

ARTICLE II. SIGNS¹

Sec. 50-31. Purpose of article.

- (a) The purpose of this article is to establish and maintain uniformity in the method of advertisement or expression through the medium of signs within each zoning district of the city compatible with the intent of Chapter 58 applicable to such districts, and of other provisions of this Code, taking into account the economic, aesthetic and traffic factors that are reasonably consistent with the exercise of the police powers vested in the city. This is done so that there will be a minimum of conflict in relation to the need for traffic control, visual compatibility and economic growth and in order to promote the city's interest in maintaining and enhancing property values and the attractive appearance of the city, which is important to the tourist aspect of the local economy.
- (b) It is intended that these regulations limit the medium, rather than the message and further that they:
- (1) Limit signage to that which is necessary for the purpose of its expression;
 - (2) Limit visual clutter that may result from a proliferation of signs, or from size, shape, illumination, brightness or animation;
 - (3) Promote signage that is compatible with its surroundings in terms of land use, architecture, and with the branding, or business climate, of a district or of the city;
 - (4) Ensure that signage and other building appurtenances, as integral components of a building, are appropriately scaled and consistent in character with the building's overall design;
 - (5) Assure proper placement of signage for traffic and pedestrian safety, and for public convenience and fuel conservation;
 - (6) Ensure fairness to property owners to allow reasonable exposure to the public by consistent and rational administration of these regulations taking into account the differing districts within the city;
 - (7) Discourage the use of vehicles, trailers, vessels, human-powered devices, sign-walkers and hawkers as signage or a subterfuge or substitute for lawful signage;
 - (8) Limit signs in noncommercial areas to essential purposes, such as identification or information, to protect the character of noncommercial areas;
 - (9) Restrict signage in public streets, ways, sidewalks and public areas to reduce sign clutter;
 - (10) Refrain from favoring or disfavoring a viewpoint, or over-regulating political speech.

(Comp. Dev. Code 1990, § 8-1-1; Code 1994, § 106-31; Ord. No. 11-12845, § 5, 2-16-2011)

Sec. 50-32. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

¹Cross reference(s)—Construction, rehabilitation and property maintenance regulations, ch. 16.

Animated sign means a sign composed of moving parts or lights, including beacons, strobes, flashes, light emitting diodes, neon, or any other medium, that gives the appearance of motion, change in color, change in message, or otherwise change the appearance of the sign.

Awning or canopy sign means any sign that is mounted, painted or attached to an awning or canopy.

Banner means any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at 1 or more edges. Municipal, county, state or federal flags shall not be considered banners.

Billboard advertising sign means a sign usually designed for use with changing advertising copy, and which is normally used for the advertisement of goods produced or services rendered at locations other than the premises on which the sign is located.

Community shopping center means a retail property occupying 10.1 acres of land or more, as listed in section 56-129(a)(2).

Directional sign means a sign which provides information as to the location of a parking lot, building entrance, school, church, community center, park or other public or institutional facility. The name of the tenant or retail center may be included on the sign, accessory to the directional information. The maximum area of a directional sign shall not exceed 4 square feet.

Erect means to build, construct, attach, hang, paint, place, suspend, display or affix.

Freestanding sign means a sign that is supported by 1 or more uprights, columns, poles, pylons, or braces in or upon the ground and not attached to any building or wall. The uprights, columns, poles, pylons, or braces of the sign must be covered for the entire width of the sign to the ground. It includes ground and monument signs.

Ground sign means any sign other than a pole sign which is placed upon or supported by structures or footings placed upon the ground and not attached to any building.

Identification sign means a sign located on the property identifying the occupants or the building.

Integral roof sign means any sign that is erected as an integral or essentially integral part of a normal roof structure, such that no part of the sign extends vertically above the highest portion of the roof to which it is attached.

Marquee sign means a sign attached to, painted on or hung from a marquee or any similar canopy or covered structure projecting from and supported by a building.

Monument sign means a sign which is supported by and integrated with a solid base, as opposed to poles, posts, or other such supports.

Neighborhood shopping center means a retail property occupying between 3 and 10 acres of land, as listed in section 56-129(a)(1).

Off-site sign means a sign relating to commodities, products, accommodations, services or activities on premises other than the premises on which the sign is located, normally including billboards.

On-site sign means a sign relating to identification of a business; or relating to commodities, products, accommodations, services or activities on the premises upon which the sign is located.

Pedestrian sign means a sign that is located in a pedestrian walkway.

Pole sign means a sign, independent of support from any building, that is mounted on freestanding poles or other supports, and shall include a pole cover that is between 25 percent and 100 percent of the overall sign width.

Political sign means a sign consisting primarily of political speech, including, without limitation, any sign on behalf of a candidate for public office, or a measure on election ballots.

Projecting sign means a sign attached to a building or other structure and extending more than 12 inches beyond the surface of that portion of the building or structure to which it is attached.

Roof sign means a sign which extends above the roofline of the building to which it is attached.

Roofline means the highest point of the main roof structure or the highest point on a parapet wall or mansard detail, but shall not include cupolas, projections or minor raised portions of the roof.

Sign means any outdoor display; any billboard, poster, panel, bulletin, banner, pennant, flag, balloon, hot air balloon, wind-blown graphic, ribbon, spinner, sandwich board, snipe device, picture, symbol, placard or similar item; any printed, painted, lettered, graphically generated, illuminated or figured devices, structures or attention-getting devices designed or used for outdoor advertising; that is attached to, against, shining upon or from, or painted on any building, pole or structure or to the ground, by post, footing, tether, or other contrivance, or sitting upon or in the ground; any vehicle, vessel, trailer or stand that is upon the vehicle, vessel, or trailer, or the stand itself; any portable or mobile sign device; any such device that is being carried or held by a person such as a sign walker; any outdoor display of merchandise; any search light; or any device designed or used to attract attention to a location.

Sign band means a continuous horizontal band or area on the facade of a building in which signage shall be located.

Snipe sign means a sign of any material, including without limitation, paper, cardboard, wood or metal, attached to, displayed upon, or against, any utility pole, tree, or structure, or in the ground; or upon any sidewalk, public right-of-way, beach, or park; without a permit or exempt status.

Spectacular sign means any sign or advertising structure which has any visible moving parts or mechanical movement of any description (excepting time or temperature indicators) or other apparent visible movement achieved by electrical, electronic or kinetic means, including intermittent electrical pulsations, or by any action of normal wind currents.

Street frontage means the linear distance of that side of a parcel abutting a public street. Frontage on alleys, driveways or public access easements is excluded from this definition.

Tenant means an occupant of land or premises who occupies, uses, and enjoys real property for a fixed time through a lease arrangement or similar agreement with the property owner and with the owner's consent.

Variable text sign means a sign or portion thereof with characters or letters that can be changed or rearranged without altering the face or the surface of the sign.

Vehicular sign means any sign either attached to, or painted on any vehicle, or the vehicle itself, which is:

- (a) Parked on the business premises or on a common area shared by the business being advertised or in close proximity to the business, service or product being advertised; and parked in such a way that is inconsistent with use or layout of the parking spaces, parking lot, or parking area; or
- (b) Parked on or off the business premises in such a way that the primary or a significant purpose or effect is to advertise such business, service or product to the passing motorist or pedestrian; or
- (c) Backed up or parked in close proximity to the right-of-way while not engaged in service; or
- (d) Parked off the business premises of the business, product or service being advertised, including parking in public streets or alleys or on private property of another in such a way that the primary or a significant purpose or effect is to advertise a business, service or product; or
- (e) Stored or displayed for more than 24 hours in or on public parking lots; or
- (f) Stored or displayed for more than 24 hours on any premises where the business advertised on the vehicle does not hold an occupational license for the property and the operator of which is not providing services to facilities or persons on the premises.

Vessel sign or boat sign means a sign either attached to, or painted on any vessel, including the vessel itself, which is:

- (a) Berthed or anchored on the business premises or on a common area shared by the business being advertised or in close proximity to the business, service or product being advertised; and berthed or anchored in such a way that the primary or a significant purpose or effect is to advertise such business, service or product to the passing motorist, boater, swimmer or pedestrian; or
- (b) Berthed or anchored off the premises, in such a way that the primary or a significant purpose or effect is to advertise a business, service or product to the passing motorist, boater, swimmer, or pedestrian; or
- (c) Operated in such a way that the primary or a significant purpose or effect is to advertise a business, service or product to the passing motorist, boater, swimmer, or pedestrian; or
- (d) Stored or displayed in or on public parking lots; or
- (e) Stored on any premises where the business advertised or the vessel does not hold an occupational license for the property and the operator of which is not providing services to persons or facilities on the premises.

Wall sign means a sign attached to or painted on the wall of any building, as long as such sign does not project more than 12 inches from the building, and does not extend above the top of the wall or parapet.

Window sign means any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

(Comp. Dev. Code 1990, § 8-1-2; Code 1994, § 106-32; Ord. No. 98-8167, § 1, 1-21-1998; Ord. No. 01-9441, § 1, 12-19-2001; Ord. No. 11-12845, § 6, 2-16-2011)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 50-33. Sign area calculation.

Standards for sign area calculations are as follows:

- (1) *Ground signs, pole signs, freestanding signs or projecting signs.* The sign area shall be the total area within the smallest parallelogram, triangle, circle or semicircle which will completely enclose the outside perimeter of the overall sign, including the border, if any, but excluding the supports or pole cover.
- (2) *Wall signs, awning signs, canopy signs, integral roof signs, pedestrian signs or marquee signs.* The sign area shall be the total area within the smallest parallelogram, triangle, circle or semicircle which will enclose the outside perimeter of the overall sign, including the border.
- (3) *Detached letters.* Signs consisting of a group of detached letters, or two or more panels on the same support presented as a single advertisement, shall be considered as one sign, and the area shall be as defined in subsection (1) or (2) of this section, without regard to whether the sign is single- or double-faced.
- (4) *Double-faced letters.* Only one side or face of the same sign shall be used in computing sign area.

(Comp. Dev. Code 1990, § 8-1-3; Code 1994, § 106-33; Ord. No. 98-8167, § 1, 1-21-1998; Ord. No. 11-12845, § 7, 2-16-2011)

Sec. 50-34. General requirements.

- (a) *Permit required.* It shall be unlawful for any person to erect or replace or modify the design of any sign, unless specifically exempt from permit requirements as listed in section 50-39, without first securing from the city manager a written permit to do so. The applicant for such a permit shall provide specific information, including a sketch showing sizes, heights, and other pertinent information, so as to determine compliance with this article.
- (b) *Construction standards.* In addition to complying with the requirements of this article, all signs must meet the structural and other standards regarding sign construction, erection, electrical wiring, etc., set forth in the Florida Building Code. Plans for any pole or ground sign exceeding 32 square feet in area and/or 8 feet in height shall be accompanied by foundation drawings signed and sealed by a licensed engineer in accordance with section 16-112.
- (c) *Sign illumination.*
 - (1) Signs using exposed neon tubes or light emitting diodes (LEDs) are not permitted.
 - (2) Any lights used for external sign illumination shall be so designed as to concentrate the illumination upon the sign, and such lights shall not glare upon the street or upon adjacent property.
- (d) *Signs not to constitute traffic hazard or nuisance.*
 - (1) No sign shall be erected or maintained at any location in such a manner as to obstruct free and clear vision at the intersection of any streets or other public ways.
 - (2) No sign shall be erected or maintained at any location where, by reason of position, illumination, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device; nor shall it make use of the word "stop," "look" or "danger" or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic.
- (e) *Maintenance.* All visible portions of a sign and its supporting structure shall be maintained in safe condition and neat appearance. If the sign is a lighted sign, all lights shall be maintained in working order and functioning in a safe manner. If the sign is a painted sign, the paint shall be kept in good condition. All signs will be kept in such manner as to constitute a complete sign at all times. The area immediately surrounding ground signs shall be kept clear of all unsightly vegetation or debris.
- (f) *Utility easements.* No ground or pole sign shall be located within or permitted to encroach a utility easement.
- (g) A temporary sign permit may be issued for signs in conjunction with the future construction of buildings or land development, for a period not to exceed 180 days prior to the issuance of building permits, provided the developer or applicant owns the subject property. Upon the termination of the 180-day period and if a building permit has been issued, the sign may be maintained on the property for the duration of construction. (See 46-39.)
- (h) Temporary signs may not exceed the following:
 - (1) For R3-12, R3T-12, R3-15, R3T-18 and R3-18 zoned properties and properties zoned PD for multifamily residential use, one ground or wall sign per project, limited in size as follows:
 - a. *Duplex:* Eight square feet.
 - b. *Three- or four-unit dwellings:* 16 square feet.
 - c. *Five or more unit dwellings:* 25 square feet.

- (2) For M, O, HC, BP, C1, C1-A, C2, C2-A, C3, C4, I and PS zoned properties and PD zoned properties intended to accommodate the same uses, one ground or wall sign with a maximum size of 32 square feet.
- (3) All signs must have the permit number for the sign permanently printed on the back of the sign so that it is legible ten feet away. (See 46-39.)

(Comp. Dev. Code 1990, § 8-1-4; Code 1994, § 106-34; Ord. No. 95-7594, § 25, 12-20-1995; Ord. No. 98-8167, § 1, 1-21-1998; Ord. No. 11-12845, § 8, 2-16-2011)

Sec. 50-35. Permitted signs, commercial zoning districts.

This section is intended to provide for identification of businesses by permitting on-site signs in commercial zoning districts, as follows:

- (a) HC, BP, C2, C2-A, C3, C4, PS, and I zones, and PD zoning districts intended to accommodate the same uses: Single-tenant and multitenant parcels. Only the following signs are permitted:
 - (1) *Wall, integral roof, canopy, awning or marquee signs.*

General Requirements	Number Permitted	Size
<i>Single-tenant and multitenant parcels:</i> Signage shall not exceed 20 percent of the visual facade of the building on which it is located. No individual wall sign shall exceed 80 percent of the width of the tenant space occupied by a business, with a minimum of 10 percent clear area on each outer edge of the tenant space.	Single-tenant parcels: 1 sign per street fronted upon. Multitenant parcels: 1 sign per tenant; however, tenants with frontage on 2 streets may be permitted 1 sign on each street frontage.	Single-tenant and multitenant parcels: 60 square feet maximum.

- (2) *Freestanding signs.*

Location Requirements	Number Permitted	Size/Height	Text
<i>Location:</i> No more than 2 freestanding signs shall be permitted per street frontage. <i>Front yard setback:</i> Signs shall be set back a minimum of 10 feet from a front property line. <i>Side yard setback:</i> Signs shall have a side yard setback of 25 feet. <i>Distance from intersections:</i> Freestanding signs shall be located a minimum of	149.9 feet of combined street frontage or less: No freestanding or pole sign permitted.	N/A	N/A

<p>50 feet from an intersection, as measured from the extension of the curblines.</p> <p><i>Distance from driveways:</i> Signs shall be set back a minimum of 10 feet from the edge of any driveway.</p> <p><i>Separation requirements, freestanding signs:</i> Freestanding signs shall have a minimum spacing distance of 100 feet between signs.</p>			
<p><i>150 to 299.9 feet of combined street frontage:</i> 1 freestanding sign. Pole signs are not permitted.</p>	<p><i>Size:</i> 60 square feet maximum. 2 30-square-foot freestanding signs may be substituted for 1 60-square-foot freestanding sign.</p> <p><i>Height:</i> Freestanding signs shall be limited to a maximum of 15 feet in height.</p>	<p><i>Single-tenant parcels:</i> No limitation on text.</p> <p><i>Multitenant parcels:</i> The name of the building or commercial complex and tenant names shall be permitted.</p> <p><i>All parcels:</i> The street number shall be included on a freestanding sign fronting the principal street.</p>	
<p><i>300 to 599.9 feet of combined street frontage:</i> 2 freestanding signs permitted. Pole signs are not permitted.</p>	<p><i>Size:</i> 60 square feet maximum. 2 30-square-foot freestanding signs may be substituted for each 60-square-foot freestanding sign.</p> <p><i>Height:</i> Freestanding signs shall be limited to a maximum of 15 feet in height.</p>	<p><i>Single-tenant parcels:</i> No limitation on text.</p> <p><i>Multitenant parcels:</i> The name of the building or commercial complex and tenant names shall be permitted.</p> <p><i>All parcels:</i> The street number shall be included on a freestanding sign fronting the principal street.</p>	
<p><i>600 feet of combined street frontage or more:</i> 3 freestanding signs permitted. Pole signs are not permitted.</p>	<p><i>Size:</i> 60 square feet maximum. 2 80-square-foot freestanding signs may be substituted for 3 60-square-foot freestanding signs.</p> <p><i>Height:</i> Freestanding signs</p>	<p><i>Single-tenant parcels:</i> No limitation on text.</p> <p><i>Multitenant parcels:</i> The name of the building or commercial complex and tenant names shall be permitted.</p>	

	shall be limited to a maximum of 15 feet in height.	<i>All parcels:</i> The street number shall be included on a freestanding sign fronting the principal street.	
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(3) *Pedestrian signs.*

Location Requirements	Number Permitted	Size
Pedestrian signs shall be located perpendicular to the building facade, and shall have a minimum clearance of 8 feet above the pedestrian walkway.	1 sign per tenant adjacent to a covered pedestrian walkway.	6 square feet maximum.

(4) *Window signs.* Window signs may be located on the interior of a window or painted on the window, and shall be limited to no more than 30 percent of a window up to a maximum of 12 square feet.

(b) *C1 and C1-A zones, and PD zoned properties intended to accommodate the same uses.* Only the following signs are permitted:

(1) *Wall, canopy, awning, or marquee signs.*

General Requirements	Number Permitted	Size
<i>Single-tenant and multitenant parcels:</i> Signage shall not exceed 20 percent of the visual facade of the building on which it is located. No individual wall sign shall exceed 80 percent of the width of the tenant space occupied by a business, with a minimum of 10 percent clear area on each outer edge of the tenant space.	<i>Single-tenant parcels:</i> 1 sign per street fronted upon. <i>Multitenant parcels:</i> 1 sign per tenant; however, tenants with frontage on 2 streets may be permitted 1 sign on each street frontage.	<i>Single-tenant and multitenant parcels:</i> 60 square feet maximum.

(2) *Pedestrian signs.*

Location Requirements	Number Permitted	Size
Pedestrian signs shall be located perpendicular to the building facade, and shall have a minimum clearance of 8 feet above the pedestrian walkway.	1 sign per tenant adjacent to a covered pedestrian walkway.	6 square feet maximum.

(3) *Additional signage requirements.* See article II, division 18 of chapter 58 for additional signage permitted in the C1 zoning district, and refer to section 58-1134(f) for the sign regulations pertaining to the 5th Avenue South special overlay district.

(c) *Neighborhood shopping centers and community shopping centers.* Only the following signs are permitted:

(1) *Wall, integral roof, canopy, awning, or marquee signs.*

General Requirements	Number Permitted	Size
Signage shall not exceed 20 percent of the visual facade of the individual tenant frontage. No individual wall sign shall exceed 80 percent of the width of the tenant space occupied by a business, with a minimum of 10 percent clear area on each outer edge of the tenant space.	1 sign per tenant; however, tenants with frontage on 2 streets may be permitted 1 sign on each street frontage.	80 square feet maximum.

(2) *Freestanding signs.*

Location Requirements	Number Permitted	Size/Height	Text
<p><i>Front yard setback:</i> Signs shall be set back a minimum of 10 feet from a front property line.</p> <p><i>Side yard setback:</i> Signs shall have a side yard setback of 25 feet.</p> <p><i>Distance from intersections:</i> Freestanding signs shall be located a minimum of 50 feet from an intersection, as measured from the extension of the curblines.</p> <p><i>Distance from driveways:</i> Signs shall be set back a minimum of 10 feet from the edge of any driveway.</p>	1 freestanding sign adjacent to a primary arterial is permitted. Shopping centers with frontage on more than 1 street may be permitted an additional freestanding sign on the secondary street. Pole signs are not permitted.	<p><i>Neighborhood shopping centers:</i> Signs on principal arterials shall be limited to 100 square feet maximum; signs on secondary streets shall be limited to 80 square feet maximum.</p> <p><i>Community shopping centers:</i> Signs on principal arterials shall be limited to 120 square feet maximum; signs on secondary streets shall be limited to 100 square feet maximum.</p> <p><i>Height:</i> Freestanding signs shall be limited to a maximum of 15 feet in height.</p>	The name of the shopping center and tenant names. The street number for the property shall be included on the freestanding sign on the principal arterial street.

(3) *Pedestrian signs.*

Location Requirements	Number Permitted	Size
Pedestrian signs shall be located perpendicular to the building facade, and shall have a minimum clearance	1 sign per tenant adjacent to a covered pedestrian walkway.	6 square feet maximum.

of 8 feet above the pedestrian walkway.		
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- (4) *Window signs.* Window signs may be located on the interior of a window or painted on the window, and shall be limited to no more than 30 percent of a window up to a maximum of 12 square feet.
- (d) *Gas service stations.* Only the following signs are permitted:
- (1) One price sign per gasoline pump, which does not exceed 1.5 square feet in area, and which is permanently attached to and an integral part of the respective pump.
 - (2) One freestanding sign not to exceed 60 square feet in area, provided the sign advertises only a brand name and the products or services sold on the premises, and not the price of such products or services. Freestanding signs for service station properties shall be limited to 15 feet in height.
 - (3) Not more than one wall sign per street fronted upon, not to exceed 30 square feet in area per sign, provided the sign advertises only a brand name and the products or services sold on the premises.
- (e) *M and O zoning districts, and PD zoned properties intended to accommodate the same uses.* Only wall or marquee signs are permitted, limited to the following requirements:

Number Permitted	Size
1 sign per street fronted upon	10 square feet maximum

(Comp. Dev. Code 1990, § 8-1-5; Code 1994, § 106-35; Ord. No. 98-8167, § 1, 1-21-1998; Ord. No. 11-12845, § 9, 2-16-2011)

Sec. 50-36. Permitted signs, multifamily residential districts.

In the R3-6, R3-12, R3T-12, R3-15, R3T-18 and R3-18 zoning districts, only the following signs are permitted:

Number Permitted	Location Requirements	Size
1 wall, canopy, awning or marquee sign per property. For properties with street frontage of 125 feet or more, 1 ground sign may be permitted.	Ground signs where permitted shall be set back a minimum of 5 feet from any front or side property line, and 5 feet from the edge of any driveway.	<p><i>Duplexes:</i> 8 square feet per permitted sign per duplex.</p> <p><i>3- or 4-unit dwellings:</i> 16 square feet per permitted sign per residential complex.</p> <p><i>5- or more unit dwellings:</i> 25 square feet per permitted sign per residential complex. Ground signs shall be subject to the same size requirements as wall signs, and shall not exceed 6 feet in height.</p>

(Comp. Dev. Code 1990, § 8-1-6; Code 1994, § 106-36; Ord. No. 97-7988, § 1, 6-4-1997; Ord. No. 98-8167, § 1, 1-21-1998)

Sec. 50-37. Prohibited signs.

The following signs are prohibited:

- (1) Non-exempt temporary signs that exceed the purpose or extend beyond the date of the event to which they relate.
- (2) Portable or sandwich-type signs, except as authorized by section 58-1103 in the 3rd Street commercial area special overlay district, or section 58-1134(f) for the 5th Avenue special overlay district.
- (3) Signs attached to trees or utility poles and including snipe signs.
- (4) Balloons, inflatables and windblown attention-catching devices.
- (5) Any non-exempt sign which does not have a city sign permit.
- (6) Spectacular signs including blinking lights, flashing arrows and the like.
- (7) Banners, pennants and flags, except municipal, county, state and federal flags. Decorative banners or institutional flags may be approved as part of a unified sign plan by the city council. Flags shall conform to the following requirements:
 - a. Flagpole height shall be limited to 50 feet, as measured from existing grade.
 - b. The longest dimension of the flag shall not exceed 30 percent of the overall height of the flagpole to which it is attached.
- (8) Roof signs.
- (9) Vehicular signs. However, it is not a violation of this paragraph for a vehicle with signage to be parked for such time as is reasonably necessary for providing delivery or other services to the business premises, adjacent property or to any location. It is presumed to be a violation of this paragraph for any vehicle with signage to be parked or stored as described in this paragraph in the same location for more than 6 consecutive hours or for more than 12 total hours in any 24-hour period.
- (10) "For sale" signs on vehicles, either attached to or painted on vehicles of any type which are parked in such a way to advertise such vehicle to the passing motorist or pedestrian.
- (11) Signs utilizing exposed neon tubing, including window signs.
- (12) Vessel signs. However, it is not a violation of this paragraph for a vessel with signage to be berthed or anchored for such time as is reasonably necessary for providing delivery or other services to the business premises, adjacent property, or other location. It is presumed to be a violation of this paragraph for any vessel with signage to be berthed or anchored as described in this paragraph in the same location for more than 6 consecutive hours or for more than 12 total hours in any 24-hour period.

Special signage requirements for charter boats and water taxis are contained in Sections 42-205 and 42-206 of this code.
- (13) Billboards.
- (14) Signs in public streets, rights-of-way, beach areas, parks, or upon public sidewalks or public property not having been duly permitted.

(Comp. Dev. Code 1990, § 8-1-7; Code 1994, § 106-37; Ord. No. 98-8167, § 1, 1-21-1998; Ord. No. 11-12845, § 10, 2-16-2011)

Sec. 50-38. Removal of signs.

- (a) *Signs advertising businesses no longer conducted or products no longer sold.* Any sign now or hereafter existing which advertises a business no longer conducted, or a product no longer sold, shall be removed by the owner, agent or person having beneficial use of the building, structure or land upon which the sign is located within 60 days of such closure or termination.
- (b) *Unlawful signs.* Signs that are in violation of city ordinances shall be removed immediately and any person authorizing or placing the sign; or the owner or tenant of any premises or location upon which an unlawful sign is placed; or all of the above, are subject to the enforcement and penalties set out in section 1-15 of this Code.
- (c) *Nonconforming signs.* Lawfully established nonconforming signs may be continued so long as they remain otherwise lawful, subject to the following additional conditions:
 - (1) *Change of copy on nonconforming signs.* The change in copy on a lawfully established nonconforming sign is permitted and requires the issuance of a building permit. However, if the change includes a change in size, shape or function of the sign face or structure, it shall require the nonconforming sign to be removed or altered so as to conform to the regulations contained in this article. Any change in copy that is exempt from permit requirements, as listed in section 50-39, shall not require the nonconforming sign to be removed or conform.
 - (2) *Repair or maintenance of nonconforming signs.* Any proposed change, repair or maintenance that exceeds 50 percent of the replacement value of a nonconforming sign shall require the sign to be replaced or altered so as to conform to the requirements of this article.
 - (3) *Damaged or destroyed nonconforming signs.* Any sign that becomes nonconforming under this land development code which is more than 50 percent destroyed or damaged shall be removed in its entirety, and no sign permit shall be issued for replacement unless such sign is permitted under this land development code.

(Comp. Dev. Code 1990, § 8-1-8; Code 1994, § 106-38; Ord. No. 98-8167, § 1, 1-21-1998; Ord. No. 11-12845, § 11, 2-16-2011)

Sec. 50-39. Exemptions from permit requirement.

- (a) *Commercial zoning districts.*
 - (1) *Signs allowed without permit.* In HC, C1, C1-A, C2, C2-A, C3, C4, I, O, M, and PS zones, and PD zoned property intended to accommodate the same uses, the following signs may be erected without a permit:
 - a. Nameplates not exceeding 2 square feet in area (1 per business).
 - b. Non-commercial bulletin boards and identification signs located on the premises of such facilities and not exceeding 12 square feet in area (1 per premises).
 - c. 1 project sign, denoting the architect, engineer, contractor or subcontractor on the work under construction which does not exceed 16 square feet in area shall be permitted for each parcel of property for which there is an active building permit, except as is further limited within single-family zoning districts.
 - d. Occupational signs or directories denoting only the name, street number and business of occupants in a commercial building, public institutional building or dwelling house, which do not exceed 2 square feet in area per business or occupant identified.

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- e. Tenant names on directory signs or copy on variable text signs.
 - f. Memorial signs or tablets.
 - g. The name of a building and date of erection when cut into any masonry surface or when constructed of bronze or other noncombustible materials.
 - h. Traffic or other municipal signs, and such temporary emergency or non-advertising signs as may be approved by the city manager.
 - i. Signs inside a building and not visible from outside.
 - j. Real estate signs: 1 "for sale," "for lease," or "for rent" sign and 1 "open house" sign for each parcel of property for each street on which the parcel fronts, when such signs have an area per face of not more than 4 square feet, except as is further limited within single-family residential zoning districts. Off-site and "sold" signs are not permitted.
 - k. Nonadvertising direction signs or symbols such as entrance, exit, caution, slow, etc. located on and pertaining to a parcel of private property or geographical location, with none to exceed 4 square feet in area.
 - l. Warning signs such as "no trespassing" signs, "no dumping" signs, and signs designating a construction site: 1 "no trespassing" sign or 1 sign designating a construction site, and 1 "no dumping" sign shall be permitted for each 500 feet of frontage or portion thereof on a public right-of-way, subject to all other requirements of this section. The signs shall be located on private property.
 - m. 1 other noncommercial sign in conformance with the requirements of subsection (a)(2) of this section.
 - n. Political signs.
- (2) *Requirements and restrictions.* Exempt signs listed in subsections (a)(1)l and (a)(1)m of this section shall conform to the following requirements:
- a. *Number of signs.* 3 exempt signs may be located on commercially zoned lots, regardless of lot size or street frontage.
 - b. *Size.* 12 inches by 18 inches.
 - c. *Maximum height.* 3 feet above the ground. The sign may be increased to 4 feet in height if visibility is otherwise obstructed.
 - d. *Color.* Color on signage is permitted.
 - e. *Standards.* Single standard only, not to exceed 2 inches by 2 inches.
 - f. *Setback.* Other setback requirements of this section notwithstanding, such signs may be placed in any location on private property provided that no portion of the sign shall be closer than 15 feet to a paved roadway.
- (b) *Residential zoning districts.*
- (1) *Signs allowed without permit.* In the RE, R1-E, R1-15A, R1-15, R1-10, R1-7.5, R3-6, R3-12, R3T-12, R3-15, R3-18, and R3T-18 zones, and PD zoned property intended to accommodate the same uses, the following signs may be erected without a permit, subject to the requirements of subsection (b)(2) of this section:

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- a. A project sign, denoting 1 contractor or other responsible party for the work under construction, shall be permitted for each parcel of property for which there is an active building permit. The project sign shall be removed prior to the issuance of a certificate of completion or occupancy.
 - b. Traffic or other municipal signs, and such temporary emergency or nonadvertising signs as may be approved by the city manager. Traffic and municipal signs are exempt from the requirements of subsection (b)(2) of this section.
 - c. Real estate signs: 1 "for sale," "for lease," or "for rent" sign. During supervised real estate open houses, an "open house" sign may be erected, subject to all other requirements of this section. Off-site and "sold" signs are not permitted. "
 - d. Warning signs such as "no trespassing" signs, "no dumping" signs or signs designating a construction site: 1 "no trespassing" sign or 1 sign designating a construction site, and 1 "no dumping" sign shall be permitted for each 500 feet of frontage or portion thereof on a public right-of-way, and 1 "no dumping" sign may be permitted for each parcel of property, subject to all other requirements of this section. The signs shall be located on private property.
 - e. Identification signs at the entrance drive of residences.
 - f. 1 other noncommercial sign in conformance with the requirements of subsection (b)(2) of this section.
- (2) *Requirements and restrictions.* Exempt signs in residential zoning districts shall conform to the following requirements:
- a. *Number of signs.* Signs may be located on residentially zoned lots.
 - b. *Size.* 12 inches by 18 inches.
 - c. *Maximum height.* 3 feet above the ground. The sign may be increased to 4 feet in height if visibility is otherwise obstructed.
 - d. *Color.* Signs may include color.
 - e. *Standards.* Single standard only, not to exceed 2 inches by 2 inches.
 - f. *Setback.* Other setback requirements of this section notwithstanding, such signs may be placed in any location on private property provided that no portion of the sign shall be closer than 15 feet to a paved roadway.
 - g. *Placement.* All exempt signs shall be located parallel to the roadway.
- (c) *Political signs.*
- (1) *In general.* Political signs enjoy the highest order of protected speech. Normally, they take the form of temporary signs for the duration of a political campaign or in conjunction with a public referendum or election. They are similar in terms of type, location and duration to real estate signs. Therefore, political signs are allowed without the necessity of a permit in either commercial or residential districts wherever commercial real estate signage is permitted whether the commercial real estate signage is exempt or is permitted under a duly issued permit, subject to the provisions, below.
 - (2) *In commercial districts.* The general commercial zoning district exempt signage standards for setback and for a real estate sign as to the size shall apply. Color on political signs is permitted.
 - (3) *In residential districts.* The residential zoning district exempt signage standards for real estate signs shall apply to political signs.
 - (4) *Presumption.* It will be presumed that political signs are no longer being used for political speech after seven days after an election or referendum to which they pertain, or upon information provided by a

candidate or sponsor that the signage is no longer being used for political purposes, in which cases they are subject to removal.

(Comp. Dev. Code 1990, § 8-1-9; Code 1994, § 106-39; Ord. No. 95-7592, § 1, 12-20-1995; Ord. No. 98-8167, § 1, 1-21-1998; Ord. No. 99-8450, §§ 1, 2, 1-20-1999; Ord. No. 01-9441, § 2, 12-19-2001; Ord. No. 03-10169, § 1, 9-3-2003; Ord. No. 11-12845, § 12, 2-16-2011)

Sec. 50-40. Administrative waiver for exempt signs.

In those instances where existing vegetation or structures would prevent adequate visibility of temporary signs placed in accordance with setback or height restrictions contained in this article, the city manager may grant a waiver from the setback and height requirements. This waiver may permit temporary signs to be placed higher than permitted or closer to the right-of-way than otherwise permitted to allow for reasonable visibility from the adjacent street. It shall be limited in nature and allow only for the least amount of additional height or decrease in required setback necessary to achieve these purposes. Expedited review of particular applications for signs and other protected speech issues is provided in chapter 2, article III, division 5 of this Code.

(Comp. Dev. Code 1990, § 8-1-10; Code 1994, § 106-40; Ord. No. 98-8167, § 1, 1-21-1998; Ord. No. 11-12845, § 13, 2-16-2011)

Sec. 50-41. Reserved.

Editor's note(s)—Ord. No. 11-12845, § 14, adopted Feb. 16, 2011, repealed § 50-41, which pertained to signage requirements for charter boats and water taxis. See also the Code Comparative Table.

Secs. 50-42—50-70. Reserved.