

CHAPTER 7. SIGNS

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CHAPTER 7. SIGNS

ARTICLE 1. GENERAL

Sec. 7.1.1. INTENT.

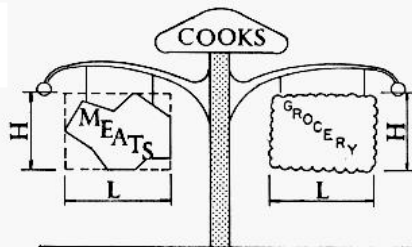
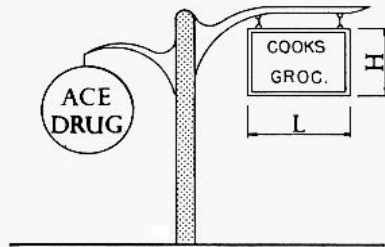
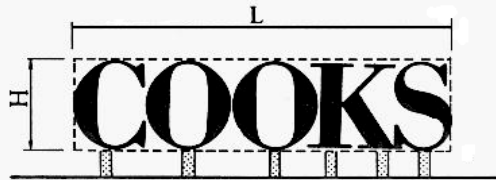
7.1.1.1. It is the intent of these regulations to permit, under reasonable control, signs in certain areas of the City where such uses are compatible with the activities, services or products being advertised or promoted. The provisions of these regulations shall govern the number, sizes, location and character of all signs which may be permitted as a principal or accessory use. No sign shall be permitted on any lot or site except in conformance with these provisions. Signs or other advertising structures shall be constructed and maintained in accordance with the building and other applicable codes of the City.

Sec. 7.1.2. NUMBER OF SIGNS AND SURFACE AREA.

7.1.2.1. For purposes of determining number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.

The surface area of a sign shall be computed as including the entire area within a regular geometric form comprising all of the display area of the sign and including all of the elements of the matter displayed. In the case of a balloon sign, the entire surface of such device shall be used in calculating the area considered to be a sign surface. Frames and structural members not bearing advertising matter shall not be included in computation of surface area. (See diagram on following page.) Where a sign has two or more faces, the area of all faces shall be combined in determining the area of the sign.

SIGNS: NUMBER AND SURFACE AREA MEASUREMENT



Sec. 7.1.3. DEFINITIONS.

- 7.1.3.1. SIGN. Any device located on the exterior of a building or buildings, whether permanent or temporarily affixed to or set on the ground, or structure; designed to inform or attract attention of persons not on the premises on which the sign is located including balloons, streamers, or other devices. The following shall not be included in the application of the regulations herein:
- 7.1.3.1.1. Signs not exceeding one square foot in area and bearing only property numbers, postal box numbers, names of occupants or premises or other identification of premises not having commercial connotations;
 - 7.1.3.1.2. Flags and insignia of any government except when displayed in connection with commercial promotion;
 - 7.1.3.1.3. Legal notices; identification, informational or directional signs erected or required by governmental bodies;
 - 7.1.3.1.4. Signs or advertisements physically located inside a building;
 - 7.1.3.1.5. Integral decorative architectural features of buildings except letters, trademarks, moving parts or moving lights;
 - 7.1.3.1.6. Directional signs utilized only for the purpose of indicating the location or direction of any object, place, area or places of assembly, whether public or non-profit but bearing no advertising matter and not greater than 3 sq. ft. in surface area per surface side and not of a greater height than local street signs and not closer than 25 foot radius to such street sign.
 - 7.1.3.1.7. Temporary construction signs which are to be removed when such construction is completed.
- 7.1.3.2. SIGN, ADVERTISING. A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered somewhere other than on the premises and only incidentally on the premises, if at all.
- 7.1.3.3. SIGN, BALLOON. A device constructed of fabric, plastics or other material which is inflated by air, gas or comparable systems or held in place by some form of framing, which is used to advertise products or services or to attract the attention of the public on or off the premises where such device

is located. The entire surface of such device shall be used in calculating the area considered to be a sign surface.

- 7.1.3.4. SIGN, BENCH. A structure designed for the purpose of providing seating for the public, having a length no greater than 6 feet and which may contain advertising copy on the front and rear side of the back rest. The advertising copy may be for on-site purposes. The benches, if located on public right of way, shall be on the private property line side of sidewalks, if sidewalks are in place, but in no case shall they be located closer than 5 feet to street curb or pavement edge, whichever is most restrictive. The distance between bench signs shall be determined by the Administrative Official, according to the needs of the area but not closer than 100 feet on the same side of the street; and no bench shall be located in a single family residential district. All bench signs shall be basically white in color, with advertising logos or letters permitted to be contrasting colors. The owner of the bench sign(s) shall obtain a two year permit from the Administrative Official for each bench placed. No bench sign may be placed on the public right-of-way without the adjoining property owner's prior approval. Bench signs, that in the opinion of the Administrative Official are unsightly, in disrepair or unsafe, shall, after a 30 day written notice to the owner to repair, paint, improve or otherwise bring into conformance with the notice requirements, be removed from their location if such repairs are not made. If the owner fails to remove the bench signs within the specified time, then the City shall remove them at the expense of the owner and bill the owner for such cost.
- 7.1.3.5. SIGN, BILLBOARD/OUTDOOR ADVERTISING. A sign erected and maintained by a business or service upon which advertising matter, public services information or other matter may be displayed and which advertises firms and organizations that, along with their goods and/or services, are not located on the same premises as the sign, and which surfaces are sold, rented or leased for the purposes of advertising or providing information. A billboard/outdoor advertising sign shall be considered an off-site sign.
- 7.1.3.6. SIGN, BUSINESS. A sign which directs attention to a business, profession or activity conducted on the premises.
- 7.1.3.7. SIGN, FLASHING. A sign designed to attract attention by the inclusion of a flashing, changing, revolving, or flickering light source or a change of light intensity.
- 7.1.3.8. SIGN, GROUND. A sign supported by uprights or braces placed upon or in the ground and not attached to any building. Ground sign includes a pole sign.

- 7.1.3.9. SIGN, HANGING. A sign which hangs down from and is supported by or attached to the underside of a canopy, awning, marquee or extension of a structure.
- 7.1.3.10. SIGN, HEIGHT. The distance measured from the top of the sign to the ground elevation upon which the sign is located.
- 7.1.3.11. SIGN, IDENTIFICATION. A sign which depicts the name and/or address of a building or establishment on the premises where the sign is located as a means of identifying the building or establishment.
- 7.1.3.12. SIGN, ILLUMINATED. A sign which contains a source of light or which is designed or arranged to reflect light from an artificial source including indirect lighting, neon, incandescent lights, back lights, and reflector signs which depend upon automobile headlights for an image.
- 7.1.3.13. SIGN, INDIRECTLY ILLUMINATED. A sign illuminated with a light directed primarily toward such sign, including back lighted signs, and so shielded that no direct rays from the light are visible elsewhere than on the site or lot where the illumination occurs.
- 7.1.3.14. SIGN, MENU BOARD. A permanently affixed structure normally associated with restaurants where menu's and prices are posted and utilized for drive thru customers. Such information shall not contain letters greater than 2 inches in height, not be greater than 30 sq. ft. in total surface area and shall normally not be legible from a public street. A menu board, if located a minimum distance of 25 feet from a public street shall not be required to be counted as part of the total sign area permitted, according to the requirements of the district in which it is located.
- 7.1.3.15. SIGN, MOVING. A sign designed to attract attention by physical movement of all or parts of the sign including rotation, motion or the perception of motion.
- 7.1.3.16. SIGN, NONCONFORMING. A sign or advertising structure existing within the City limits, or existing in an area annexed into the City after the effective date of the zoning regulations in effect prior to the adoption of the LDR, which by its height, surface area, location, use or structural condition does not conform to the requirements of the LDR, shall hereafter be termed nonconforming.
- 7.1.3.17. SIGN, OFF-SITE. A sign other than an on-site sign, such as an billboard/outdoor advertising sign.

- 7.1.3.18. SIGN, ON-SITE. A sign relating in its subject matter to the premises on which it is located, or to products sold, accommodations, services or activities on the premises. On-site signs do not include billboard/outdoor advertising signs in the conduct of the outdoor advertising business.
- 7.1.3.19. SIGN, PARASITE. A sign for which no permit has been issued and which is attached to another sign or structure.
- 7.1.3.20. SIGN, PORTABLE. Any on site sign which is temporary in nature, portable in that is not intended to be permanently affixed or attached to the ground and which may be wired for illumination. Such sign may be on a trailer or towing device or may be transported to the site and temporarily secured to the ground. Such sign shall not exceed 32 sq. ft. on a single surface side or 64 sq. ft. on double surface sides.
- 7.1.3.21. SIGN, READER BOARD. A permanently affixed sign on which the occupant alters daily or from time to time the products and services offered, prices, special events and related information. A reader board area shall be computed as part of the permitted sign area, according to the requirement of the district in which it is located.
- 7.1.3.22. SIGN, REAL ESTATE. A sign which advertises the sale, rental or the development of the premises upon which it is located.
- 7.1.3.23. SIGN, ROOF. A sign erected, constructed, and maintained wholly upon or over the roof of any building with the principal support on the roof structure.
- 7.1.3.24. SIGNS, TEMPORARY. Any sign advertising grand openings, special events and promotions, political signs announcing the candidacy of any person or persons for elective public office, yard and garage sales. Banner signs and wind signs are classified as temporary signs.
- 7.1.3.25. SIGN, WALL. A sign of solid face construction mounted flat against a building or other structure and attached to the exterior front, rear or side wall of any building or other structure. A wall sign shall include any sign, image or lettering which is painted, carved, etched or posted directly onto any surface of any building, whether advertising goods or services offered on or off the premises or promotions for public services and related messages.
- 7.1.3.26. SIGN, WIND. Any sign or display including but not limited to flags, banners, balloons (other than as defined above), streamers and rotating devices, fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

- 7.1.3.27. SIGN, SHOPPING CENTER. Any sign used for the purpose of general identification of the shopping center by name and for identification of establishments in the center by name and nature of business activity. Such sign may be freestanding but shall meet all other requirements of the LDR.

ARTICLE 2. REQUIREMENTS

Sec. 7.2.1. GENERAL REQUIREMENTS.

Signs shall be regulated in accordance with the provisions of the schedule of zoning district regulations and as follows:

- 7.2.1.1. SIGNS IN RESIDENTIAL DISTRICTS. Unless provided for otherwise, in residential districts only the following signs are permitted:
- 7.2.1.1.1. One sign, not over 6 sq. ft. in combined surface area on both surfaces and located at least 10 feet from any property line, advertising the real property on which the sign is located for sale or for rent.
 - 7.2.1.1.2. On-site building contractor's signs for buildings under construction, limited to a total surface area for all such signs of 60 sq. ft.. All such signs shall be removed within 30 days after the certificate of occupancy has been issued.
 - 7.2.1.1.3. Subdivision development identification signs containing the project name are permitted, provided they do not exceed 100 sq. ft. in surface area. No such sign shall be erected within 10 feet of any property line. The supporting structure for any such sign must meet setback requirements and meet the visibility provisions of Chapter 12 of the LDR. Any lighting used in connection with such signs shall be located and installed in such a manner that it will not result in undue glare upon a public street or upon any adjacent property.
- 7.2.1.2. NO FREE STANDING SIGN, apart from or not as part of signage mounted on a building, shall exceed 80 sq. ft. per surface side or 160 square feet in total combined surface area on sites less than five (5) acres, exclusive of the support system. On sites five (5) acres or more, such free-standing sign, whether identifying a single place of business or activity or a combined grouping of places of business or activities, shall not exceed 200 square feet in surface area per side or 400 square feet in total combined surface area.

Such support system shall contain no advertising or lettering, logos or related information. If the support system contains advertising, lettering or logos, it shall be counted as part of the maximum surface area permitted.

- 7.2.1.3. **BILLBOARD/OFF-SITE ADVERTISING SIGNS.** Billboard/Off site advertising signs shall only be permitted in the Commercial Highway, Light Industrial, Heavy Industrial, Planned Development Commercial-1, Planned Development Commercial-2, and Industrial Planned Development Zoning Districts that are located within 200 feet of the Polk County Parkway (SR 570 toll) and Interstate 4.
- 7.2.1.4. **SIGNS IN PLANNED DEVELOPMENT DISTRICTS.** Signs in planned development districts shall be a part of the plan and subject to the approval thereof.
- 7.2.1.5. **PORTABLE SIGNS.** Except as provided otherwise, such signs may be permitted in any commercial and industrial zoning district subject to the following conditions:
- 7.2.1.5.1. Permits for such signs shall be secured from the Administrative Official, for a fee established by the City Commission, prior to erection.
- 7.2.1.5.2. Application for such permit shall be accompanied by a site location plan with appropriate dimensions for location of sign.
- 7.2.1.5.3. Only one portable sign for each business or service and located on only one frontage or street side is permitted. Structures with more than one business or service shall be limited to only one such sign.
- 7.2.1.5.4. All such signs shall be located behind frontage or side street right-of-way or no closer than 6 feet to the street pavement, whichever is most restrictive.
- 7.2.1.5.5. In no case shall any such portable sign be located within the visibility triangle required in Chapter 12 of the LDR.
- 7.2.1.5.6. One sign, as provided above, shall be permitted on the basis of 14 consecutive days within any calendar quarter anniversary period, such anniversary period being on the day of permit issue.
- 7.2.1.5.7. No flashing lights shall be permitted or used on any portable signs that will be a violation of any Federal or State law.

7.2.1.5.8. Portable signs set up by a church, school, public park, playground or playfield, municipal or neighborhood building, or nonprofit organization shall be governed by the limitations of signs for single family residential districts under Chapter 5, Article 6 of the LDR.

7.2.1.5.9. Where a portable sign legally existed at the time of annexation into the City, such sign shall be permitted to continue in use for a period not to exceed that which was permitted by the County, but in no event shall that period be allowed to exceed one year. This provision shall no longer be in effect when a sign has been removed, destroyed or its business ceases operation or transfers ownership.

7.2.1.6. TEMPORARY SIGNS. Nothing in the LDR shall be deemed to prohibit the following:

7.2.1.6.1. One temporary sign per lot or parcel, without requirement for permit, announcing the candidacy of any person or persons for elective public office, provided that:

7.2.1.6.1.1. The total area of any such sign proposed to be located in a residential district shall not exceed 8 sq. ft. in surface area and shall be located at least 5 feet from all property lines.

7.2.1.6.1.2. The total area of any such sign proposed to be located in all other nonresidential zoning districts shall not exceed 32 sq. ft. in surface area, and shall be located at least 5 feet from all property lines.

7.2.1.6.1.3. All such signs relating to any individual who is unsuccessful in primary elections shall be removed within 45 days following such primary.

7.2.1.6.1.4. All other political signs shall be removed within 14 days following the date of the general election.

7.2.1.6.2. Signs advertising a "Yard" or "Garage Sale" are permitted in any zoning district in which residences are permitted, on the property on which the proposed "Yard" or "Garage Sale" is to be held. Such signs shall not exceed 8 sq. ft. in surface area, be located at least 10 feet from all property lines and shall be removed not more than 2 days after the sale date. Any such signs may be allowed to remain for a maximum period of 7 consecutive days within a 6 month anniversary period beginning on the day the sign is first put in place on the property. No fee or permit is required for such sign(s).

7.2.1.6.3. Banner signs or wind signs, including those used for grand openings, special events and promotions, shall not exceed 20 square feet in surface area for any single side or 40 square feet in total surface area for the combination of both sides. Any such sign may be allowed to remain in place for a maximum period of 30 consecutive days within a 6 month anniversary period, with such anniversary period beginning on the day the permit is issued for the sign. No portable sign will be permitted on the same site during the permitting period for a temporary sign on the subject site. Likewise, no temporary sign shall be permitted on the same site during the permitting period for a portable sign on the subject site.

7.2.1.7. SIGNS IN RIGHTS-OF-WAYS. No sign, other than those authorized by the City Commission or by the LDR shall be placed within the right-of-way of any street or highway.

7.2.1.7.1. The City Commission may authorize certain signs within a street right-of-way, providing such signs are clearly related to the provision of public purposes. For the purposes of this Chapter, such signs may include, but shall not be limited to :

7.2.1.7.1.1. Neighborhood Crime Watch Area

7.2.1.7.1.2. Seasons Greetings

7.2.1.7.1.3. Public notice signs posted by the City to give notice of pending hearings by the City Commission, the Planning Commission, the Board of Adjustment or the Code Enforcement Board.

7.2.1.8. ABANDONED SIGNS. Any sign now or hereafter existing which no longer advertises a bona fide business conducted, or a product sold, or a service rendered, shall be taken down and removed by the owner, agent, or person having the beneficial use of the building, structure, or property upon which such sign may be found within 30 days after the written notification from the Administrative Official. Upon failure to comply with such notice within the time specified by such order, the Administrative Official is hereby authorized to cause the removal of such sign. Any expense incurred thereto shall be paid by the owner of the building, structure or property upon which the sign is erected or attached. In making a determination that a sign no longer advertises a bona fide activity as described herein, the Administrative Official shall consider among other factors, the existence or absence of a current occupational license, utilities service deposit at the location, use of the premises, and relocation of the business.

- 7.2.1.9. **SIGNS, CONFORMING STATUS.** All permanent signs, except off-site signs, conforming to the requirements effective as of the date of adoption of these Land Development Regulations shall be declared conforming signs.
- 7.2.1.10. **PROHIBITED SIGNS.** It shall be a violation of these regulations, punishable as provided for in the LDR, to erect or maintain any of the following:
- 7.2.1.10.1. *Traffic or pedestrian hazard.* Any sign which constitutes a traffic hazard or a detriment to traffic safety by reason of its size, location, movement, content, coloring, or method of illumination, or by obstructing the vision of driver, or by obstructing or detracting from the visibility of any official traffic control device by diverting or tending to divert the attention of drivers of moving vehicles from the traffic movement on streets, roads or access facilities; not shall any sign be erected in such a manner as to obstruct the vision of pedestrians. The use of flashing or revolving red, green, blue or amber lights is prohibited in any sign which constitutes a hazard to traffic. Any sign which by glare or method of illumination constitutes a hazard to traffic is prohibited. No sign may use the words "Stop", "Look", "Drive-In", "Danger", or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic. The determination of what constitutes a traffic hazard or detriment to traffic shall be made by the Building Official.
- 7.2.1.10.2. *Schedule of zoning district regulations.* Signs which are not specifically permitted under the types of signs permitted in Chapter 5, Article 6 of the LDR or otherwise specifically permitted under this Chapter.
- 7.2.1.10.3. *Obscenities.* Signs which are obscene, indecent, immoral and against the general moral character of residents of the City.
- 7.2.1.10.4. *Ingress or egress to buildings.* Signs so located as to prevent free ingress or egress to and from any door, window or fire escape.
- 7.2.1.10.5. *Parasite signs.* Such signs are to be removed within 7 days of written notification by the Building Official.
- 7.2.1.10.6. *Utility poles and trees.* Signs on or attached to utility poles or trees on rights-of-way or public property.

ARTICLE 3. NONCONFORMING SIGNS

Sec. 7.3.1. NON-CONFORMING PERMANENT ON SITE SIGNS.

Nonconforming Permanent on-site signs existing prior to adoption of the LDR shall not be expanded or altered. If destroyed or deteriorated more than 50% of the replacement value or removal for any reason whatsoever, it shall not be replaced except in conformity with the provisions of the LDR.

Sec. 7.3.2. NON-CONFORMING OFF-SITE SIGNS.

Where off-site signs existed at the time of passage or amendment of the zoning ordinance in effect prior to the adoption of these Land Development Regulations, or have been annexed into the City, such signs shall be permitted to continue in use for a period not to exceed 5 years from the date of adoption of these Land Development Regulations but shall thereafter be removed from the premises. The provisions for violations contained in the LDR shall apply.

ARTICLE 4. FEES AND PERMITS

Sec. 7.4.1. PERMITS AND FEES.

All signs except "For Sale" and "For Rent" normally associated with real estate, shall require a permit prior to placement. Such permits shall require a fee to be prescribed by the City Commission.