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## Sec. 30-522. Sign permits.

- (a) *Permit required.* Except as provided in this article, no permanent or temporary sign shall be erected, constructed, posted, painted, altered, maintained, or relocated until a sign permit has been issued by the city.
- (1) *Application procedure.* Before any permit is issued, a written application, in the form provided by the city, shall be filed, together with such drawings and specifications as may be necessary to fully advise the city with the location, construction, materials, manner of illuminating, method of securing or fastening, the number of signs applied for, the consent of the property owner, and the wording of the sign. Upon the submission of an application, the city shall have ten business days to determine whether it is complete. If the city finds that the application is not complete, the city shall provide the applicant with written notice of the deficiencies within the ten-day period. Upon resubmission of the application, the city shall have five additional business days to determine whether the applicant's revisions are sufficient to complete the application. If they are not, the city will again inform the applicant of any remaining deficiencies in writing. This process shall continue until the applicant has submitted a complete application, or demands that the application be reviewed "as is."
  - (2) *Unified sign plan application.* When requested or required, an application for a unified sign plan, in the form provided by the city, signed by owners of all property subject to the proposed unified sign plan may be submitted. Such application shall be processed pursuant to the sign permit process of this section.
  - (3) *Code requirements.* All signs shall be constructed in accordance with the Florida Building Code, including obtaining all required permits. No sign shall be approved for use unless it has been inspected and found to be in compliance with all the requirements of this article and applicable codes.
  - (4) *Application review.* The city shall approve or deny the sign permit based on whether it complies with the requirements of this article. The city shall approve or deny the sign permit within 30 calendar days after receipt of a complete application. If the sign permit, or requested administrative variance, is denied, the city shall prepare a written notice of its decision, describing the applicant's appeal rights, and send it by certified mail, return receipt requested, to the applicant. The applicant may file a written notice of appeal to the city council within 30 calendar days after the date of receipt of the city's written notice. The city council shall hold a public hearing at the next available council meeting that is at least 25 days after the date of receiving the written notice of appeal, at which the city council shall determine whether the application satisfies all Code requirements. If the city council does not approve the application, then the applicant may seek relief in the circuit court for the county, as provided by law.
  - (5) *Failure to commence.* Each sign permit issued by the city shall become null and void, if installation is not commenced within 90 days from the issuance date of such permit. If no work authorized by such permit takes place for any continuous 90-day period any time after the work has commenced, a new sign permit shall be required prior to resuming the work, and the fee will be the full amount required for a new permit for such work.
- (b) *Signs exempt from permitting.* The following signs are exempt from the permit requirements of this code, and shall be allowed in all districts subject to the limitations set forth below. However, this exemption in no way waives the requirements of the Florida Building Code or the city's adopted engineering standards, any limitation or restriction on the number, size, height, setback, placement or duration of such signs under this article, or any limitation or restriction under any other applicable law or regulation.
- (1) Signs, not exceeding four square feet in area, which facilitate the movement of pedestrians and vehicles within the site upon which such signs are posted.

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- (2) One identification sign for each professional office or business establishment not to exceed two square feet in sign area and placed flush against a building face or mailbox side.
  - (3) One identification sign for each residential property subject to the following:
    - a. Maximum size: 12 inches in height by 18 inches in length.
    - b. Maximum height: Three feet as measured from average finished ground elevation, or, if attached to a wall or fence, not to exceed the maximum height of said wall or fence.
  - (4) Up to three warning or danger signs, subject to subsections (3)a. and (3)b. above.
  - (5) Plaques, cornerstones, and similar types of signs, not exceeding three square feet, when cut into any masonry surface or constructed of bronze or other noncombustible materials that are attached, adjacent to, or located near a structure designed to memorialize a person or event.
  - (6) Non-electronic window signs, not exceeding 20 percent of the total window area or 50 square feet, whichever is more restrictive.
  - (7) One electronic window sign, not exceeding three square feet. Graphics, pictures, logos, motion or flashing are prohibited. Text changes shall occur only when the business opens or closes for business. Such signage shall be included in the calculation of maximum permitted window signage.
  - (8) Altering the copy or panels for changeable copy signs.
  - (9) Painting, repainting or cleaning of an advertising structure, or changes which are determined to be normal maintenance and repair.
  - (10) One noncommercial sign for each property subject to the following criteria.
    - a. Maximum size:
      1. Residential single-family: Four square feet.
      2. Residential multifamily: 16 square feet.
      3. Nonresidential: 24 square feet.
      4. Additional temporary noncommercial signage shall be allowed for the 60 days prior to and seven calendar days following any federal, state, county, or city election, as follows:
        - i. Residential districts: up to a cumulative total of 24 additional square feet, provided no individual sign exceeds four square feet.
        - ii. Nonresidential districts: up to a cumulative total of 24 additional square feet, provided any individual sign exceeding four square feet shall be set back a minimum of 15 feet from any property line.
    - b. Maximum height: Six feet as measured from average finished ground elevation.
    - c. Location:
      1. In residential districts, signs may be placed in the public right-of-way only between the hours of 7:00 a.m. and 6:00 p.m.
      2. Signs may be placed on private property at any time of the day or night, at the property line, provided that such sign shall be:
        - i. Set back at least ten feet from the edge of the pavement of any adjacent public street; and
        - ii. If a sidewalk is present, such sign shall be setback five feet from the sidewalk.

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3. Signs may be located either parallel to or perpendicular to the adjacent right-of-way.
- (11) Signs required to be maintained or posted by law or governmental order, rule, or regulation.
  - (12) Municipal, county, state or federal signs, legal notices, danger signs and such temporary emergency signs when erected by an appropriate authority.
  - (13) To the extent that this subsection allows a sign displaying commercial content to be exempt from permitting, it shall allow a sign with the same size, length of display, appearance, location, display area, and other physical characteristics to be exempt from permitting if it displays noncommercial content.
- (c) *Variances.* It is recognized that the regulations provided herein cannot address all situations pertaining to signs. Administrative variances to section 30-526(a)(2)a. or 30-526(h)(2)d. may be approved by the director. Variances to the size, height, maximum number of, and other minimum setback requirements for signs may be granted by the zoning board of appeals.
- (1) *Application procedure.* A written application for a sign variance, in the form provided by the city, shall be filed, together with a complete sign application and shall include a detailed description of the variance request and such drawings and specifications as may be necessary to fully advise the city of the type and degree of variance from the code requirements requested. Upon the submission of an application, the city shall have ten business days to determine whether it is complete. If the city finds that the application is not complete, the city shall provide the applicant with written notice of the deficiencies within the ten-day period. Upon resubmission of the application, the city shall have five additional business days to determine whether the applicant's revisions are sufficient to complete the application. If they are not, the city will again inform the applicant of any remaining deficiencies in writing. This process shall continue until the applicant has submitted a complete application, or demands that the application be reviewed "as is."
  - (2) *Administrative variances.* An applicant may, in conjunction with a sign permit, with submission of the administrative variance fee, request an administrative variance for consideration of a variance to:
    - a. Section 30-526(a)(2)a. requiring a 15-foot setback requirement for freestanding signs in a commercial district, provided in no event shall an approved setback be less than five feet.
      - 1. The director shall review and either approve, approve with conditions, or deny the administrative variance at the same time the sign permit is approved or denied. The director may grant an administrative variance to the required 15-foot setback only:
        - i. Where due to the existing site conditions and improvements, it can be demonstrated that adherence to the required 15-foot setback will have a deleterious effect on the safety of users of the site from the perspective of vehicular parking and vehicular and pedestrian ingress and egress; or
        - ii. Where due to the nature and location of existing landscape features and/or specimen trees, it would be prudent to allow for a reduction in the required setback so as to most appropriately locate the sign structure; and
        - iii. To the extent the reduction is the minimum amount necessary to provide relief from the applicable conditions cited above.
      - 2. As a condition of such approval, the director may require a reduction in sign height and/or size.
    - b. Section 30-526(h)(2)d. limiting illumination to ten or two footcandles, provided in no event shall the administrative variance relief granted exceed ten percent of the allowable foot-candle standard.

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1. The director shall review and either approve, approve with conditions, or deny the administrative variance at the same time the sign permit is approved or denied. The director may grant an administrative variance to the illumination standards only under one of the following circumstances:
    - i. Where due to the nature and location of existing landscaping features and/or specimen trees, it would be prudent to allow for an increase in the maximum illumination; or
    - ii. Where the sign owner has demonstrated a good-faith effort to obtain compliance, but due to factors inherent to the sign components and/or materials, full compliance cannot be achieved without substantial additional costs; or
    - iii. Where the signage in question is part of an approved unified sign plan, whereby the intended uniformity or harmony of the sign plan cannot be achieved without variance relief to the maximum illumination standards; or
    - iv. In cases where such variance relief to the maximum illumination standard(s) will not create on- or off-site impacts to pedestrians or to vehicular traffic.
  2. As a condition of such approval, the director may impose additional landscape or other shielding requirements.
- (3) *Other sign variances.* The city council is empowered to grant variances to the size, height, maximum number of, and other minimum setback requirements for signs to permit the erection of signs not in strict conformity with this chapter as provided below:
- a. Application review. The city council shall hold a public hearing at the next available council meeting that is at least 25 days after the date of receiving the completed variance application, at which the council shall determine whether the application satisfies the criteria of this section.
  - b. Notice of city council public hearing. Notice of public hearing before the city council is given at least 15 calendar days in advance of the public hearing. The owner of the property for which variance is sought, or his agent or attorney designated by him on his petition, shall be notified by mail. Notice of the public hearing shall be prominently posted on the property for which the variance is sought and shall be advertised in a newspaper of general circulation in the city at least one time 15 calendar days prior to the hearing.
  - c. Approval criteria. The city council shall approve, by resolution, or deny a petition for a sign variance upon consideration and weighing of the following standards:
    1. Are there special conditions and circumstances existing which are peculiar to the location, size and characteristics of the land, structure, building or sign involved.
    2. Are there special conditions and circumstances which do not result from the action of the applicant such as pre-existing conditions relative to the property which is the subject of the variance request.
    3. Will a literal interpretation of the provisions of this zoning code work unnecessary and undue hardship on the applicant or create practical difficulties on the applicant.
    4. Will the variance, if granted, be the minimum variance that will make possible the reasonable placement or use of the sign to promote standards of health, safety or welfare.
    5. Will granting the variance requested confer on the petitioner any special privilege that is denied by these zoning regulations to other lands, buildings, structures or signs in the same zoning district.

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6. Will granting the variance be in harmony with the intent and purpose of this zoning code, and not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
  7. Are there natural conditions or physically induced conditions that ameliorate the goals and objectives of the regulation such as natural preserves, lakes, golf course, etc.
  8. Will granting the variance be consistent with the growth management plan.
- d. Conditions and safeguards. In approving any variance, the city council may impose appropriate conditions and safeguards in conformity with this zoning code including, but not limited to, reasonable time limits within which the action for which the variance is required shall be begun or completed, or both. In the case of after-the-fact variances, the council may impose, as a condition of approval, that in the case of the destruction of the sign structure, for any reason, to an extent equal to or greater than 50 percent of the actual replacement cost of the structure at the time of its destruction, any reconstruction shall conform to the provisions of this Code in effect at the time of reconstruction. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this zoning code.
  - e. If the city council does not approve the application, the city shall prepare a written notice of its decision, describing the applicant's appeal rights, and send it by certified mail, return receipt requested, to the applicant. Upon denial of a sign variance application the applicant may seek relief in the circuit court for the county, as provided by law.

(Ord. No. 18-11, § 4, 6-18-2018)

### **Sec. 30-524. Temporary signs.**

The following signs do not require a sign permit:

- (a) Real estate signs.
  - (1) Properties which have street frontage, and are available for sale, or for lease or rent with a lease or rental period of six months or more, may have one ground or wall sign pursuant to the criteria listed below. If a lot also has frontage on a navigable water body or a golf course, one such sign shall be permitted on each frontage.
    - a. Maximum size:
      1. Residential single-family: One and one-half square feet.
      2. Residential multifamily: Four square feet.
      3. Nonresidential: Four square feet.
    - b. Maximum height: Three feet as measured from finished grade around the base of the sign.
    - c. Setbacks:
      1. Said signs may be placed at the property line of the subject property provided:
        - i. Such sign shall be setback a minimum of ten feet from the edge of the pavement of any adjacent public street, and
        - ii. If a sidewalk is present, such sign shall be set back two feet from the sidewalk.
      2. Signs may be located either parallel to or perpendicular to the adjacent right-of-way.

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- d. Additional signage:
    - 1. One additional sign may be attached to the face of the real estate sign within the 12-inch by 18-inch sign face upon execution of a contract for sale, lease or rent until closing has been completed.
    - 2. No additional riders or signs shall be affixed to the real estate sign.
  - e. Sign supports:
    - 1. Supports shall not exceed two inches by two inches.
    - 2. All supports shall be either white or black.
  - f. Signs may not be illuminated.
  - g. Real estate signs shall be removed within seven calendar days after the ownership or tenancy has changed, or the property has closed, lease has been signed or the property is no longer for sale or rent.
- (2) In addition to the real estate sign, one temporary sign, no larger than four square feet, may be erected on a property which is open for inspection. Such sign shall be posted only while the property is open for inspection and shall be removed at the completion of the inspection hours, and during non-supervised hours.
- (3) Single family residential properties are permitted three signs which may be placed on the subject property or in the public right-of-way only during the hours a property which is for sale, lease or rent is open for inspection. Said signs shall comply with the standards of subsections (1)a.i. and (1)b. of this section. Such sign(s) shall be removed at the completion of the inspection hours, and during nonsupervised hours and no later than 6:00 p.m. or sunset, whichever occurs earlier.
- (b) One sign shall be permitted for an individual or group of newly constructed model home(s) or a sales center, in conjunction with an approved temporary use permit, subject to the following criteria (see illustration 3 below). Such signs may only be erected at the location of the newly constructed model home or sales center.
- (1) Maximum size: 16 square feet.
  - (2) Maximum height: Six feet as measured from finished grade around the base of the sign.
  - (3) Setbacks:
    - a. Said signs may be placed at the property line. Said signs are prohibited within the public right-of-way.
    - b. Such sign shall be set back a minimum of ten feet from the edge of the pavement of any adjacent public street.
    - c. If a sidewalk is present, such sign shall be set back two feet from the sidewalk.
    - d. Signs may be located either parallel to or perpendicular to the adjacent right-of-way.
  - (4) Color:
    - a. White background or match the principal color of the model home.
    - b. Lettering may be any single color.
    - c. Twenty percent of the sign face may include the display of a logo which may include multiple colors.

- (5) No additional riders or information boxes shall be affixed to this sign with the exception of an additional one and one-half square foot of sign area that may be allowed only during the hours a model home is open for inspection.
- (6) Construction materials:
  - a. Signs and any supporting structure shall be constructed of CBS, wood (with raised or engraved letters), stone, metal, or durable opaque plastic.
  - b. No other signs, including temporary signs, shall be placed on the property on which a model home is erected. Exempt signs shall be permitted according to the regulations set forth in section 30-522(b). No flags are permitted.
- (7) Signs may not be illuminated in any manner.

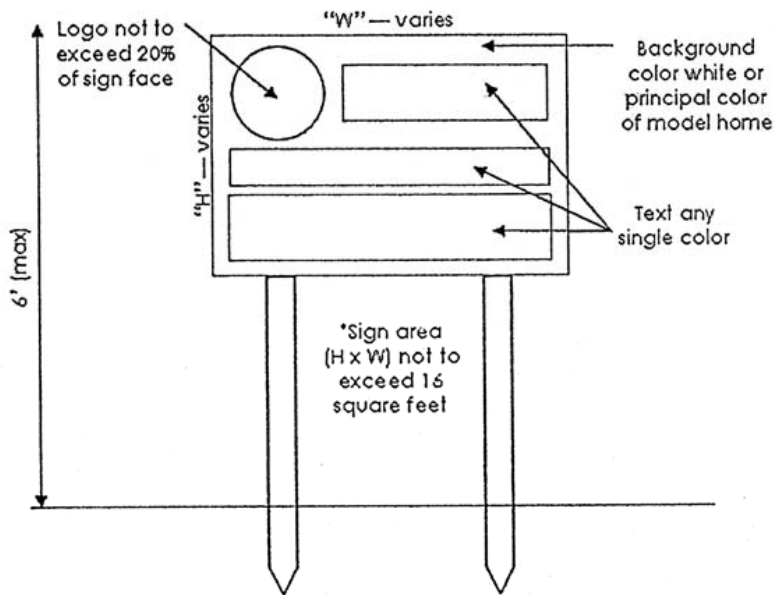


Illustration 3: Signage for model home or sales center

- (c) Sites with an active building permit (see illustrations 4—6 below). One freestanding sign is allowed for each property with either an approved site development plan or an active building permit, subject to the following criteria. The sign must be removed prior to the issuance of a certificate of occupancy or a certificate of completion.
  - (1) Maximum size:
    - a. Residential single-family: Four square feet.
    - b. Residential multifamily: 16 square feet.
    - c. Nonresidential: 24 square feet.
  - (2) Maximum height: Six feet as measured from average finished ground elevation.
  - (3) Setbacks:
    - a. Said signs may be placed at the property line. Said signs are prohibited within the public right-of-way.

- b. Such sign shall be set back a minimum of ten feet from the edge of the pavement of any adjacent public street.
  - c. If a sidewalk is present, such sign shall be set back two feet from the sidewalk.
  - d. Signs may be located either parallel to or perpendicular to the adjacent right-of-way.
- (4) Color:
- a. White background or match the principal color of the model home.
  - b. Lettering may be any single color.
  - c. Twenty percent of the sign face may include the display of a logo which may include multiple colors.
- (5) Signs shall be single-faced. The back side of the sign may be utilized as a permit board.
- (6) No additional riders or information boxes shall be affixed to this sign except unmarked tubes or boxes designed to hold construction plans.
- (7) Signs shall not be illuminated in any manner.

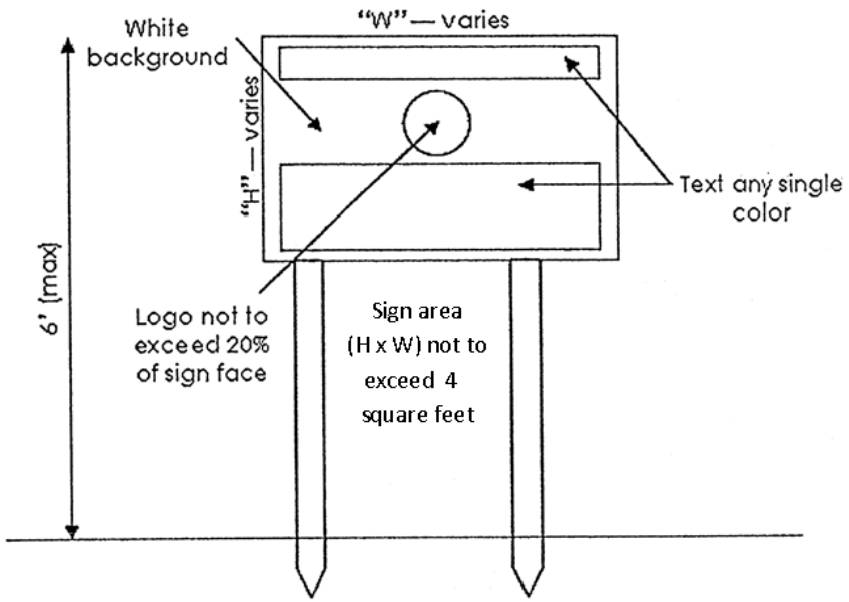


Illustration 4: Signs for properties with building permit or site development plan in single family districts

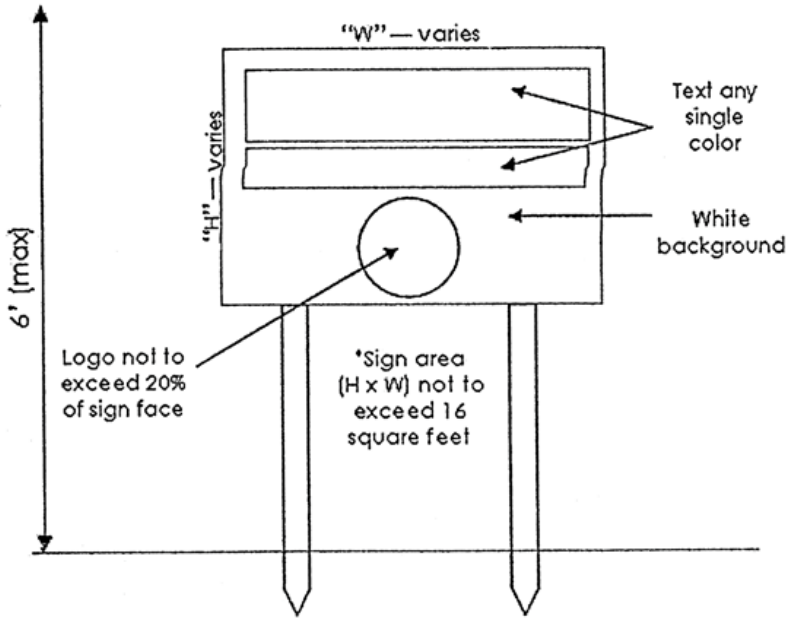


Illustration 5: Signs for properties with building permit or site development plan in multi-family districts

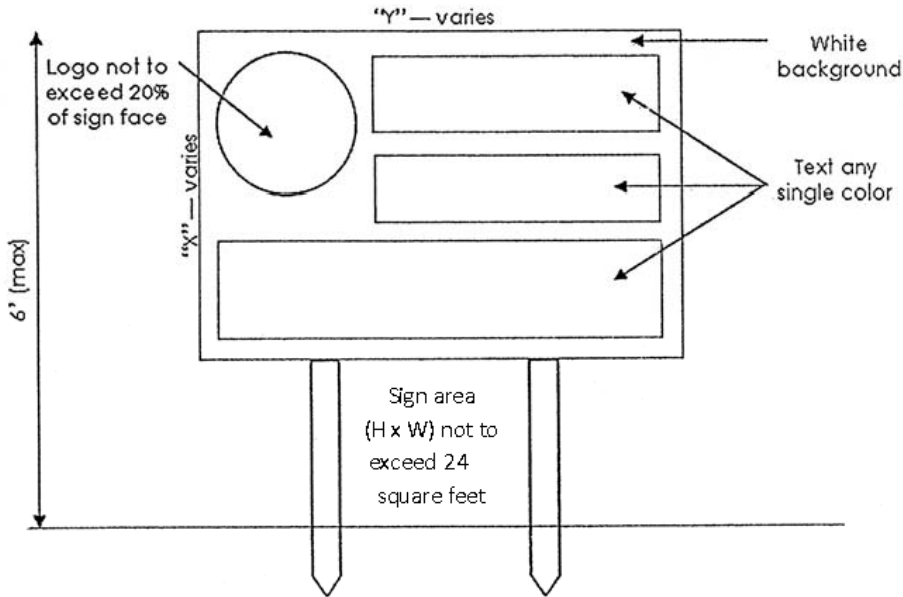


Illustration 6: Signs for properties with building permit or site development plan in non-residential districts

(Ord. No. 18-11, § 4, 6-18-2018)

