as the primary  
40 identification for the property. Signs should complement and not detract from the materials, and  
41 colors of the building to which they serve.

1 Freestanding ground signs include Monument Signs mounted on monument-style foundations  
 2 and Pillar Signs. Post & Panel Signs, which are signs permanently mounted between two  
 3 decorative posts secured in the ground, may also be permitted. Within the Traditional  
 4 Neighborhood Sign District and the Gateway Corridor Sign District freestanding signs may also  
 5 include Hanging Panel Blade Signs, which are smaller signs with a decorative panel hanging  
 6 from a single decorative post secured in the ground.

7 The check marks in the following table indicate what types of ground signs are permitted in each  
 8 sign district.

9

Sign District	Monument Sign	Post & Panel Sign	Hanging Panel Blade Sign	Pole Sign
Traditional Neighborhood Sign District	✓	✓	✓	Not Permitted
Gateway Corridor Sign District	✓	✓	✓	Not Permitted
Saxon-Enterprise Sign District	✓	Not Permitted	Not Permitted	Not Permitted
Planned Development Sign District	✓	Subject to overall Master Sign Plan		Not Permitted

10

11 The size, material, color, lettering, number and arrangement must be harmonious with  
 12 building and site design. Individual crafted signs are preferable to mass produced signs.  
 13 High quality materials and design are required for all signs. The overall size and scale of  
 14 the sign shall be to scale with the amount of copy area provided. Examples of each sign  
 15 type are provided below; however, individual signs shall be designed based on the unique  
 16 characteristics of each individual site and the requirements of this Chapter.

17



1  
2

**A. Monument Signs.**

Standard Monument signs with substantial base.



3



4

5

Monument signs with two substantial columns as a base.



6

7

Monument signs in the form of a decorative pillar.



8

9

**B. Post & Panel Signs.**



10



11

12

1 **C. Hanging Panel Blade Signs.**



4 **9.7.2. *Number of Ground Signs***

5 One (1) freestanding, primary identification ground sign may be authorized per non-residential  
6 property. One (1) freestanding, primary identification ground sign may be authorized per  
7 multifamily community or residential subdivision.

8 Secondary free standing identification signage may be authorized as part of a Master Sign Plan  
9 as provided in for Secondary and Incidental Signs. When community, multi-tenant, or  
10 subdivision signage is provided, individual properties or buildings shall not have separate  
11 freestanding signage, except as may be approved for individual lots as secondary signage as  
12 part of a Master Sign Plan. Secondary and incidental signage will not be permitted for  
13 properties where the primary identification signage or other onsite signage is not in compliance  
14 with these regulations.

15 **9.7.3. *Maximum Copy Area and Height for Ground Signs***

16 The maximum allowable copy area and sign height are outlined in the following tables based on  
17 the developable area of the property (total land area less wetlands and natural waterbodies)  
18 and/or the total number of units within the community. Sign Copy area is the entire surface area  
19 of the sign designated for placement of sign, outdoor advertising, logos, and commercial  
20 messages, including background for such signage. Signs may be two-sided so long as the two  
21 sign faces are back-to-back, parallel or do not exceed an angle of thirty (30) degrees. The area  
22 of only one face shall be considered the sign copy area for double sided signs. Maximum  
23 allowable copy area is outlined below based on which the type of sign user and the Sign District  
24 where the sign is located.

25 **A. Sign Users Defined.**

26 The maximum copy area and height is further determined by the sign users with the  
27 following distinctions for users: Residential Community or Subdivision, Single Business or  
28 Multi-Tenant Center.

29 **1. Residential Communities or Subdivisions.**

30 Copy Area and Sign Height are outlined by Sign District in the tables  
31 below based on the developable area of the property (total land area  
32 less wetlands and natural waterbodies) or the total number of units



1 within the residential community or subdivision. When community or  
2 subdivision signage is provided for a residential community, individual  
3 properties or buildings shall not have separate freestanding signage,  
4 except as may be considered as part of a Master Sign Plan for the  
5 Subdivision. These standards are applicable to Civic or Institutional  
6 uses in residential areas. Civic or institutional uses in non-residential  
7 areas may utilize the applicable non-residential standards.



8 **2. Single Business Signs.**

9 For single businesses, the copy area and sign height are outlined in the following tables  
10 below by Sign District based on the developable area of the property (total land area  
11 less wetlands and natural waterbodies).

12 **Shared Signage:** For a property that provides joint access to another property, and/or  
13 provides shared signage with an adjacent off-site business and/or where two individual  
14 signs on adjacent properties would block view of one another, the property owners may  
15 request one (1) shared sign. The DSD may allow a shared multi-tenant sign at or near  
16 the property line when both properties' signage is accommodated on one (1) shared  
17 sign, with the design and copy area allowed for multi-tenant signs in that Sign District,  
18 without a shopping center name, and including necessary signage easements.

19 **3. Multi-Tenant Center.**

20 For multi-tenant centers, shopping centers, or office parks, where  
21 multiple business operate in separate tenant spaces with individual  
22 entrances or separate buildings on a property that is under common  
23 ownership, the copy area and sign height are outlined in the  
24 following tables by Sign District based on the developable area of  
25 the property (total land area less wetlands and natural waterbodies).  
26 The following standards apply to all multi-tenant primary  
27 identification signage.



28 a. The shopping center name shall be prominently displayed at the top of the sign. The  
29 shopping center name shall be sized at a minimum of twenty (20) percent of  
30 allowable copy area and shall count toward the total maximum sign copy area,  
31 unless alternate branding of the center is approved by the DSD. For centers with  
32 four (4) or less tenants, the center name shall not be required.

33 b. Panels for individual tenant signage shall have consistent sizing, cohesive design,  
34 colors and theme. In an effort to avoid visual clutter and illegible signs, panels less  
35 six (6) inches in height and font size less than three (3) inches will be discouraged.  
36 The cumulative copy area of tenant signage shall count toward the total maximum  
37 copy area.

38 c. Panels shall be spaced at consistent intervals with visible breaks or other consistent  
39 aesthetics treatment or framing around each sign panel/tenant sign.  
40 In an effort to achieve legibility, the sign text shall be placed  
41 centrally within the signable area of the sign panel leaving adequate  
42 blank area (aka white space) between the sign text and the edge of  
43 the sign panel.

44 d. For a center that provides joint access to another property and/or  
45 provides shared signage with an adjacent off-site business, the DSD



- 1 may allow for increases in Copy Area and Sign Height up to twenty five (25) percent
- 2 when both properties' signage is accommodated on one (1) shared sign, including
- 3 necessary signage easements.
- 4 e. When multi-tenant signage is utilized for a property, individual tenant ground
- 5 signage, except for internal directional signage, will not be permitted.
- 6 f. Shared tenant space in a single building or unit, shall not be deemed multi-tenant
- 7 centers for the purpose of this code.

8 **B. Traditional Neighborhood Sign District (TNSD): Maximum Copy Area and Sign**

9 **Height.**

10 1. **Residential Community, Residential Subdivision, and Civic / Institutional Uses in**

11 **Residential Areas within the TNSD:** This section is applicable to multifamily

12 residential developments and residential subdivisions, as well as Civic or Institutional

13 uses in residential areas within the Traditional Neighborhood Sign District (TNSD).

14 Multifamily residential properties with less than four (4) units shall not have freestanding

15 ground signage. Multifamily residential properties or subdivisions with at least four (4)

16 residential units, but no more than eight (8) units may only request one (1) sign with a

17 maximum of four (4) square feet of copy area, regardless of property size, type of sign or

18 right-of-way frontage.

19 Residential properties that are greater than 1 acre in size or that have nine (9) or more

20 residential units may request signage based on property acreage or the number units,

21 whichever is least restrictive, as outlined below. Civic or Institutional uses in residential

22 areas may request signage based on property acreage outlined below.

23

TNSD: Residential & Civic	Max Copy Area (sq.ft.)	Max Height (feet)
Any size residential property with less than 4 units	0	n/a
<b>Monument, Post &amp; Panel, and Pillar Signs</b>		
Any size residential property with 4-8 units <sup>(1)</sup>	4	4
Any size residential property with 9-16 units or Civic/ Institutional uses < 1 acre	10	6
1 Acre to < 6 Acres (or 17-39 units)	16	6
≥ 6 Acres (or ≥ 40 units)	20	6
<b>Hanging Panel Blade Sign</b>		
Any size residential property with 4-8 units*	4	6
Any size residential property with >9 units or Civic/ Institutional uses	10	8



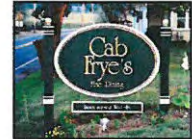
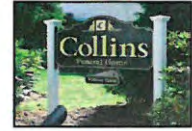
24 (1) For residential properties with 4-8 units, only one (1) sign per property will be

25 permitted regardless of property size, sign type, access or right-of-way frontages.

26

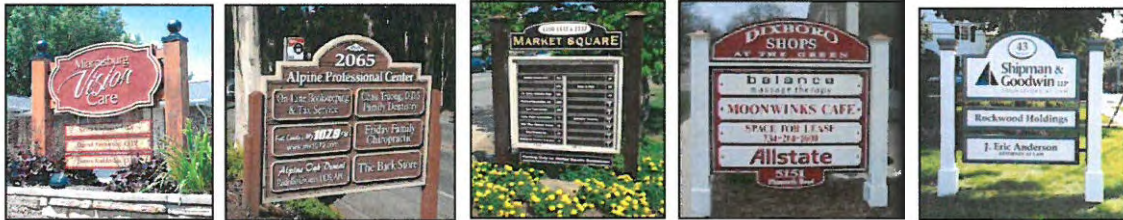
2. **Single-Business in TNSD:** This section is applicable to businesses, civic uses or institutional uses located in non-residential areas of the TNSD.

TNSD: Single Business	Max Copy Area <sup>(1)</sup> (sq.ft.)	Max Height (feet)
<b>Monument, Post &amp; Panel, and Pillar Signs</b>		
< 1 Acres	18	6
1 acre to > 2 Acres	20	6
≥ 2 Acres	24	6
<b>Hanging Panel Blade Sign</b>	10	8



(1) Regardless of property size, a post & panel sign may not exceed twenty four (24) square feet of copy area and six (6) feet in height.

3. **Multi-Tenant Center in TNSD:** This section is applicable a sign used to identify the name of multi-tenant center, and which may include the names of tenants within the shopping center, office park or industrial parks.



TNSD: Multi-Tenant Center	Max Copy Area <sup>(1)</sup> (sq.ft.)	Max Height (feet)
<b>Monument, Post &amp; Panel, and Pillar Sign</b>		
< 1 Acres	24	6
1 acre to > 2 Acres	32	8
≥ 2 Acres	40	8
<b>Hanging Panel Blade Sign</b>	10	8

(1) Regardless of property size, a Post & Panel sign may not exceed twenty four (24) square feet of copy area and six (6) feet in height.

**C. Gateway Corridor Sign District (GCSD): Maximum Copy Area and Sign Height.**

1. **Residential Community, Residential Subdivision, and Civic / Institutional Uses in Residential Areas within the in the GCSD:** This section is applicable to multifamily residential developments and residential subdivisions, as well as Civic or Institutional uses in residential areas within the Gateway Corridor Sign District (GCSD).

Multifamily residential properties with less than four (4) units shall not have freestanding commercial signage. Multifamily residential properties or subdivisions with at least four (4) residential units, but no more than eight (8) units may only request one (1) sign with a maximum of four (4) square feet of copy area, regardless of property size, type of sign or right-of-way frontage.

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Residential properties that are greater than 1 acre in size or that have nine (9) or more residential units may request signage based on property acreage or the number units, whichever is least restrictive, as outlined below. Civic or Institutional uses in residential areas may request signage based on property acreage outlined below.

GCSD: Residential & Civic	Max Copy Area (sq.ft)	Max Height (feet)
Any size residential property with less than 4 units	0	n/a
<b>Monument and Pillar Signs</b>		
Any size residential property with 4-8 units <sup>(1)</sup>	4	4
Any size residential property with 9-16 units or Civic/ Institutional uses < 1 acre	12	6
1 Acre to < 6 Acres (or 17-39 units)	20	6
6 Acres to < 12 Acres (or 40-99 units)	24	6
≥ 12 Acres (or ≥ 100 units)	36	8
<b>Post &amp; Panel &amp; Hanging Panel Blade Sign</b>		
Post & Panel Signs may be permitted consistent with the size and standards established for the Traditional Neighborhood Sign District (TNSD)	See TNSD	See TNSD
Hanging Panel Blade Signs may be permitted consistent with the size and standards established for the TNSD	See TNSD	See TNSD

5  
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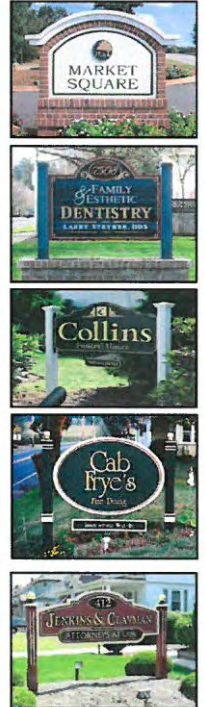
(1) For residential properties with 4-8 units, only one (1) sign per property will be permitted regardless of property size, sign type, or right-of-way frontages.

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2. **Single-Businesses in the GCSD:** This section is applicable to businesses and civic uses or institutional uses located in non-residential areas of the GCSD.

9

GCSD: Single-Business	Max Copy Area (sq.ft)	Max Height (feet)
<b>Monument and Pillar Signs</b>		
0.0 - 0.49 Acres	20	6
0.5 - 1.00 Acres	24	6
1.00 - 1.99 Acres	32	8
2.0 - 4.99 Acres	40	8
5.0 - 14.99 Acres	48	9
≥15.0 Acres	54	9
<b>Post &amp; Panel &amp; Hanging Panel Blade Signs</b>		
Post & Panel Signs may be permitted consistent with the size and standards established for the Traditional Neighborhood Sign District (TNSD)	See TNSD	See TNSD
Hanging Panel Blade Signs may be permitted consistent with the size and standards established for the TNSD	See TNSD	See TNSD



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- 1 3. **Multi-Tenant Center in GCSD:** This section is applicable a sign used to identify the  
 2 name of multi-tenant center, and which may include the names of tenants within the  
 3 shopping center, office park or industrial parks.

4

GCSD: Multi-Tenant Center	Max Copy Area (sq. ft)	Max Height (feet)
<b>Monument and Pillar Signs</b>		
0.0 - 0.49 Acres	24	6
0.5 - .99 Acres	36	8
1.0 - 1.99 Acres	42	8
2.0 - 4.99 Acres	54	9
5.0 - 14.99 Acres	64	10
≥15.0 Acres	80	11
<b>Post &amp; Panel &amp; Hanging Panel Blade Signs</b>		
Post & Panel Signs may be permitted consistent with the TNSD	See TNSD	See TNSD
Hanging Panel Blade Signs may be permitted consistent with the TNSD	See TNSD	See TNSD



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9 **D. Saxon-Enterprise Sign District (SESD): Maximum Copy Area and Height.**

- 10 1. **Residential Community, Residential Subdivision, and Civic / Institutional Uses in**  
 11 **Residential Areas within the in the SESD:** This section is applicable to multifamily  
 12 residential developments and residential subdivisions, as well as Civic or Institutional  
 13 uses in residential areas within the Saxon-Enterprise Sign District (SESD).

14 Multifamily residential properties with less than four (4) units shall not have freestanding  
 15 commercial signage. Multifamily residential properties or subdivisions with at least four  
 16 (4) residential units, but no more than eight (8) units may only request one (1) sign with a  
 17 maximum of four (4) square feet of copy area, regardless of property size, type of sign or  
 18 right-of-way frontage.

19 Residential properties that are greater than 1 acre in size or that have nine (9) or more  
 20 residential units may request signage based on property acreage or the number units,

whichever is least restrictive, as outlined below. Civic or Institutional uses in residential areas may request signage based on property acreage outlined below.

SESD: Residential & Civic	Max Copy Area (sq.ft)	Max Height (feet)
Any size residential property with less than 4 units	0	n/a
<b>Monument and Pillar Signs</b>		
Any size residential property with 4-8 units <sup>(1)</sup>	4	4
Any size residential property with 9-16 units or Civic/ Institutional uses < 1 acre	12	6
1 Acre to < 6 Acres (or 17-39 units)	20	6
6 Acres to < 12 Acres (or 40-99 units)	24	6
≥ 12 Acres (or ≥ 100 units)	40	8

(1) For residential properties with 4-8 units, only one (1) sign per property will be permitted regardless of property size, sign type, or right-of-way frontages.



2. **Single-Businesses in the SESD:** This section is applicable to businesses and civic uses or institutional uses located in non-residential areas of the SESD.

SESD: Single-Business	Max Copy Area (sq.ft)	Max Height (feet)
<b>Monument and Pillar Signs</b>		
< 1 Acre	28	6
1.0 - 1.99 Acres	36	8
2.0 - 4.99 Acres	48	8
5.0-14.99 Acres	60	9
≥ 15 Acres	72	10



3. **Multi-Tenant Center in SESD:** This section is applicable to a sign used to identify the name of multi-tenant center, and which may include the names of tenants within the shopping center, office park or industrial parks. Copy Area and Sign Height for multi-tenant signs are outlined in the following table based on the developable area of the property (total land area less wetlands and natural waterbodies).

SESD: Multi-Tenant Center	Max Copy Area (sq.ft)	Max Height (feet)
<b>Monument and Pillar Signs</b>		
0.0 - 0.49 Acres	36	8
0.5 - 1.99 Acres	48	8
2.0 - 4.99 Acres	60	9
5.0 - 14.99 Acres	72	10
≥15.0 Acres	80	11



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4 **9.7.4. Performance Standards for Freestanding Ground Signs**

5 The following general sign standards shall apply to all freestanding primary identification ground  
6 signs in all Sign Districts.

7 **A. Minimum setbacks:** Signs shall be setback a minimum of five (5) feet from the property  
8 lines or a distance equal to the height of the sign, whichever is greater. No ground sign  
9 shall be closer than a distance equal to the height of the sign to any building, structure or  
10 property line with the following applicable additional setbacks.

- 11 1. Signs shall be setback at least twenty (20) feet or double the sign height, whichever is  
12 more restrictive, from any other existing or proposed sign.
- 13 2. Signs serving non-residential uses shall be placed at least twenty (20) feet away from  
14 any single-family residential property.
- 15 3. Secondary identifications ground signs shall provide a minimum one hundred (100) foot  
16 separation from other onsite ground signs, identification signs, or directory signs.
- 17 4. Signs shall be placed so as not to create a health or safety hazard due to visual  
18 obstruction or physical impediment.
- 19 5. See Lighting Standards for additional restrictions.

20 **B. Master Sign Plan:** A Master Sign Plan is required if more than one (1) freestanding sign is  
21 proposed for a property, including secondary free standing identification signage and/or any  
22 incidental freestanding signage. The Master Sign Plan shall include a cohesive theme for all  
23 freestanding signage, including complementary sign type, design, materials, and  
24 construction. If a Master Sign Plan is required for ground signs it shall be accompanied by  
25 a Master Sign Plan for building/wall signs. Master Sign Plan requirement can be waived by  
26 the DSD if adequate information is shown on the Sign Review Permit submittal.

27 **C. Street Address Number:** Freestanding primary identification ground signs shall include the  
28 street address number of the property. Street address numbers shall not count against the  
29 allowable sign copy area or the sign height, but shall be placed prominently on the upper  
30 portion of the sign, unless an alternate location is approved by the DSD. Such address  
31 number shall be integrated into the design of the sign in same or complimentary depth, style  
32 and materials.

1 D. **Landscaping:** Landscaping shall be installed around the base of the sign. The size of the  
2 landscape bed around the sign base shall be equal to the total area  
3 of the sign and shall include Florida native shrubs and/or  
4 groundcover plants, excluding turf grass or tall shrubs that will block  
5 the sign face or an existing numeric street address.



- 6 1. The quantity of the shrubs or groundcover plants shall be based  
7 on the following formula: Overall size of the sign (total maximum  
8 length x total maximum height in square feet) x.45 = the whole number of shrubs or  
9 ground cover plants, rounded up to the nearest whole number. Annuals at a 2:1 ratio  
10 may be utilized for up to twenty (20) percent of the required plants. Use of annuals will  
11 require a quarterly maintenance/replacement program.
- 12 2. A minimum of two (2) types of plants shall be utilized. The shrubs and /or groundcover  
13 plants shall be a minimum size of one (1) gallon container and be appropriately spaced  
14 in the planting bed to achieve a dense plant cover within one (1) year.
- 15 3. The landscape bed around the sign shall be clearly defined, and contain at least a two  
16 (2) inch deep layer of mulch, or other approved ground cover and create a seamless  
17 transition between sign base and ground. Rock or any other non-porous aggregate is  
18 not an acceptable ground cover.
- 19 4. The placement and type of landscaping shall be identified on the plan, sketch, or  
20 blueprint submitted with the sign permit.
- 21 5. Existing developed sites that are constrained due to right-of-way takings or other unique  
22 circumstances may request a waiver to reduce the area of the landscape bed by as  
23 much as fifty (50) percent, subject to approval by the DSD.

24 E. **Colors and Material:** Sign colors and materials shall be  
25 complementary to the architectural character, colors, and materials of  
26 the primary structure and shall not be gaudy, loud, distracting, or of  
27 an unnatural nature or color. Corporate colors shall not be permitted  
28 on any sign base, poles, frame or encasement. The use of corporate  
29 colors on any portion of the sign face shall count toward the total copy  
30 area allocated to the property.



31 F. **Changeable Copy:** Automated or manual changeable copy shall not be permitted on  
32 freestanding ground signs any sign district, except as specifically provided herein for  
33 individual changeable panels or as part of a conditional use or planned development  
34 process. Sign area dedicated to changeable copy, if any, shall be counted toward maximum  
35 copy area.

36 1. **Changeable copy on Freestanding Ground Signs in all Sign Districts.**

- 37 a. Manual or digital changeable copy numeric text maybe permitted for gasoline pricing  
38 on a ground sign when authorized as part of the conditional use process or planned  
39 development process for gas stations so long as the changeable copy area does not  
40 exceed twenty (20) percent of the total sign copy area allocated for the sign. Product  
41 information must be part of the permanent sign copy area; only the numeric pricing  
42 information may change.
- 43 b. Approved changeable copy, if any, shall not include any scrolling, moving, flickering  
44 or flashing text or graphics. Digital changeable copy, if any, for gas station pricing

1 may only include the numeric text for the price and shall not include any digital image  
2 or background graphics, nor may it extend any glow or glare from the sign.

3 c. Approved changeable copy may change only one (1) time each day.

4 **2. Changeable Panel on Freestanding Ground Signs in Traditional Neighborhood**  
5 **Sign District (TNSD) and Gateway Corridor Sign District (GCSD).**

6 In addition to the changeable copy provisions for all districts, above, the follow additional  
7 opportunities are provided for manual changeable copy panels on primary identification  
8 ground signs in the Traditional Neighborhood and Gateway Corridor Sign Districts.

9 a. One (1) panel of signage on a multi-panel primary identification ground sign may be  
10 approved to provide business announcements, sales, or special events. Manual  
11 changeable copy area may be permitted as part of the  
12 allowable sign copy area so long as the changeable copy  
13 panel is same style and design as the rest of the sign and  
14 does not exceed fifteen (15) percent of the total sign copy  
15 area. Such approved changeable copy panels may change  
16 only one (1) time each day. Sign permit shall designate only  
17 one (1) panel for changeable copy, including design, layout,  
18 color pallet, and text for proposed interchangeable panels,  
19 including estimated duration for any such interchangeable  
20 panels. Such requests will be reviewed on a case by case basis with a high level of  
21 aesthetic design being essential for authorization for any such changeable copy  
22 panels.



23 b. One additional decorative hanging panel on a Post & Panel sign or Hanging Panel  
24 Pole Sign may be added, which does not exceed one (1) square foot in size and  
25 indicates only the business status such as Open/Closed, Hours of Operation, or  
26 Vacancy/No Vacancy. Such incidental signage, when approved as part of the sign  
27 permit shall not count against the allowable copy area.

28 c. Approved changeable copy, if any, shall not include change-out of individual letters,  
29 but may only facilitate the change-out of one entire sign panel on a multi-panel sign.  
30 When not in use for temporary commercial message, the hanging panel shall be  
31 removed or such space shall be filled with a blank panel of similar style and color as  
32 other panels on the sign.

33 d. Approved changeable copy, if any, shall not include any digital, electronic, scrolling,  
34 moving, flickering or flashing text or graphics. The message may change only one  
35 (1) time each day.

36 **9.7.5. Design Criteria for Ground Signs**

37 The following design criteria are established for permanent freestanding ground signs to protect  
38 and enhance the unique character of the City's Sign Districts, including materials and design  
39 consistent with and complementary to the structure(s) they serve. Signs should complement  
40 and not detract from the materials, and colors of the building to which they will be attached. All  
41 signs should enhance and not detract from the building's architectural  
42 design. Signs should reflect the character of the building.

43 A. **Monument Style Signs** shall be designed as provided herein and  
44 are subject to approval by the DSD. Monument Signs are permitted  
45 in all Sign Districts.



1 1. Vertical structural supports for a monument sign shall be concealed from view in an  
2 enclosed, substantive base that is at least eighteen (18) inches in height or twenty-five  
3 (25) percent of the sign height, whichever is least restrictive. Height of the base may be  
4 increased if the elevation site is significantly lower than the elevation of the road, without  
5 impacting maximum sign height subject to appropriate documentation, including but not  
6 limited to a survey with one (1) foot contour elevations and approval by the Development  
7 Services Director. The base shall be flush to the ground, allowing no gaps between the  
8 ground and the bottom of the sign base.

9 2. The width of the base shall be at least the horizontal width of the sign and may extend  
10 up to fifty (50) percent beyond the horizontal width of the sign face. A base at two-thirds  
11 (2/3) of the horizontal width of the sign may be considered for existing developed  
12 properties that have experienced right-of-way takings.

13 3. The sign structure including encasement and base shall  
14 complement the principal structure, with regards to size, materials,  
15 color, finish, and architectural features. This includes the  
16 application of upgraded materials to the base, encasement, and  
17 along the sides and the top of the sign face or the sign cabinet.  
18 Base shall be of decorative materials consistent and/or compatible with the architectural  
19 style/building materials of the primary structure, including brick, decorative block, stone  
20 or other durable material as may be approved by the Development Services Director.



21 4. A base that exceeds fifty (50) percent of the sign height shall include additional  
22 architectural fenestration to avoid the appearance of monolithic pylon.

23 5. Monument-style base is encouraged to be a solid base with no space between the sign  
24 and the ground, but may be designed such that two substantive columns form the base  
25 from which the sign is mounted between. The base of each column should be at least  
26 twenty-five (25%) of the width of the sign. The space between the sign and the ground  
27 shall not exceed twenty-five (25%) of the sign height and shall be integrated as part of a  
28 continuous landscaped bed. Base or columns shall be flush to the ground, allowing no  
29 gaps between the ground and the bottom of the sign base or columns.

30 6. Monument-style base shall not be intended or designed to include any commercial  
31 message and shall not include colors, trademarks, or any other decorative design  
32 features that are primarily intended to attract attention, but shall be compatible with the  
33 architecture of the building or other site features.

34 7. An encasement, ornamental shell or substantive frame around the sign copy area shall  
35 be provided in the same or complementary materials as the  
36 primary structure and/or the base. The width of the encasement  
37 shall be at least fifteen (15) percent of the width of the sign copy  
38 area and the height at least fifteen (15) percent of the height of  
39 the sign copy area. Subject to approval by DSD, encasement  
40 requirements may be waived for solid wood engraved (or similar  
41 approved material) signs mounted on monument-style base or  
42 mounted between two substantive base pillars, which frame both sides of the sign. The  
43 depth of the sign encasement shall be at least two-thirds (2/3) of the horizontal depth of  
44 the base of the sign.



45 8. A decorative cap or other decorative finish that compliments to the sign encasement and  
46 base is required on top of the sign. Decorative caps, decorative street address  
47 numbers, or other non-commercial embellishments that contain no logos, sign copy

1 area, or commercial message may be added to the sign and may extend up to fifteen  
2 (15) percent above the maximum sign height, but must be appropriately scaled to the  
3 size of the sign. The height of embellishments, which are purely ornamental, is subject  
4 to design review and approval by the DSD.

5 **B. Pillar Signs** as a form of monument signage shall be designed as provided herein and are  
6 subject to approval by the DSD. Pillar Signs are permitted in all Sign Districts.

7 1. Vertical structural supports for a pillar sign shall be concealed from view in  
8 an enclosed decorative pillar.



9 2. The Pillar shall be of materials complementary to the architectural  
10 style/building materials of the primary structure, including brick, decorative  
11 block, stone or other durable material as may be approved by the  
12 Development Services Director.

13 3. Copy area shall be scaled appropriately to the height and width of the pillar and shall not  
14 exceed two-thirds (2/3) of the horizontal width of the pillar or one-third (1/3) of the  
15 allowable height of the pillar.

16 4. A decorative cap, which is complementary to the pillar materials, is required on the top of  
17 the pillar.

18 5. Other embellishments that contain no logos, sign copy area, or commercial message  
19 may be added to the sign and may extend above the maximum sign height, but must be  
20 appropriately scaled to the size of the sign. The type and height of embellishments  
21 above the sign height shall depend on the design of the sign and is subject to approval  
22 by the Development Services Director.

23 6. Internal illumination is prohibited.

24 **C. Post Panel Signs** shall be designed as provided herein and are subject to approval by the  
25 DSD. Post and Panel Signs, as primary identification signs, are only  
26 permitted in the Traditional Neighborhood Sign District (TNSD) and the  
27 Gateway Corridor Sign District.



28 1. All posts shall include a decorative base as well as multiple  
29 decorative/beveled enhancements along the length of the post. Each  
30 post shall have a decorative cap, ball and/or other embellishment  
31 consistent with the historic character of the structure.

32 2. To enhance the aesthetics and preserve the structure from degradation  
33 and weathering, posts and panels shall be made of solid, durable all-  
34 weather material that is complementary to the primary structure, and  
35 shall be painted or stained in colors that are complementary to the  
36 primary structure.



37 3. Sign panel shall be of a solid durable material at least two (2) inches  
38 thick, mounted securely between two (2) decorative posts (plywood between two fence  
39 posts is not acceptable). Separated panels may be used to enhance character and or  
40 separate different elements of the sign; however, the cumulative copy  
41 area on all panels shall count toward the copy area.



42 4. Sign may not be a slick flat surface. Sign face shall be beveled or  
43 engraved into the panel to add depth and character to the sign, but  
44 exceptions can be made for attractively designed panels that are

1 layered on one another to provide depth to the elements on the sign face—such design  
2 shall include design details and materials that are consistent with the historic character  
3 of the structure and clearly demonstrate the other decorative and depth-enhancing  
4 design elements that are provided.

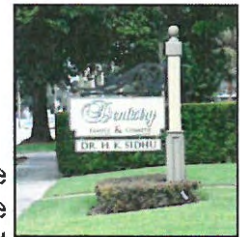
5 5. Caps, decorative balls, ironwork, street address number, or other non-commercial  
6 embellishments that contain no logos, sign copy area, or commercial message may be  
7 added to the sign and may extend up to fifteen (15) percent above the maximum sign  
8 height, but must be appropriately scaled to the size of the sign. The height of  
9 embellishments, which are purely ornamental, above the sign height shall depend on  
10 design of the sign and is subject to approval by the DSD.

11 6. The height of sign face shall be designed to cover an area between  
12 one third (1/3) and two thirds (2/3) of the height of the sign. The face  
13 shall be placed on the poles so that it exposes and open area between  
14 sign face and the ground that is twenty four (24) inches in height or a  
15 minimum of one third (1/3) of the sign height, whichever is less  
16 restrictive. This space between the sign and the ground shall be  
17 maintained even with the use of incidental hanging panels, if any. The space between  
18 the sign and the ground shall be integrated as part of a continuous a landscaped bed.



19 7. Regardless of property size, post and panel signs shall not exceed twenty four (24)  
20 square feet.

21 D. **Hanging Panel Blade Signs** shall be designed as provided herein and  
22 are subject to approval by the DSD. Hanging Panel Blade Signs are only  
23 permitted in the Traditional Neighborhood Sign District (TNSD) and the  
24 Gateway Corridor Sign District.



- 25 1. All poles shall include a decorative base as well as multiple  
26 decorative/beveled enhancements along the length of the post. The  
27 post shall have a decorative cap, ball or other embellishment  
28 consistent with the historic character of the structure.
- 29 2. To enhance the aesthetics and preserve the structure from degradation and weathering,  
30 poles and panels shall be painted or stained in colors that are complementary to the  
31 primary structure.
- 32 3. The sign panel shall be of a solid durable all-weather material that is complementary to  
33 the primary structure, at least one (1) inch thick and mounted to hang securely from a  
34 horizontal mount that is perpendicular to the decorative pole (plywood on a fence post is  
35 not acceptable).
- 36 4. Decorative embellishments, ironwork, or address number panel, which contain no logos  
37 or commercial message, may be added on top of the horizontal mount and may extend  
38 up to fifteen (15) percent above the maximum sign height, but must be appropriately  
39 scaled to the size of the sign. The height of embellishments, which are purely  
40 ornamental, is subject to design review and approval by the DSD.
- 41 5. Sign height shall be measured to the top of the decorative horizontal mount. Pole  
42 projection, cap, ball, embellishments or address number that are placed higher than the  
43 horizontal mount, when appropriately designed and scaled, shall not count against the  
44 sign height.

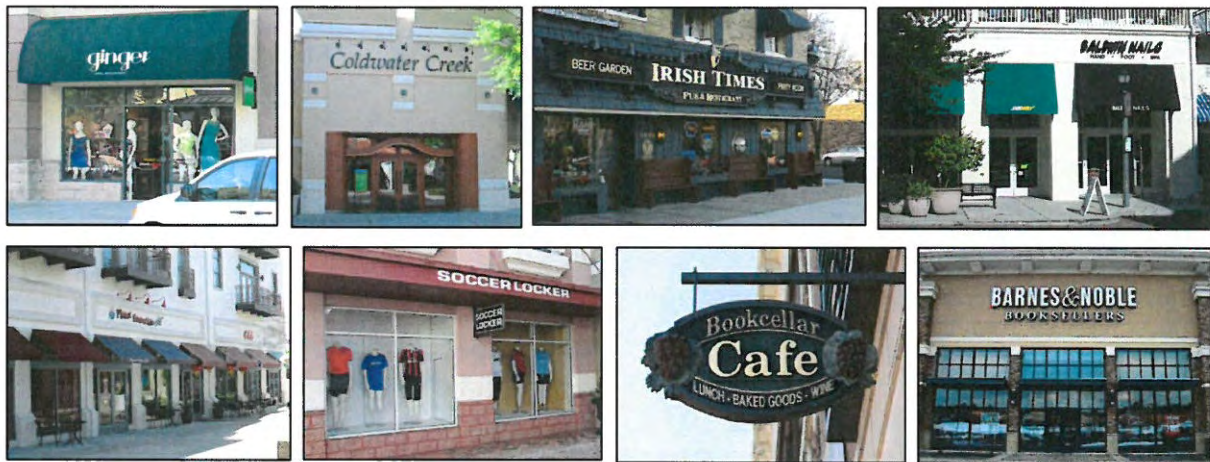
1 6. Multiple separate hanging panels may be used to enhance character and  
2 or separate different elements of the sign; however, the cumulative copy  
3 area on each panel shall count toward the copy area. The cumulative  
4 length of all hanging signage, including hooks, fasteners, changeable  
5 panels and incidental signs shall not exceed sixty-five percent (65%) of  
6 the allowable sign height.



7 7. Sign face is encouraged to be beveled or engraved into the panel to add  
8 depth and character to the sign, but exceptions can be made for attractively designed  
9 painted panels with design and details that are consistent with the historic character of  
10 the structure and other decorative and depth-enhancing design elements are provided.

## 11 9.8. Building and Wall Signs

12 The terms building sign or wall sign may be used interchangeable in this code and refer to signs  
13 affixed directly to or suspended from a wall or parapet wall of a building, with the exposed face  
14 of the sign in a plane approximately parallel to the face of the wall. Projecting Signs, which  
15 extend in a perpendicular direction from the face of the building, may also be permitted as  
16 provided herein. Commercial advertising placed on the sides or face of an awning or canopy  
17 that is attached to the face of the building may be utilized in lieu of wall signs or to supplement  
18 wall signage as provided herein.



19  
20  
21 The size, material, color, lettering, number, lighting and arrangement of wall signs must be  
22 harmonious with building design. Individual crafted signs are preferable to mass produced  
23 signs.

### 24 9.8.1 Performance Standards for Building Signs

25 The following general standards apply to all building signs located within any Sign District.

- 26 1. **Type of Sign.** Wall Sign, Canopy or Awning Sign, and Projecting Signs are permitted in  
27 all Sign Districts.
- 28 2. **Number of Signs.** One (1) sign per building or one (1) sign per commercial storefront in  
29 a multi-tenant building. For buildings located on a corner lot, additional wall signage  
30 may be permitted on the secondary building facade, which faces a side street.  
31 Additional incidental signs, historic building names, or combination of sign types may be  
32 permitted as part of a Master Sign Plan.

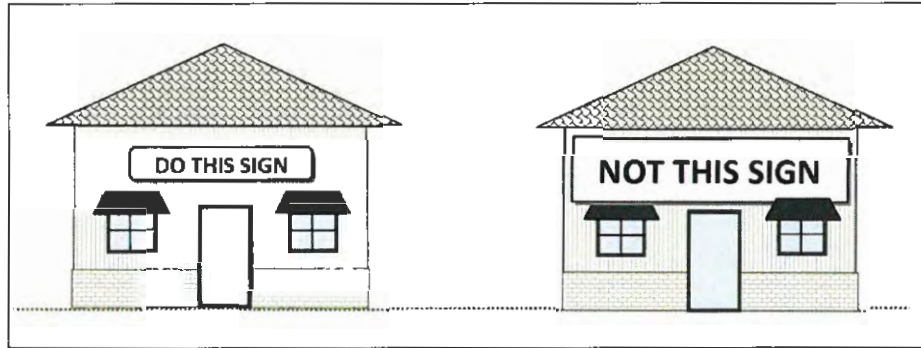
1 3. **Maximum Copy Area.** The maximum allowed building sign copy area is outlined in the  
 2 following tables based on the Sign District where the property is located and the linear  
 3 foot of primary building frontage, up to a maximum of eighty (80) square feet per  
 4 storefront or single-occupant building. Building frontage shall be a measure of the  
 5 building length of the primary building frontage and shall be measured in a straight line  
 6 from one end of the building to the other and shall not include indents or other  
 7 architectural building undulation. Such signage shall be placed on the primary building  
 8 frontage that serves as the primary customer entrance. The surface area of any  
 9 figurative sign shall count toward copy area. Additional building sign copy area may be  
 10 permitted as outlined below.

Sign District	Copy Area per lineal foot of primary building frontage	Maximum Copy Area (sq.ft.)
Traditional Neighborhood Sign District	1 square foot / lineal foot of building frontage	80
Gateway Corridor Sign District	1.5 square foot / lineal foot of building frontage	80
Saxon-Enterprise Sign District	1.5 square foot / lineal foot of building frontage	80

- 11
- 12 a. Single-occupant building signage may be provided not to exceed a maximum of one  
 13 half (1.5) square feet of signage per lineal foot of primary building frontage, except  
 14 that building/wall signage in the Traditional Neighborhood Sign District shall not  
 15 exceed one (1) square foot of signage per lineal foot of the primary building frontage,  
 16 up to a maximum of eighty (80) square feet of total sign copy area. Office, retail  
 17 and/or industrial buildings where there are multiple tenants that do not have  
 18 individual separate entrances to the exterior of the building shall be considered  
 19 single-tenant buildings for the application of these standards.
- 20 b. Multi-tenant building wall signage may be provided not to exceed a maximum of one  
 21 half (1.5) square feet of signage per lineal foot of tenant storefront facade length,  
 22 except that building/wall signage in the Traditional Neighborhood Sign District shall  
 23 not exceed one (1) square foot of signage per lineal foot of tenant storefront facade  
 24 length. Only the first-floor occupants of multi-tenant buildings with individual  
 25 separate entrances from the exterior of the building shall be allowed wall, fascia or  
 26 canopy signage. Multitenant office buildings that do not have individual separate  
 27 entrances to the exterior of the building shall not be considered multiple-tenant  
 28 buildings for the application of these standards.
- 29 c. The maximum sign size for building, wall, fascia, awning and canopy signs is  
 30 expressed in terms of square feet and relates to the maximum sign area that may be  
 31 devoted to the primary façade of particular business, notwithstanding the number or  
 32 combination of wall, fascia, awning or canopy signs. If a business has frontage on  
 33 two or more streets, or has multiple frontage on a parking area and a street,  
 34 additional signage may be allowed on additional building faces where the primary  
 35 facade treatments and customer entrances are provided on both front and sides. In  
 36 such cases, each primary frontage may be considered separately for the purposes of  
 37 determining compliance with the provisions of these regulations; however, the  
 38 permitted sign area for one frontage shall not be combined with another frontage to



- 1 place the combined sign area on one primary frontage. The additional building  
2 signage may only be permitted if the secondary facades meet the City appearance  
3 standards for primary façade.
- 4 d. Multi-family residential buildings may provide limited wall signage as part of a Master  
5 Sign Plan. Such signage should be scaled to serve internal users or residents of the  
6 community, not to attract the attention of passers-by. The signage may identify the  
7 names of the community, names of facilities within a building (office, laundry, etc),  
8 and other building identification such as building name and/or address number.
- 9 e. Increases in copy area may through administrative variance be permissible as part of  
10 a Master Sign Plan for properties who experienced Right-of-Way takings or whose  
11 building face is located within ten (10) feet of the front property line, whereby  
12 precluding or reducing opportunity for freestanding identification signage.
- 13 4. **Secondary Wall Signage.** Secondary and incidental building and wall signs may be  
14 permitted as provided in Secondary and Incidental Building and Wall Signs section of  
15 this chapter. Such signs shall be in the same architectural style, design, placement,  
16 colors and theme as the other building signs and shall meet all the requirements for  
17 those types of signs as provided in the applicable Sign District.
- 18 5. **Master Sign Plan.** A Master Sign Plan is required if more than one building/wall sign is  
19 proposed for the property (multiple tenants, multiple buildings or secondary wall  
20 signage), or if more than one type of sign is proposed for any building or tenant space.  
21 A Master Sign Plan shall include a cohesive theme for all wall signs, including  
22 complementary colors, design, materials, and construction. If a Master Sign Plan is  
23 required for building/wall signs, it shall be accompanied by a Master Sign Plan for  
24 ground signs. In multi-tenant buildings, and centers wall signage shall conform to the  
25 approved Master Sign Plan. If no plan is on file with the City, a Master Sign Plan shall  
26 be submitted prior to the issuance of any additional sign permits for the center. Master  
27 Sign Plan requirement can be waived by the DSD if adequate information is shown on  
28 the Sign Review Permit submittal.
- 29 6. **Sign Placement.** The signable area of a building will vary based on the architecture of  
30 the building. A wall sign shall be mounted flush to the side of the building but shall not  
31 cover, obstruct, damage or otherwise adversely affect the building's salient architectural  
32 or historic features. Building signs shall not obscure or interfere with the function of  
33 doors or windows or detract from the architectural features of the building.
- 34 a. Roof mounted signs are prohibited. A building sign shall not extend above the top of  
35 the wall or lowest roof eave line.
- 36 b. Signs placement shall be harmonious with the building design. Signs should be  
37 balanced and placed aesthetically within the amount of available building fascia,  
38 such that at least twenty percent (20%) signable area of the wall area or fascia  
39 surrounding the sign face shall remain free of any signage or commercial message.



1  
2 c. Regardless of building frontage, signage that faces residential areas shall be  
3 discouraged or shall be significantly limited in size and lighting to reduce impacts on  
4 adjacent residential uses.

5 7. **Street Address Number.** Buildings are encouraged to include the street address  
6 number of the property as part of their master sign plan. Street address numbers shall  
7 not count against allowable sign copy area. If not part of the building or window signage,  
8 address numbers shall be placed elsewhere on the primary façade of the building in a  
9 prominent visible location as provided in the Code of Ordinances.

10 8. **Wall Sign Lighting.** Except as restricted elsewhere in this Chapter for specific types  
11 and locations of signs, wall signs may be illuminated as provided below. See the lighting  
12 standards section of this code for more detailed lighting standards.

13 a. Within the Traditional Neighborhood Sign District (TNSD), building signs may be  
14 lighted by a decorative, shielded, external light source. Internally illuminated signs  
15 do not reflect the historic character of the area and shall not be permitted in the  
16 TNSD.

17 b. Within the Gateway Corridor Sign District and the Saxon Enterprise Sign District  
18 (SESD), building signs may be illuminated by internal illumination, halo illumination  
19 or a shielded, external light source. Visible neon, LED or other tube lighting shall not  
20 be permitted on any sign.

21 9. **Changeable Copy.** Automated/electronic, digital or manual changeable copy shall not  
22 be permitted on building signs in the any Sign District. Manually changeable panels may  
23 be permitted in the Traditional Neighborhood Sign District (TNSD) and that Gateway  
24 Corridor Sign District (GCSD) only as specifically provided in this section.

25 a. One (1) decorative hanging panel or manually-changed placard will be allowed as  
26 incidental signage so long as it does not exceed one (1) square foot in size and  
27 indicates only the business status such as Open/Closed, Hours of Operation, or  
28 Vacancy/No Vacancy. This shall be in lieu of any lighted open/close signage hung  
29 inside the windows of a structure, but shall not count against the allowable wall sign  
30 copy area.

31 b. As part of a Master Sign Plan for a building located in the Traditional Neighborhood  
32 Sign District or the Gateway Corridor Sign District, an appropriately-scaled,  
33 manually-changed, hanging panel or changeable panel incidental sign, which  
34 advertises reoccurring events or onsite promotional activities, may be allocated from  
35 the total sign copy area. Such signage shall not exceed twenty five (25) percent of  
36 the total sign copy allocation, and shall be in the design and aesthetic of other  
37 permanent wall signs or sign panels, including the same style and materials the other

1 building signage, but may be changed or rotated to reveal a different event or activity  
2 one (1) time per day. Master Sign Plan shall include design, layout, location, copy  
3 area, color pallet, and text for proposed interchangeable panels, including estimated  
4 duration for any such interchangeable panels. Such requests will be reviewed on a  
5 case by case basis with a high level of design detail and aesthetics being essential  
6 for authorization for any such changeable copy panels. Such signage shall only be  
7 placed on the principal building.

8 **10. Commercial Message Copy Area used for Real Estate Signs.** When a property or  
9 any portion of a property is vacant or available for sale or lease, the existing wall sign  
10 copy area that is not in use may be utilized to display the sale, lease or rental of the  
11 property or any unit or part thereof in lieu of other real estate signs.

12 **11. Colors and Material.** Sign colors and materials shall be complementary to the  
13 architectural character, colors, and materials of the primary structure and shall not be  
14 gaudy, loud, distracting, or of an unnatural nature. Corporate colors shall not be  
15 permitted on the face of the building, sign frame or encasement. The use of Corporate  
16 Colors on any portion of the sign, building face, building trim, or as banding on a building  
17 or an accessory structure shall count toward the total copy area allocated to the  
18 property.

19 **9.8.2 Design Criteria for Building Signs**

20 The following design standards apply to all signs placed upon the signable area of a building in  
21 any Sign District.

22 1. **Wall signs** may be either of one-piece construction or of  
23 individually connected or related letters or symbols. A Wall  
24 Sign, which is parallel to the face of the building, shall project no  
25 more than ten (10) inches from the face of the wall. Wall signs  
26 should be designed in material that is complementary to the  
27 building design, colors and materials; including aesthetic  
28 framing.



29 a. Aluminum or metal box framing shall not be acceptable in the Traditional  
30 Neighborhood Sign District (TNSD). A high level of design articulation consistent  
31 with the historic character of the area shall be required in all sign districts.

32 b. Decorative layout, finishes, materials, embellishments and lighting  
33 reflective of the character of the sign district and the building shall  
34 be required.



35 c. Wall signs shall include decorative framing or other decorative  
36 design details and depth based on the type of sign and/or sign  
37 lighting proposed.

38 d. Cohesive style, type, lighting and color theme shall be applied to all signs on a  
39 building.

40 e. Except for signs placed on authorized parapet wall facades, wall signs shall not  
41 project or extend beyond the eaves or drip line of the building they serve.

42 2. **Canopy or Awning Signs**, which are permanently embedded in or  
43 affixed to the flat vertical surface of an awning or canopy, may be  
44 provided in lieu of other building signs or to supplement other  
45 building signs. Awning or canopy signs are not intended to be used



1 as banners, or to create other floppy signs—the awning or canopy shall be appropriately  
2 designed as a window shade or pedestrian cover and scaled to fit the façade of the  
3 building, consistent with the appearance review standards in the Land  
4 Development Code.



5 The purpose of this section is to provide regulations to allow signs on  
6 awnings or canopies. This section does not govern the installation of  
7 awnings, canopies and other appurtenances. Installation, design and  
8 dimensions of the awning or canopy are determined by applicable provisions of the Land  
9 Development Code and/or from an approved site plan and/or other applicable City  
10 Ordinance regulation or requirement.

11 a. Copy area, including any commercial message, may not cover more than (20)  
12 percent of the primary face of the canopy or awning. Copy area on a canopy or  
13 awning shall count as part of the maximum allowable copy area  
14 assigned for total building copy area.



15 b. Embellishments or graphic designs that contain no logos, sign  
16 copy, or commercial message related to the business may be  
17 allowed on a canopy or awning, if appropriately scaled to the size  
18 of the canopy or awning. The type, color and size of  
19 embellishments shall depend on design of the canopy or awning, relationship to the  
20 building materials and colors, and are subject to approval by the DSD.

21 c. Awnings and canopies may not be backlit. Appropriately designed direct lighting  
22 may be permitted.

23 d. With the exception of single color canopies or awnings that are complementary to the  
24 color of the building, the use of corporate colors, stripes or graphics that are  
25 representative of the business, corporate logo, corporate colors or services provided  
26 shall not be permitted. Awning or canopy sign may be permitted as a single color or  
27 monochromatic color commercial message on a single color awning or canopy. All  
28 awning or canopy sign colors, styles, and fonts shall be consistent and compatible  
29 with all other awnings or canopies on the same building, and must be approved as  
30 part of the overall building appearance package, including cohesive theme.

31 e. Awning or canopy signs shall only be located on first floor awnings or canopies.

32 3. **Service Station Canopy and Accessory Structure Signs.** Signage on a service  
33 station canopy or other accessory structure to the primary structure may be permitted as  
34 provided herein. The purpose of this section is to provide regulations to allow signs on  
35 service station canopies or accessory structure may be implemented. This section does  
36 not govern the installation of awnings, canopies, accessory structures and other  
37 appurtenances. Installation, design and dimensions are determined by applicable  
38 provisions of the Land Development Code and/or from an approved site plan and/or  
39 other applicable City Ordinance regulation or requirement.

40 a. Copy area for a service station canopy or accessory structure may be allocated from  
41 the maximum allowable copy area assigned to the primary structure. Such allocation  
42 of copy area, including any commercial message and logos, may not exceed twenty  
43 five (25) percent of signage allocated to the primary structure, nor shall it cover more  
44 than twenty five (25) percent of the available canopy fascia.

45 b. Any corporate colors, including sign background or banding, that are used on the  
46 canopy shall count against the allocated copy area.

- c. Any signage on gas pumps or other appurtenances shall count against the allocated copy area. However signage shall not be permitted on trash cans, light poles or other site furnishings—all other signs shall be in compliance with this chapter.
- d. Service station canopies shall not be backlit; however, the sign itself may include lighting consistent with the Sign District where the sign is located.
- e. Sign design, style and placement shall be consistent with other primary identification signage.
- f. Changeable copy of any kind shall not be permitted on service station canopies.

4. **Projecting Signs** or any sign that is attached in a plane approximately perpendicular to the surface of a building may be permitted to supplement other building signage. Projecting signs may be attached to the building or may be designed as a decorative hanging panel sign. Projecting signs may include figurative signs and marquee signs. Projecting Signs must be designed consistent and complementary to the design, colors, and architecture of the building and other building signs.



a. Projecting signs are intended to accent and to provide alternatives that complement other primary building signage; therefore, the use of more than one (1) projecting sign per business will be discouraged.

b. The total copy area on any projecting sign shall not exceed fifty (50) percent of the maximum allowable copy area.

c. Projecting signs shall not be backlit.

d. Projecting signs shall not project more than forty two (42) inches from the face of the building, unless designed as a marquee sign between two buildings in the same complex.



e. Projecting signs shall be placed so that there is a minimum clearance of nine (9) feet from the bottom of the sign to the ground, sidewalk or other pedestrian walkway below the sign.

f. Projecting signs shall not extend above any vehicular travel lane of any public street, private street or vehicle use area, parking area or vehicular travel way.

g. Except for vertically mixed use buildings, projecting signs shall be discouraged above the first floor of a building. The maximum height to top of sign should not exceed twenty (20) feet and such signs will be discouraged above the lowest eaves of the roof line. Signs placed at higher locations on the building may be requested subject to reduction in copy area and projection.

h. The sign must complement the building's architectural treatments and may not encroach or detract from the buildings salient architecture.

5. **Multi-Tenant Center Cohesive Sign Theme.** Multi-tenant centers shall provide cohesive sign theme throughout their development including the following characteristics.

a. Where individual changeable panels are utilized, the background and border colors on all shopping center tenant signs, except anchor signs or shopping center name, shall be on a consistent background style and color. The same style and colors shall

1 be used throughout the development and the colors shall be used in the same  
2 relationship on all signs providing visual continuity.

3 b. Cohesive color scheme and sign style shall be established with Master Sign Plan, so  
4 that no more than two colors shall be used for lettering in addition to the background  
5 and border colors, except as provided herein for anchor signs. A sign may include a  
6 logo which shall not encompass more than twenty five (25) percent of the total  
7 allowed sign area. Logos as provided in this paragraph are not subject to color  
8 restrictions.

9 c. Encourage theme for consistent sign lighting styles.

10 d. Anchor store signs shall only include commercial message of the anchor store  
11 tenants in the shopping center. Where multiple anchor tenants exist, all such anchor  
12 store tenant signs shall be located on the buildings that are either freestanding or  
13 accentuated by their height, staggered building lines or other architectural detailing—  
14 clearly representing their building as the anchor tenant. Anchor tenant signs may be  
15 different than the secondary tenant signage, but shall be of a uniform type, style,  
16 lighting and color scheme so that the use of different signage does not disrupt the  
17 visual continuity of the center.

## 18 **9.9. Secondary and Incidental Signs**

19 Secondary and incidental Signs may be permitted as part of a Master Sign Plan. These may  
20 include both ground signs and building/wall signs. Such signs shall be in the same or  
21 complementary architectural style, design, colors and theme as the other signs and shall meet  
22 all the requirements for those types of signs, including design, landscaping, lighting, etc. as  
23 provided in the Sign District where the sign is located. Signs shall not conflict with the line-of-  
24 sight required for maneuvering through internal roads, drive aisles or parking facilities. Sign  
25 size, height, and location may be reduced or modified based on site conditions to accommodate  
26 necessary sight triangles or other safety concerns. Secondary or incidental signs shall not be  
27 permitted if other signage on the property is not in compliance with this code.

### 28 **9.9.1 Secondary and Incidental Ground Signs**

29 Secondary Ground signs may be permitted as part of a Master Sign Plan. Such signs shall be  
30 in the same or complementary architectural style, design, colors, materials and theme as the  
31 other freestanding primary identification ground signs and shall meet all the requirements for  
32 those types of signs, including setbacks, landscaping, lighting, etc. as provided in the Sign  
33 District where the sign is located. Secondary signs shall not be permitted if other signage on  
34 the property is not in compliance with this code. The following additional standards also apply  
35 to any secondary ground sign.

36 A. **Secondary Identification Ground Signs** as provided herein may be permitted as a  
37 Secondary Sign when submitted as part of a Master Sign Plan. Number, size, location,  
38 copy area, if any secondary ground signs are permitted, is outlined herein.

39 1. **Secondary Ground Sign for Secondary Roadway Frontage.** For a non-residential  
40 property that fronts more than one public right-of-way, one (1) secondary free standing  
41 identification sign may be allowed for each secondary public right-of-way frontage that  
42 the property fronts and has vehicular access (not including alley frontage). However,  
43 such secondary right-of-way signage shall be separated from any other onsite  
44 identification signage by a distance of at least one hundred (100) feet and shall not be

1 located to serve or be visible from the same roadway frontage as the primary ground  
2 sign.

3 2. **Secondary Ground Sign for Extend Length Road Frontage.** For a non-residential  
4 property that has primary right-of-way frontage that exceed five hundred (500) linear  
5 feet, one (1) secondary free standing identification sign may be allowed to serve a  
6 secondary access points along the extended frontage. However, such secondary right-  
7 of-way signage shall be separated from any other onsite identification signage by a  
8 distance of at least one hundred (100) feet.

9 3. **Secondary Ground Sign for Alley Frontage.** For non-residential properties with alley  
10 access and customer parking to the rear of the structure, one (1) secondary free  
11 standing identification sign may be allowed along the ally frontage.

12 4. **Secondary Ground Sign for Residential Communities.** For residential communities  
13 with nine (9) or more residential units, one (1) secondary free standing identification sign  
14 may be allowed for the secondary entrance to the community. Excessive signage will  
15 not be permitted; however, pillars of same style and materials as primary identification  
16 signage, which indicate neighborhood boundaries, may be authorized as part of a  
17 Master Sign Plan.

18 5. **Size and Height of Secondary Freestanding Ground Signs.** Secondary Freestanding  
19 ground signs, if any, may only be authorized as part of a Master Sign Plan and shall be  
20 the same or complementary style and design as the primary identification signs.  
21 Secondary freestanding ground signs, if any, may have copy area up to fifty (50%) of the  
22 copy area of the Primary Identification Sign and shall have a reduced height, which is a  
23 maximum of seventy-five (75) percent of the primary sign height and clearly represents  
24 their secondary hierarchy. Secondary signs, if any, shall meet the setbacks, separation  
25 requirements, and development standards for the applicable sign district.

26 6. **Impact on Residential Uses.** Secondary signage for non-residential development shall  
27 be discouraged or shall be significantly reduced in size, height and lighting on  
28 predominately residential streets or where single family residential homes are located  
29 within one hundred (100) feet of the proposed sign.

30 B. **Freestanding Directory Signs** may be permitted as a Secondary  
31 Sign in Shopping Centers, Hospitals, or Master Planned  
32 Communities that include multiple buildings, outparcels or that  
33 exceed five (5) acres in size to help patrons find the different  
34 business within an expansive shopping center, office complex or  
35 mixed use property.

36 1. Directory signs height shall be the minimum necessary to  
37 accommodate business names and directional information and  
38 shall not exceed six (6) feet in height.

39 2. Sign copy, shall be the minimum necessary to accommodate  
40 business name and directional information and in no case shall exceed fifty (50) percent  
41 of the copy area of the primary identification sign, as provided herein. Such signage is  
42 intended to guide internal circulation and may not be visible from the public right-of-way  
43 or adjacent properties that are not associated with the complex; therefore directory  
44 signs, if any, shall be setback, sized and placed appropriately on the Master Sign Plan.

45 3. Directory signs shall not include any commercial message—they may only include  
46 business name and directional arrows. Individual panels shall be appropriately scaled



1 for the number of businesses on the sign. Panels for individual business names shall  
2 have consistent sizing, cohesive design, colors, font and theme. The cumulative copy  
3 area shall count toward the total maximum copy area. Panels shall be spaced at  
4 consistent intervals. Logos may not be used.

- 5 4. Unless site layout and internal circulation supports additional signs there shall be no  
6 more than one (1) directory sign for each primary entrance into the center. Number,  
7 size, and location should be secondary in nature to all other  
8 signs and are subject to approval by the DSD as part of the  
9 Master Sign Plan.



10 C. **Free Standing Pedestrian Directory Signs** that identify the  
11 location of tenants or businesses within a multi-tenant building,  
12 shopping center, office complex, or industrial park may be  
13 provided internal to the property to direct pedestrians between  
14 buildings and/or to individual offices or entrances within a building. This may  
15 be a map and/or sign in a common space or near a building with multiple  
16 uses that identifies uses or activities conducted on-site.



- 17 1. Pedestrian directory signs shall be located and designed for viewing at a  
18 pedestrian scale.

- 19 2. Unless an alternate size is approved through a Master Sign Plan,  
20 freestanding pedestrian directory Signs shall not exceed six (6) square

21 feet in size.

- 22 3. One (1) freestanding or wall directory sign may be permitted for each  
23 primary building entrance to a building. Map directories may be  
24 permitted in common areas and strategic locations on site; however,  
25 excessive signage shall be prohibited.



- 26 4. Commercial messages and logos shall be prohibited on directory signs.  
27 Such signs may only the name of the business and address number or suite number for  
28 the businesses. Consistent font size and color shall be used on the sign.

29 D. **Drive-Thru Menu Board Signs** may be permitted as part of a Master Sign Plan. Such  
30 signs shall be monument style signs designed in the same architectural style, design, colors,  
31 materials, and theme as the building and complementary to the other freestanding signs.  
32 Such signs may only be utilized for authorized drive-thru facilities and are subject to siting  
33 and appearance standards established in the Land Development Code.

- 34 a. Drive-thru menu board signs shall meet all the requirements for monument signs,  
35 including landscaping, lighting, etc. as provided in the designated sign district. Provision  
36 for backlit menu board signs may be accommodated if the sign is not visible from the  
37 right-of-way or residential properties.

- 38 b. Drive thru menu boards shall not exceed six (6) feet in height.

- 39 c. Copy area shall be pedestrian scale for viewing within a non-moving vehicle and shall  
40 not exceed a maximum of twenty-four (24) square feet and may only include menu  
41 items. Logos and business name shall be incidental to the sign purpose and shall not  
42 exceed five (5) percent of the total copy area.



- d. Parasite Signs or any sign not specifically approved as part of the menu board, which has been attached to or installed without a permit being issued and which is added to the Menu Board Sign shall be prohibited.
- e. Any such signs shall have their location illustrated on the approved site plan and shall meet location and appearance standards established in the Land Development Code.
- f. Menu boards that include any sound amplification, soundboard, speakers or communication device shall be setback a minimum of sixty (60') from residential properties and shall include eight (8) foot decorative masonry wall or other sound attenuation barrier(s), as may be approved by the DSD, as part of the required landscape buffers. Sound amplification devices/drive thru speakers/communication devices, if any, must be authorized as part of the condition use approval and shall meet the requirements of Chapter 10 of the Code of Ordinances.

E. **Incidental Ground Signs** may be permitted as part of a Master Sign Plan. Such signs shall be in the same or complementary architectural style, design, colors and theme as the other freestanding ground signs and shall meet all the requirements for those types of signs, including landscaping, setbacks, lighting, etc. as provided in the designated sign district. Incidental signs shall be the smallest size sign needed to accomplish the incidental task it is being used for. Incidental signs shall not be permitted if other signage on the property is not in compliance with this code.



1. **Incidental Directional Signs** that do not exceed two (2) square feet of copy area may be used to direct vehicular traffic into and through the site.

- a. Directional signs may only include directional arrows, directional information, and non commercial message.
- b. Copy area may include a simple logo, which is single color or monochromatic and does not exceed fifteen (15) percent of the copy area and is incidental to the sign purpose, but shall not include any sign text or commercial message.
- c. Signs shall not exceed three (3) feet in height.

2. **Incidental Community Identification Signs** may be permitted as part of a Master Sign Plan to identify community or neighborhood facilities such as parks, community centers, trail heads, or other facilities or services that are not associated with a specific business, but that serve the center or the community as a whole.

- a. Unless an alternate size is approved through a Master Sign Plan, Incidental Community Identification Signs shall not exceed six (6) square feet in size. Building address and/or building number shall not count toward the allowable copy area.
- b. Copy area may include a simple logo representing the community or the center, which is single color or monochromatic and does not exceed fifteen (15) percent of the copy area and is incidental to the sign purpose, but shall not include any sign text or commercial message.
- c. Signs shall not exceed four (4) feet in height.



3. **Other Incidental Ground Signs** as may be deemed appropriate by the DSD may be approved as part of a Master Sign Plan.

1 4. **Incidental Gas Pump Signs and signage on vacuum stations or air pumps** may be  
2 permitted as part of a Master Sign Plan. Such signs shall be in the same architectural  
3 style, design, colors and theme as the other authorized signs serving the property.

4 a. Unless taken from the total wall sign allocation, no signage shall be included on the  
5 base or face of the pump, as the pump shall be designed to include materials and  
6 colors consistent with those used on the building.

7 b. Pedestrian scale signage serving the user of a gas pump, may be architecturally  
8 integrated onto the upper portion of the face of the pump with cap and/or  
9 encasement in the same or complementary materials as the materials used to accent  
10 the base of the building. Signage may include commercial message, business logo  
11 or advertise goods and services sold on site or within the store, but in no case shall  
12 the copy area exceed one-half (1/2) of a square foot per pump. Architecturally  
13 integrated digital message boards or LDC screens may be authorized in lieu of other  
14 signs on pumps.

15 c. Appropriately scaled digital pricing and payment interface on the face of the pump  
16 shall be exempt.

17 d. In no case shall any signage, logo or commercial message be sized so it is visible  
18 from adjacent right-of-way or adjacent properties.

19 e. Parasite Signs or any signs not specifically approved as part of the Master Sign Plan,  
20 which have been attached to or installed without a permit being issued and which is  
21 added to the pump, shall be prohibited.

#### 22 **9.9.2 Secondary and Incidental Building and Wall Signs**

23 Secondary and incidental building and wall signs may be permitted as provided in this section.  
24 Such signs shall be in the same architectural style, design, placement, colors and theme as the  
25 other building signs and shall meet all the requirements for those types of signs as provided in  
26 the applicable Sign District. Secondary and incidental building signs shall not be permitted if  
27 other signage on the property is not in compliance with this code.

28 1. **Secondary Building Signs** may be authorized as part of a master sign plan. Size, location,  
29 and copy area, if any, is outlined in herein.

30 a. A secondary building frontage that faces a secondary road and has façade and  
31 landscape enhancements, but is not a primary façade with customer entrance that  
32 meets the City's appearance standards, may provide limited secondary building signage  
33 as part of a master sign plan. The signage allocation on secondary facade shall come  
34 from the total copy area allocated to the building based on its primary façade length. In  
35 no case shall more than fifty (50) percent of the overall building signage be allocated to a  
36 secondary façade. Signage that faces residential areas shall be discouraged.

37 b. A secondary building frontage that faces a secondary road and has façade and  
38 landscape improvements meeting the primary façade requirements of the City's  
39 appearance standards, including customer entrance, may provide secondary building  
40 signage as part of a master sign plan. The signage allocation on secondary facade shall  
41 fifty (50) percent of the signage allowed under the code for the sign district based on  
42 length of secondary façade. This additional signage may not be combined with primary  
43 façade signage or distributed onto any other façade. Signage that faces residential  
44 areas shall be discouraged.

- 1 c. Historic Building names and historic markers may be incorporated into the building  
2 design without counting against the maximum allowable copy area subject to a Master  
3 Sign Plan and approval by DSD. Historic character, architectural design, and materials  
4 of the sign will be essential to the allowance of any such additional signage.



- 5  
6 2. **Incidental Building Signs** may be permitted as part of a Master Sign Plan. Such signs  
7 shall be in the same architectural style, design, colors and theme as the other building signs  
8 and shall meet all the requirements for those types of signs as provided in the applicable  
9 Sign District. Incidental building signs that exceed the standards outlined herein may be  
10 authorized as part of master sign plan; however the copy are allocations shall come from the  
11 total copy area allocated for the building.

- 12 a. **Hanging blade signs (aka arcade signs)** A sign that is suspended  
13 underneath an awning, canopy, overhang, or other structural  
14 element of a building that forms a covered passageway for  
15 pedestrians. Such signs are placed perpendicular to the face of the  
16 building and serve pedestrians and do not exceed four (4) square  
17 feet shall not be counted against the total copy area.



- 18 (1.) **Maximum number:** One (1) per primary tenant entrance under canopy or covered  
19 walk. Such signage is allowed only where multiple establishments share a common  
20 canopy ceiling over a sidewalk.

- 21 (2.) **Minimum clearance above sidewalk:** Hanging blade signs shall be placed so that  
22 there is a minimum clearance of nine (9) feet from the bottom of the sign to the  
23 sidewalk or other pedestrian walkway. Hanging signs shall be inset from the edge of  
24 the canopy or walkway and shall not extend beyond the outermost perimeter of the  
25 awning, canopy, or structural member to which it is attached.

- 26 (3.) **Other Design Standards:** Hanging blade signs or arcade  
27 signs are allowed only where multiple establishments share a  
28 common canopy or ceiling over a sidewalk. A consistent theme  
29 and/or color palette or sign style must be maintained throughout the site among  
30 individual signs placed under a common or shared canopy or awning.



- 31 b. **Directory Signs** that identify the businesses within a multi-tenant office building may be  
32 provided internal to the property and on building exteriors to direct pedestrians between  
33 buildings and/or to individual offices or entrances within a building.

- 34 (1.) Directory Signs shall be located and designed to a pedestrian  
35 scale.

- 36 (2.) Unless an alternate size is approved through a PD Master Sign  
37 Plan, Directory Signs placed on the exterior of the building shall  
38 not exceed six (6) square feet in size. Appropriately scaled,  
39 building address and building number shall not count toward the  
40 allowable copy area.



1 (3.) One (1) freestanding or wall directory sign may be permitted for  
2 each primary building entrance to a building. Map directories may  
3 be permitted in common areas and strategic locations on site;  
4 however, excessive signage shall be prohibited.



5 (4.) Commercial messages shall be prohibited on directory signs.  
6 Such signs may only the name of the business and address  
7 number or suite number for the businesses. Signs shall utilize  
8 consistent design theme and font.

9 (5.) Interior Directory Signs that are not visible from the exterior of the building are  
10 exempt from these provisions.

11 (6.) Directory signs in excess of six (6) square feet may be presented as part of a Master  
12 Sign Plan with copy area allocated from the total copy area allocation for the  
13 building.

14 c. **Incidental Directional Signs** that do not exceed two (2) square feet of copy area may  
15 be used to direct pedestrians to and through buildings. Such signs shall not be counted  
16 against the total copy area.

17 (1.) Directional signs may only include directional arrows, and directional text such as  
18 Enter, Exit, Loading, Drive-Thru, etc.

19 (2.) Copy area may include a simple logo, which is single color or monochromatic and  
20 does not exceed fifteen (15) percent of the copy area and is incidental to the sign  
21 purpose, but shall not include any sign text or commercial message.

22 d. **Menu Board** that is securely attached on the exterior of a sit-down  
23 restaurant or quality food service establishment may be permitted as  
24 part of a Master Sign Plan to identify menu items served in the  
25 restaurant. A decorative menu board may be permitted when  
26 installed near the primary entrance of the restaurant and must be  
27 placed inside a transparent cover with decorative frame. Size and  
28 design shall be consistent with the size and design of the menu used  
29 in the restaurant; however, the entire sign shall not exceed two (2)  
30 square feet. Such pedestrian scaled signs shall not count toward total copy area, but  
31 shall meet the appearance standards for the building.



32 e. **Figurative Signs** placed on buildings that represent the business or products sold may  
33 be permitted as part of a Master Sign Plan. The visible surface area of any figurative  
34 signs shall count toward total copy area.

35 f. **Other Incidental Building Signs** as may be deemed appropriate by the DSD may be  
36 approved as part of a Master Sign Plan.

37 g. **Service Entrance Signs.** For properties where secondary signage is not applicable or  
38 not provided, service entrance and/or rear access to a business that are not visible from  
39 the right-of-way shall be identified by address numerals and may include the business  
40 name, such that service entrance signs shall not be lighted and copy area shall not  
41 exceed four (4) square feet.

42 h. **Incidental Gas Pump Signs and signage on vacuum stations or air pumps** may be  
43 permitted as part of a Master Sign Plan. Such signs shall be in the same architectural  
44 style, design, colors and theme as the other authorized signs serving the property.

- 1 (1.) Unless taken from the total wall sign allocation, no signage shall be included on the  
 2 base or face of the pump, as the pump shall be designed to include materials and  
 3 colors consistent with those used on the building.
- 4 (2.) Pedestrian scale signage serving the user of the pump, may be architecturally  
 5 integrated onto the upper portion of the face of the pump with cap and/or  
 6 encasement in the same or complementary materials as the materials used to accent  
 7 the base of the building. Signage may include commercial message, business logo  
 8 or advertise goods and services sold on site or within the store, but in no case shall  
 9 the copy area exceed one-half (1/2) of a square foot per pump. Architecturally  
 10 integrated digital message boards or LDC screens may be authorized in lieu of other  
 11 signs on pumps.
- 12 (3.) Appropriately scaled digital pricing and payment interface on the face of the pump  
 13 shall be exempt.
- 14 (4.) In no case shall any signage, logo or commercial message be sized so it is visible  
 15 from adjacent right-of-way or adjacent properties.
- 16 (5.) Parasite Signs or any signs not specifically approved as part of the Master Sign Plan,  
 17 which have been attached to or installed without a permit being issued and which is  
 18 added to the pump, shall be prohibited.

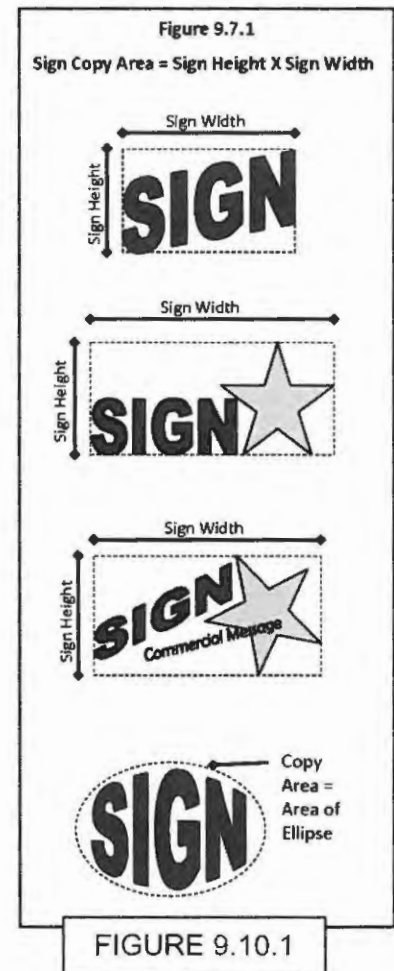
19 3. **Excessive signage** shall not be permitted. Signs shall not conflict with the line-of-sight  
 20 required for maneuvering through internal roads, drive aisles,  
 21 parking facilities or with required landscape plantings. Signs  
 22 shall not clutter a building façade, nor shall they conflict or  
 23 detract from building architecture or building access. Sign  
 24 size, height or location may be reduced or modified to  
 25 accommodate necessary sight triangles, architecture,  
 26 minimize conflict, facilitate enhanced design, or if determined  
 27 to exceed the purpose of the sign.

28 **9.10. General Requirements for Signs**

29 Copy area determination, location, setbacks, height and  
 30 clearance.

31 **9.10.1. Sign Copy Area.** Sign standards and area determination.  
 32 Sign area shall be defined as follows, including the graphic  
 33 illustrations.

- 34 A. In the case of freestanding, awning or canopy signs, or wall  
 35 signs where individual letters and graphics are placed on a  
 36 wall, the entire copy area of the sign designated for the  
 37 placement of a message is the sign copy area. The  
 38 cumulative area of signage, as defined by drawing a  
 39 rectangle, circle or ellipse around the total copy area,  
 40 including logos and graphics (and including areas where  
 41 corporate colors are utilized) shall determine the sign copy  
 42 area. (See Figures 9.10.1 and 9.10.2)
- 43 B. In the case of freestanding, awning or canopy signs, the  
 44 supporting structure, base, encasement or bracing of a sign



1 shall not be counted as a part of the sign copy area—these areas are not permitted to  
2 contain any signage.

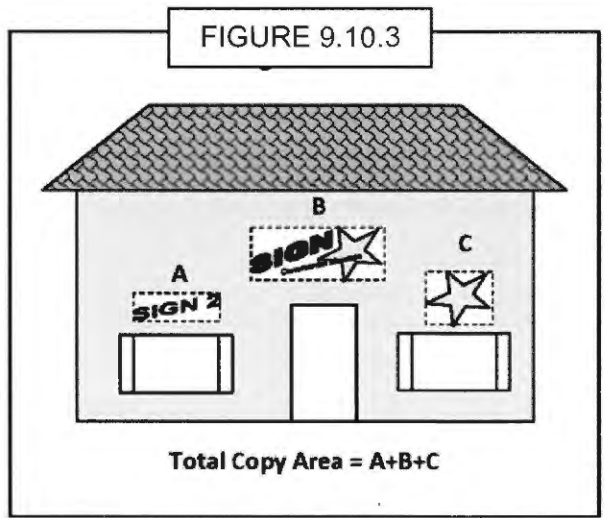
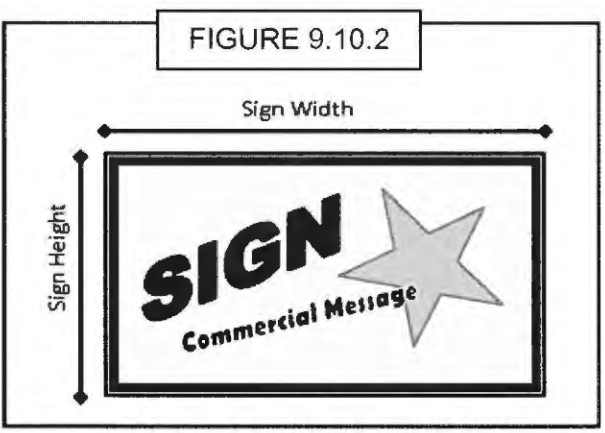
3 C. For wall, fascia and graphic signs whose message is fabricated together on a solid  
4 background, which borders or frames that message as the face of the sign, the sign area  
5 shall be the total area of the entire background. The cumulative area of signage, as defined  
6 by drawing a rectangle around the total sign face, including logos, borders and graphics  
7 shall determine the sign copy area. (See Figure 9.10.2)

8 D. For signs whose message is fabricated together on a common background, including area  
9 where corporate colors border, accent or frame that message, the sign copy area shall be  
10 the total copy area, as defined by drawing a rectangle around the total sign face, inclusive of  
11 borders, and graphics as well as any area utilizing the corporate colors. (See Figure 9.10.2)

12 E. When multiple, separate signs or message are utilized for one building, the cumulative copy  
13 area as defined above for each separate sign shall be added together to calculate the total  
14 copy area. For signs to be considered separate for the purpose of copy area calculation,  
15 they must be separated by a distance equal to the average length of the signs or must serve  
16 a separate business within a multi-tenant building. (See Figure 9.10.3)

17 F. The surface area of any figurative sign shall count against the total copy area allocated to a  
18 building.

19 G. Bases, poles and frames of signs shall not include commercial messages or corporate  
20 colors.

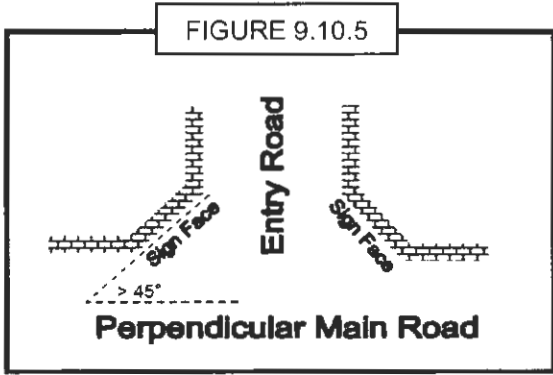
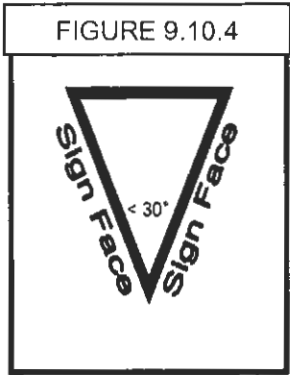


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1 H. Where a sign has two (2) display faces back to back, the copy area of only one (1) face shall  
2 be considered the sign copy area.

3 1. **Double-faced Free Standing Signs.** The copy area of only one (1) face shall be  
4 considered the sign copy area where double faced signs with opposing faces have an  
5 interior angle of thirty (30) degrees or less (See Figure 9.10.4).

6 2. **Double signs at Entrance Roads.** When identification signs are provided on both  
7 sides of an entry road, as part of an entry feature or subdivision wall and are placed at  
8 an angle greater than 45 degrees from the perpendicular main road, only one (1) face  
9 shall be considered the sign copy area. If the signage is at an angle less than 45  
10 degrees, the sign copy area shall be split between the two (2) signs on either side of the  
11 entry road (see Figure 9.10.5)



12  
13 I. Logos and graphics representing the products or theme of the business are permitted on  
14 signs pursuant to the provisions of this Chapter. Said graphics shall count towards the  
15 maximum permitted sign copy area pursuant to this Chapter.

16 J. Corporate colors, if any, including striping along a band of the building, awning or canopy  
17 shall be counted toward the maximum permitted sign copy area.

18 K. Non-commercial message may be substituted for commercial message on any authorized  
19 freestanding ground sign or wall sign, subject to compliance with all other applicable design  
20 and development standards.

21 L. Sign Copy Area for wall signs may be increased for taller buildings. Such additional signage  
22 shall be utilized for building or center branding and may be utilized for anchor tenants. The  
23 maximum allowable sign copy area may be increased from the maximum based upon  
24 average building height. The table below provides the percentage of increase that may be  
25 allowed based on the height of the building.

Building Height (in feet)	Percentage of Increase
0 to 45	None
+ 45 to 60	10
+ 60 to 75	15
+ 75 to 100	25
+ 100 to 150	30
More than 150	35

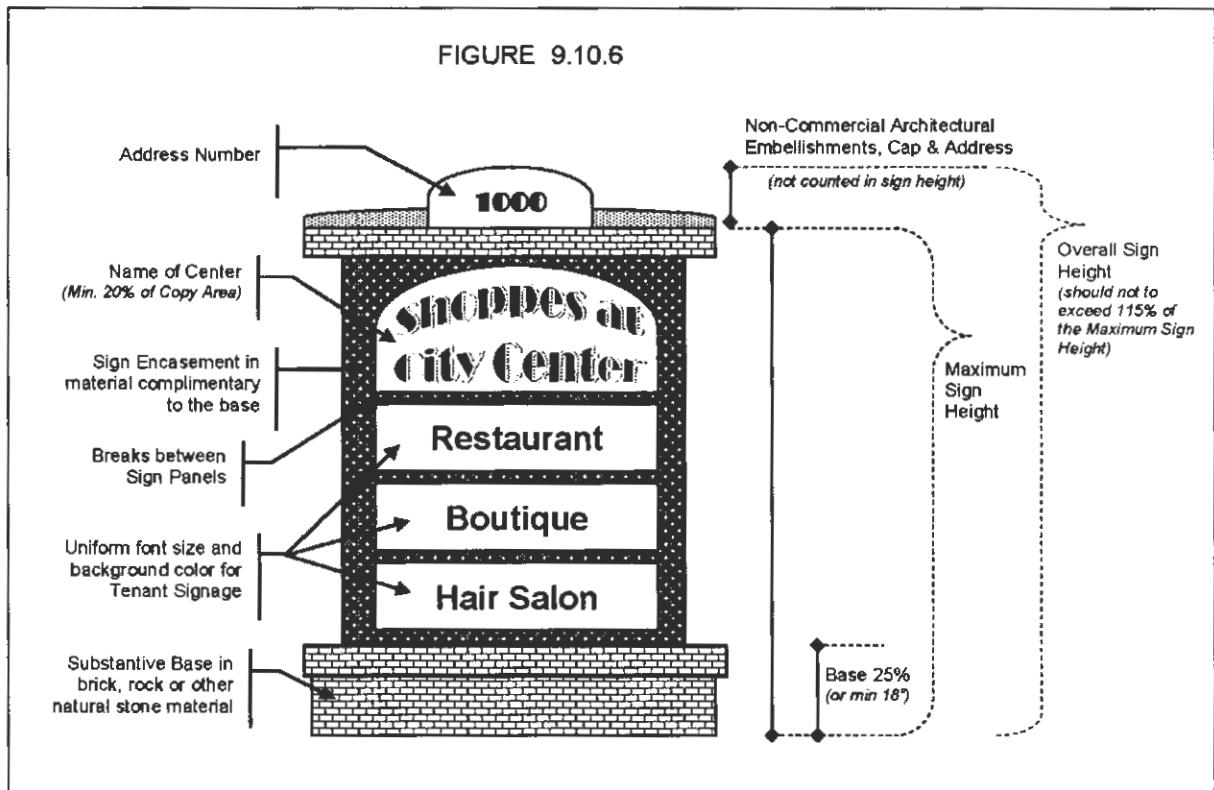
1  
2  
3  
4  
5

M. Sign Copy Area for multi-tenant monument signs may be increased for large multi-tenant centers whose design and landscape exceed the minimum code requirements. The table below provides the percentage of increase based on the cumulative building square footage within the multi-tenant center.

Cumulative Building Size (in square feet)	Percentage of Increase
0 to 75,000	None
75,001 to 125K	10
125,001 to 175K	15
More than 175K	20

6  
7  
8

N. The following illustration represents a very simplistic summary of standards for freestanding primary identification signs (See Figure 9.10.6).



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10  
11  
12  
13  
14

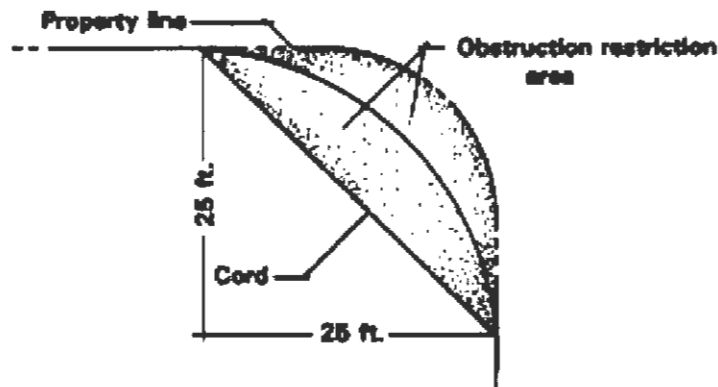
**9.10.2. Sign Placement and Orientation.** The placement and orientation of free standing signs shall be provided consistent with the standards for the sign district where the sign is located and as provided below.

A. A sign shall be set back from any property line or right-of-way line a minimum of five (5) feet or a distance equal to or greater than the sign height, whichever is greater.



- 1 B. Free standing signs shall be setback a minimum of five (5) feet from the property lines or a  
2 distance equal to the height of the sign, whichever is greater. The setback shall be  
3 measured from the nearest protrusion of the sign or sign face to the property line.
- 4 C. Free standing signs shall be setback at least twenty (20) feet or double the sign height,  
5 whichever is more restrictive, from any other existing or proposed sign (as shown on an  
6 approved master sign plan).
- 7 D. Secondary free standing identifications signs shall provide a minimum 100' separation from  
8 other onsite identification signs.
- 9 E. Signs shall be placed so as not to create a health or safety hazard due to visual obstruction  
10 or physical impediment.
- 11 F. Non-Residential signs shall be placed at least twenty (20) feet away from any single-family  
12 residential property.
- 13 G. Signs, including traffic signs and similar regulatory notices, except those of a duly  
14 constituted governing body, shall not project or be located within a right-of-way or upon any  
15 portion of City owned Property.
- 16 H. Signs shall not obstruct a clear view to and from traffic along any street right-of-way, alley, or  
17 property access way (entrance or exit). On any intersection of driveway or street on which a  
18 front and side yard is required, no sign, which obstructs sight lines at elevations above three  
19 (3) feet and above any portion of the crown of the adjacent roadway, shall be maintained  
20 within a triangle formed by measuring twenty-five (25) feet along the front and side lot lines  
21 from the point of intersection of the arterial, collector and local streets. (See figure 9.10.7)

22 FIGURE 9.10.7

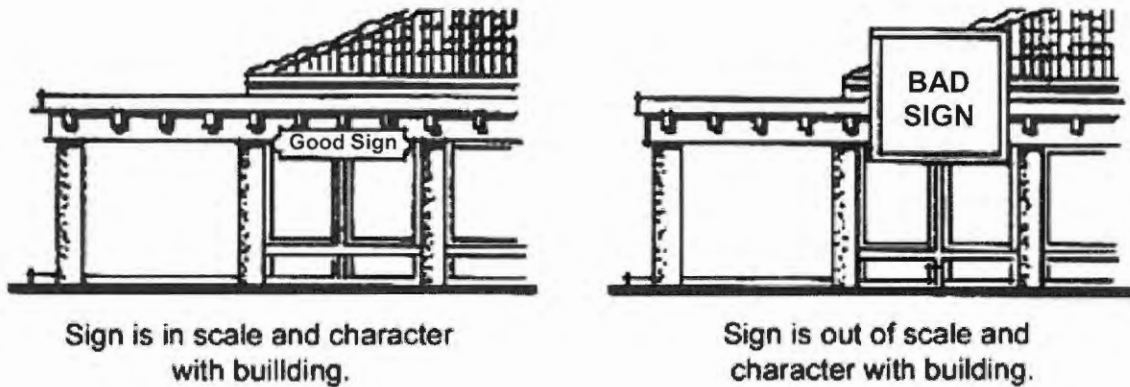


**VISIBILITY REQUIREMENTS FOR SIGNS  
AT INTERSECTIONS**

- 23
- 24 I. Where the rear portion of a sign is visible from adjacent property, the rear of such sign shall  
25 be screened to present an acceptable and attractive appearance. Screening may consist of  
26 landscaping or other approved material that will cover exposed structural cross members or  
27 equipment. Screen material shall be consistent with that used on the sign and/or the  
28 primary structure or a combination thereof. Landscaping that shall be installed and  
29 maintained in such a way as to be opaque within one year of installation.

- 1 J. No ground sign shall be erected in a manner that materially impedes visibility of moving
- 2 vehicles or pedestrians on or off the premises. Signs shall be located to avoid impairing
- 3 visibility of any official highway sign or marker. All ground signs shall meet Florida
- 4 Department of Transportation (FDOT) sight distance requirements.
- 5 K. No sign in a nonresidential district shall be oriented toward any residential district, as
- 6 determined by the Development Services Director.
- 7 L. Building signs shall be in scale and character with the building that they serve.

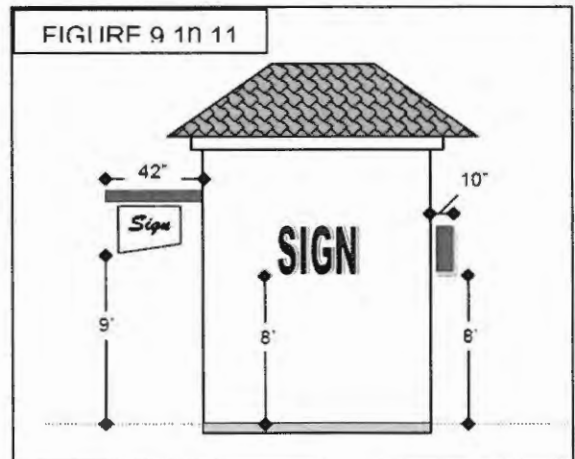
8 FIGURE 9.10.8



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11 **9.10.3. Sign Height.** The height and clearance for building and ground signs will be measured  
12 as follows:

- 13 A. The height of a sign must be consistent with the use, type, and location as outlined in the
- 14 sign district where the sign is located.
- 15 B. Wall signs shall be installed at height that provided a minimum of eight (8) foot of clearance
- 16 to the sidewalk or surface below. (See Figure
- 17 9.10.11)
- 18 C. Projecting signs shall be installed at a height that
- 19 provides a minimum of nine(9) foot of clearance
- 20 to the sidewalk or surface below. (See Figure
- 21 9.10.11)
- 22 D. The clearance of a projecting or hanging sign
- 23 shall be measured from the bottom of the sign
- 24 area and associated encasement, if any, to the
- 25 sidewalk or surface below.
- 26 E. The height of a wall sign shall be measured from
- 27 the grade level of the base of the building below
- 28 the sign to the top of the sign. The top of the sign
- 29 shall be no higher than the lowest roof eave line, except where approved Master Sign Plan
- 30 identifies specific areas of the fascia designed for sign placement.



- 31 F. The maximum height of a freestanding ground sign shall be measured as indicated by the
- 32 definition of "sign height" in the Land Development Code.

- 1 G. Decorative Caps, ironwork, architectural elements complementary to building design,  
 2 decorative street address number, or other non-commercial embellishments that contain no  
 3 logos, sign copy area, or commercial message may be added to a ground sign and may  
 4 extend up to fifteen (15) percent above the maximum sign height, but must be appropriately  
 5 scaled to the size of the sign. The height of embellishments, which are purely ornamental,  
 6 is subject to design review and approval by the DSD.
- 7 H. The maximum allowable sign height for freestanding ground signs for multi-tenant centers or  
 8 employment centers may be increased based upon building size pursuant to the following  
 9 formula:

Cumulative Building Size (in square feet)	Percentage of Increase
0 to 75,000	None
75,001 to 125K	10
125,001 to 175K	15
More than 175K	20

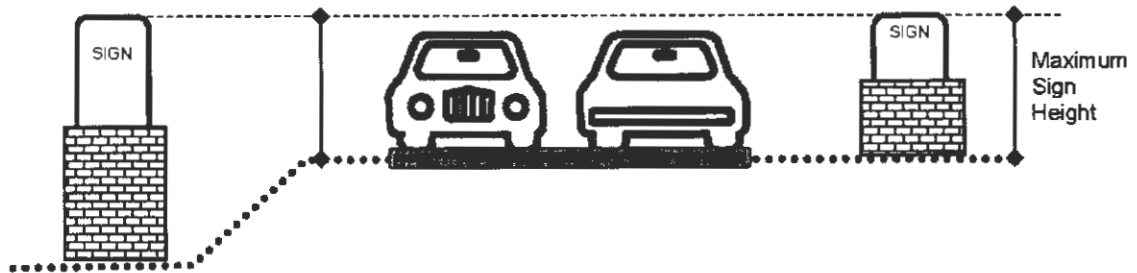
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- 11 I. The overall height of a freestanding primary identification sign is measured from the lowest  
 12 point of the ground directly below the sign to the top of the sign, less any approved  
 13 embellishments or address numbers.

14 Note: Where a free standing sign is mounted along a roadway that has a significantly higher  
 15 grade level as compared to the grade level directly below the free standing sign, then the  
 16 DSD may authorize the height to be measured from the roadway grade level to the top of  
 17 the freestanding sign or sign structure. (See Figure 9.10.12)

18

FIGURE 9.10.12



19

20 **9.10.4. Sign Lighting & Illumination.** Permitted methods of sign lighting and illumination may be  
 21 divided into several types as described below. Lighting must be consistent with the standards  
 22 for the sign district where the sign is located. In any case, illumination shall be consistent with  
 23 general lighting requirements of the Land Development Code such that excessive lighting shall  
 24 not spill over onto adjacent properties or into the right-of-way. Electrical permits are required for  
 25 any signage that includes illumination of any kind.



Halo/Backlit sign

Backlit Chanel Letters

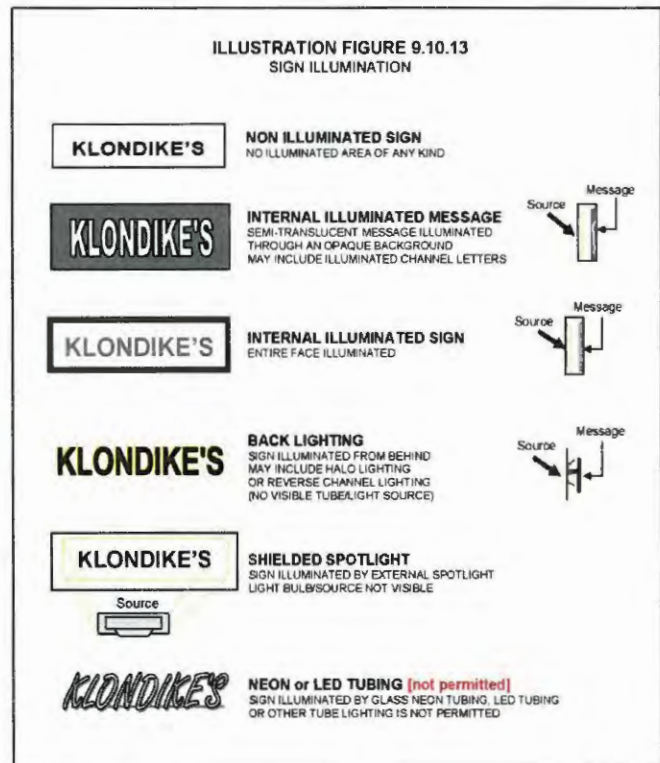
Backlit Sign

External Light Source

- A. **No Sign Lighting.** The sign has neither an internal light nor an external light source which is intended to specifically light that sign. Rather, the sign depends on the general lighting of the copy area parking lot, street, or pedestrian copy area lighting for illumination.
- B. **Internal Illuminated Message.** An internal illuminated message type sign is made of metal, wood or other material that is not translucent, and the message is cut out of the material and replaced with translucent material. Logos, Business, Name, and commercial message may be all one piece or separate individual letters or pieces. The sign's light source is located within the sign and illuminates the message. This would include illuminated channel lettering.
- C. **Internally Illuminated Sign.** An internal illuminated sign is the face of the sign is made of translucent material with an internal light source located within the sign cabinet. The entire backlit area is illuminated and shall count toward the maximum permitted copy area.
- D. **Back-lighted Sign.** A backlit sign is when the sign is raised beyond the signs background and the lighting illuminates the sign from behind in the form of backlighting or reverse channel lighting. This may also include Halo Sign Lighting.
- E. **External Light Source.** A spotlight or an external light source can only be used when part of an approved Master Sign Plan provided that the sign is not lighted in any other way and the light source fully shielded so that the bulb or source of illumination is not visible. For ground signs, the electric box, mounts and fixtures shall be screened within the landscape at base of the sign. For wall signs, only the decorative fixture may be visible. All other spotlights are prohibited.



- F. **Neon Sign.** Except as specifically provided to allow for an Open/Closed sign, neon signs or any message conveyed through the use of neon tubing, LED tube lights or any other tube lighting, that is visible on the exterior of a building, sign, or property, including use of neon banding on buildings or signs, is



1 prohibited.

2 **G. Other General Lighting and Illumination Standards.**

3 1. Backlit or internally illuminated awnings or canopies are prohibited.

4 2. Post & Panel signs, Pillar Signs, and Hanging Panel Pole Signs may only be lighted by  
5 shielded light source. For ground-mounted external lighting, the light fixture shall be  
6 screened with landscape material.

7 3. Any lights on an illuminated sign shall be installed or directed in a manner that avoids  
8 undue glare, avoids direct illumination or reflection onto abutting properties, and does  
9 not adversely affect the vision of operators of motor vehicles on roads, highways or  
10 parking areas.

11 4. Any exposed incandescent bulb or lamp may not exceed sixty (60) watts or eight  
12 hundred (800) lumens, whichever is greater.

13 5. The bulb or light source may not be visible and must  
14 include a screen or comparable diffusion around the bulb  
15 or lamp so that the light source is not visible. (See Figure  
16 9.10.14)

17 6. A sign or sign illumination shall not cause any direct glare  
18 into or upon any building or property, other than the  
19 building or property it serves. Sign illumination shall not  
20 emit greater than 0.5 footcandles at the property line that  
21 the sign serves.

22 7. Signs located within forty (40) feet of any single-family  
23 residential structure shall not include any sign illumination.

24 8. Neon illumination, tube lighting, flashing, or moving pattern  
25 lights shall be prohibited on signs. LED or other tubing may be utilized internal to a sign  
26 to provide backlighting or halo lighting, but tube lighting of any kind shall not be  
27 externally visible.

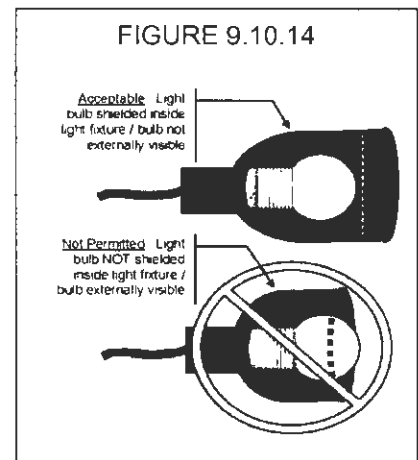
28 9. With the exception of one (1) lighted open/closed sign inside a front window, signs on or  
29 visible through window and door shall not include any illumination.

30 **H. Sign Illumination for Ground Signs.**

31 The following sign illumination standards shall apply to illumination of primary identification  
32 signs in each Sign District as provided below. Neon tube lighting, light-emitting diode (LED)  
33 tube lighting, or any other form of tube lighting is prohibited. Primary identification signs are  
34 not required to include any lighting.

35 1. **Signs in the TNSD** may only be lighted by a decorative, shielded, external light source  
36 or burial vault type fixture. Internally illuminated signs do not reflect the historic  
37 character of the Traditional Sign District and shall not be permitted. Lighting shall also  
38 meet the other requirements in this Section.

39 2. **Signs in GCSD & SESD** may be lighted by a variety of illumination types as provided  
40 herein. Signs in non-residential areas may utilize internal illumination (including  
41 internally illuminated sign or internally illuminated message or internally illuminated  
42 channel letters), back lighting (including halo lighting and reverse channel letters), or  
43 may be lighted by a decorative, shielded, external light source. Signs in residential



1 areas may only be lighted by a shielded, external light source or extremely low intensity  
2 back lighting, which internal light source meets the lamp wattage standards for exposed  
3 bulbs. Lighting shall also meet the other requirements in this Section.

### 4 3. Illumination Standards for Ground Signs applicable to all Sign Districts

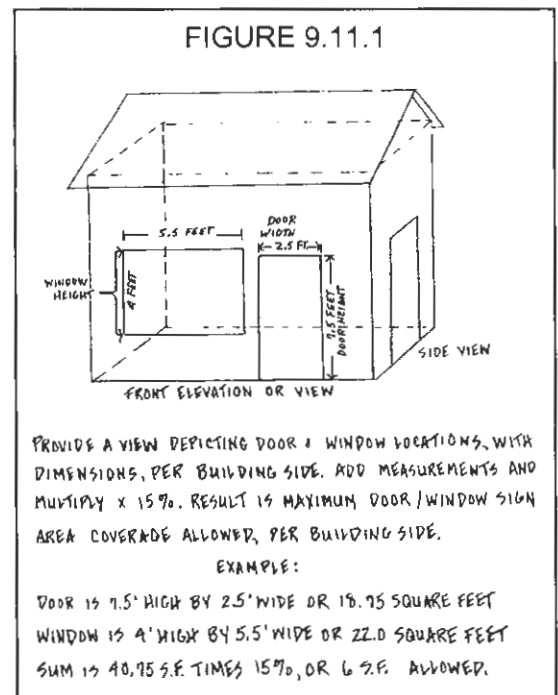
- 5 a. Post & Panel signs, Pillar Signs, and Hanging Panel Blade Signs may only be lighted  
6 by shielded, external light source.
- 7 b. Ground level light fixtures shall be of the burial vault type or shall be decorative  
8 shielded light fixtures. For any type of ground-mounted external lighting, the light  
9 fixture / sign luminaire shall be fully screened with landscape material.
- 10 c. Any lights on an illuminated sign shall be installed or directed in a manner that avoids  
11 undue glare or glow, avoids direct illumination or reflection onto abutting properties,  
12 and does not adversely affect the vision of operators of motor vehicles on roads,  
13 highways or vehicle use areas.
- 14 d. Any exposed incandescent bulb or lamp may not exceed sixty (60) watts or eight  
15 hundred (800) lumens, whichever is greater and must include a screen or  
16 comparable diffusion around the bulb or lamp so that the light source is not visible.
- 17 e. Unless part of a planned mixed use development or when opaque buffers are  
18 provided, signs located within forty (40) feet of any single-family residential structure  
19 shall not include any sign illumination.
- 20 f. Neon illumination, tube lighting, flashing, or moving pattern lights shall be prohibited.
- 21 g. In no case shall any illumination exceed one half (.5) footcandles at the property line.
- 22 h. Secondary and incidental signs should not include illumination or at the discretion of  
23 the Development Services Director may have similar, but less intense, lighting as  
24 their associated primary identification sign.

## 25 9.11. Specialty Signs

26 **9.11.1. Window and Door Signs.** Window and door  
27 signs shall consist of only of lettering affixed directly to  
28 the window or door surface without a background.  
29 Window signs shall maintain full transparency through  
30 the window except where the text is placed.

31 A. The total area of all window and door signs on any  
32 side of a building shall not cover more than fifteen  
33 (15) percent of the individual window or door area.  
34 (See Figure 9.11.1)

- 35 1. Copy are shall include decal letters only such  
36 that no backing or opaque coverage shall be  
37 permitted behind window text.
- 38 2. The fifteen (15) percent maximum copy area  
39 shall apply to any permanent or temporary sign,  
40 including any decal, text or graphics, or poster  
41 that is legible from the outside, including plazas,  
42 public streets, and parking lots, and that is



1 placed on the outside or inside face of a window or mounted within two feet of the inside  
2 face of the window.

3 3. The associated copy area shall not count against any allocated building signage.

4 B. Window and door signs shall not include any illumination.

5 C. Window signs shall only be allowed on windows on the face of the building with the primary  
6 entrance or the face that the building is addressed. Windows on secondary or rear façades  
7 shall not include window signage. Door signs may be provided on any door associated with  
8 the business and may also direct the customer to the primary entrance.

9 D. Sunscreens containing a graphic shall not be considered signs so long as it does not include  
10 logos or products that are sold or serviced at the location and must not be opaque.

11 E. Window scrims, opaque decals and posters are prohibited. Opaque window displays or  
12 posters that that block the view through the window shall be prohibited.

13

14 **9.11.2. Vehicle Signs.** A vehicle sign in excess of one and a half (1.5) square feet, including any  
15 sign or commercial message attached to, painted on or wrapped on a currently licensed,  
16 legally-operating vehicle that is used daily in the normal course of  
17 operation of an business establishment for transportation may be  
18 authorized as provided below.

19 A. Copy area calculation shall include areas of the vehicle  
20 covered any commercial message, business name or logo,  
21 including areas of the vehicle covered in corporate colors or  
22 striping that is representative of the business or corporate  
23 entity that the vehicle serves.



24 B. If a vehicle sign on a passenger vehicle exceeds one and a  
25 half (1.5) square feet, the vehicle shall be permitted in non-residential areas without  
26 obtaining Sign Review Permit, but shall only be parked the rear of the commercial building,  
27 inside the confines of the building; or if no rear parking exists, may be parked at the closest  
28 point near the front entrance of the business they serve in a parking space specifically  
29 designated and reserved for vehicle loading/unloading or other reserved designation  
30 approved by the DSD on the approved site plan for the property.

31 C. Trailers, vans and box trucks or commercial vehicles of any type that include any signage or  
32 any commercial message, when not actively in use for daily business, shall only be parked  
33 to the rear of their associated non-residential building and screened consistent with a site  
34 plan service area screening. Any large commercial vehicle, trailers, vans and box trucks or  
35 any other commercial vehicle shall not be parked or stopped for more than fifteen (15)  
36 minutes in the front of the business establishment that they serve.

37 D. Vehicle Signs or vehicles with signs shall be not be routinely parked proximate to the right-of  
38 way or in a location where it serves as or constitutes additional signage. Signs on vehicles  
39 that are regularly parked in front of or near an establishment and not used daily for  
40 transportation and the course of daily business, as well as signs on vehicles that are parked  
41 adjacent to the right-of-way, shall be prohibited. However, a property owner may, through  
42 the conditional use process, request authorization for a vehicle sign or wrapped vehicle to  
43 be used in lieu of other freestanding primary identification signage. Signage that exceeds  
44 the code shall be required to be immediately removed, parked in the rear of the business, or  
45 appropriately screen as provided herein.

- 1 E. For purposes of this Chapter, transportation shall mean the act of or business of carrying  
2 something or someone from one place to another as part of the daily business.
- 3 F. Any vehicle with any commercial message or business name must be operable, legal to  
4 drive, and maintain current tags and insurance. Commercial messages, paint or other  
5 opaque film or material shall not cover vehicle windows, wheels or lights.
- 6 G. There shall be no more than one (1) vehicle sign per business establishment in the front of  
7 the business as provided herein. In multi-tenant centers, the vehicle sign to parking space  
8 ratio shall not exceed one (1) vehicle sign to every twenty (20) spaces regardless of number  
9 of businesses in the center. Any vehicle signs in excess of this requirement shall only be  
10 parked in the rear of the buildings. Designated vehicle loading/unloading zones shall not be  
11 permitted if their designation causes the parking for the business, facility, site or center to be  
12 reduced beyond the code minimum parking.
- 13 H. Vehicles and Vehicle Signs exempt from these provisions.
- 14 1. Vehicles with sign copy area that is less than one and one-half square (1.5) feet on the  
15 sides, rear or top of a passenger vehicle shall be exempt from these provisions.
- 16 2. Any vehicle sign parked on private property when parked within the confines of a  
17 building or in some manner which provides for effective screening so as not to allow the  
18 sign or signs on the vehicle to be viewed from any public street.
- 19 3. Buses, taxicabs and similar common carrier vehicles which are licensed or certificated  
20 by the City of Orange City, Volusia County and/or the Florida Public Services  
21 Commission.
- 22 I. Vehicle Signs in lieu of a Freestanding Primary Identification Sign.
- 23 1. A vehicle sign may be authorized to park along the front of a property in a designated  
24 parking space in lieu of a Free Standing Primary Identification Sign when approved  
25 through the Conditional Use Process.
- 26 a. Such vehicle signage shall have copy area and height comparable to what would  
27 otherwise be allocated to the property for the primary identification signage.
- 28 b. The Conditional Use Conceptual Plan shall clearly illustrate the designated location  
29 for daily parking of the vehicle sign.
- 30 (1.)Such signage shall not encroach into sight triangles, required landscape buffers,  
31 tree canopy, vehicle use areas or required parking spaces.
- 32 (2.)The vehicle shall be maintained in operable condition consistent with the  
33 requirements provided herein for vehicles with vehicle signs. And the property  
34 shall be maintained in compliance with the Land Development Code.
- 35 (3.)No other permanent freestanding primary identification signs shall be permitted  
36 while the Conditional Use is active.
- 37 (4.)Additional conditions of approval may be recommended by staff or the planning  
38 commission to ensure the sign is consistent with the Comprehensive Plan,  
39 Compliant with the LDC, and compatible with surrounding uses.
- 40 (5.)Failure to maintain the vehicle or the property consistent with the approved  
41 conditions use will be ground for termination of the conditional use.
- 42 c. A Temporary Sign Permit Sticker shall be maintained on the vehicle at all times.



- 1 d. The Conditional Use shall expire as provided in the LDC, or if the Conditional Use is  
2 not renewed prior to expiration, or if the sign permit is not annually renewed, or if the  
3 sign is abandoned, the owner changes, or the business establishment changes or  
4 ceases operates on the subject property where the Conditional Use was approved.
- 5 e. The Conditional Use shall be maintained and renewed requiring compliance with the  
6 Conditional Use and with the following.
- 7 (1.)Extension. At least thirty (30) days prior to the expiration of the conditional use,  
8 the applicant must submit a written request for the extension of the conditional  
9 use for another two (2) year period, as provided herein
- 10 (2.)Annual Inspection. An annual inspection by Development Services Staff must be  
11 conducted prior to issuance of new Temporary Sign Permit Sticker. This must be  
12 done on an annual basis as long as the vehicle sign is in use.
- 13 (3.)Payment of fees and maintenance of Annual Sign Renewal Tag as required for  
14 other primary identification signs in this Chapter.
- 15 f. This is a pilot project; therefore, the conditional uses requests will only be issued for  
16 a period not to exceed two (2) years.
- 17 (1.)Unless the pilot project is extended or the conditional use is extended as  
18 provided herein, the conditional use shall expire after the two-year period.
- 19 (2.)If the project and the individual conditional use is well accepted by the community  
20 and does not pose undue burden on City Staff, the Development Services  
21 Director, with authorization from the City Manager, may issue written renewal to  
22 a previously-authorized conditional use for an additional two (2) year period, and  
23 for additional two-year periods until the project is terminated.
- 24 (3.)This pilot project may be terminated at any time by the City Manager. Upon  
25 termination existing approved conditional uses requests may continue only until  
26 their next two-year expiration or anniversary date.
- 27 g. Failure to comply with any requirements of the code or the Conditional Use shall be  
28 grounds for immediate revocation of the Conditional Use—at which time the vehicle  
29 sign shall only be allowed as provided herein for other vehicle signs.

30 **9.11.3. Murals.** A mural or work of visual art that meets the definition of "sign" in this Section  
31 may be authorized via Conditional Use Approval, which shall demonstrate compliance with the  
32 following standards.

33 A. Art or murals shall meet the following criteria:

- 34 1. Is located on the wall of a building in any commercial or mixed use zoning district; and  
35 2. Includes no text legible from a public roadway; and  
36 3. Includes no logo or trademarked symbol, except for historic representations of logos of  
37 business, products, landmarks or other images representing local history or culture; and  
38 4. Includes no specific commercial product, although it may include such generic products  
39 as automobiles, furniture, soft drinks or other items where the brand is not apparent; and  
40 5. Includes no picture, symbol or device of any kind that relates to a commercial business,  
41 product or service offered on the premises where the art is located.

- 1 B. Murals are a conditional use within any non residential or mixed use zoning district, and may  
 2 be permitted as part of a master Sign Plan in a PUD Zoning District. Murals are intended to  
 3 complement non-residential uses and shall be discouraged in predominantly residential  
 4 areas.
- 5 C. A Conditional Use Permit shall be obtained prior to commencement of any mural. Such  
 6 conditional use shall meet the requirements of the LDC, shall include a full-color illustration  
 7 of the proposed mural, including dimensions and design detail that demonstrate the  
 8 following:
- 9 1. Lighting shall be discouraged, unless design ensures no glare or illumination shall be  
 10 visible at the property liens or cause nuisance, glare or glow onto adjacent properties.
  - 11 2. Commercial message and changeable copy shall not be permitted.
  - 12 3. Murals shall reflect the character of the City or the area where they are located. Murals  
 13 are encouraged to illustrate the rich historic and/or cultural heritage of Orange City.
  - 14 4. Colors and materials shall be defined as part of the conditional use and shall  
 15 complement the existing structures and shall not be gaudy or unnatural.
  - 16 5. Murals shall respect or contribute to the architecture of the buildings where they are  
 17 located and shall not degrade or overwhelm the structure.
  - 18 6. Any approved mural shall be maintained in good condition or shall be removed upon  
 19 receiving written notice from the City. Upon removal, the building façade shall be  
 20 restored to match the existing building.

21 **9.11.4. Light Pole Banners**

22 Light pole banners defined herein as a sign of any kind applied to fabric or other flexible,  
 23 durable material and attached to a light pole. For purposes of this code light pole banners shall  
 24 not be considered banners. The general requirements for Light Pole Banner Permits are  
 25 provided below.

26 A. Light Pole Banners are permitted in non-residential, mixed use and multi-  
 27 family properties, and residential PUDs and require review and approval  
 28 of a Master Sign Plan.

- 29 1. One (1) permit may cover multiple banners on a property, subject to  
 30 review and approval of a Master Sign Plan.
- 31 2. The Light Pole Banner Permit shall be renewed annually. Violations  
 32 of the code, the permit authorization, or failure to maintain the  
 33 banners in attractive condition shall be grounds for non-renewal.
- 34 3. Banners on light poles under this Chapter will be allowed only with notarized consent of  
 35 the owner(s) of the underlying real property and the light pole(s).
- 36 4. Excessive signage shall not be permitted



37 B. A maximum of 2 banners may be attached to each pole, in locations as  
 38 approved on a Master Sign Plan.

39 C. Individual banners shall not exceed six (6) square feet in size; however  
 40 they may be 2-sided.

- 41 1. All light pole banners shall be consistent throughout the site, including



1 size, height, cohesive theme and colors.

2 2. Changeable copy shall not be permitted, however the master sign plan may authorize  
3 multiple banners, and may authorize banners to be changed out on intervals throughout  
4 the year.

5 3. The use of light pole banners shall not count against building or primary identification  
6 signage allocations.

7 4. Individual advertising and commercial messages are prohibited.

8 5. Banners shall not encroach into existing tree canopies on the property. Trees shall not  
9 be unnecessarily trimmed in an effort to accommodate light pole banners.

10 6. Banners shall not include any flags, tails, pennants, strings or other attachments that  
11 would flap or increase the copy area. However, for civic and community events, one (1)  
12 decorative flap, which does not exceed six (6) inches in height and the width of the  
13 banner, may be attached to the bottom of banner to identify event dates or other  
14 pertinent event information as may be approved by the DSD.

15 D. Banners shall be attached securely to the light poles on all four corners to ensure they do  
16 not move or flap. Banners shall maintain a minimum nine (9) feet clearance over pedestrian  
17 and landscape areas. Additional clearance shall be required if light poles banners are  
18 proposed in vehicle use areas.

19 E. Light pole banners in this Chapter are allowed only on decorative light poles that are  
20 compliant with the Land Development Code. Such light poles shall be:

21 1. Approved on or consistent with a City-approved site plan for the  
22 project for the purpose of site lighting

23 2. Light poles may be located in a parking lot, along a private street  
24 or on private property along a public or private plaza or courtyard.

25 3. Light pole banners on private property shall only be permitted on  
26 decorative light poles that are compliant with the Land  
27 Development Code. All light poles on the property shall be  
28 compliant before a light pole banner permit will be issued for any  
29 portion of the property.

30 4. With the exception of the lighting provided by the light pole itself,  
31 separate illumination shall not be permitted.

32 5. A maximum of two (2) light pole banners shall be permitted at the entrances to a non-  
33 residential property or a residential community. All other light pole banners shall be  
34 distributed throughout the residential community or private property in areas that are not  
35 visible from outside the development or the community, or which have very limited  
36 visibility.

37 F. City government banners in public right-of-way are exempt from permitting and allowed in  
38 all zoning districts; however they shall meet the requirements of this code.

39 **9.11.5. Flags.** No more than three (3) flags may be displayed on any one parcel, provided they  
40 are properly displayed in accordance with applicable State and local laws. Flags with  
41 commercial messages or plain single color flags used to draw attention to a commercial  
42 operation or business shall count against the total copy area allocated to the business or  
43 property. Flags may be displayed as provided herein.





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- A. Size and number of flags and flagpoles.
  - Maximum number of flags: Three (3) flags per parcel.
  - Maximum height of freestanding poles: Twenty (20) feet.
  - Maximum flags per pole: Two (2).
  - Maximum flag size: A single flag shall not exceed twenty four (24) square feet.; however, the length of the flag should not exceed one fourth of the height of the pole.
  - Maximum cumulative flag copy area: The cumulative flag copy area when multiple flags are utilized shall not exceed seventy two (72) square feet.
- B. Building permits are required for installation of a flag pole on both residential and non-residential properties, if the pole exceed six (6) feet in height. Flag poles will be required to meet all building code requirements.
- C. Freestanding flagpoles shall not exceed twenty (20) feet in height. When a flagpole is attached to a building, flagpoles shall not exceed six (6) in length nor shall they extend above the roofline of the building or impede or block window openings, pedestrian access ways or vehicle access ways.
- D. Free-standing flagpoles shall be located as shown on an approved site plan. Flagpoles shall not be located within ten (10) feet of the principal entrance to the main building. Flagpoles must be setback from the right-of-way, vehicle travel ways and property lines a distance equal to the height of the pole.
- E. Flags size shall be appropriately scaled to the height of the flagpole.
- F. Flags shall not be tattered, faded or in disrepair.
- G. Based on site conditions and site orientation the DSD may allow a non-residential free-standing flagpole height up to twenty-four (24) feet.

**9.11.6. Umbrella Signs.** A sign painted on or affixed to the surface of a temporary umbrella in approved outdoor seating areas, parks or other community facilities or public spaces.

- A. Commercial Message or logos shall not cover more than ten (10) percent of the umbrella or a maximum of 2 sq. ft. of copy area on any individual umbrella, whichever is most restrictive. Signage shall not count against copy areal allocated to the building or primary identification signage.
- B. A Sign Review permit is not required.
- C. Changeable copy is not permitted. Commercial messages maybe



1 related to the dining facility or products served there as well as noncommercial messages;  
2 however off-site advertising shall be prohibited.

3 **9.11.7. Traffic Control Signs.** A sign used for traffic control and conforming to national, state, or  
4 county standards for the design and installation of such signs.

5 A. Traffic control signs are allowed only in areas required by MUTCD and/or shown on an  
6 approved site plan.

7 B. Traffic control signs (including lighting) must conform with the Manual of Uniform Traffic  
8 Control Devices (MUTCD). Unless expressly waived in writing by the Development Services  
9 Director as part of the site plan review process, no other sizes are allowed and no separate  
10 lighting is allowed except as specified by those standard design sources.

## 12 **9.12. Temporary Signs.**

13 Temporary signs which are intended to be in place for a temporary period of time may be  
14 permitted as provided herein and shall comply with the following regulations. Temporary signs  
15 shall be promptly removed upon the expiration of their temporary use or as provided herein.  
16 Unless expressly exempted from the Sign Permit Review requirements of this chapter, all  
17 temporary signs require Sign Review Permit.

### 18 **9.12.1. Applicability to Zoning Districts.**

19 For the sole purpose of implementing Temporary Signs, residential districts are as follows: the  
20 R-1, R-2, MH-1 Zoning Districts and any lot or parcel with Volusia County Zoning or within a  
21 Planned Development (PD) zoning district, which is designated for single family, townhouse,  
22 duplex, or mobile home use. Except as may be the discretion of the Development Services  
23 Director, all other districts shall be considered multi-family or non-residential. For properties in a  
24 multi-family or non-residential zoning district that are being used for residential purposes, the  
25 residential standards shall apply.

### 26 **9.12.2. General Standards for Temporary Signs.**

27 The following standards shall apply to any proposed Temporary Sign.

28 A. Temporary Signs may only be erected on private property with the consent of the property  
29 owner. Signs may not be erected on any public property, including road rights-of-way and  
30 any utility poles.

31 B. In addition to the types of signs outlined in this section, Temporary Signs may include  
32 Monument Signs, Post and Panel Signs or Hanging Panel Blade Signs, and shall include  
33 decorative caps and decorative bases. Temporary Signs may also be wall signs or signs  
34 inside windows. Mobile signs or flashing arrow signs shall not be permitted.

35 C. Temporary Signs shall be setback a distance equal to the height of the sign from front  
36 property line or the public right-of-way or five (5) feet, whichever is more restrictive, and  
37 twenty (20) feet from side property lines that abut adjacent properties. Signs shall not  
38 obstruct the line of sight of vehicles or pedestrians entering or leaving the property or the  
39 right-of-way.

40 D. Except as identified for specific types of temporary signs, the maximum sign height shall be  
41 three (3) feet in any residential districts and six (6) feet in all multi-family and non-residential

- 1 districts. Height up to five (5) feet may be authorized for hanging panel blade signs in  
2 residential districts.
- 3 E. Temporary Signs may be double sided.
- 4 F. Temporary signs shall not include any lighting, unless lighting is specifically approved as  
5 part of a special event or seasonal sale.
- 6 G. Temporary signs shall not advertise off-site businesses or products.
- 7 H. Signs shall be installed properly to withstand windloads as outlined in the Florida Building  
8 Code or as may be recommended by the Building Official. Sign location and scale shall be  
9 appropriate for the site.
- 10 I. Temporary Signs shall not obstruct or encroach into parking spaces, pedestrian or vehicle  
11 use areas, or other required infrastructure, nor shall they unnecessarily obstruct or interfere  
12 with required landscape buffers or tree canopy.
- 13 J. Only such temporary signs as are prescribed herein below, which conform to the provisions  
14 of this chapter, shall be permitted to be erected or maintained upon any building lot, plot, or  
15 parcel of land. No temporary wall or window sign shall be located higher than the lowest  
16 eaves of the building.
- 17 K. Sign types may be Monument, Post & Panel or Hanging Panel Blade Sign. Signs should  
18 have solid frame and made of durable all-weather material. Wooden signs shall have a  
19 minimum 4"x4" posts with decorative caps. Heavy plastic, aluminum, steel or other metal  
20 signs frames and sign panels, or other similar all-weather durable material, are acceptable.
- 21 1. Signs greater than three (3) sq.ft. shall not utilized corrugated vinyl, foam core, coroplast  
22 or other non-durable plastic or vinyl material. Cardboard signs shall be prohibited for  
23 outdoor use.
- 24 2. Multi-family apartment buildings, apartment complexes, multi-unit residential properties,  
25 commercial entities, banks and real estate sales/brokerage companies, regardless of  
26 sign size, shall not utilized corrugated vinyl, foam core, coroplast or other non-durable  
27 plastic or vinyl material, such semi-durable materials may only be utilized by a private  
28 property owner with only one (1) property or residence for sale or rent.
- 29 3. Sign posts and caps shall be painted or stained in the same or complementary color as  
30 the sign background providing a cohesive theme for the entire sign.
- 31 L. An unused or vacant panel on an existing code-compliant ground sign or wall sign that  
32 accommodates changeable panels may be utilized as a temporary sign upon receiving  
33 permit approval to change out the sign panel. This option shall be utilized in lieu of adding  
34 new temporary signage, if such sign space is available.
- 35 M. Any sign that is not expressly exempted as provided in this Chapter, shall require a Sign  
36 Review Permit and meet the following standards.

37 **9.12.3. Temporary Signs - short term.**

38 Short term temporary signs may be posted on a property for a specific purpose as defined  
39 herein and only for that very limited period of time that is outlined in this section. Typically these  
40 signs are up temporarily during the day and removed each evening, or are posted for a period  
41 that does not exceed fourteen (14) days. Each sign may only be posted for the specific  
42 timeframes established herein as provided for each type of short term temporary sign.

1    **A. Temporary Banners**

2    Temporary banners may be permitted by a building permit to advertise a grand opening,  
3    special event or other promotional event, provided said banners are attached to the building,  
4    kneewall or other structural aperture or column associated with the building and meet the  
5    following conditions:

6    1. All banners shall maintain their banner permit sticker in the lower right-hand corner of  
7    the banner for the duration of its authorized display period.

8    2. Size, duration and frequency of display of a banner.

9        a. The maximum size of a banner shall be one (1) square foot per linear foot of building  
10       frontage, not exceed twenty (20) square feet in sign area; however a grand opening  
11       banner may be up to twenty-four (24) square feet in sign area.

12       b. A banner may be displayed up to six (6) times per calendar year per business  
13       establishment. Each display period must be separated by a minimum period of 30  
14       days.

15       c. Promotional banners shall not be permitted to be displayed for a period greater than  
16       fourteen (14) consecutive days.

17       d. Grand opening banners associated with a new business, including new business tax  
18       receipt and utilities may be posted for up to forty-five (45) days. Multiple business  
19       tax receipts or multiple parcels of land in the same name(s) or same location, or  
20       change of business name, ownership or board membership shall not count as a new  
21       business. This shall count as the first of the authorized banners for the year.

22       e. Banners shall only advertise goods, services or events for the property where they  
23       are located. Banners shall not advertise off site businesses or services.

24    3. Multi-tenant locations may have no more than twenty-five (25) percent of occupants with  
25    a banner permit at the same time and subject to notarized authorization from the building  
26    owner or authorized Property Management Company.

27       a. A banner shall not be located closer than one hundred (100) feet from another such  
28       banner sign on the same premise or site.

29       b. Banners are not permitted in common areas in multi-tenant centers; banners may  
30       only be attached to the building façade where the business is located, or associated  
31       roof overhang.

32    4. Banner Placement.

33       a. Banners may only be attached to buildings, kneewalls or other approved  
34       infrastructure, which is integrally attached to the primary structure. Promotional  
35       banners may not be attached to free standing poles, PVC pipes, wood frames or  
36       other temporary structures.

37       b. Banners may not be placed on trees, vehicles, hydrants, utility poles, traffic control  
38       devices or other permanent signage.

39       c. Banners may not be placed so that they block doorways, window openings or fire  
40       escapes.

41       d. Banners shall be placed on blank wall space and shall not cover or block  
42       architectural details of the building. Banner size may be reduced if appropriate  
43       placement cannot be achieved.

- 1 e. Banners must have a horizontal alignment on the building and shall not impede  
2 pedestrian walkway. Banners may not be erected upon or over public property and  
3 must maintain a minimum eight (8) foot pedestrian clearance over private pedestrian  
4 walkways.
- 5 f. No banner shall extend above the second floor level of a building or above the lowest  
6 roof eave or roof parapet, unless second floor businesses offer primary access from  
7 an exterior second floor walkway.
- 8 g. Banners shall be securely fastened to display structure so that they do not buckle or  
9 flap.
- 10 h. All supports, bracing and ties shall be removed at the end of the permit period.  
11 However permanent eyelet/ hooks that are generally flush with the building and do  
12 not exceed two (2) inches and that are painted to match the façade of the building  
13 may be maintained on the face of the building between banner permits.
- 14 i. If a temporary banner or support structure is not removed by the end of the last day  
15 specified on the sign permit, the business shall forfeit its right to one (1) temporary  
16 banner permit under this section during the calendar year, or the next year as may  
17 be applicable.
- 18 5. One (1) three (3) square foot yard sign with maximum three (3) feet height may be  
19 authorized in lieu of a banner.
- 20 a. An authorized yard sign shall maintain its banner permit sticker in the lower right-  
21 hand corner of the sign for the duration of its authorized display period.
- 22 b. An authorized yard sign shall be located within fifteen (15) feet of the primary  
23 identification sign.
- 24 c. Authorized yard signs must be setback the same distance as the primary  
25 identification sign.

26 **B. Special Event and Seasonal Sale Signage.**

27 A special event may include a civic or community event that draws a large number of  
28 attendees to a business or civic association for more than their daily activities. Temporary  
29 signs, temporary banners, light pole banners, flags, including directional signage and limited  
30 off-site signage, as well as the extension of the duration of display, may be authorized as  
31 part of an approved civic or community special event or seasonal sales, for a civic  
32 association or business that has a separate business tax receipt than the primary business  
33 where the event is located, or whose primary business in Orange City is only related only to  
34 Seasonal Sales. A promotional sale or seasonal sale for products or services provided by  
35 an existing business shall not be considered a special event or a seasonal sale that  
36 warrants any additional signage or additional banners.

- 37 1. Temporary signs may be authorized as part of a special event or seasonal sales permit  
38 consistent with the size and location standards provided for temporary real estate signs.
- 39 2. Temporary banners may be authorized, in lieu of temporary signs, but may only be  
40 attached to the primary structure, temporary structures or tents as part of a special event  
41 or seasonal sales permit consistent with the short term temporary banner standards  
42 herein. Unless specifically authorized a part of the special event permit, banners may  
43 not be attached to fencing or barriers around the display or event area.



1 3. Incidental signage to provide directional information, way finding, warning, rules or  
2 parking information that is necessary for the physical use or special event  
3 may be authorized as part of a special event or seasonal sales permit.



4 a. All proposed signage, including size, type, location and duration, must  
5 be requested as part of the permit and illustrated on the site plan.  
6 Excessive signage shall not be permitted.

7 b. Generally acceptable size and height standards for incidental signage:

8 Maximum size (wall) – one and one-half (1.5) sq.ft.

9 Maximum size (freestanding) – three (3) sq.ft.

10 Maximum height (freestanding) – four (4) feet.

11 c. Commercial messages and logos may not exceed fifty (50) percent of any such  
12 incidental signage.

13 d. Limited temporary off-site signage providing event and directional information may  
14 be authorized as part of a community or civic special event

15 e. Event vendors may not utilize snipe signs or yard signs, unless specifically  
16 authorized as part of the special event permit

17 4. Signage may only be displayed as provided for in the special event or seasonal sales  
18 permit. All signage shall be promptly removed at the end of an authorized seasonal sale  
19 or special event or daily as may be necessary for direction and incidental signage.

20 5. Special event or seasonal sale items shall only be displayed within the limits of the  
21 approved seasonal sale. Display items may not be placed along the property frontage or  
22 outside the display area.

23 6. A temporary banner on public property, temporary light poles in public right-of-way, or a  
24 special event banner that spans the public right-of way may only be authorized as part of  
25 a community or civic special event that is sponsored by the City, when authorized as  
26 part of the City's special event permit, and including issuance of Resolution by the City  
27 Council. Size, location and duration to be determined as part of the special event permit  
28 process.

29 **C. Sidewalk Signs/Sandwich Board Signs.**

30 A temporary, decorative self-supporting portable sign made of  
31 durable material and located on the sidewalk in front of a use for  
32 which such a sign is allowed. This may be a portable sign  
33 displaying daily specials, including the type and price of food and  
34 beverages sold in connection with permitted outdoor dining.  
35 Sidewalk signs shall be permitted only for food and or beverage  
36 establishments. The following standards, including size, design,  
37 location and duration, shall be applicable to sidewalk/sandwich board signs.



38 1. One (1) sidewalk/sandwich board sign per site at an addressed food-  
39 service/restaurant business establishment.

40 2. No more than one temporary sidewalk sign is permitted for each  
41 establishment.



- 1 3. Sidewalk/Sandwich board signs shall not exceed six (6) square feet per side and shall  
2 not exceed four (4) feet in height. The signs may be two-sided with a  
3 vertical angle that does not exceed thirty (30) degrees. Such signage  
4 shall not count against the copy area allocated to the business.
- 5 4. Sidewalk signs may only be placed on private sidewalks in front of a  
6 business where there exists at least eight (8) feet unobstructed pedestrian  
7 walkway at the entrance of the business.
  - 8 a. Sign shall be located within ten (10) feet of the entryway to business  
9 (front entry or outdoor seating area/entry), but shall not impede  
10 pedestrian traffic or be placed in the right-of-way or on public  
11 sidewalks.
  - 12 b. In order to provide adequate clearance for pedestrians and persons  
13 with visual and mobility disabilities, such signs shall maintain a  
14 required 5-foot clear walkway for the site and maintain at least one  
15 foot between the sign and the edge of the curb.
  - 16 c. Sidewalk signs shall not be placed in landscape islands or tree pits unless they are  
17 covered with hard tree grates.
- 18 5. In a multi-tenant building, sidewalk signs shall not be located closer than twenty (20) feet  
19 from another sidewalk sign.
- 20 6. Signs may be placed on the sidewalk only during the hours the establishment is open for  
21 business.
- 22 7. Standards for Design of Sidewalk/Sandwich Board Signs.
  - 23 a. Sidewalk signs shall be harmonious to the building and ensure that materials and  
24 colors complement the materials and colors on the exterior of the building being  
25 served. Sidewalk signs shall be professionally designed and construction, but shall  
26 not include pre-fab plastic signs, or plywood.
  - 27 b. Such signs shall be self-supporting, either with legs or supports that are continuous  
28 with the plane of the sign face; or with a solid base no wider than the sign width, and  
29 protruding no more than twelve (12) inches from the vertical plane of the sign face,  
30 and separated by no more than six inches from the bottom of the sign face.
  - 31 c. Unless alternate material is approved by the DSD, sidewalk signs shall include  
32 decorative wood frame and base.
  - 33 d. Individual changeable copy plastic letters shall not be permitted, however decorative  
34 chalk boards may be updated daily.
  - 35 e. Signs shall not be lighted or illuminated in any way.
  - 36 f. Signs are intended to display food offerings, specials, pricing and other restaurant  
37 services, but may include business logo or logo of product offered in the  
38 establishment as long as the logos do not exceed twenty (20) percent of the sign  
39 area.
- 40 8. A Sign Review Permit is required for a sidewalk/sandwich board sign. Provided the sign  
41 is maintained pursuant to this Chapter, the Temporary Sign Permit shall be valid for one  
42 (1) year from the date of issuance for the business where it was issued. A Temporary  
43 Sign Permit Sticker must be maintained on the sign and renewed annually.



- 1 9. Any sign found by the City to be unsafe or to present a hazard or to impair a required  
2 clear walkway, shall be removed immediately. If the owner fails to remove or relocated  
3 the sign at the request of the City, the sign may be immediately removed by the City and  
4 the sign permit revoked for one (1) year.

5 **D. Animated Characters.**

6 An animated character (person dressed in costume or logo shirt) that represents a business  
7 or a business mascot and does not carry or otherwise provide any commercial message  
8 except for a logo that does not exceed one (1) square foot on their clothing may be  
9 authorized on the private property associated with their place of work. The following  
10 standards, including size, design, location and duration, shall be applicable to these signs.

- 11 1. **Number of Animated Characters.** No more than one (1) animated character per  
12 addressed business establishment.

- 13 2. **Location.** Animated characters may only be utilized on private sidewalks in front of a  
14 business where there exists at least eight (8) feet unobstructed pedestrian walkway at  
15 the entrance of the business. Animated characters may not be located in vehicle uses  
16 areas, parking lots, on the public sidewalks or in any public right-of-way. Off-premise  
17 animated characters are prohibited.

- 18 a. A character or person shall be located within ten (10) feet of the entryway to the  
19 business (front entry or outdoor seating area/entry), but shall not impede pedestrian  
20 traffic or be placed in the right-of-way or on public sidewalks.

- 21 b. In order to provide adequate clearance for pedestrians and persons with visual and  
22 mobility disabilities, such person shall maintain a required five (5)-feet clear walkway  
23 for the site and maintain at least six (6) inches between the sign and the edge of the  
24 curb.

- 25 c. A character or person shall be located on an improved surface and shall not be  
26 placed in landscape buffers, landscape islands, or tree pits in sidewalks unless the  
27 tree pits are covered with hard tree grates.

- 28 d. A character shall not be located in vehicle use areas, vehicle travel lanes, parking  
29 spaces, or in any pedestrian access ways that is less than eight (8) feet in width.

- 30 e. Animated characters must not interfere with vehicle site triangle areas, free use of  
31 any fire escape, means of egress, nor standpipes.

- 32 f. No animated character sign shall be temporarily or permanently embedded in the  
33 ground, nor temporarily or permanently leaning or affixed to a building, structure,  
34 landscape, sign structure, light pole, chair or other permanently affixed object or  
35 furniture.

36 3. **Costume standards.**

- 37 a. Animated Characters or humans shall not carry any commercial message nor shall  
38 they carry or wave signs, flags, balloons, ribbons, pennants or any other items that  
39 may distract or impede the flow of pedestrian traffic.

- 40 b. The maximum size of live or animated character shall not exceed fifteen (15) percent  
41 of the height or width of the person wearing the costume. The character may not  
42 artificially increase their height by standing on any object, wearing stilts or other  
43 similar resource or structure.

- 1 4. In a multi-tenant building, character shall not be located closer than twenty (20) feet from  
2 another character.
- 3 5. Characters may be utilized on the sidewalk only during the daylight hours the  
4 establishment is open for business.
- 5 6. A Sign Review Permit is required for an animated character. Provided the character is  
6 maintained and utilized pursuant to this Chapter, the Temporary Sign Permit shall be  
7 valid for fourteen (14) consecutive days. Animated character permits shall count against  
8 the total number of temporary banner permits authorized for business. A Temporary  
9 Sign Permit Sticker must be maintained for the duration the is in use characters uses.
- 10 7. Any character found by the City to be unsafe or to present a hazard or to impair a  
11 required clear walkway, shall be removed immediately. If the owner fails to remove or  
12 relocate the sign at the request of the City, the City will immediately revoke the  
13 temporary sign permit, will prohibit additional temporary sign permits for one (1) year,  
14 and may process the violation pursuant to the enforcement provisions of this chapter.

15 **E. Garage Sale Signs.**

16 Garage sale signs, which advertise an authorized garage sale for the resale of personal  
17 property may only be placed on the property conducting an authorized garage sale.

- 18 1. Garage Sale signs shall not exceed three (3) square feet in sign  
19 area and three (3) feet in height.
- 20 2. A maximum of two (2) off-site garage sale directional arrow signs  
21 may be placed on privately owned property (with authorization) to  
22 provide direction/navigation to the garage sale. Directional  
23 arrows may not include any commercial message or logo.  
24 Directional arrow sign size shall not exceed nine (9) inches by  
25 twenty-four (24) inches. Directional arrow signs shall not be more than two (2) feet in  
26 height.
- 27 3. No more than one (1) sign per shall be placed on any property.
- 28 4. Signs may only be placed from dawn to dusk daily, only on the days of the sale.
- 29 5. Garage sale signs and associated directional arrows may not be placed on public  
30 property, in the public right-of-way, or attached to any existing signs, trees, poles or  
31 other structures.
- 32 6. Illegal signs may be removed as provided in this Chapter.



33 **9.12.4. *Temporary Signs – Specific purpose with extended duration.***

34 Temporary signs with a limited duration of display that is typically longer than a short term  
35 temporary sign include real estate signs, development signs, and election campaign signs.  
36 Such signs are typically posted for a period of time that exceeds that of short term temporary  
37 signs, however, such signs may only be posted on a property as provided herein to serve their  
38 purpose, and only for the duration that serves that specific purpose. Such signs shall be  
39 removed immediately upon satisfying their specific purpose.

40 **A. Temporary Real Estate Signs.** Real Estate Signs or any temporary sign advertising a  
41 property (real estate) for sale, lease and/or rental shall be permitted if they comply with the  
42 following requirements.

- 43 1. **Residential Districts.**

- 1 a. For each property, one (1) freestanding sign or one (1) window or wall sign may be  
2 permitted.
- 3 b. For vacant residential property that exceeds five (5) acres in size, the multi-family  
4 and non-residential standards may apply.
- 5 c. The maximum sign size shall be three (3) square feet in size and three (3) feet in  
6 height in residential zoning districts. A height of five (5) feet may be authorized for  
7 hanging panel blade signs.
- 8 d. For each property, one (1) sign shall be permitted.
- 9 e. If more than one real estate agent or broker or real estate service desires to have  
10 signage on one property, all signage shall be combined on one (1) sign.
- 11 f. Two (2) "additional information" signs six (6) inches in height and the maximum width  
12 of the real estate sign may be hung from, or attached to the approved sign and used  
13 to announce an additional bit of information related to the sale or rental of the  
14 property. Such additional information shall be limited to: For rent, for lease, open,  
15 by appointment only, sold, waterfront, pool, size, number of bedrooms, zoning,  
16 associate's or salesperson's name or other similar information as may be authorized  
17 by the DSD. The total sign area, including any ancillary information signs, may not  
18 exceed four and one half (4.5) square feet. A brochure box or tube will be permitted  
19 in lieu of one of the additional informational signs.

20 **2. Multi-family and Non-Residential Districts.**

- 21 a. For each property, one (1) freestanding sign or one (1) window or wall sign may be  
22 permitted.
- 23 b. For properties that are less than one (1) acre in size, sign shall not exceed twelve  
24 (12) square feet in size and six (6) feet in height.
- 25 c. For properties that are one (1) acre in size, but less than five (5) acres, the sign shall  
26 not exceed sixteen (16) square feet in size and six (6) feet in height.
- 27 d. For properties that are five (5) acres in size or greater, the sign shall not exceed  
28 twenty (20) square feet in size and six (6) feet in height.
- 29 e. Two (2) additional information signs six (6) inches in height and twenty four (24)  
30 inches in width may be hung from, or attached to an approved sign and used to  
31 announce an additional bit of information related to the sale or rental of the property.  
32 Such additional information shall be limited to: For rent, for lease, open, by  
33 appointment only, sold, waterfront, pool, size, number of bedrooms, zoning,  
34 associate's or salesperson's name or other similar information as may be authorized  
35 by the DSD. A brochure box or tube will be permitted in lieu of one of the additional  
36 informational signs.

37 **3. General Standards for Temporary Real Estate Signs.**

38 These general standards are applicable to all single-family residential, multi-family  
39 residential and non-residential temporary real estate signs.

- 40 a. When the primary street frontage of a lot exceeds 1,200 lineal feet, one (1) sign per  
41 1,200 lineal feet may be authorized as part of a master sign plan.
- 42 b. For properties that front more than one public right-of way, one (1) sign may be  
43 permitted along each public right-of-way, so long as the signs are separated by at  
44 least one hundred (100) feet.

- 1 c. Signs shall only be in place while the property has an active real estate listing or  
2 management agreement with active vacancy or vacancy pending within 90 days.  
3 Permanent freestanding for rent or leasing signs shall not be permitted--such  
4 commercial message may only be accommodated as part of the Primary  
5 Identification Signage. Real Estate Signs shall be removed within ten (10) days after  
6 closing on or leasing of the property. A "sold" sign may be attached to the sign for a  
7 period of ten (10) days subsequent to the date of closing.
- 8 d. If a property owner owns multiple adjacent multi-family or non-residential properties,  
9 signage shall be combined on one sign based on the cumulative acreage of the  
10 property.
- 11 e. For a subdivision with twelve (12) or more lots is being offered by a homebuilder, one  
12 (1) real estate sales sign may be provided at the primary entrance of the subdivision  
13 as provided herein for multi-family and non-residential districts; however the signage  
14 must also meet the following requirements.
- 15 (1.)Real estate sales signs at the subdivision entrance may not be in place while  
16 temporary development signs are in use; however, real estate sales information  
17 may be provided on the temporary development signs, or in lieu of temporary  
18 development signs, as provided herein.
- 19 (2.)Real estate sales signs at the subdivision entrance must be removed upon  
20 substantial buildout of the community, completion of subdivision infrastructure, or  
21 Homeowners' Association turnover, whichever comes first.
- 22 (3.)If multiple homebuilders are building in the same subdivision, all sales  
23 information must be combined on the same sign at the primary entrance.
- 24 (4.)Individual signs advertising lots or homes for sale within the community may be  
25 provided on each lot consistent with the requirements for single-family residential  
26 lots in residential districts.
- 27 f. Multi-family apartment complexes with nine (9) or more units shall accommodate all  
28 rental or leasing signage and other associated commercial messages on their  
29 primary identification signs; however, one (1) yard sign that does not exceed three  
30 (3) square foot in copy area may be utilized when needed to advertise active  
31 vacancies.
- 32 g. If more than one real estate agent or broker or real estate service desires to have  
33 signage, all ground or wall signage shall be combined on one (1) sign. This shall  
34 apply to multi-unit properties and condominium properties; however individual units  
35 in a multi-unit building or complex may advertise their individual unit by providing a  
36 three (3) square foot signage inside a single window of the available unit.
- 37 h. Any real estate sign that is not expressly exempted in this Chapter shall require a  
38 Sign Review Permit illustrating compliance. Each Real Estate Broker or Brokerage  
39 firm may submit a Master Sign Plan for the types and styles of signs the firm's  
40 agents will be using within the City, then they won't need separate sign review  
41 permits each time an agent installs a sign that is consistent with the master plan.

42 **4. Open House Signs.**

43 A temporary open house sign may be posted on a property available for inspection.  
44 Open house signs shall not exceed three (3) square feet in area and three (3) feet in  
45 height.

- 1 1. Open house signs may be posted on the subject property only on weekends and  
2 holidays, between the hours of 10:00 a.m. and 5:00 p.m. Open house signs may be  
3 posted on the property at the aforementioned times and dates only when the  
4 premises are actually available for inspection.
- 5 2. Property owners, as well as any real estate sales person or broker doing business  
6 within the City of Orange City, are subject to compliance with these sign regulations.
- 7 3. The signs may be made of corrugated plastic, aluminum or steel. The signs' support  
8 posts shall be made of aluminum or steel. No wooden posts shall be permitted.
- 9 4. Open House Signs shall not be permitted if model home signage has already been  
10 permitted for the property.
- 11 5. A maximum of two (2) off-site open house directional arrow signs may be placed on  
12 privately owned property (with authorization) to provide direction/navigation to a  
13 property available for inspection. Directional arrows may not include any commercial  
14 message or logo, they may only indicate direction or text, "Open House" and the  
15 property address.
  - 16 a. Sign size shall not exceed nine (9) inches by twenty-four (24) inches. Signs shall  
17 not be placed more than two (2) feet in height above the abutting road elevation.
  - 18 b. No more than one (1) sign per shall be placed on any property.
  - 19 c. Signs shall not be attached to any existing signs, trees, poles or other structures.
  - 20 d. Signs shall indicate the responsible agency or owner of the sign.

21 **B. Model Home Signs.**

22 Temporary model home signs are permitted in all residential zoning districts as set forth  
23 below as part of an approved model home area within a platted subdivision. Model home  
24 signs will be required to illustrate a high level of design detail and character, including  
25 cohesive theme for all signage.

- 26 1. One (1) freestanding sign is allowed per model home lot within an approved model home  
27 sales center or model home park.
  - 28 a. The sign area shall not exceed three (3) square feet and shall not exceed three (3)  
29 feet in height.
  - 30 b. One (1) flag per model is allowed from dusk to dawn daily so long as the flags are  
31 not visible from public roads that are outside of the platted subdivision. Flags shall  
32 not exceed six (6) square feet in area and shall not exceed eight (8) feet in height.
- 33 2. For model home sales areas that include more than three (3) model homes, one (1)  
34 freestanding model home sales center sign shall be permitted to advertise the Model  
35 Home Sales Center or Model Home Park.
  - 36 a. The sign area shall not exceed sixteen (16) square feet and shall not exceed six (6)  
37 feet in height.
  - 38 b. One (1) flag identifying the Sales Center is allowed from dusk to dawn daily so long  
39 as the flag is not visible from public roads that are outside of the platted subdivision.  
40 The flag shall not exceed six (6) square feet in area and shall not exceed eight (8)  
41 feet in height.
- 42 3. Model signs and flags shall only be located on the lot of the model home or model  
43 sales/information center.

- 1 4. All model home signs, sale center signage, and flags must be submitted together as part  
2 of a Model Park Master Sign Plan for the designated model home park, which must be  
3 renewed each year if the model park remains in use for more than twelve (12) months.
- 4 5. Temporary directional signage within a community that is under construction, which  
5 identifies directions to the model park or sales center within the community, may be  
6 approved as part of the Model Park Master Sign Plan. Directional Signs shall not  
7 exceed six (6) square feet in area and five (5) feet in height.
- 8 6. All model signs, temporary signage, flags, and directional signage shall be removed  
9 upon sale of the models or substantial buildout of the community, whichever comes first.
- 10 7. Open House signs shall not be permitted when model home signage is provided.

11 **C. Temporary Development Signs.**

12 Temporary development sign shall be allowed during construction  
13 or remodeling of development projects to advertise a future  
14 development and the location of construction access points to the  
15 vendors and subcontractors that are working on the project.  
16 Temporary Development Signs may only be permitted on properties  
17 that have received necessary development permits from the City.  
18 Said signs shall meet the following standards.



- 19 1. **Residential Districts.** Temporary development signage for a  
20 single-family residential lot, townhouse lot, or duplex, or any  
21 property in a residential district.
  - 22 a. One (1) temporary development sign shall be permitted on a single family residential  
23 lot. The Temporary sign shall not exceed three (3) square feet in size and three (3)  
24 feet in height. A height up to five (5) feet may be authorized for hanging panel blade  
25 signs.
  - 26 b. Such sign shall be installed to face the street that the house is intended to face. The  
27 sign copy may include only the following information: name of the project, nature of  
28 the development; general contractor; architect; lending institution; owner or agent;  
29 telephone number; and price.
  - 30 c. If more than one contractor or subcontractor desires to have signage—all signage  
31 shall be combined on one sign.
  - 32 d. For vacant residential lot that exceeds five (5) acres in size, the multi-family and non-  
33 residential standards may apply.
- 34 2. **Multi-family and non-residential districts.** Temporary development signs for new  
35 single-family residential subdivisions, new multi-family residential communities, and new  
36 non-residential development or non-residential redevelopment.
  - 37 a. A maximum of two (2) temporary development project signs may be installed.
  - 38 b. Free standing signs shall meet the setback and design standards provided for all  
39 temporary signs; however, in lieu of free-standing signs, a temporary development  
40 sign may be installed to attach securely to an approved construction fence.
  - 41 c. Temporary development signs may be sized as provided in this section.
    - 42 (1.) For developments that are less than one (1) acre in size, the future project sign  
43 shall not exceed twelve (12) square feet in size and six (6) feet in height.



1 (2.)For developments that are one (1) acres in size, but less than five (5) acres, the  
2 future project sign shall not exceed sixteen (16) square feet in size and six (6)  
3 feet in height.

4 (3.)For developments that are five (5) acres in size or greater, the future project sign  
5 shall not exceed twenty (20) square feet in size and six (6) feet in height.

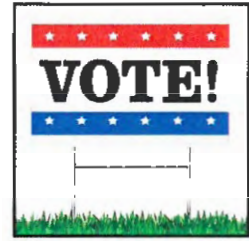
- 6 d. Temporary decorative silt fences or construction screens along an approved  
7 temporary construction fence may be permitted. Such, art-inspired silt fences and/or  
8 construction screens may advertise only the future development of the property and  
9 shall not include any vendor signage, real estate signage, or off-site advertising. Art-  
10 inspired silt fences or screens may include rendered building elevations and may  
11 include a maximum of ten (10) percent commercial message or commercial logos—  
12 any such commercial message or logo must be seamlessly integrated into the  
13 rendering or artwork, without appearing to be freestanding signage. A sign permit  
14 including illustration of all graphics proposed to be utilized on the fencing will be  
15 required prior to installation of any decorative silt fence or construction screens.  
16 Proposed artwork is subject to approval by the Development Services Director or  
17 designee. All other silt fencing or construction screens, if any, shall be solid black  
18 without any logos, artwork or message (commercial or non-commercial).

19 **3. General Standards for Temporary Development Signs.**

- 20 a. When the primary street frontage of a new development lot exceeds 1,200 lineal feet,  
21 one (1) sign per 1,200 lineal feet may be authorized as part of a master sign plan.
- 22 b. For new development properties that front more than one public right-of way, one (1)  
23 sign may be permitted along each public right-of-way, so long as the signs are  
24 separated by at least one hundred (100) feet.
- 25 c. Temporary development signs should be located at or near approved construction  
26 access points. If more than one contractor, subcontractor or vendor desires to have  
27 signage—all signage shall be combined on one (1) sign.
- 28 d. Temporary development signs may only be permitted to be posted from the submittal  
29 date of a site development or building permit until the date the associated work is  
30 completed, which may coincide with date of final inspections or the date of issuance  
31 of the final certificate of occupancy for a new building or certification of completion on  
32 subdivision infrastructure, whichever comes first. The location, size and details of  
33 any temporary development sign shall be illustrated on the site plan submittal for the  
34 development.
- 35 e. If a temporary development signs are utilized on the property, separate real estate  
36 sales or leasing signs shall not be permitted for the development. While a temporary  
37 development signs are in place, real estate sales or leasing information may be  
38 provided as part of the temporary development signage. Upon removal of all  
39 temporary development signs, temporary real estate signs may be installed as  
40 provided herein.
- 41 f. A Sign Review Permit shall be required for the installation of any temporary  
42 development sign that exceeds three (3) square feet of copy area. A master sign  
43 plan shall be required if more than one temporary development sign is proposed for  
44 the property.

45 **D. Temporary Election Campaign Signs.**

1 Temporary signs announcing, supporting or advertising any national, state or local election,  
2 including political issues, ballot issues, political parties, or candidates  
3 for election may be erected or displayed and maintained subject to the  
4 following restrictions, limitations and requirements and any other  
5 applicable requirements set forth in this chapter. Campaign signs are  
6 permitted in all zoning districts under the following conditions:



7 **1. Residential Districts.**

- 8 a. The maximum sign size shall be three (3) square feet in size  
9 and three (3) feet in height in residential zoning districts. A height up to five (5) feet  
10 may be authorized for hanging panel blade signs.
- 11 b. For each property, one political sign per candidate, ballot issue, or political issue.
- 12 c. For sites that front more than one public right-of way, each frontage will be allowed  
13 one political sign per candidate, ballot issue, or political issue.
- 14 d. For vacant residential property that exceeds five (5) acres in size, the multi-family  
15 and non-residential standards may apply.

16 **2. Multi-family and Non-Residential Districts.**

- 17 a. For properties that are less than one (1) acre in size, the temporary sign shall not  
18 exceed twelve (12) square feet in sign area and six (6) feet in height.
- 19 b. For properties that are one (1) acre in size, but less than five (5) acres, the  
20 temporary sign shall not exceed sixteen (16) square feet in sign area and six (6) feet  
21 in height.
- 22 c. For properties that are five (5) acres in size or greater, the temporary sign shall not  
23 exceed twenty (20) square feet in sign area and six (6) feet in height.
- 24 d. For each property, one political sign per candidate, ballot issue, or political issue.
- 25 e. For sites that front more than one public right-of way, each frontage will be allowed  
26 one political sign per candidate, ballot issue, or political issue.

27 **3. General Standards for Temporary Election Campaign Signs.**

- 28 a. Signs must be removed in accordance with §106.1435, Fla. Stat., as may be  
29 amended from time to time.
- 30 b. The erection and removal of all political signs shall be the responsibility of the  
31 candidate for whom such sign was placed. Such person shall be liable for any  
32 violation of the terms and conditions of this chapter.
- 33 c. The provisions of this section shall not apply to what are commonly referred to as  
34 "bumper stickers" or "car-top" signs when such signs are placed on motor vehicle  
35 bumpers or tops, respectively. Decals on vehicles and vehicle signs with political  
36 message are exempt from permits.
- 37 d. No political or election signs of any type or size, advertisements, handbills, snipe  
38 signs or billboards shall be placed on property owned or used by the city or by other  
39 governmental agencies in the incorporated areas of the city.

1 **9.13. Miscellaneous Advertising**

- 2 A. Posting bills on buildings, etc. It shall be unlawful for any person to post any bills or  
3 other advertisement matter upon any permanent or temporary structure or building, pole  
4 or tree located in any street, park or other public way or place within the City.
- 5 B. Scattering Handbills. It shall be unlawful for any person to distribute or place or cause to  
6 be distributed or placed on any public or private property in the City any handbills,  
7 circulars, dodgers or other advertising matter in such a manner that the same may be  
8 blown, carried by water or otherwise scattered by the elements, or so to constitute litter.  
9 Handbills shall be distributed as provided in Chapter 10 of the City Code of Ordinances.
- 10 C. Placing handbills on or into vehicles It shall be unlawful for any person to distribute or  
11 cause to be distributed in the City any handbill or other similar form of advertising by  
12 placing the same on or into vehicles within the City, except as set forth in Chapter 10 of  
13 the City Code of Ordinances.
- 14 D. Sound Truck and sound amplifying devices It shall be unlawful for any person to  
15 operate or permit to be operated in the City any sound amplifying device or equipment,  
16 except for the purpose of conveying an emergency message from public streets or  
17 property or from private property to adjoining land without having first obtained  
18 permission from the City Manager.

19 **9.14. Maintenance Required**

20 All signs shall be properly placed and continuously maintained so as not to become a safety  
21 hazard or detract from the appearance of the business or the City. All signs together with  
22 supports, braces, guys, and anchors shall be maintained as follows.

- 23 A. The repainting, changing of parts and preventative maintenance of signs not normally  
24 requiring a building permit shall be permitted; provided, however, that such maintenance is  
25 consistent ant with the originally approved sign plan and is otherwise in conformance with  
26 this Chapter.
- 27 B. The owner of any sign shall keep it in good maintenance and repair, which includes  
28 restoring, repainting or replacement of a worn or damaged legally existing sign to its original  
29 condition, and shall maintain the premises on which the sign is permitted in a clean, sanitary  
30 and inoffensive condition, free and clear of obnoxious substances, rubbish and weeds.  
31 Painted copy areas shall be kept in good condition and illumination if provided shall be  
32 maintained in good working order.
- 33 C. The replacement of illumination and missing letters, numerals or other elements shall be  
34 accomplished within fifteen (15) days.
- 35 D. Light pole, canvas and semi-permanent signs and approved banners, if any, shall be  
36 maintained in good condition, free of tattering, ripping, fading etc.
- 37 E. Landscape material installed in compliance with this Chapter shall be watered, mulched,  
38 trimmed and otherwise maintained to ensure aesthetic appearance and healthy growth of  
39 the approved plant material. Plants and landscape material that dies or otherwise becomes  
40 unkempt or unhealthy shall be replaced within fifteen (15) days.
- 41 F. When a business terminates occupancy of a property, all signs advertising or related to that  
42 business shall be removed within thirty (30) days of termination of occupancy of that  
43 business. If the owner or lessee fails to remove the sign or sign message, the sign and sign

1 message shall be deemed abandoned and in violation of this Chapter. This failure to  
2 remove all sign advertising shall be considered abandonment as outlined herein. Upon  
3 removal of the old signage, the property owner shall return sign face or building fascia to  
4 clean flat well-maintained surface without signage or may replace changeable sign panels  
5 with blank panels or panels that include for sale/for lease information.

## 6 **9.15. Unpermitted Signs**

7 Any sign installed without legal permits either prior to or after this code shall be considered  
8 illegal signs and in violation of this chapter. Such signs shall upon notice and due process be  
9 removed or permitted in compliance with this Chapter. If the City does not have documentation  
10 of permits being issued, it shall be the responsibility of the property owner to supply such  
11 documentation demonstrating issuance of valid City permits. Renewal of a business tax receipt  
12 and/or renewal of sign tag are not considered documentation of issuance of a permit for a sign.

## 13 **9.16. Abandonment**

14 All signs and sign messages shall be removed by the owner or lessee to the premises upon  
15 which an on-site sign is located when the business it advertises is no longer conducted on the  
16 property. All sign messages, which advertise or are related a business that has terminated  
17 occupancy of a property, shall be removed by the owner or lessee within thirty (30) days of the  
18 vacation of the premises. If the owner or lessee fails to remove the sign or sign message, the  
19 sign and sign message shall be deemed abandoned and in violation of this Chapter.

## 20 **9.17. Nonconforming Signs**

21 **9.17.1. Existing in Compliance.** Signs lawfully existing at the time of passage of this Ordinance  
22 include signs permitted in compliance with Ordinance 157 as adopted by the City Council on  
23 August 12, 2003. Such signs may be compliant with this Chapter or they may be considered  
24 nonconforming signs. Signs that are made nonconforming by this Chapter may remain as legal  
25 nonconforming signs as long as the current property owner owns the property. Once removed,  
26 abandoned or substantially altered the sign shall lose its legal nonconforming status and shall  
27 be replaced or upgraded to be fully conforming sign as provided herein. Upon change in  
28 ownership of the property such nonconforming signs shall be immediately removed or brought  
29 into compliance with this Chapter.

30 **9.17.2. Signs in Compliance with Planned Development (PD) Master Sign Plan.** Signs lawfully  
31 existing at the time of passage of this Ordinance that were approved and permitted under an  
32 approved Planned Development (PD) Zoning with a Master Sign Plan, which specifically  
33 identified sign types, locations, heights, design, and sizes of all signs, are legal signs so long as  
34 they are maintained in compliance with the approved PD Master Sign Plan. Upon change in  
35 use or change in ownership, or any amendment to the Planned Development, such signs may  
36 be requested to be upgraded or to add aesthetic enhancements or landscaping, if necessary,  
37 including other modifications or reductions in height or type to bring them closer to compliance  
38 with the code.

39 **9.17.3. Existing, Substantially in Compliance with New Standards.** Within one year after the  
40 adoption of the Sign Ordinance, existing signs, which meet the intent of this new sign ordinance  
41 and the new types of signs that are now permitted, may apply for a Sign Compliance Permit to  
42 illustrate how their current sign meets the intent of the code. While the existing signs may not  
43 meet all requirements of the code, the DSD may approve the sign upon illustrating substantial

1 compliance, particularly those in compliance with the height and design requirements herein.  
2 DSD may require some aesthetic upgrades or other improvements as conditions of approval.  
3 Upon approval of the sign permit and implementation as provided in the Permit, the sign(s) shall  
4 be considered a legally permitted signs under the 2013 Sign Code OR may be nonconforming  
5 sign(s) and may remain so long as the current owner is the property owner. Once removed,  
6 abandoned or substantially altered the sign shall lose its legal nonconforming status and shall  
7 be replaced with fully conforming signs as provided herein. Sign Compliance Permits submitted  
8 within one year after adoption of the Sign Ordinance shall not be charged sign permit review  
9 fees. Failure to implement the conditions of approval shall cause a sign to be in violation of this  
10 ordinance. A sign that is unable to meet the intent of the code will not be approved and shall be  
11 required to come into compliance as outlined herein. Sign Compliance Permits as provided in  
12 this section shall not be accepted beyond one year after the adoption of this code and all signs,  
13 which are not in compliance, shall be brought into compliance as provided herein. Upon change  
14 in ownership of the property any nonconforming signs shall be immediately removed or brought  
15 into compliance with this Chapter.

16 **9.17.4. Repair and Maintenance.** Nonconforming signs as outlined above, may be painted,  
17 repaired or maintained, including replacement or change-out of removable sign panels, provided  
18 such sign maintenance or repair does not increase or expand the dimensions of the existing  
19 sign. Replacement or change-out of sign panels is subject to approved Sign Review Permit.  
20 Upon change in ownership of the property, these signs shall be replaced with conforming signs.

21 **9.17.5. Loss of Legal Nonconforming Status.** Except for normal maintenance or repair, a sign  
22 loses its legal nonconforming status and shall be considered in violation of this code if one or  
23 more of the following occurs:

- 24 A. The sign is moved or structurally altered in any way, including increasing its height or width  
25 or depth or enlarging it in any manner, including modifications to sign frame, base, poles or  
26 lighting, which tends to make the sign less in compliance with the requirements of this  
27 Chapter than it was before the alteration.
- 28 B. The sign is damaged to such an extent that the cost of the repair or reconstruction of the  
29 sign exceeds fifty (50) percent of the value of the sign based on the sign structure itself  
30 before said damage, said value to be determined based on the depreciated cost of the sign  
31 as listed in the original building permit or may be determined by an expert appraiser at  
32 owners expense and verified by City staff.
- 33 C. The overall design, logos or wording or commercial message on the sign is altered, except  
34 as provided on removable panels.
- 35 D. Signs determined to be abandoned under the provisions of this Chapter.
- 36 E. Nonconforming signs or substantial in compliance permits that are not brought into  
37 compliance with any required conditions of approval or within the amortization schedules  
38 outlined herein.
- 39 F. Upon the change in ownership of a property any nonconforming sign, regardless of the  
40 amortization schedule, shall be brought into compliance.
- 41 G. Nonconforming signs that cannot demonstrate that they received proper building permits for  
42 the installation of the sign.
- 43 H. Upon redevelopment of a property or a building, which exceed fifty (50) percent of the value  
44 of the building or thirty (30) percent of the land area, all existing nonconforming signs shall  
45 be brought into compliance. Any redevelopment which would expand the nonconformity or

1 cause additional nonconformities of a sign shall require the sign to be brought into  
2 compliance.

3 I. Change in use would trigger loss of non-conforming status for a sign that was issued  
4 compliant with ORD 96-03-04, a sign that was issued via Variance, a sign that was issued  
5 via Special Agreement or a sign that is Long-term Non-compliant as provided herein.

6 J. Conversion of off premise to electronic display type signs.

7 **9.17.6. Amortization.** Any sign that was legally permitted and is nonconforming to the  
8 requirements of this Chapter, either by variance previously granted or by conformance to the  
9 existing sign regulations at the time the initial permit for said sign was issued, shall either be  
10 removed or brought up to code requirements as provided below. Any change or extension of  
11 the deadlines contained herein must be reviewed by the City Council at least six (6) months in  
12 advance of the expiration date(s).

13 A. Upon the change in ownership of a property any nonconforming sign, regardless of the  
14 amortization schedule, shall be brought into compliance with this Chapter.

15 B. Upon abandonment of any nonconforming sign, regardless of the amortization schedule,  
16 said sign shall be brought into compliance with this Chapter.

17 C. Signs legally permitted and installed in compliance prior to Ordinance 96-03-04 (1996 Sign  
18 Code), were given fifteen (15) years or until April 2011 to come into compliance. Signs  
19 legally permitted and installed in compliance prior to Ordinance 157 (2003 Sign Code), were  
20 given approximately ten (10) years or until April 2013 to come into compliance. Such  
21 nonconforming signs shall be brought into compliance as outlined below.

22 1. **Compliant with ORD 157 (2003 Sign Code).** Those properties owners that made an  
23 investment in their property and legally permitted and installed new primary identification  
24 signage in compliance with Ordinance 157, but prior to this Chapter, but do not meet all  
25 the requirements of this Chapter shall be considered nonconforming signs and upon  
26 change in ownership of the property those signs shall be immediately removed or  
27 brought into compliance with this Chapter.

28 Furthermore, the Sign Review Fee for sign installation or alteration as defined in the City  
29 Code of Ordinances, will be waived for any nonconforming sign defined as Compliant  
30 with the 2003 Sign Code that are brought into compliance with this Chapter prior to  
31 December 31, 2015. Such fees will be reduced by fifty (50) percent for any  
32 nonconforming sign brought into compliance with this Chapter between January 1, 2016  
33 and December 31, 2016. Fee waivers must be requested at the time of permit  
34 application. The building permit fees and annual sign fee will apply to all signs  
35 regardless of conforming or nonconforming status. All other non-compliant or illegal  
36 signs on the property shall be immediately removed upon notice by the City to the  
37 property owner.

38 2. **Compliant with ORD 96-03-04 (1996 Sign Code).** Those properties owners that made  
39 an investment in their property and legally permitted and installed new primary  
40 identification ground signage in compliance with Ordinance 96-03-04, but prior to  
41 Ordinance 157 in 2003, shall be considered nonconforming signs and given until  
42 December 31, 2019 to come into compliance with the provisions of this Chapter.  
43 However upon change in ownership or use of the property those signs shall be  
44 immediately removed or brought into compliance with this Chapter. All other non-  
45 compliant or illegal signs on the property shall be immediately removed upon notice by  
46 the City to the property owner.

1 Furthermore, the Sign Review Fee for sign installation or alteration as defined in the City  
2 Code of Ordinances, will be waived for any nonconforming sign defined as Compliant  
3 with the 1996 Sign Code that are brought into compliance with this Chapter prior to  
4 December 31, 2015. Such fees will be reduced by fifty (50) percent for any such  
5 nonconforming sign brought into compliance with this Chapter between January 1, 2016  
6 and December 31, 2016. Fee waivers must be requested at the time of permit  
7 application. The building permit fees and annual sign renewal tag fee will apply to all  
8 signs regardless of conforming or nonconforming status.

- 9 3. **Compliant via Variance.** Those properties owners that made an investment in their  
10 property and legally permitted and installed new freestanding primary identification  
11 ground signage in compliance with an approved variance shall be considered  
12 nonconforming signs and given until December 31, 2019 to come into compliance with  
13 the provisions of this Chapter. However upon change in ownership or use of the  
14 property those signs shall be immediately removed or brought into compliance with this  
15 Chapter. All other non-compliant or illegal signs on the property shall be immediately  
16 removed upon notice by the City to the property owner.

17 Furthermore, the Sign Review Fee for sign installation or alteration as defined in the City  
18 Code of Ordinances, will be waived for any nonconforming sign defined as Compliant  
19 with the 1991 Sign Code that are brought into compliance with this Chapter prior to  
20 December 31, 2015. Such fees will be reduced by fifty (50) percent for any such  
21 nonconforming sign brought into compliance with this Chapter between January 1, 2016  
22 and December 31, 2016. Fee waivers must be requested at the time of permit  
23 application. The building permit fees and annual sign renewal tag fee will apply to all  
24 signs regardless of conforming or nonconforming status.

- 25 4. **Compliant via Special Agreement.** Those properties owners that made an investment  
26 in their property and legally permitted and installed new freestanding primary  
27 identification ground signage in compliance with an approved Annexation Agreement or  
28 other Special Agreement with the City shall be considered nonconforming signs and  
29 upon change in ownership or use of the property those signs shall be immediately  
30 removed or brought into compliance with this Chapter. All other non-compliant or illegal  
31 signs on the property shall be immediately removed upon notice by the City to the  
32 property owner.

- 33 5. **Long-Term Non-Compliant Signs.** Those properties that failed to come into  
34 compliance with either Ordinance 96-03-04 or Ordinance 157 shall be deemed in  
35 violation of this code and enforcement action taken. Such properties have already been  
36 given an extensive amortization timeframe to come into compliance; however, such  
37 properties shall be given until June 30, 2015 to remove non-compliant primary  
38 identification ground signs and come into compliance with the provisions of this Chapter.  
39 For Non-Compliant Signs in violation of this Section, changeable sign panels may not be  
40 replaced, and upon change in ownership or use of the property those signs shall be  
41 immediately removed, including all foundations and electrical work. Property owners  
42 may apply for new primary identification sign in compliance with this Chapter. All other  
43 non-compliant or illegal signs on the property shall be immediately removed upon notice  
44 by the City to the property owner.

- 45 D. Unless specifically amortized herein, all other non-conforming, non-compliant or illegal signs  
46 on the property shall be immediately removed or brought into compliance upon notice by the  
47 City to the property owner.

1 **9.18. Variances Process**

2 **9.18.1. Administrative Variances.**

3 The Development Services Director upon review of appropriate documentation may provide  
4 relief up to fifteen (15) percent for any dimensional, size, or locational standards outlined herein.  
5 Relief shall be documented in the form of a variance and subject to written request for an  
6 administrative variance as part of the sign permit. A request for waiver shall identify the amount  
7 of the variance and include appropriate documentation of existing hardship to support such  
8 relief, similar in form and content as required to support a request for variance.

9 **A. Administrative Variance Review Process.** Upon receipt of a sufficient application, the  
10 development services director shall review the request within forty five (45) calendar days. If  
11 the sign that is the subject of the administrative variance is located within forty (40) feet of  
12 another property, said property owner shall be notified via mail of the requested  
13 administrative variance and given the opportunity to provide comments on the request—  
14 comments must be received within fifteen (15) days of the date of the notice. If revisions are  
15 requested the review time shall start again upon receipt of revisions. If revisions are not  
16 submitted within thirty (30) days after being requested and/or an extension is not requested  
17 by the applicant, the application shall be deemed withdrawn and new fees shall be paid for  
18 reconsideration. Based on the application received, as well as any comments from adjacent  
19 properties, the Director shall render a decision on the request, which may be approval,  
20 denial, or approval with conditions. Such authorization, if approved, shall be issued in  
21 writing and must accompany the sign review permit submittal. The recommendation of the  
22 Development Services Director is final. If the applicant does not agree with the  
23 recommendations of the Director, he or she may process the request for relief in the form of  
24 a variance as outlined herein. If an adjacent property owner does not agree with the  
25 decision rendered by the Director, he or she may file an appeal as out lined in Chapter 3 of  
26 the Land Development Code.

27 **B. Justification for Administrative Waivers.** In addition to physical site constraints or  
28 hardship unique to a property, historic character, exceptional design, architecture or  
29 landscape may be used to help support a request for a waiver. The general desire or  
30 marketing strategy (or undocumented need) to have additional signage or relief shall not be  
31 grounds to support issuance of a waiver or any relief from the code. The applicant shall  
32 demonstrate that the requested waiver is the minimum deviation from the code necessary to  
33 accomplish the proposed sign. While not considered necessary documentation of an  
34 existing hardship, additional support for waivers may include documentation illustrating  
35 areas where the site exceeds the minimum land development code requirements.

36 Conditions of approval may be placed on any approved waiver. Additional opportunities to  
37 support requested administrative waivers or deviations from the code are listed below.

38 **C. Signs on Existing Mansard Roof.** The Development Services Director may support a  
39 waiver to allow replacement of an existing wall sign on the front face of an existing mansard  
40 roof subject to the following. New signs on mansard roofs shall not be permitted.

- 41 1. The mansard roof must exist as part of an existing building that was built prior to April 1,  
42 1996 and the sign must be an existing sign that was previously installed with all  
43 necessary approvals and permits.
- 44 2. There shall exist no other, or extremely limited viable locations on the wall of the building  
45 to place a wall sign.



- 1 3. The replacement sign shall only be permitted with copy area that is less than fifty (50)  
2 percent of the size normally allocated to a code compliant sign on that building. The  
3 replacement sign shall include a decorative architectural frame in materials and colors  
4 consistent and complementary with other design details on the façade of the building.
- 5 4. The replacement sign shall be placed centrally in the visual plane of the mansard roof  
6 and shall maintain clear space showing the roof material around the top, bottom and  
7 sides of the sign. The sign shall not cover more than thirty (30) percent of the length or  
8 width of the signable plane of the mansard wall. The sign shall be installed along the  
9 same plane as the mansard roof.
- 10 5. Secondary and incidental signs must be installed below the eaves in compliance with  
11 this code. All other signs on the property must be in compliance with the code or  
12 brought into compliance as part of the administrative variance.
- 13 **D. Signs above Eaves.** The Development services Director may support a waiver to allow  
14 installation of limited sign above the lowest eaves of an existing building that has unique  
15 historic or architectural style that prohibits or extremely limits other viable sign locations  
16 below the eaves. Such signage shall be subject to the following limitations.
  - 17 1. The circumstance must have been created by an existing building that was built prior to  
18 April 1, 1996.
  - 19 2. Other viable sign locations shall be utilized to the maximum extent possible before  
20 allowing limited signage above the eaves.
  - 21 3. The design shall be consistent and compatible with the building design, materials and  
22 architecture.
  - 23 4. Excessive signage, at the discretion of the DSD, shall not be permitted. Example: Such  
24 signage should not take up the entire signable area at the peak of the eaves, but should  
25 accent the space.
  - 26 5. Limited second floor signage may be approved when a building offers non-residential  
27 uses on the second floor and which have their primary access on the exterior of the  
28 second floor, such as a second floor porch or covered walkway.
  - 29 6. Such signage should not be the primary identification, but should be for the building  
30 name or other secondary, smaller signage that is complementary to primary  
31 identification signage.
  - 32 7. Secondary and incidental signs must be installed below the eaves. All other signs on  
33 the property must be in compliance with the code or brought into compliance as part of  
34 the administrative variance.
- 35 **E. Projecting Signs.** The Development Services Director may support a waiver to allow thirty  
36 (30) percent increase in allowable copy area and the projection of a projecting signage on  
37 an existing building where the underlying property has experienced right-of-way takings  
38 and/or if the building has unique historic architectural style that prohibits or extremely limits  
39 other viable sign opportunities. Such extension in projection may also include extension  
40 over public sidewalks or private vehicle use areas. Such signage shall be subject to the  
41 following limitations. Copy area shall come from the total copy area allocation for the  
42 business.
  - 43 1. Applicant must demonstrate need, including unique characteristics of the property and  
44 limitations for other viable sign opportunities.

1 2. Projecting signage to extend over public sidewalks, private sidewalks and/or parking  
2 areas or other vehicle use areas may only be considered if appropriate clearance is  
3 provided.

4 3. Authorization (or letter of no objection) for projection /encroachment into right of way  
5 from other reviewing agencies, if applicable.

6 **F. Exemplary Sign Design along an Arterial Road.** Upon illustrating high level of design,  
7 both architectural and landscape treatments, that far exceed the minimum code standards,  
8 the Development Services Director may authorize up to a twenty (20) percent increase in  
9 copy area and/or height for a sign located on an arterial road.

10 **G.** Cumulative application of different administrative variances on the same code deviation  
11 shall not be permitted under an administrative review; however multiple unique  
12 administrative variances may be considered, unless the Development Services Director  
13 makes a determination that the cumulative administrative variances may have a significant  
14 impact and thus should be considered as a variance before the Planning Commission.

### 15 **9.18.2. Variances.**

16 Relief from the provisions of this Chapter greater than fifteen (15) percent, or that exceed the  
17 allowances provided herein and/or are contrary to a recommendation or by the Development  
18 Services Director, may be considered by the Planning Commission under the procedure for  
19 variances outlined in Chapter 3 of the Land Development Code.

## 20 **9.19. Enforcement**

21 Signs erected, altered, relocated or replaced without a Sign Review Permit and/or necessary  
22 building permits shall be deemed in violation of this Code.

23 Snipe, sidewalk signs, yard signs, garage sale signs, directional signs, banners and political  
24 signs in violation of this Chapter may be removed by any resident of the City or by authorized  
25 employees of the city upon observation by said persons if on public property. Prior written  
26 notification shall not be required for the removal of prohibited snipe, yard signs, sidewalk,  
27 banner or political signs.

28 Continued violation of temporary sign code standards shall be grounds for denial of future  
29 temporary sign permit request for up to a year after the repeat violations have been  
30 documented. Enforcement of any violations of the terms of this Chapter shall be processed and  
31 enforced by the appropriate City officials in accordance with the enforcement provisions in this  
32 Chapter and Chapter 3 of City Land Development Code.

## 33 **9.20. Appeals to City Council**

34 **A.** Whenever it is alleged that there has been an error in an order, action, decision,  
35 determination, or requirement by the Development Services Director in the enforcement and  
36 application of any provision contained within this article or any other provision of this Code  
37 pertaining to sign permits (including any allegation that the Development Services Director  
38 has failed to act within applicable time frames), the aggrieved party may file a written appeal  
39 with the City Council.

40 **B.** The written appeal shall be filed with the City Clerk within thirty (30) days of the date of the  
41 alleged error. The written appeal shall describe the alleged error and the applicable

- 1 provisions of the Code pertaining to the Development Services Director's order, action,  
2 decision, determination, requirement, or failure to act.
- 3 C. The City Council shall hold a hearing within forty-five (45) days following receipt of the  
4 written appeal, not counting the day of the receipt and not counting any Saturday, Sunday,  
5 or legal holiday which falls upon the first or the forty-fifth day after the date of receipt.
- 6 D. The City Council shall render a written decision within ten (10) days following the hearing.
- 7 E. If the City Council does not render a decision within ten (10) days following the hearing, the  
8 sign permit shall be deemed denied.
- 9 F. Failure to appeal the decision regarding a sign application by the Development Services  
10 Director or designee to the City Council shall not be deemed a failure to exhaust  
11 administrative remedies. The applicant may choose to proceed directly to a judicial action  
12 once the sign application has been denied by the Development Services Director or  
13 designee.
- 14 G. If an administrative appeal is filed by the applicant, and the City Council fails to meet within  
15 the proscribed time, the appeal will be deemed denied, and the decision of the Development  
16 Services Director or designee regarding the sign application will be deemed a final decision  
17 subject to immediate appeal to a court of competent jurisdiction.
- 18 H. Once a decision is appealed to the City Council, the Development Services Director or  
19 designee shall take no further action on the matter pending the Council's decision, except  
20 for unsafe signs which shall present an immediate and serious danger to the public, in which  
21 case the City may pursue any proper legal remedy available to it.
- 22 I. The City Council shall comply with all applicable rules of conduct and procedures that  
23 pertain to zoning and that are not inconsistent with the provisions in this section.

## 24 **9.21. Appeals**

25 **Appellate Decisions Deemed Final, Subject to Review.** The appellate decisions, pursuant to  
26 Section 9.20 above, shall be deemed final, subject to judicial review by the Circuit Court of the  
27 Seventh Judicial Circuit in and for Volusia County, Florida, filed in accordance with the  
28 requirements of law, seeking such appropriate remedy as may be available.

## 29 **9.22. Substitution of non-commercial speech for commercial speech**

30 Notwithstanding anything contained in this section or Code to the contrary and subject to any  
31 required face-change sign permit(s), any legal sign erected pursuant to the provisions of this  
32 section or Code may, at the option of the owner, contain a non-commercial message in lieu of a  
33 commercial message and the non-commercial copy may be substituted at any time in place of  
34 the commercial copy. The non-commercial message (copy) may occupy the entire sign face or  
35 any portion thereof. The sign face may be changed from commercial to non-commercial  
36 messages, or from one non-commercial message to another non-commercial message, once  
37 per day as desired by the owner of the sign, provided that the size, height, setback, other  
38 dimensional criteria and permitting requirements contained in this chapter and Code have been  
39 satisfied.

## 9.23. Content Neutral Sign Message

Notwithstanding anything in this chapter or Code to the contrary, no sign or sign structure shall be subject to any limitation based upon the content (viewpoint) of the message contained on such sign or displayed on such sign structure.

## 9.24. Severability

**A. Generally.** If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section 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 section.

**B. Severability where less speech results.** Without diminishing or limiting in any way the declaration of severability set forth above in Section 9.24(A), or elsewhere in this section, this Code, or any adopting ordinance, if any part, section subsection , paragraph, subparagraph, sentence, phrase, clause, term, or word of this section 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 section, 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 Section 9.24(A), or elsewhere in this section, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section 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 section that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed under Section 9.17 of this section. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Section 9.17 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 9.17.

**D. Severability of prohibition on off-site signs.** If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section and/or any other Code provisions and/or laws as 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 off-site signs as contained in this section and Code.

## 9.25. Quick Reference Table

Table 9.21 has been provided as a quick reference tool for interpreting the sign regulations for freestanding primary identification signs as provided in this Chapter. In the event of a conflict between the information on this table and the text of this Chapter, the text shall take precedence and the DSD may issue a policy determination.

**Table 9.25.1. TNSD Quick Reference Table**

*In the event of a conflict between the information on this table and the text of this Division, the text shall take precedence*

<b>Freestanding Primary Identification Signs</b>		
<b>Sign Type &amp; Sign Standards</b>	<b>Max Copy Area</b>	<b>Max Sign Height</b>
<b>A. TNSD Free-Standing Primary Identification Ground Signage (Choose 1)</b>		
<b>1. Multifamily, Subdivision &amp; Civic Use Signs</b>		
<b>Monument, Post &amp; Panel, and Pillar</b>		
Any size residential property with less than 4 units	0	n/a
Any size residential property with 4-8 units	4	4
Any size residential property with 9-16 units or Civic/ Institutional uses < 1 acre	10	6
1 Acre to < 6 Acres (or 17-39 units)	16	6
≥ 6 Acres (or ≥ 40 units)	20	6
<b>Hanging Panel Blade Sign</b>		
Any size residential property with 4-8 units	4	6
Any size residential property with ≥9 units or Civic/ Institutional uses	10	8
<b>2. Single-Business Sign</b>		
<b>Monument, Post &amp; Panel, and Pillar</b>		
< 1 acres	18	6
1 acre to < 2 Acres	20	6
≥ 2 acres	24	6
<b>Hanging Panel Blade Sign</b>	10	8
<b>3. Multi-Tenant Sign</b>		
<b>Monument, Post &amp; Panel, and Pillar</b>		
< 1 acres	24	6
1 acre to < 2 Acres	32	8
≥ 2 acres	40	8
<b>Hanging Panel Blade Sign</b>	10	8

**Table 9.25.2. GCSD Quick Reference Table**

*In the event of a conflict between the information on this table and the text of this Division, the text shall take precedence*

<b>Freestanding Primary Identification Signs</b>		
<b>Sign Type &amp; Sign Standards</b>	<b>Max Copy Area</b>	<b>Max Sign Height</b>
<b>B. GCSD Free-Standing Primary Identification Ground Signage (Choose 1)</b>		
<b>1. Multifamily, Subdivision &amp; Civic Use Signs</b>		
<b>Monument and Pillar</b>		
Any size property (< 4 residential units)	0	n/a
Any size property (4-8 residential units)	4	4
< 1 Acre (9-16 units)	12	6
1 Acre to < 6 Acres (or 17-39 units)	20	6
6 Acres to < 12 Acres (or 40-99 units)	24	6
≥ 12 Acres (or ≥100 Units)	36	8
<b>Post &amp; Panel and Hanging Panel Blade Sign</b>		
See Traditional Neighborhood Sign District (TNSD)	See TNSD	See TNSD
<b>2. Single-Business Sign</b>		
<b>Monument and Pillar</b>		
0.0 - 0.49 Acres	20	6
0.5 - 1.00 Acres	24	6
1.0-1.99 Acres	32	8
2.0 - 4.99 Acres	40	8
5.0 - 14.99 Acres	48	9
≥15.0 Acres	54	9
<b>Post &amp; Panel and Hanging Panel Blade Sign</b>		
See Traditional Neighborhood Sign District (TNSD)		See TNSD
<b>3. Multi-Tenant Sign</b>		
<b>Monument and Pillar</b>		
0.0 - 0.49 Acres	24	6
0.5 - .99 Acres	36	8
1.0-1.99 Acres	42	8
2.0 - 4.99 Acres	54	9
5.0 - 14.99 Acres	64	10
>15.0 Acres	80	11
<b>Post &amp; Panel and Hanging Panel Blade Sign</b>		
See Traditional Neighborhood Sign District (TNSD)		See TNSD

**Table 9.25.3. SESD Quick Reference Table**

*In the event of a conflict between the information on this table and the text of this Division, the text shall take precedence*

<b>Freestanding Primary Identification Signs</b>		
<b>Sign Type &amp; Sign Standards</b>	<b>Max Copy Area</b>	<b>Max Sign Height</b>
<b>C. SESD Free-Standing Primary Identification Ground Signage (Choose 1)</b>		
<b>1. Multifamily, Subdivision &amp; Civic Use Signs</b>		
<b>Monument and Pillar</b>		
Any size property ( <4 residential units)	0	n/a
Any size property (4-8 residential units)	4	4
< 1 Acre (9-16 units)	12	6
1 Acre to < 6 Acres (or 17-39 units)	20	6
6 Acres to < 12 Acres (or 40-99 units)	24	6
≥ 12 Acres (or ≥100 Units)	42	8
<b>2. Single-Business Sign</b>		
<b>Monument and Pillar</b>		
< 1 Acre	28	6
1.0 - 1.99 Acres	36	8
2.0 - 4.99 Acres	48	8
5.0-14.99 Acres	60	9
≥ 15 Acres	72	10
<b>3. Multi-Tenant Sign</b>		
<b>Monument and Pillar</b>		
< 1 Acre	36	8
1.0 - 1.99 Acres	48	8
2.0 - 4.99 Acres	60	9
5.0 - 14.99 Acres	72	10
≥ 15.0 Acres	80	11

9.26. Appendix A – Sign District Map

