

DIVISION 4. SIGN STANDARDS

Sec. 34-441. Purpose and intent.

It is the purpose of this Division to promote the public health, safety and general welfare through reasonable, consistent and non-discriminatory sign standards. The sign regulations in this Division are not intended to censor speech or to regulate viewpoints, but instead are intended to regulate the adverse secondary effects of signs. The sign regulations are especially intended to address the secondary effects that may adversely impact aesthetics and safety. The City is a small resort and primarily single family residential community on the east coast of Florida. The eastern boundary of Jacksonville Beach is the Atlantic Ocean and the western boundary is the Atlantic Intracoastal Waterway (Pablo Creek). The economic base of the City is heavily dependent on visitors from the Northeast Florida and Southeast Georgia area, as well as other areas of the United States. 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 by which to achieve this desired end. These sign regulations have been prepared with the intent of enhancing the visual environment of the City and promoting its continued well-being, and are intended to:

- (1) Encourage the effective use of signs as a means of communication in the City;
- (2) Maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth;
- (3) Improve pedestrian and traffic safety;
- (4) Minimize the possible adverse effect of signs on nearby public and private property;
- (5) Foster the integration of signage with architectural and landscape designs;
- (6) Lessen the visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height, and excessive size (area) of signs which compete for the attention of pedestrian and vehicular traffic;
- (7) Allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs;
- (8) Encourage and allow signs that are appropriate to the zoning district in which they are located and consistent with the category of use and function to which they pertain;
- (9) 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;
- (10) Establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains;
- (11) Categorize signs based upon the function that they serve and tailor the regulation of signs based upon their function;
- (12) Preclude signs from conflicting with the principal permitted use of the site and adjoining sites;
- (13) Regulate signs in a manner so as to not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians;

- (14) Except to the extent expressly preempted by state or federal law, ensure that signs are constructed, installed and maintained in a safe and satisfactory manner, and protect the public from unsafe signs;
- (15) Preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all districts of the City;
- (16) Allow for traffic control devices consistent with national standards and whose purpose is to promote highway safety and efficiency by providing for the orderly movement of road users on streets and highways, and that notify road users of regulations and provide warning and guidance needed for the safe, uniform and efficient operation of all elements of the traffic stream;
- (17) Protect property values by precluding, to the maximum extent possible, sign types that create a nuisance to the occupancy or use of other properties as a result of their size, height, illumination, brightness, or movement;
- (18) Protect property values by ensuring that sign types, as well as the number of signs, are in harmony with buildings, neighborhoods, and conforming signs in the area;
- (19) Regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the City and that complements the natural surroundings in recognition of this City's reliance on its natural surroundings and beautification efforts in retaining economic advantage for its resort community, as well as for its major subdivisions, shopping centers and industrial parks;
- (20) Enable the fair and consistent enforcement of these sign regulations;
- (21) To promote the use of signs which positively contribute to the aesthetics of the community, are appropriate in scale to the surrounding buildings and landscape, and to advance the City's goals of quality development;
- (22) To provide standards regarding the non-communicative aspects of signs, which are consistent with applicable provisions of City, county, state and federal law;
- (23) To provide flexibility and encourage variety in signage, and create an incentive to relate signage to the basic principles of good design; and
- (24) Assure that the benefits derived from the expenditure of public funds for the improvement and beautification of streets, sidewalks, public parks, public rights-of-way, and other public places and spaces, are protected by exercising reasonable controls over the physical characteristics and structural design of signs;

Sec. 34-442. Scope.

This Division regulates signs, as defined in this Land Development Code, which are placed on private property or on property owned by public agencies including the City of Jacksonville Beach, over which the City has zoning authority.

Sec. 34-443. Applicability.

The policies, rules and regulations stated in this Division apply to all signs within the regulatory scope of this Code, and to all provisions of this Code, notwithstanding any more specific provisions to the contrary.

Sec. 34-444. Balancing.

This Division states the policy decisions regarding display of signs, were made by the City Council after carefully balancing many competing factors and interests. This Division consolidates all general provisions

relating to the installation, regulation and amortization of signs on private property throughout the City of Jacksonville Beach.

Sec. 34-445. Regulatory Interpretations.

It is the City's policy to regulate signs in a constitutional manner, which is content neutral as to noncommercial signs and viewpoint neutral as to commercial signs. All regulatory interpretations of this Division are to be exercised in light of the City's message neutrality policy. Where a particular type of sign is proposed in a permit application, and the type is neither expressly allowed nor prohibited by this Division, or whenever a sign does not qualify as a "structure" as defined in the Florida Building Code or the City Code, then the City shall approve, conditionally approve or disapprove the application based on the most similar sign type that is expressly regulated by this Division. All rules and regulations concerning the non-communicative aspects of signs, such as location, size, height, illumination, spacing, and orientation, stand enforceable independently of any permit or approval process.

Sec. 34-446. Exemptions from the Division. This Division does not pertain to the following:

- (1) Signs (except a window sign which shall be subject to the provisions of this Division) located entirely inside the premises of a building, enclosed space, or otherwise entirely internal to a property and that are not visible from the right of way or public parking lot, including but not limited to a sports stadium or field.
- (2) Signs on a vehicle, other than a prohibited vehicle sign or signs.
- (3) Statutory signs.
- (4) Traffic control device signs.
- (5) Temporary holiday and seasonal decorations, which are not considered to be signs under this Division and are regulated under the nuisance provisions of the City Code.
- (6) Artwork that does not meet the definition of a sign.

Sec. 34-447. Computation of sign size (area) and sign height.

- (1) The area of a sign is calculated as follows:
 - (a) *Background panel signs.* Sign copy which is mounted, affixed, or painted on a background panel or area distinctively painted, textured or constructed as a background for the sign copy, is measured as that area contained within the sum of the smallest rectangles, squares, triangles, parallelogram, circles or ellipses that will enclose both the sign copy and the background.
 - (b) *Background surface signs.* The area of a sign consisting of copy mounted as individual letters or graphics against a wall, fascia, or parapet of a building surface or another surface, that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy, is measured as the sum of the smallest rectangles, squares, triangles, parallelograms, circles or ellipses that will enclose each word, graphic or discrete visual element in the total sign.
 - (c) *Illuminated background signs.* The area of a sign with copy mounted, affixed, or painted on an illuminated surface or illuminated element or a building or structure, is measured as the entire illuminated surface or illuminated element which contains sign copy.
 - (d) *Double-faced signs.* If a sign has two display faces, and the interior angle between the two faces is thirty (30) degrees or less, then the sign area is one sign face only; however, if the two faces are of

different sizes or shapes, then the larger is used. If the sign has two display faces, and the interior angle between the two faces is greater than thirty (30) degrees, then the sign area is the sum of the areas of the two faces.

- (e) *Multi-faced signs.* If a sign has three or more faces, then the sign area is the fifty (50%) percent of the aggregate area of all sign faces. The area of each face shall be determined according to subsection (a) or (b) of this section, as applicable.
 - (f) *Sculptural and nonplanar signs.* The area of a spherical, free form, sculptural or other nonplanar sign is fifty (50%) percent of the sum of the areas, using only the four vertical sides of the smallest four-sided polyhedron which will completely enclose the entire sign structure.
- (2) *Sign height.* The height of a freestanding sign is calculated as follows: The height of a freestanding sign shall be measured as the vertical distance from the average finished grade of the ground below the sign excluding any filling, berming, mounding or excavating solely for the purposes of increasing the height of the sign, to the top edge of the highest portion of the sign. For the purposes of this Section, average finished grade shall be considered the lower of:
- (a) The lowest elevation where the base of the sign meets ground level; or
 - (b) The top of the curb of the nearest public street adjoining the property upon which the sign is erected or the grade of the land at the principal entrance to the lot on which the sign is located.
 - (c) The maximum height or width allowed for a freestanding sign shall not include the optional architectural embellishments permitted pursuant to Sec. 34-450(7)(a) of this Division.

Sec. 34-448. Sign illumination.

- (1) Sign illumination may not create a nuisance to residential areas or for wildlife and shall be compatible with the surrounding neighborhood.
- (2) *Residential signs.* Signs on residential uses in any zone may not be separately or specially illuminated, unless otherwise specified.
- (3) *General rule for all nonresidential uses.* Other than signs on residential uses, all other signs may be non-illuminated, or illuminated by internal, internal indirect (halo) illumination, or lit by external indirect illumination, unless otherwise specified. Signs may not be illuminated in a manner which leaves the illumination device exposed to public view except with the use of neon tubing as provided in subsection (8) of this section.
- (4) *Internal illumination.* Outdoor, internally illuminated signs, including but not limited to awning/canopy signs, cabinet signs (whether freestanding or building mounted), changeable copy panels or service island signs, shall be constructed with an opaque background and translucent letters or other graphical elements, or with a colored background and lighter letters or graphics.
- (5) *External indirect illumination.* Externally lit signs are permitted to be illuminated only with steady, stationary, down directed and shielded light sources directed solely onto the sign. Light bulbs or tubes (excluding neon), used for illuminating a sign, shall not be visible from the adjacent public rights-of-way or residential properties.
- (6) *Illumination of signs adjacent to single-family residential uses.* No sign located within 50 feet of a property with a single-family use or zoned for a single-family use shall be internally illuminated.

- (7) Any portion of the sign face or sign structure that is illuminated shall count against the total square footage of allowable sign area.
- (8) *Neon.*
 - a. *Exposed neon.* Exposed neon tube illumination is not permitted in residential zones, or on residential uses in any zone. It is allowed in all other places, unless otherwise specified.
 - b. *Neon borders.* Neon illumination used as a sign copy projection, border, frame or other embellishment of sign copy shall not be included in the total size or area of the sign, provided the measured area of any such projection or detailed embellishment does not exceed 12 square feet in area, or 25 percent of the sign display face area, whichever is greater. If neon embellishments exceed these limits, then the embellishments shall be included and counted as part of the permitted sign area for the use.

Sec. 34-449. Building permits.

It shall be unlawful for any person or business or the person in charge of the business to erect, construct, alter or maintain a sign structure, as defined in the Florida Building Code, without first obtaining a building permit from the City in accordance with the provisions of the Florida Building Code and applicable law. Permit fees for a building permit shall be paid in accordance with the applicable City fee schedules. The requirement of a building permit under the Florida Building Code is separate and independent of the requirement for a sign permit under this Division.

Sec. 34-450. Sign permits.

Unless exempt from permitting, no permanent sign shall be erected, altered, relocated, maintained or displayed until a sign permit is obtained from and the appropriate fee paid to the City. The sign permit is in addition to any building permit required to be obtained pursuant to the provisions of the Florida Building Code.

- (1) No sign permit shall be issued for the erection of a prohibited sign.
- (2) A sign lawfully erected may be repainted or have ordinary and customary repairs performed, including replacement of plastic or glass panels, without a sign permit; however, if such sign is to be structurally altered in any manner, a new sign permit shall be required and the altered sign must meet all requirements of this Division and this Code.
- (3) *Exceptions from permitting.* The following types of signs, while they may be covered by the general provisions of this Division, shall be exempt from all sign permit requirements of this Division:
 - a. Any sign of the type described in Section 34-446, Exemptions from the Division.
 - b. Allowed temporary and allowed permanent signs of the type described in Section 34-453(2), All Districts.

However, these exemptions in no way waive requirements of the Florida Building Code; or any limitation or restriction on the number, size, height, setback, placement or duration of such signs under this Division, or any limitation or restriction under any other applicable law or regulation.

- (4) *Permits not required for change of sign copy.* No permit or permit fee shall be required for changing the copy of a sign, as long as no changes are made to the sign's height, size, location, or structure. This exemption shall also apply to any change of copy on a changeable copy sign.

- (5) *Sign permit applications.* A sign permit application for permanent and certain temporary signs, as may be required by this Division, shall be prepared and submitted on forms available at the Department of Planning and Development. The sign permit application is in addition to any building permit application required by the Florida Building Code. The applicant shall furnish the following information on or with the sign permit application form:
- a. Name, address, telephone number, and e-mail address (if available) of the person making application for the permit. If the applicant is anyone other than the property owner, the applicant shall provide written authorization from the property owner permitting the installation of the sign.
 - b. Name, address, telephone number, and e-mail address (if available) of the property owner. If the owner is an entity other than an individual, list the contact person's name.
 - c. NAME, ADDRESS, TELEPHONE NUMBER, AND E-MAIL ADDRESS (IF AVAILABLE) OF THE BUSINESS TENANT, IF APPLICABLE. IF THE TENANT IS AN ENTITY OTHER THAN AN INDIVIDUAL, LIST THE CONTACT PERSON'S NAME.
 - d. Name, address, telephone, e-mail address (if available), and license number of the contractor, if applicable. If the contractor is an entity other than an individual, list the contact person's name.
 - e. Address and legal description of the property upon which the sign is to be located. The legal address may be located on a certified boundary survey.
 - f. Lot frontage on all streets and public rights-of-way.
 - g. Indicate in feet and inches the location of the sign in relation to property lines, public rights-of-way, easements, overhead utility lines, other utility facilities and equipment, buildings and other signs on the property.
 - h. Freestanding signs, including monument signs, shall require an accurate boundary survey signed and sealed by a land surveyor or engineer licensed in Florida showing the proposed location of the sign.
 - i. For all wall mounted signs, the facade elevation with dimensions, drawn to scale. Windows and doors and other openings shall be delineated and their dimensions given.
 - j. Sign dimensions and elevation, drawn to scale.
 - k. Maximum and minimum height of the sign measured from finished grade.
 - l. Dimensions of the supporting members of the sign.
 - m. Sign illumination, specifying illumination type, placement, and intensity.
 - n. Two (2) copies of the plans, specifications, calculations and details, signed and sealed as required by the Florida Building Code; and specifications documenting the applicable windload and electrical specifications, if applicable, meeting the minimum requirements of the applicable Electric Code.
 - o. Number, type, location and surface area of all existing signs on the same property.
 - p. Landscape plan, as applicable.

- q. Notarized signature of applicant. If the value of construction is \$2,500.00 or greater, a certified copy of notice of commencement shall be required prior to permit issuance.

(6) *Sign construction specifications.*

- a. *Florida Building Code.* Construction and erection of signs shall be in accordance with the structural requirements set forth in the Florida Building Code.
- b. *National Electrical Code.* Signs having electrical connections of any kind shall be wired in accordance with the National Electrical Code.
- c. *Inspections.* Any sign having an electrical connection shall be permitted, inspected and approved by the electrical inspector prior to its completion. All sign structures shall be inspected and approved by the building official. The inspection point shall be selected by the building official. All excavations for concrete sign support bases shall be inspected and approved by the building official prior to the pouring of concrete.
- d. *Support requirements.* The supporting members of all signs shall be free of any external bracing such as guy wires or cables. All supporting columns shall be designed as integral or architectural features of the sign.
- e. *Materials.* Paper or cardboard signs and cloth or plastic fabric banners may only be used in conjunction with a special event as provided herein. However, paper or cardboard signs may be used for indoor window or election signs, when such are allowed.
- f. *Construction standards.* All signs shall be installed and constructed in a professional and workmanlike manner; and shall be maintained in good and safe structural condition and good physical appearance. All exposed structural components shall be painted, coated, or made of rust inhibitive material.

(7) *Design Requirements.* All signs, except temporary signs and off-premises signs, shall be subject to the design requirements below.

- a. *Monument Signs.* Monument sign structures may extend above the allowable height and/or permitted horizontal dimension for the purposes of architecturally embellishing and enhancing the appearance of the sign structure. Such extensions shall not exceed thirty-six (36") inches for the base, eighteen (18") inches at the top of the sign, or twelve (12") inches for each vertical side of the sign. An architectural embellishment at the top of a sign shall include the address number or address range for the parcel, and may include the logo of the business or development project.
- b. *Tenant Panels in Monument Signs.* All tenant panels in a monument sign, including those added to an existing sign structure, shall be constructed of similar materials and illuminated by a similar method.
- c. *Wall Signs.* Wall signs shall not be installed to cover windows, doors, or other types of fenestration.
- e. Sign work on all permanent signs shall be performed in a professional manner, with all the letter strokes plumb, or properly slanted, and with alignment true and level.

(8) *Sign permit application review.*

- a. An applicant shall submit a sign permit application for a permanent sign to the Planning and Development Department, Building Inspection Division, or such other office as may be designated by the City. The sign permit application shall be reviewed for a determination of whether the proposed sign meets the applicable requirements of this Division and any applicable zoning law.
 1. The review of the sign permit application shall be completed within thirty (30) days following receipt of a completed application, not counting the day of receipt and not counting any Saturday, Sunday, or legal holiday which falls upon the first or the thirtieth (30th) after the date of receipt.
 2. A sign permit shall either be approved, approved with conditions (meaning legal conditions existing in the Code such as dimensional requirements), or disapproved, and the decision shall be reduced to writing. A disapproval shall include or be accompanied by a statement of the reason(s) for the disapproval.
 3. In the event that no decision is rendered within thirty (30) calendar days following submission, the application shall be deemed denied.
- b. An approval, an approval with conditions, or disapproval by the director of planning and development shall be deemed the final decision of the City upon the application.
- c. In the case of an approval with conditions or a disapproval, including a disapproval by lapse of time as described herein, an applicant may ask for reconsideration of the decision on the grounds that the director of planning and development may have overlooked or failed to consider any fact(s) that would support a different decision.
 1. A written request for reconsideration accompanied by such additional fact(s) which address the deficiencies that the applicant may wish the director of planning and development to consider, shall be filed with the director of planning and development within fourteen (14) calendar days after the date of the written decision. No fee shall be required for a request for reconsideration.
 2. Upon the timely filing of a request for reconsideration, the decision of the director of planning and development or designee shall be deemed stayed and not a final decision, until the request for reconsideration is decided. The request for reconsideration shall be decided within fourteen (14) days of receipt by the City, not counting any intervening Saturday, Sunday, or legal City holiday. Such decision shall be in writing and shall include a statement of the reason(s) for the decision.
- d. All decisions shall be mailed, transmitted electronically, or hand delivered to the applicant. A record shall be kept of the date of mailing, electronic transmittal, or hand delivery. For the purposes of calculating compliance with the thirty (30) day deadline for a decision upon an application or the fourteen (14) day deadline for a decision upon request for reconsideration, the decision shall be deemed made when deposited in the mail, transmitted electronically, or hand delivered to the applicant.
- e. As exceptions to the foregoing, the thirty (30) day deadline for approval and the fourteen (14) day deadline for a decision upon receipt of a request for a reconsideration shall not apply (that is, the time shall be suspended):

1. In any case in which the application requires a rezoning of the property, or an amendment to the comprehensive plan of the City. In such cases, the time shall be suspended until a final decision is made upon the application for the variance, rezoning, or comprehensive plan amendment.
 2. If the applicant is required to make any change to the application in order to obtain an unconditional approval, the time shall be suspended while the applicant makes such change.
 3. If an applicant is required to obtain an approval of the sign from any other governmental agency, the time shall be suspended until such approval is obtained.
 4. In any of the foregoing cases, the applicant may elect to not make any changes to the application or to not obtain an approval that may be required by another governmental agency, and may instead demand a decision upon the sign permit application as filed. In such event, the director of planning and development shall make a decision on the application as appropriate within thirty (30) business days after receiving such demand. If a decision is not made in such a time, the application shall be deemed denied.
- f. Any person aggrieved by the decision of the director of planning and development upon his or her sign permit application shall have the right to seek judicial review by the Circuit Court of the Fourth Judicial Circuit in and for Duval County, Florida, or any other court of competent jurisdiction, filed in accordance with the requirements of law, seeking such appropriate remedy as may be available.
- g. If an applicant believes that his or her speech rights are being denied due to enforcement of subsection (8) (c) 2. e., above, he or she may immediately contact the Planning and Development Department Director, in writing via certified letter, and request immediate review of any pending sign permit application. If such a letter is received by the Planning and Development Department Director the City shall have twenty (20) days to review the permit application as under section 8 (a) above, notwithstanding the provisions of subsection (8) (c) 2. e., above.
- (9) *Sign Permit Fees.* Before issuance of a permit, the director of planning and development shall collect the necessary sign permit fees. The sign permit fees shall be as designated by resolution of the City Council.
- (10) *Inspection.* The director of planning and development may make or require any inspections to ascertain compliance with the provisions of this Division, the Comprehensive Zoning and Land Development Code, and other laws.
- (11) *Revocation of sign permit.* If the work under any sign permit is proceeding in violation of this Division, any other ordinance of the City, or should it be found that there has been any false statement or misrepresentation of a material fact in the application or plans on which the permit was based, the permit holder shall be notified of the violation. If the permit holder fails or refuses to make corrections within ten (10) days, it shall be the duty of the director of planning and development to revoke such permit and serve notice upon such permit holder. Such notice shall be in writing and signed by the director of planning and development. It shall be unlawful for any person to proceed with any part of work after such notice is issued.

Sec. 34-451. General sign provisions.

- (1) *Land owners' consent.* No sign may be displayed without the consent of the legal owner of the property on which the sign is mounted or displayed. For purposes of this policy, "owner" means the holder of the legal title to the property and any party and person holding a present right to possession, control, or use of the property.
- (2) *Legal nature of signage rights and duties.* As to all signs attached to property, real or personal, the signage rights, duties and obligations arising from this Division attach to and travel with the land or other property

on which a sign is mounted or displayed. This provision does not modify or affect the law of fixtures, sign-related provisions in private leases regarding signs (so long as they are not in conflict with this Division), or the ownership of sign structures.

- (3) *Signs on public property.* Any sign installed or placed on public property, except in conformance with the requirements of this Division, shall be deemed illegal and shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the City shall have the right to recover from the owner or person placing such sign the cost of removal and disposal of such sign.
- (4) No sign shall be erected so as to obstruct any fire escape, required exit, window, or door opening intended as a means of egress.
- (5) No sign shall be erected which interferes with any opening required for ventilation.
- (6) Signs shall maintain a minimum of six (6) feet horizontal and twelve (12) feet overhead clearance from electrical conductors, and from all communications equipment or lines located within the City.
- (7) Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Furthermore, placement shall not interfere with natural or artificial drainage or surface or underground water.
- (8) No sign shall be attached to a standpipe, gutter, drain, or fire escape, nor shall any sign be installed so as to impair access to a roof.
- (9) The building official may order the repair of signs declared a nuisance.
- (10) The building official, without notice, may cause any unsafe or insecure sign to be immediately removed if, in his professional judgment and opinion, the sign presents an immediate peril to the public health or safety.

Sec. 34-452. Prohibited signs.

The signs and sign types listed below are prohibited within the City limits and shall not be erected. Any lawfully existing permanent sign or sign type that is among the prohibited signs and sign types listed below shall be deemed a nonconforming sign subject to the provisions of Section 34-456. Nonconforming signs.

- (1) Abandoned signs.
- (2) Animated signs.
- (3) Attached signs that are taller than the wall of the building to which the sign is attached.
- (4) Attached signs that exceed two hundred (250) square feet in sign area.
- (5) Billboards.
- (6) Bandit signs.
- (7) Bus bench advertising signs and bus shelter advertising signs.

- (8) Commercial signs that are carried, waved, or otherwise displayed by persons (“sign walkers”, “sign spinners”, or “commercial mascots”) either on public rights-of-way or in a manner visible from public rights-of-way. This provision is directed toward such displays intended to draw attention for a commercial purpose, and is not intended to limit the display of placards, banners, flags or other signage by persons participating in demonstrations, political rallies, or otherwise exercising their valid First Amendment rights.
- (9) Flashing signs.
- (10) Floodlights and beacon lights, except when required by the Federal Aviation Agency.
- (11) Freestanding or ground signs, including any ground mounted monument signs, which are higher than sixteen (16) feet.
- (12) Freestanding or ground signs that exceed two hundred (200) square feet in sign area.
- (13) Holographic display signs.
- (14) Home occupation signs for Type I home occupations.
- (15) Mobile billboard advertising. It is a violation of this Division for any person to conduct, or cause to be conducted, any mobile billboard advertising upon any street, or any other public place within the City in which the public has the right to travel.

This prohibition does not apply to:

- a. Any vehicle which displays an advertisement or business identification of its owner, so long as such vehicle is engaged in the usual business or regular work of the owner, and not used merely, mainly or primarily to display advertisements;
 - b. Buses; or
 - c. Taxicabs.
 - d. It is not the intent of the City to violate the Interstate Commerce Clause of the United States Constitution. Therefore, Mobile billboards may pass through the City in a manner consistent with legitimate Constitutional rights.
- (16) Moving, twirling, or swinging signs, including multi-prism and tri-vision signs.
 - (17) Pavement markings, except for official traffic control markings and building address markings required by law.
 - (18) Pennants, including flutter flags, feather flag, streamers, balloons, wind signs and wind activated banners, cold air inflatables, and other fixed aerial signage.
 - (19) Permanent pole signs, other than permanent pole signs as allowed within certain zoning districts pursuant to this Division.
 - (20) Portable signs.
 - (21) Revolving or rotating signs.
 - (22) Roof signs.

- (23) Signs within a sight visibility triangle, as described in Sec. 34-425(b)(1) herein, that obstruct a clear view of pedestrian or vehicular traffic.
- (24) Signs attached to a seawall, dock, buoy, tie pole or pier; other than warning signs, safety signs; other marina-related non-commercial instructional or directional signs, or other instructional or safety signs required by state or federal statute or regulation.
- (25) Signs in or over the public right of way other than fixed projecting signs in the Central Business District: CBD zone, traffic control device signs, bus stop informational signs, warning signs or safety signs, vertical streetlight banners, awning or attached canopy signs, or temporary special event signs. Notwithstanding the forgoing, in no event may a freestanding sign displaying commercial advertising be allowed in the public right of way, and in no event may any temporary special event sign or streetlight banner display commercial advertising in the public right of way.
- (26) Signs in or upon any river, bay, lake, or other body of water within the limits of the City; except official regulatory or warning signs, safety signs; marina-related non-commercial instructional or directional signs, or other instructional or safety signs required by state or federal statute or regulation.
- (27) Signs located on real property without the permission of the property owner.
- (28) Signs nailed, fastened, affixed to, or painted on any tree or part thereof (living or dead), or other vegetation.
- (29) Signs other than a traffic control device signs that use the word “stop” or “danger,” or present or imply the need or requirement of stopping or the existence of danger, or which are a copy or imitation of a traffic control device sign and which are adjacent to the right-of-way of any road, street, or highway.
- (30) Signs that are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled public rights-of-way thereby creating a potential traffic or pedestrian hazard or a nuisance to inhabitants of an adjacent neighborhood. No sign shall be so illuminated that it interferes with the effectiveness of, or obscures an official traffic sign, device, or signal.
- (31) Signs that contain any food or other substance that attracts large numbers of birds or other animals and causes them to congregate on or near the sign.
- (32) Signs that emit sound, vapor, smoke, odor, or gaseous matter.
- (33) Signs that obstruct, conceal, hide or otherwise obscure from view any traffic control device sign or official traffic signal.
- (34) Snipe signs.
- (35) Vehicle sign or signs with a total sign area on any vehicle in excess of twenty (20) square feet, and
 - a. The vehicle is not “regularly used in the conduct of the business,” and
 - b. The vehicle is visible from a street right-of-way within fifty (50) feet of the vehicle, and
 - c. The vehicle is parked for more than two (2) consecutive hours in any twenty-four (24) hour period within fifty (50) feet of any street right-of-way.
 - d. A vehicle shall not be considered “regularly used in the conduct of the business” if the vehicle is used primarily for advertising.

- e. This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle operating during the normal hours of business; and which is currently licensed, insured and operable; provided, however, that no such vehicle shall be parked on public or private property with signs attached or placed on such vehicle primarily for the purpose of advertising a business establishment or firm or calling attention to the location of a business establishment or firm.

(36) Wall wrap signs.

(37) Wind signs.

Sec. 34-453. Permitted signs.

(1) *In General.* The following general provisions apply to signs and sign types described in these regulations, except where otherwise noted in this Division. Table 1 which follows immediately after this section provides a summary of the sign standards by zoning district and type of sign. In the event of a conflict between the information on the Table and the text of this Division, the text shall take precedence.

- a. *Identification of manufactured signs.* All manufactured signs requiring a sign permit from the City shall have a permanent weatherproof identification plate affixed to the exterior of the sign structure such that it may be readily seen after the sign is installed and shall indicate the following: (1) the name of the manufacturer, (2) the date of installation, (3) the sign permit number, and (4) the electric permit number (if any) with the input VA (Volt Amperes) at full load for electric.
- b. *Weeds and grass.* Weeds and grass shall be kept cut in front of, behind, underneath, and around the base of signs for a distance of ten (10) feet, and no rubbish or debris shall be permitted under or near such signs.
- c. *Window and wall signs.* Wall signs may not project more than twelve (12) inches from a wall. Any wall sign that projects more than two and one-half (2.5) inches from a wall shall be mounted so that the bottom of the sign is no closer than nine (9) feet to the ground at the finished grade immediately below the sign.
- d. *Multiple Use Zones.* In any zone where both residential and nonresidential uses are allowed, the signage rights and responsibilities applicable to any particular use shall be determined as follows:
 - 1. Residential uses shall be treated as if they were located in the residential zoning district where that type of use would be allowed as a matter of right.
 - 2. Nonresidential uses shall be treated as if they were located in a zoning district where that particular use would be allowed, either as a matter of right or subject to a conditional use permit or similar discretionary process.

(2) *Signs Allowed In All Districts, No Permit Required.* The regulations in this subsection apply in every zoning district in the City, except where otherwise specified or indicated. Sign permits are not required for signs and sign types described and identified below in this subsection.

- a. *Bus stop information signs.* One (1) bus stop informational sign per bus stop shall be allowed in all districts.
 - 1. Bus stop information signs shall not exceed four (4) square feet in sign area, and shall have a maximum height of eight (8) feet unless otherwise required by applicable law.
 - 2. Bus stop information signs may not be illuminated.

- b. *Construction signs, temporary.* One (1) temporary construction sign may be displayed on each frontage per parcel of land within the City.
 1. Temporary construction signs shall not exceed four (4) square feet in sign area, and six (6) feet in height for single family residential zoning districts
 2. Temporary construction signs shall not exceed sixteen (16) square feet in sign area, and eight (8) feet in height for multiple family and nonresidential zoning districts.
 3. Temporary construction signs may not be illuminated.
- c. *Flags.* Not more than three (3) flags shall be allowed per parcel or development site within the City. A parcel or development site with more than one principal structure may have a three (3) flags for each principal structure with more than 5,000 sf. of fully enclosed floor area on the parcel or development site.
 1. The allowed flags shall be mounted on a single flag pole or three separate flag poles installed either on the building or adjacent to the building to which they are appurtenant.
 2. No single flag shall exceed forty (40) square feet in area, and the aggregate size of all flags shall not exceed seventy-two (72) square feet.
 3. For the purpose of determining the size of a flag, only one side of the flag shall be counted as display surface.
 4. United States flags should be displayed according to Federal United States Flag regulations (U.S.C. Title 4 Chapter 1 – The Flag).
 5. Flags may be illuminated consistent with the provisions of section 34-448 above.
- d. *Free expression signs.* For each parcel or tenant space within the City, one (1) free expression sign may be displayed on each frontage per parcel of land or tenant space within the City.
 1. Free-standing free expression signs shall not exceed four (4) square feet in sign area, and six (6) feet in height for single family residential zoning districts, or sixteen (16) square feet in sign area, and eight (8) feet in height for multiple family and nonresidential zoning districts.
 2. Wall mounted free expression signs shall not exceed four (4) square feet in sign area for single family residential zoning districts or sixteen (16) square feet in sign area for multiple family and nonresidential zoning districts, and may not be mounted higher than the wall of the building.
 3. The free expression sign may be displayed as a window sign. If displayed as a window sign, the free expression sign shall not cover more than 25% of any window surface.
 4. A free expression sign is in addition to any other sign permitted under this Code and is permitted in any zoning district.
 5. Free expression signs may not be illuminated.
- e. *Garage or yard sale signs, temporary.* For each parcel within the City, one temporary garage or yard sale sign may be displayed on each frontage per parcel of land.
 1. The sign shall only be displayed on the parcel of land upon which the garage or yard sale is taking place.
 2. A temporary garage or yard sale sign shall not exceed four (4) square feet in sign area, and three (3) feet in height.
 3. A temporary garage or yard sale sign may not be displayed for a period longer than two days during any calendar month, and shall be removed upon the conclusion of the sale.
 4. Temporary garage or yard sale signs may not be illuminated.

- f. *Home occupation signs, type II only.* One (1) attached wall home occupation sign may be displayed for any approved Type II home occupation.
 - 1. The type II home occupation sign shall not exceed one (1) square foot in area, and six (6) feet height.
 - 2. A type II home occupation sign may not be illuminated.
- g. *Machinery and equipment signs.* Machinery and equipment signs shall be allowed in all districts. Machinery and equipment signs may not be illuminated.
- h. *Parking space signs, non-commercial on-site.* Non-commercial onsite parking space number or identification signs, not exceeding two (2) square foot of sign face per sign, shall be allowed on each parcel in non-commercial use having multiple parking spaces onsite.
 - 1. One such sign shall be allowed for each parking space.
 - 2. The maximum height for a freestanding or attached parking space wall sign shall be six (6) feet unless otherwise required by applicable law.
- i. *Political campaign or election signs.* For each parcel within the City, one (1) election sign for each candidate and each issue may be displayed on each frontage per parcel of land.
 - 1. An election sign may be displayed as an attached sign or as a freestanding sign.
 - 2. On parcels that are in residential use, the election sign shall not exceed four (4) square feet in sign area; and, if the election sign is displayed as a freestanding sign on the parcel, the election sign shall not exceed six (6) feet in height.
 - 3. On non-residential parcels, a political campaign or election sign shall not exceed sixteen (16) square feet in sign area; and, if the election sign is displayed as a freestanding sign on the parcel, the election sign shall not exceed six (6) feet in height.
 - 4. An election sign shall be removed within seven (7) calendar days following the election to which it pertains.
 - 5. Political campaign or election signs may not be illuminated.
- j. *Real estate signs, temporary.* For each parcel within the City, one (1) temporary real estate sign may be displayed on each frontage per parcel of land.
 - 1. When there is more than one (1) dwelling unit or non-residential space on a parcel of land is for sale, lease, or rent, there shall only be one (1) temporary window or attached real estate sign for each such unit or space.
 - 2. Temporary real estate signs shall not exceed four (4) square feet in sign area, and six (6) feet in height for residential zoning districts.
 - 3. Temporary real estate signs shall not exceed sixteen square (16) feet in sign area, and eight (8) feet in height for nonresidential zoning districts.
 - 4. The temporary real estate sign shall be removed immediately upon the sale, lease or rent of the real estate that was offered for sale, lease, or rent.
 - 5. Temporary real estate signs may not be illuminated.
- k. *Street address signs.* For each parcel or tenant space within the City, one (1) attached wall street address sign shall be displayed.
 - 1. For parcels in residential use, the street address sign shall not exceed two (2) square feet in sign area.

2. For each parcel in non-residential use, the street address sign shall not exceed four (4) square feet in sign area.
 3. Street address signs may be illuminated.
- l. *Valet parking signs.* For each parcel within the City having a non-residential use that offers valet parking service, one (1) valet parking sign may be displayed.
 1. A valet parking sign shall not exceed three (3) square feet in area, and four (4) feet in height.
 2. The temporary valet parking station sign shall only be visible during hours that the valet is operating, and shall be located on the same parcel as the valet station.
 3. Valet parking signs may not be illuminated.
 - m. *Warning signs and safety signs.* Warning signs and safety signs, not exceeding four (4) square feet in sign area, shall be allowed in all districts.
 1. The maximum height for these signs shall be six (6) feet unless otherwise required by applicable law.
 2. Warning and safety signs may be illuminated.
 - n. *Window or door signs, temporary.* For each parcel or tenant space within the City, one or more temporary window signs may be displayed on the inside of the window.
 1. The temporary window sign(s) shall not cover more than twenty-five (25%) percent of any window surface.
 2. Temporary window signs may not be illuminated.
- (3) *Signs Allowed in All Districts, Permit Required.* The regulations in this subsection apply in every zoning district in the City, except where otherwise specified or indicated. Sign permits are required for signs and sign types described and identified below in this subsection.
- a. *Bulletin board sign.* One (1) permanent bulletin board sign not exceeding thirty two (32) square feet in sign area and not more than eight (8) feet in height may be located on charitable, educational, religious, or public premises. A bulletin board sign may be illuminated.
 - b. *Directional signs, on-site non-commercial.* One (1) on-site non-commercial directional sign may be located at each point of ingress and/or egress to or from a parcel.
 1. An on-site non-commercial directional sign shall not exceed three (3) square feet in area, or three (3) feet in height.
 2. A non-commercial on-site directional sign may contain the logo or name of the business or development project. The size of the logo or business name shall not exceed twenty-five (25%) percent of the sign area.
 3. Such on-site non-commercial directional signs may be internally illuminated.
- (4) *Signs Allowed For Residential Uses In All Zoning Districts, Permit Required.* Except for those signs and sign types allowed in all zoning districts in accordance with Section 34-453(2) and Section 34-453(3) above, no additional signs or sign types shall be permitted for residential uses, except for the following sign types:

- a. *Residential development identification signs (Multiple family development in a single building).* One (1) residential building identification sign may be installed for each multiple family development in a single building.
 1. The residential development identification sign may be a monument sign type or may be attached to the wall of the building.
 2. The residential identification sign shall not exceed twenty-four (24) square feet in area.
 3. Such signs shall not exceed six (6) feet in height if ground-mounted, or be mounted higher the wall of the building if attached.
 4. The multiple family residential development identification sign shall be located in a protected area, i.e. a landscaped island or lawn area protected from vehicular contact; and not encroaching into any corner sight visibility triangle required pursuant to section 34-395.
 5. Such signs may only include the name and logo of the development, and shall be maintained by the owner or a property owners association.
 6. A multiple family residential development identification sign may be internally or externally illuminated.

- b. *Residential development identification signs (multiple family development with two (2) or more buildings).* One (1) multiple family project identification monument sign may be erected at each point of ingress or egress from or to the multiple family development having two (2) or more buildings.
 1. The multiple family development residential identification sign shall not exceed twenty-four (24) square feet in area, or six (6) feet in height. The twenty-four (24) square feet of sign area may be split equally between signs located on both sides of the entry or exit driveway.
 2. The multiple family development residential identification sign shall be located in a protected area, i.e., a landscaped island or lawn area protected from vehicular contact; and not encroaching into any corner sight visibility triangle required pursuant to Section 34-395. A separate permit is required if the identification sign is located in the public right of way.
 3. Such signs may only include the name and logo of the development, and shall be maintained by the owner or a property owners association.
 4. A multiple family development identification monument sign may be internally or indirectly illuminated.

- c. *Residential development identification signs (Single family subdivision).* One (1) single family subdivision identification monument sign may be erected at each point of ingress or egress from or to the development.
 1. The single family subdivision residential identification sign shall not exceed twenty-four (24) square feet in area, or six (6) feet in height. The twenty-four (24) square feet of sign area may be split equally between signs located on both sides of the entry or exit street.
 2. The single family subdivision residential identification sign shall be located in a protected area, i.e. a landscaped island or lawn area protected from vehicular contact; and not encroaching into any corner sight visibility triangle required pursuant to Section 34-395. A separate permit is required if the identification sign is located in the public right of way.
 3. Such signs may only include the name and logo of the development, and shall be maintained by a property owners association.
 4. A single family subdivision identification monument sign may be internally or indirectly illuminated.
 5. Subdivision signs are for the aid of the traveling public in assisting them to efficiently locate subdivisions as opposed to impeding the orderly flow of traffic from vehicles slowing to search for their destination subdivision.

(5) *Signs Allowed for Permitted Or Conditional Non-residential Uses In All Zoning Districts, No Permit Required.* Except for those signs and sign types allowed in accordance with Sections 34-453(2), 34-453(3), and 34-453(4) above, no additional signs or sign types shall be permitted on any lot or parcel for any permitted or conditional use, except the following sign types shall be allowed for each lot or parcel with a permitted or conditional non-residential use:

- a. *Gasoline service station pump island signs.* One (1) double-sided or two (2) single-sided gasoline service station pump island signs shall be allowed per pump island.
 1. A gasoline service station pump island sign shall not exceed four (4) square feet in area, and shall not be mounted higher than eight (8) feet.
 2. Gasoline service station pump island signs may not be mounted on any bollard or similar barrier designed to protect a gasoline pump from damage.
 3. Gasoline service station pump island signs may not be illuminated.
- b. *Menu display wall signs.* One (1) wall-mounted menu display sign may be installed near the main entrance to a restaurant.
 1. A menu display wall sign shall not exceed six (6) square feet in area, or exceed six (6) feet in height.
 2. A menu display wall sign may be illuminated.
- c. *Umbrella signs.* One (1) umbrella sign per umbrella for each table in the outside seating area of a business establishment is allowed.
 1. An umbrella sign shall not exceed three (3) square feet in area, or exceed eight (8) feet in height.
 2. An umbrella having an umbrella sign shall be mounted on or in the table or in an umbrella holder adjacent to the table.
 3. The copy on an umbrella sign is limited to the name and/or logo of a single commercial product and/or the appurtenant business establishment.

(6) *Signs Allowed for Permitted Or Conditional Non-residential Uses In All Zoning Districts, Permit Required.* Except for those signs and sign types allowed in accordance with Sections 34-453(2), 34-453(3), and 34-453(4), and 34-453(5) above, no additional signs or sign types shall be permitted on any lot or parcel for any permitted or conditional use zone, except the following sign types shall be allowed with an sign permit for each lot or parcel with a permitted or conditional non-residential use:

- a. *Awning or attached canopy signs.* One (1) sign per awning or canopy is allowed.
 1. The awning or canopy sign shall not exceed an area greater than twenty (20%) percent of the surface area of the awning or canopy.
 2. The total square footage of the awning or canopy signs shall count toward the maximum square footage of wall sign area allowed.
 3. An awning or canopy sign copy is limited to the name and/or logo of the building or business establishment only.
 4. An awning or canopy sign may be internally illuminated.
- b. *Changeable copy signs, manual or electronic (LED).* One (1) changeable copy sign may be installed as a part of a permitted monument sign or wall sign.

1. The changeable copy sign shall not exceed fifty (50%) percent of allowable area of the monument sign or wall sign.
 2. The changeable copy sign shall not exceed ten (10) feet in height when installed as a part of a monument sign for a single occupant or tenant building, and sixteen (16) feet in height if part of the monument sign for a multiple occupant or tenant building.
 3. A changeable copy sign that is a part of wall sign shall not be installed higher than the wall of the building.
 4. The sign copy on a changeable copy sign shall not be changed more than once in a twenty-four (24) hour time period. Changeable copy signs may be internally illuminated.
- c. *Gasoline service station canopy signs.* One (1) gasoline service station canopy sign may be installed per canopy side facing a public street or private driveway.
1. A gasoline service station canopy sign shall not exceed ten (10) square feet in area, or be mounted higher than the top of the canopy.
 2. Sign copy shall be limited to the name and logo of the gasoline service station.
 3. The square footage of the canopy signs shall count toward the maximum square footage of wall signage allowed.
 4. A gasoline service station canopy sign may be internally illuminated.
- d. *Monument signs (multiple occupant or tenant development).* For each multiple occupant or tenant development parcel, including shopping centers, in the City, one (1) monument sign is permitted.
1. A monument sign shall not exceed one (1) square foot of sign area for each linear foot of road frontage on the street toward which the sign is oriented for the first one-hundred (100) feet of frontage plus one-fourth (1/4) square foot of additional sign area for each linear foot of road front over one-hundred (100) feet, up to a maximum sign area of two-hundred (200) square feet.
 2. The maximum allowable height of a monument sign in a multiple occupant or tenant development or shopping center shall be sixteen (16) feet. The maximum allowable height of a monument sign shall not include the height of any optional architectural embellishment at the base or top of the sign.
 3. The maximum width allowed of a monument sign is twelve and one-half (12.5) feet.
 4. Up to fifty (50%) of the allowable area of the monument sign may be a changeable copy sign; provided, however, that the sign copy cannot be changed more than once in a twenty-four (24) hour time period.
 5. A monument sign may bear the name of the development or shopping center only, the name of the development or shopping center and major tenants, or a grouped directory of all occupants of the development or shopping center at the discretion of the owner or developer of the project or shopping center.
 6. The monument sign may be illuminated.
- e. *Monument signs (single occupant or tenant building).* For each single occupant or tenant parcel in the City, one (1) monument sign is permitted.
1. A monument sign shall not exceed one (1) square foot of sign area for each linear foot of road frontage on the street toward which the sign is oriented, up to a maximum sign area of one-hundred (100) square feet.
 2. The maximum allowable height of a monument sign in a single occupant or tenant parcel shall be ten (10) feet. The maximum allowable height of a monument sign shall not include the height of any optional architectural embellishment at the base or top of the sign.

3. The maximum width of a monument sign allowed is twelve (12) feet.
4. Up to fifty (50%) percent of the allowable area of the monument sign may be a changeable copy sign; provided, however, that the sign copy cannot be changed more than once in a twenty-four (24) hour time period.
6. The monument sign may be illuminated.

f. *Menu display sign.* For each drive-through restaurant or car wash in the City, one (1) menu display board may be installed.

1. The menu display board shall not exceed forty (40) square feet, or eight (8) feet in height.
2. The menu display sign may be internally illuminated and shall emit sound only as part of a business transaction. Any sounds emitted must comply with Chapter 18 of the Code of Ordinances.

g. *Wall signs.* One (1) wall sign may be installed for each face of a building or part of a building occupied by a permitted or conditional non-residential use.

1. A wall sign shall not exceed one (1) square foot per linear foot of building frontage for a single occupant building or one (1) square foot per linear foot of building frontage for an occupant or tenant space in a multi-tenant development as measured on the street toward which the sign is oriented, up to a maximum size of all wall signs of two-hundred and fifty (250) square feet per occupant or tenant.
2. A wall sign shall not extend higher than the wall of the building.
3. Up to fifty (50%) percent of the allowable area of an attached wall sign may be a changeable copy sign; provided, however, that the sign copy cannot be changed more than once in a twenty-four (24) hour time period.
4. A wall sign may be illuminated.

h. *Window or door signs, permanent.* Permanent window signs are permitted provided that both temporary and permanent window signs may not cover more than twenty-five (25%) percent of the area of any window. Permanent window signs may be internally illuminated.

(7) *Additional Signs Allowed For Permitted Or Conditional Non-Residential Uses In The Central Business District (CBD) Zone, Permit Required.* Any sign types that are allowed in all zones, for residential uses, or permitted or conditional non-residential uses are allowed in the CBD zoning district, subject to the restrictions set forth for the type of sign. In addition, the following signs types are also allowed in the CBD zoning district:

a. *Projecting signs.* One (1) projecting sign per ground floor occupant or tenant space may be attached to the front of a building in the Central Business District (CBD) zone.

1. A projecting sign shall not exceed one (1) square foot per linear foot of occupant or tenant building frontage on the street or private driveway on which it is located, up to a maximum size of sixteen (16) square feet. The square footage of a projecting sign shall count toward the maximum square footage of wall signage allowed.
2. The thickness of the principal faces of any projecting sign shall not exceed twenty-four (24) inches when such sign is of solid construction.
3. A projecting sign must have a minimum vertical clearance of nine (9) feet, and shall not be mounted higher than the wall of the building.
4. A projecting sign that extends over a sidewalk in the public right of way shall be limited to a projection distance not to exceed two-thirds (2/3) of the sidewalk.

5. A projecting sign may be illuminated.
- b. *Sandwich board signs, temporary.* One (1) temporary sandwich board sign may only be located in front of a non-residential property or tenant space within the Central Business District.
1. Temporary sandwich board signs may be placed on a public sidewalk no closer than one (1) foot inside the curb, and may not obstruct more than one-third of the width of the sidewalk.
 2. The total size of the sign may not exceed forty-two (42”) inches in height or thirty-six (36”) inches in width.
 3. The sign shall only be placed on the sidewalk during business hours.
 4. Only one sandwich board sign shall be permitted per business, and the sign shall be located in front of that specific business, and not at another location. If the business is a corner property, the sign may only be placed in one location.

TABLE 1. SIGN REGULATION MATRIX

SIGN TYPE (Refer to Art. IV for Definitions)	NUMBER AND LOCATION	MAXIMUM SIGN AREA (sf = square feet)	MAXIMUM HEIGHT	ADDITIONAL REQUIREMENTS
SECTION 34-462(2). SIGNS ALLOWED IN ALL ZONING DISTRICTS, NO PERMIT REQUIRED:				
a. Bus stop informational sign	One per bus stop	4 sf	8 ft unless otherwise required by applicable law.	<ul style="list-style-type: none"> • Non-illuminated.
b. Construction signs, temporary (single family residential districts)	One	4 sf	6 ft	<ul style="list-style-type: none"> • Non-illuminated.
c. Construction signs, temporary (multiple family residential and non-residential districts)	One	16 sf	8 ft	<ul style="list-style-type: none"> • Non-illuminated.
d. Flags	<p>Three per parcel or development site; either mounted on a single flag pole or three separate flagpoles installed either on the building, or adjacent to the building to which they are appurtenant.</p> <p>A parcel or development site with more than one principal structure may have a three (3) flags for each principal structure with more than 5,000 sf. of fully enclosed floor area on the parcel or development site.</p>	<p>No single flag shall exceed 40 sf</p> <p>The aggregate size of all flags shall not exceed 72 sf</p>	<p>The height of a flagpole is governed by the City Charter. May not be higher than the wall of the building for wall-mounted flagpole.</p>	<ul style="list-style-type: none"> • May be illuminated. • For the purpose of determining the flag size, only one side of the flag shall be counted as display surface. • Should be displayed in accordance with U.S. flag regulations (USC Title 4 Chapter 1).

TABLE 1. SIGN REGULATION MATRIX

SIGN TYPE (Refer to Art. IV for Definitions)	NUMBER AND LOCATION	MAXIMUM SIGN AREA (sf = square feet)	MAXIMUM HEIGHT	ADDITIONAL REQUIREMENTS
SECTION 34-462(2). SIGNS ALLOWED IN ALL ZONING DISTRICTS, NO PERMIT REQUIRED:				
e. Free expression signs	One per road frontage, attached to the wall of the building, placed in a window, or freestanding.	4 sf in single family residential zones if free-standing 16 sf in multiple family and nonresidential zones if free-standing Not over 25% of the window surface	Not higher than the wall of the building or 6 ft if freestanding in single family residential zones or 8 ft in multiple family and nonresidential zones	<ul style="list-style-type: none"> • Non-illuminated. • A free expression sign is in addition to any other sign permitted under this Code and is permitted in any zoning district.
f. Garage or yard sale signs, temporary	One per road frontage	4 sf	3 ft	<ul style="list-style-type: none"> • Non-illuminated. • The sign shall only be displayed on the parcel of land upon which the garage or yard sale is taking place. • A temporary garage or yard sale sign may not be displayed for a period longer than two days during any calendar month and shall be removed upon the conclusion of the sale.
g. Home occupation sign (type II only)	One	1 sf	6 ft	<ul style="list-style-type: none"> • Non-illuminated.
h. Machinery & equipment signs	Not restricted	Not restricted	Not restricted	<ul style="list-style-type: none"> • Non-illuminated.
i. Parking space signs, non-commercial on-site	One per parking space	2 sf	6 ft unless otherwise required by law	<ul style="list-style-type: none"> • Non-illuminated. • All handicapped parking spaces shall be marked and signed in accordance with the applicable laws.

TABLE 1. SIGN REGULATION MATRIX

SIGN TYPE (Refer to Art. IV for Definitions)	NUMBER AND LOCATION	MAXIMUM SIGN AREA (sf = square feet)	MAXIMUM HEIGHT	ADDITIONAL REQUIREMENTS
SECTION 34-462(2). SIGNS ALLOWED IN ALL ZONING DISTRICTS, NO PERMIT REQUIRED:				
j. Political campaign or election signs (residential uses)	One per candidate or issue per road frontage	4 sf	Not higher than the wall of the building or 6 ft if freestanding	<ul style="list-style-type: none"> • Non-illuminated. • May be displayed as an attached sign or as a freestanding sign. • Political campaign or election signs must be removed within 7 days following the campaign or election to which it pertains.
k. Political campaign or election signs (non-residential uses)	One per road frontage, attached to the wall of the building, placed in a window, or freestanding	16 sf	Not higher than the wall of the building or 6 ft if freestanding	<ul style="list-style-type: none"> • Non-illuminated. • May be displayed as an attached sign or as a freestanding sign. • Political campaign or election signs must be removed within 7 days following the campaign or election to which it pertains
l. Real estate signs, temporary (single family residential districts)	One per road frontage	4 sf	4 ft	<ul style="list-style-type: none"> • Non-illuminated. • The temporary real estate sign shall be removed immediately upon the sale, lease or rent of the real estate that was offered for sale, lease, or rent.
m. Real estate signs (multiple family residential and non-residential districts)	One per road frontage	16 sf	8 ft	<ul style="list-style-type: none"> • Non-illuminated. • When more than one dwelling unit or non-residential space on a parcel of land is for sale, lease, or rent, there may be one additional temporary window or attached real estate sign for each such unit or space. • The temporary real estate sign shall be removed immediately upon the sale, lease or rent of the real estate that was offered for sale, lease, or rent.

TABLE 1. SIGN REGULATION MATRIX

SIGN TYPE (Refer to Art. IV for Definitions)	NUMBER AND LOCATION	MAXIMUM SIGN AREA (sf = square feet)	MAXIMUM HEIGHT	ADDITIONAL REQUIREMENTS
SECTION 34-462(2). SIGNS ALLOWED IN ALL ZONING DISTRICTS, NO PERMIT REQUIRED:				
n. Street address signs (residential uses)	One, attached to the wall of the building or divided tenant space	2 sf	Not higher than the wall of the building	<ul style="list-style-type: none"> • May be illuminated.
o. Street address signs (non-residential uses)	One, attached to the wall of the building or divided tenant space	4 sf	Not higher than the wall of the building	<ul style="list-style-type: none"> • May be illuminated.
p. Valet parking station signs	One per parcel	3 sf	4 ft	<ul style="list-style-type: none"> • The temporary valet parking station sign shall only be visible during hours that the valet is operating, and shall be located on the same parcel as the valet station. • Non-illuminated.
q. Warning and safety signs	Not restricted	4 sf	6 ft unless otherwise required by law	<ul style="list-style-type: none"> • May be illuminated.
r. Window or door signs, temporary	Not restricted	Window signs of all types shall not cover more than 25% of any window surface	Not higher than the top of the window or door	<ul style="list-style-type: none"> • Non-illuminated.
SECTION 34-462(3). SIGNS ALLOWED IN ALL ZONING DISTRICTS – PERMIT REQUIRED:				
a. Bulletin board sign	One per parcel	32 sf	8 ft	<ul style="list-style-type: none"> • May be illuminated. • Permitted on charitable, educational, religious, or public premises only.
b. Directional signs, on-site non-commercial	One per entrance to the parcel	3 sf	3 ft	<ul style="list-style-type: none"> • A non-commercial on-site directional sign may contain the logo or name of the business or development project. The size of the logo or business name shall not exceed 25% of sign area. • May be internally illuminated.

TABLE 1. SIGN REGULATION MATRIX

SIGN TYPE (Refer to Art. IV for Definitions)	NUMBER AND LOCATION	MAXIMUM SIGN AREA (sf = square feet)	MAXIMUM HEIGHT	ADDITIONAL REQUIREMENTS
SECTION 34-462(4). SIGNS ALLOWED FOR RESIDENTIAL LAND USES IN ALL ZONING DISTRICTS -- PERMIT REQUIRED:				
a. Residential development identification signs (Single family subdivision)	One ground-mounted monument sign per single family residential subdivision	24 sf	6 ft	<ul style="list-style-type: none"> • May be internally or indirectly illuminated. • Must be located in a protected area, i.e. a landscaped island or lawn area protected from vehicular contact; and not encroaching into any corner sight visibility triangle required pursuant to section 34-395. • Must be maintained by a property owners association. • A separate permit is required if located in the public right of way. • The signs may only include the name and logo of the development • The 24 sf in area may be split equally between signs located on both sides of the entrance.
b. Residential development identification signs (Multiple family development in a single building)	One ground-mounted monument sign or one wall sign.	24 sf	6 ft for a monument sign Not higher than the wall of the building for a wall sign	<ul style="list-style-type: none"> • May be internally or indirectly illuminated. • Must be located in a protected area, i.e. a landscaped island or lawn area protected from vehicular contact; and not encroaching into any corner sight visibility triangle required pursuant to section 34-395. • Must be maintained by a property owners association. • A separate permit is required if located in the public right of way. • The signs may only include the name and logo of the development • The 24 sf in area may be split equally between signs located on both sides of the entrance.

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SIGN TYPE (Refer to Art. IV for Definitions)	NUMBER AND LOCATION	MAXIMUM SIGN AREA (sf = square feet)	MAXIMUM HEIGHT	ADDITIONAL REQUIREMENTS
SECTION 34-462(4). SIGNS ALLOWED FOR RESIDENTIAL LAND USES IN ALL ZONING DISTRICTS -- PERMIT REQUIRED:				
c. Residential development identification signs (Multiple family development with 2 or more buildings)	One ground-mounted monument sign per multiple family development	24 sf	6 ft	<ul style="list-style-type: none"> • May be internally or indirectly illuminated. • Must be located in a protected area, i.e. a landscaped island or lawn area protected from vehicular contact; and not encroaching into any corner sight visibility triangle required pursuant to section 34-395. • Must be maintained by a property owners association. • A separate permit is required if located in the public right of way. • The signs may only include the name and logo of the development • The 24 sf of area may be split equally between signs located on both sides of the entrance.
SECTION 34-462(5). SIGNS ALLOWED FOR PERMITTED OR CONDITIONAL NON-RESIDENTIAL USES IN ALL ZONING DISTRICTS, EXCEPT THE CENTRAL BUSINESS DISTRICT (CBD) ZONE – NO PERMIT REQUIRED:				
a. Gasoline service station service island signs	One double sided or two single sided per pump island	4 sf	8 ft	<ul style="list-style-type: none"> • Gasoline service station pump island signs may not be mounted on any bollard or similar barrier designed to protect a gasoline pump from damage. • Non-illuminated.
b. Menu display wall signs	One mounted on the wall near the main entrance to a restaurant	6 sf	6 ft	<ul style="list-style-type: none"> • May be illuminated.
c. Umbrella signs	One per umbrella for each table in the outside seating area of the business establishment.	3.0 sf per umbrella	8 ft	<ul style="list-style-type: none"> • An umbrella having an umbrella sign shall be mounted on or in the table or in an umbrella holder adjacent to the table. • The copy on an umbrella sign is limited to the name and/or logo of a single commercial product and/or the appurtenant business establishment. • Non-illuminated.

TABLE 1. SIGN REGULATION MATRIX

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SECTION 34-462(5). SIGNS ALLOWED FOR PERMITTED OR CONDITIONAL NON-RESIDENTIAL USES IN ALL ZONING DISTRICTS, EXCEPT THE CENTRAL BUSINESS DISTRICT (CBD) ZONE – PERMIT REQUIRED:				
a. Awning or canopy signs	One per awning or canopy	Up to 20% of the front face of the awning or canopy	Not higher than the top of the window or door	<ul style="list-style-type: none"> • May be internally lit. • Limited to the name and/or logo of the business only. • The square footage of awning or canopy signs shall count toward the maximum square footage of wall signage allowed.
b. Changeable copy signs, manual or electronic (LED)	One as a part of the ground-mounted monument or wall sign	Not to exceed 50% of the allowable sf of the ground-mounted monument or wall sign	10 ft if part of a ground-mounted monument sign and not higher than the wall of the building if part of a wall sign	<ul style="list-style-type: none"> • May be internally lit. • Sign copy on a changeable copy sign cannot be changed more than once in a 24 hour time period.
c. Gasoline service station canopy signs	One per canopy side facing a public street or driveway	10 sf	Not higher than to top of the canopy	<ul style="list-style-type: none"> • May be internally lit. • Limited to the name and/or logo of the business only. • The square footage of the canopy signs shall count toward the maximum square footage of wall signage allowed.
d. Ground-mounted monument signs (multiple occupant, tenant development, or shopping center)	One per parcel	1 sf per each linear foot of lot frontage on the street toward which the sign is oriented for the first 100 ft of frontage plus ¼ sf for each linear foot of lot frontage in excess of 100 ft , up to a maximum size of 200 sf	16 ft, excluding the height of any optional architectural embellishments on the top and bottom of the sign.	<ul style="list-style-type: none"> • May be internally or externally lit. • Maximum width allowed is 12.5 ft. • Up to 50% of the ground-mounted monument sign may be a changeable copy sign; provided, however, that the sign copy cannot be changed more than once in a 24 hour time period. • A ground-mounted monument sign may bear the name of the shopping center only, the name of the center and major tenants, or a

TABLE 1. SIGN REGULATION MATRIX

SIGN TYPE (Refer to Art. IV for Definitions)	NUMBER AND LOCATION	MAXIMUM SIGN AREA (sf = square feet)	MAXIMUM HEIGHT	ADDITIONAL REQUIREMENTS
SECTION 34-462(5). SIGNS ALLOWED FOR PERMITTED OR CONDITIONAL NON-RESIDENTIAL USES IN ALL ZONING DISTRICTS, EXCEPT THE CENTRAL BUSINESS DISTRICT (CBD) ZONE – PERMIT REQUIRED:				
d. Ground-mounted monument signs continued.				grouped directory of all occupants of the center at the discretion of the owner or developer of the center. <ul style="list-style-type: none"> • If the owner or developer chooses to install a grouped directory of occupants, the design of the individual signs and the support components shall be coordinated to provide an attractive and unified grouping
e. Ground-mounted monument signs (single occupant or tenant building)	One per parcel	1 sf per each linear foot of road frontage on the street toward which the sign is oriented, up to a maximum size of 100 sf	10 ft, excluding the height of any optional architectural embellishments on the top and bottom of the sign.	<ul style="list-style-type: none"> • May be internally or externally lit. • Maximum width allowed is 12 ft. • Up to 50% of the ground-mounted monument sign may be a changeable copy sign; provided, however, that the sign copy cannot be changed more than once in a 24 hour time period.
f. Menu display signs, drive-through restaurant or car wash	One	40 sf	8 ft	<ul style="list-style-type: none"> • May be internally illuminated and emit sound only as part of a business transaction. • Sound emission must comply with Ch. 18 of the Code of Ordinances.
g. Wall signs	One per store, business, or business or professional office	1 sf per linear foot of building width per occupant or tenant space on the side facing the public road or private driveway, up to a maximum of 250 sf for each occupant or tenant.	Not higher than the wall of the building	<ul style="list-style-type: none"> • May be internally or externally lit. • Up to 50% of a wall sign may be a changeable copy sign; provided, however, that the sign copy cannot be changed more than once in a 24 hour time period.

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SIGN TYPE (Refer to Art. IV for Definitions)	NUMBER AND LOCATION	MAXIMUM SIGN AREA (sf = square feet)	MAXIMUM HEIGHT	ADDITIONAL REQUIREMENTS
SECTION 34-462(5). SIGNS ALLOWED FOR PERMITTED OR CONDITIONAL NON-RESIDENTIAL USES IN ALL ZONING DISTRICTS, EXCEPT THE CENTRAL BUSINESS DISTRICT (CBD) ZONE – PERMIT REQUIRED:				
h. Window or door signs, permanent	Not restricted	Not more than 25% of the window area per building face may be covered	Not higher than the top of the window or door	<ul style="list-style-type: none"> • May be internally illuminated.
SECTION 34-462(6). SIGNS ALLOWED FOR PERMITTED OR CONDITIONAL NON-RESIDENTIAL USES IN THE CENTRAL BUSINESS DISTRICT (CBD) ZONE – PERMIT REQUIRED:				
Any sign types that are allowed in all zones, for residential uses, or permitted or conditional non-residential uses are allowed in the CBD zoning district, subject to the restrictions et forth for the type of sign. In addition, the following signs types are also allowed in the CBD zoning district:				
a. Projecting signs	One, attached to the front of a building	1 sf per linear foot of building width on the side facing the public road or private driveway, up to a maximum of 24 sf	Not higher than the wall of the building	<ul style="list-style-type: none"> • May be illuminated. • Must have a minimum of 9 ft of vertical clearance. • The square footage of projecting sign shall count toward the maximum square footage of wall signage allowed.
b. Sandwich board signs, temporary	One per business establishment placed at least 1 ft from the inside of the curb and not obstructing more than one-third of the width of the sidewalk.	Not more than 3.5 ft tall by 3 ft wide	3.5 ft	<ul style="list-style-type: none"> • Non-illuminated. • These temporary signs shall be located on the sidewalk shall be located in front of that specific business, and not at another location and during business hours only. • If the business is a corner property, the sign may only be placed in one location.

Sec. 34-454. Substitution of non-commercial speech for commercial speech.

Notwithstanding anything contained in this Division to the contrary, any sign erected pursuant to the provisions of this Division may, at the option of the owner, contain a non-commercial message in lieu of a commercial message and the non-commercial copy may be substituted at any time in place of the commercial copy. The non-commercial message (copy) may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to non-commercial messages, or from one non-commercial message to another non-commercial message, but not from one commercial message to another commercial message, except as provided herein; and provided further that the size, height, setback and other dimensional criteria contained in this Division have been satisfied.

Sec. 34-455. Content neutrality as to sign message (viewpoint).

Notwithstanding anything in this Division 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.

Sec. 34-456. Nonconforming signs.

All signs or outdoor displays which are lawfully in existence or are lawfully erected and which do not conform to the provisions of this Division are declared nonconforming signs. It is the intent of this Division to recognize that the eventual elimination of nonconforming signs as expeditiously and fairly as possible is as much a subject of health, safety, and welfare as is the prohibition of new signs that would violate the provisions of this Division. It is also the intent of this Division that any elimination of nonconforming signs shall be effected so as to avoid any unreasonable invasion of established property rights.

(1) Legal Nonconforming Signs:

- a. A legal nonconforming sign is a sign that lawfully existed at the time of the enactment of this Division that does not conform to the regulations as specified in this Division.
- b. A legal nonconforming sign may continue to be utilized in perpetuity only in the manner and to the extent that it existed at the time of the adoption of this Division or any amendment thereof.
- c. A legal nonconforming sign may not be altered in any manner not in conformance with this Division. This does not apply to reasonable repair and maintenance of the sign or to a change of copy provided that by changing the copy structural alterations are not required.
- d. Any building permit for an addition, alteration, or improvement valued at more than fifty (50%) percent of the fair market value of the structure or building for work at locations where any nonconforming sign exists shall specify and require that such nonconforming signs located within the boundaries of the development site, and within the limits of the applicant's control, shall be brought into conformance with the provisions of this Division, provided that if the nonconforming sign is a type of sign that is prohibited under Sec. 34-448. Prohibited Signs of this Division, it shall be removed.
- e. Legal nonconforming signs that are located on a parcel of property which is severed from a larger parcel of property and acquired by a public entity for public use by condemnation, purchase or dedication may be relocated on the remaining parcel without extinguishing the legal nonconforming status of that sign provided that the nonconforming sign:
 - 1. Is not increased in area or height to exceed the limits of the district in which it is located;
 - 2. Remains structurally unchanged except for reasonable repairs or alterations;
 - 3. Is placed in the most similar position on the remaining property that it occupied prior to the relocation; and
 - 4. Is relocated in a manner so as to comply with all applicable safety requirements.

After relocation pursuant to this subsection, the legal nonconforming sign shall be subject to all provisions of this section in its new location.

(2) *Signs Rendered Nonconforming:*

- a. Except as provided in this Section, a nonconforming sign may continue in the manner and to the extent that it existed at the time of the adoption, amendment or annexation of the Division which rendered the sign nonconforming. This Section shall not prohibit reasonable repairs and alterations to nonconforming signs.
- b. A nonconforming sign shall not be re-erected, relocated or replaced unless it is brought into compliance with the requirements of this Division. An existing monument sign which conforms to the size and height limitations set forth herein, but is otherwise nonconforming may be relocated a single time to another location on the same parcel.
- c. Any nonconforming sign shall be removed or rebuilt in full conformity to the terms of this Division if it is damaged or allowed to deteriorate to such an extent that the cost of repair or restoration is fifty (50) percent or more of the cost of replacement of such sign.

(3) *Signs For A Legal Nonconforming Use:*

- a. New or additional signs for a nonconforming use shall not be permitted.
- b. A nonconforming sign for a nonconforming use which ceases to be used for a period of sixty (60) consecutive days or is replaced by a conforming use, shall be considered a prohibited sign and shall be removed or brought into conformance upon establishment of a conforming use.

(4) *Signs Rendered Abandoned:*

- a. Sign structures which remain vacant, unoccupied or devoid of any message, or display a message pertaining to a time, event or purpose that no longer applies shall be deemed to be abandoned.
- b. Abandonment of a nonconforming sign shall immediately terminate the right to maintain such sign.
- c. Within sixty (60) days after a sign structure has been abandoned, it shall be the responsibility of the property owner or the property owner's authorized agent to remove the abandoned sign and to patch and conceal any and all damage to any other structure resulting from removal of the sign in a neat and professional manner.
- d. Removal of an abandoned nonconforming sign shall include all sign support components, angle irons, poles, and other remnants of the abandoned sign, which are not currently in use, or proposed for immediate reuse as evidenced by a sign permit application for a permitted sign.

(5) *Unsafe Signs:*

- a. If the Building Official determines any sign or sign structure to be in an unsafe condition, he shall immediately notify, in writing, the owner of such sign who shall correct such condition within forty-eight (48) hours.
- b. If the correction has not been made within forty-eight (48) hours, the Building Official may have the sign removed if it creates a danger to the public safety or have any necessary repairs or maintenance performed at the expense of the sign owner or owner or lessee of the property upon which the sign is located.

Sec. 34-457. Severability.

- (1) *Generally.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Division 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 Division.

- (2) *Severability where less speech results.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection (a), above, or elsewhere in this Division, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Division 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 Division, 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.
- (3) *Severability of provisions pertaining to prohibited signs.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection (a), above, or elsewhere in this Division, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Division 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 Division that pertains to prohibited signs, including specifically those signs and sign types prohibited and not allowed under section 34-448, Prohibited Signs, of this Division. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of section 34-448 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 34-448 thereby ensuring that as many prohibited sign types as may be constitutionally prohibited continue to be prohibited.
- (4) *Severability of prohibition on billboards.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Division and/or any other Code provisions and/or laws are declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the prohibition on billboards as contained in this Division or Code.