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ORDINANCE NO. 2022-02

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, RELATING TO SIGNS; AMENDING CHAPTER 122 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES RELATING TO WINDOW SIGNS; PROHIBITING WINDOW SIGNAGE; PROVIDING AN EXCEPTION FOR ONE WINDOW SIGN NO LARGER THAN FIVE SQUARE FEET IN COPY AREA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.

WHEREAS, the regulation of signs is necessary to protect the public health, safety and welfare of the citizens, businesses and visitors to the City of Edgewood (“the City”); and

WHEREAS, during the implementation of new sign regulations, the City has monitored the effectiveness and efficiency of said regulations; and

WHEREAS, the City continues to face challenges in effectively controlling window signage in a manner that avoids sign clutter and aesthetic impacts to buildings; and

WHEREAS, some businesses continue to abuse the allowances for window signage the City has tried to maintain; and

WHEREAS, as building practices evolve and more glass and windows are used in buildings, the challenges presented by window signage become more significant; and

WHEREAS, in order to avoid sign clutter and protect the aesthetic beauty of the City of Edgewood, the City Council finds it appropriate and necessary to further restrict the usage of window signage within the City of Edgewood.

WHEREAS, the City Council finds that this Ordinance is concerned with the secondary effects of speech including but not limited to aesthetics and traffic safety, and are not intended to regulate viewpoints or censor speech, and for those and other reasons that the foregoing provisions are not subject to, or would not fail, a “prior restraint” analysis.

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

SECTION ONE. The findings set forth in the recitals above are hereby adopted as legislative findings of the City Council pertaining to this Ordinance.

42 **SECTION TWO.** Chapter 122, “Signs,” of the City of Edgewood Code of Ordinances is
43 hereby amended as set forth as follows (note: additions are indicated by underline, deletions are
44 indicated by ~~strikethrough~~, and portions of the Code that remain unchanged and which are not
45 reprinted here are indicated by ellipses (***):

46
47 **Sec. 122-10. Prohibited signs.**

48 ***

49 (23) Window signage ~~that exceeds 25 percent of the total glass area of all windows and 333~~
50 ~~glass doors~~ except as expressly allowed within this Chapter. Window signage lawfully
51 existing as of _____ shall be allowed to remain until the earlier of: 1) voluntary
52 removal of the window signage or 2) a change of occupancy in the unit upon which the
53 window signage is located.

54
55 **Sec. 122-13. Signs subject to permitting.**

56 (b) *Non-residential.*

57 ***

58 (4) Subject to the maximum total copy area, the following signs shall be permitted in all
59 non-residential zoning districts:

60 a. *Ground signs.* Ground signs shall be permitted pursuant to the following:

- 61 1. One low-profile sign, one tall-profile sign, consistent with the definitions for
62 same, or one electronic changeable message sign consistent with the
63 requirements in subsection 122-13(b)(4)a.5 below, shall be allowed along
64 each public road right-of-way the parcel abuts.
- 65 2. On multi-occupant parcels at least five acres in size with at least 375 feet of
66 parcel depth measured from the front property line to the rear property line,
67 one large parcel sign, consistent with the definition for same, shall be
68 allowed in lieu of a low-profile, tall-profile, or electronic changeable
69 message sign.
- 70 3. On parcels abutting multiple public road rights-of-way, one additional
71 ground sign shall be allowed per secondary road frontage. The sign location
72 along the secondary frontage shall be at least 100 feet from the point of road
73 intersection with the primary road, as measured along the right-of-way. The
74 secondary frontage shall be the road with the lowest traffic count.

75 ***

76 b. *Attached signs.* The following attached signs shall be permitted:

-
- 77 1. One wall sign, one projecting sign, or one hanging sign shall be allowed per
78 principal building façade facing a public road right-of-way for each principal
79 building located on a parcel; such sign or signs allowed herein do not have to
80 be located on the building façade facing the public road right-of-way, but
81 only one such sign shall be allowed per building façade.
- 82 i. No wall sign or supporting structure for a wall sign shall project
83 more than 12 inches from the wall of a building nor over any
84 public right-of-way. Wall signs may not disrupt architectural
85 features of the building and must be architecturally compatible and
86 consistent with the building. Further, no wall sign shall extend
87 above the roofline except where an exterior parapet wall projects
88 above the roofline, in which case such sign may extend to the top
89 of such wall.
- 90 ii. No projecting sign shall extend beyond three feet beyond the face
91 of the building. No sign face of any projecting sign may be greater
92 than six square feet in area. A projecting sign shall be hung at a 90-
93 degree angle from the face of the building and the bottom of the
94 projecting sign shall be at least seven feet above grade.
- 95 iii. The edge of any hanging sign furthest from the building shall not
96 extend beyond the edge of the roofline. No sign face of any
97 hanging sign may be greater than six square feet in area. A hanging
98 sign shall be hung either parallel to or at a 90-degree angle from
99 the face of the building. The bottom of the hanging sign shall be at
100 least seven feet above grade.
- 101 2. One awning sign shall be allowed per awning installed upon the principal
102 buildings located upon the premises.
- 103 c.. Window Signs. One window sign not exceeding 5 square feet in copy area.
104 Window signs shall be counted in the total copy area allowed. ~~and shall be limited~~
105 ~~to an area that does not exceed 25 percent of each window area.~~ The remaining
106 ~~75% of the windows~~ shall remain transparent. A glass door shall be categorized as
107 a window for this regulation
- 108 d. One fuel pump sign with copy area no greater than two square feet located upon a
109 functional and properly licensed fuel pump. Fuel pump signs shall not be included
110 in the calculation of maximum total copy area.
- 111 e. Governmental right-of-way signs.
- 112 (5) In addition to the maximum number of signs and total square footage allowed per
113 parcel, each business location located within a multiple-occupant building with an
114 individual exterior entrance location, shall be permitted one attached sign consistent
115 with subsection 122-13(b)(4)b. and one window sign not exceeding 5 square feet in
116 copy area, located proximate to the primary entrance to such business location. Such
117 multiple-occupant signage shall be subject to the following:

- 118 a. The total maximum copy area available for such multiple-occupant signage per
119 parcel shall be two square feet of copy area for each linear foot of building
120 frontage of the building. ~~If the building has multiple stories which are utilized for~~
121 ~~business locations, then the width of each additional story shall be utilized in~~
122 ~~calculating the building frontage.~~ Each occupant of the building shall then be
123 allocated sign square footage based on their rental (or owned) square footage
124 percentage of the total available square footage in the building. In no event,
125 however, may any one business location exceed a maximum of 100 square feet of
126 total copy area except as otherwise authorized for an anchor tenant.
- 127 b. Anchor tenants upon a multiple-occupant parcel shall be allowed an additional
128 one square foot of copy area for each linear foot of building frontage of that
129 portion of the building occupied by the anchor tenant over 100 linear feet. Said
130 additional copy area shall not exceed 200 square feet of copy area per anchor. The
131 copy area allowed within this paragraph shall be wall signage, awning signage, or
132 a combination thereof.

133 **SECTION THREE.** If any section, subsection, sentence, clause, phrase, word or
134 provision of this Ordinance is for any reason held invalid or unconstitutional by any court of
135 competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall
136 be deemed a separate, distinct and independent provision, and such holding shall not affect the
137 validity of the remaining portions of this Ordinance.

138
139 **SECTION FOUR.** It is the intent of the City Council of the City of Edgewood that the
140 provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority
141 in codifying the provisions of this Ordinance.

142
143 **SECTION FIVE.** This Ordinance shall take effect immediately upon adoption as
144 provided by the Charter of the City of Edgewood.

145
146 PASSED ON FIRST READING THIS _____ DAY OF _____, 2022.

147
148 PASSED AND ADOPTED THIS _____ DAY OF _____, 2022.

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150
151 CITY OF EDGEWOOD, FLORIDA
152 CITY COUNCIL

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154
155 _____
156 Richard A. Horn, Council President

157 ATTEST:

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Sandra Riffle, Interim City Clerk