

ORDINANCE NO 2022-xx

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING THE CITY'S SIGN CODE; PROVIDING FOR A MANDATORY SIGNAGE DESIGN WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR AN AMENDMENT TO MAX SIGN FACES AS IDENTIFIED IN TABLE 6-1 ENTITLED RESIDENTIAL POD ENTRY MONUMENT; PROVIDING FOR AN AMENDMENT TO ADDITIONAL REQUIREMENTS AS IDENTIFIED IN TABLE 6-1 PUBLIC ROW SIGN LOCATION; PROVIDING FOR AN AMENDMENT TO MAX SIZE OF COPY AREA AS IDENTIFIED IN TABLE 6-1 ENTITLED WALL SIGN FOR GROUND FLOOR USES WITH SEPARATE ENTRANCES AT GROUND LEVEL; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, this ordinance is intended to preserve the residential character of the City of Westlake by controlling size, location and use of signs in all zoning districts within the City. It is further intended to address the maximum number of sign faces allowed for residential pod entry monument sign, the maximum size of copy area for wall sign for ground floor uses with separate entrances at ground level, additional requirements for monument sign location and;

WHEREAS, the regulations of this chapter shall apply to all signs within the City except vehicular use signage, which will be governed by the Manual on Uniform Traffic Control Devices (MUTCD) issued by the Federal Highway Administration.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY FOR THE CITY OF WESTLAKE, FLORIDA, as follows:

Section 1. Incorporation: The above recitals are confirmed, adopted and are incorporated herein and made a part hereof by this reference.

Section 2. Signs. The Code of ordinances for the City of Westlake shall contain a chapter entitled "Signs" which code shall contain the provisions as specifically set forth herein.

CHAPTER 6 SIGNS

Section 1: General Provisions

Section 6.1 Application. The regulations of this chapter shall apply to all signs within the city, except vehicular use signage, which will be governed by the Manual on Uniform Traffic Control Devices (MUTCD) issued by the Federal Highway Administration.

Section 6.2 Purpose and Intent. The purpose of this division is to create the legal framework for a comprehensive and balanced system of signage to facilitate the effective use of signs as a means of communication in the city and to avoid the visual clutter that reduces traffic and pedestrian safety, property values, business opportunities, and community appearance. With these purposes in mind, it is the intent of this division to enable the fair and consistent enforcement of these sign regulations and to promote the implementation of the city's comprehensive future land use plan. Additionally, it is the intent of this division to provide regulations which achieve the following:

- A. Property value protection.** Signs should not create a nuisance to the occupancy or use of other properties as a result of their size, height, brightness, or movement. Signs shall be in harmony and compatible with the buildings, uses, and other conforming signs in the zoning district.
- B. Communication.** Signs shall not deny other persons the use of sight lines on public rights-of-way, shall not obscure important public messages, and shall not overwhelm or distract the traveling public.
- C. Preservation of community's beauty.** The City of Westlake shall include numerous planned developments with large landscaping buffers consisting of small and large office, retail, residential, and industrial uses, and relies heavily on its natural surroundings and beautification efforts to retain the city's economic viability. This concern is reflected by the active and objective regulation of the appearance and design of signs.
- D. Protection of the public health, safety, and welfare.** It is the specific intent of this division to provide objective, content-neutral regulations of time, place, and manner for signage in the City of Westlake in order to preserve and protect the public health, safety, and welfare.
- E. Regulations Strictly Enforced.** It shall be unlawful for any persons to post, display, change, or erect a sign or sign structure that requires a permit without first having obtained a permit in accordance with city's regulations. Signs or sign structures erected without a valid permit shall be deemed in violation of this chapter, and it shall be mandatory to obtain the applicable permit or remove the sign or sign structure immediately.
- F. Severability where less speech results.** The city council specifically intends that severability shall be applied to these sign regulations even if the result would be to allow less speech in the city, whether by subjecting currently exempt signs to permitting or by some other means. Severability shall apply to Prohibited Signs and Prohibited Sign Locations so that each of the prohibited signs types listed in that section shall continue to apply to be prohibited irrespective of whether another sign prohibition is declared unconstitutional or

invalid. Severability shall also apply to Off-Premises signs should a court of competent jurisdiction declare any provision of the unconstitutional or invalid.

Section 6.3 Definitions For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A-Frame Sign. A sign that is self-supporting and portable with steeply angled sides that meet and are adjoined at the top to form the shape of the letter "A." Two individual signs attached at the top that were not manufactured to be an A-Frame sign shall not be considered to meet this definition.

Abandoned Sign. A sign advertising a business, service, or activity that is no longer licensed, no longer has a certificate of occupancy, or is no longer active at that location.

Accessory sign. A permanent ground or building wall sign that is permitted under this Code as incidental to an existing or proposed use of land.

Advertising. Sign copy intended to directly or indirectly promote the sale or use of a product, service, commodity, entertainment, or real or personal property.

Animated Sign. A sign with action or motion using electrical energy, electronic, or manufactured sources of supply or wind-actuated elements, including rotating, revolving, or flashing signs.

Awning. An awning is comprised of a lightweight, rigid or retractable skeleton over which an approved cover is attached.

Awning Sign, Canopy Sign, Roller Curtain Sign or Umbrella Sign. Any sign painted, stamped, perforated, or stitched on the surface area of an awning, canopy, roller curtain or umbrella.

Awning Sign A sign painted on, printed on or attached flat against the surface of the awning. An architectural projection that provides weather protection, identity and/or decoration and is wholly supported by the building to which it is attached.

Banner Sign. Any permanent or temporary sign made or constructed of fabric, plastic, or similar materials that contain distinctive colors, symbols, or patterns, and normally is freely waving, temporary in nature, displayed outdoors, and containing commercial or noncommercial advertising, information, or lettering.

Bench/Shelter Sign. Any sign painted on or attached to a bus bench or to a bus waiting or phone booth shelter.

Cabinet Sign. The structure, usually made of wood, plastic, metal, or some combination thereof, which contains one or more sign faces.

Changeable Copy Sign. A sign which is visible from outside a building and which is characterized by changeable copy, regardless of method of attachment of the copy.

Commercial Sign means a sign that directly or indirectly, names or calls attention to a business, product, service, or other commercial activity. For purposes of this article, terms such as sale, special, clearance, or other words which relate to commercial activity shall be deemed to be commercial messages. The identification by name of an apartment or

condominium development on a residential sign at the apartment or condominium development site shall not be considered a commercial message.

Construction Sign. A sign on any building site. This includes signs advertising the builder, contractor, developer, architect, engineer, planner, landscape architect, subcontractors, or other persons or artisans associated with construction.

Copy. The linguistic or graphic content of a sign.

Development Sign. A temporary sign advertising the sale or rental of structures under construction and located on the site of the project or development.

Directional Sign. An on premises sign designed to guide or direct pedestrians or vehicular traffic.

Directional Signage (in right-of-way). Any sign permanently or temporarily located within a right-of-way and erected by or with approval of the city or any authorized government agency to denote the following:

1. Signs of routes to any city, town, village, historic place or hospital;
2. Signs directing and regulating traffic;
3. Notices of any railroad, bridge, ferry, or other transportation;
4. Direction of safety of aviators as to locations, direction and landings and conditions affecting safety in aviation; or
5. Signs, notices, or symbols as to the time and place of civic meetings.

Directional Signage (on private property). A sign conveying instructions, with respect to the premises on which it is located, including such information as “exit” and “entrance”, “drive-in” teller for banks; gasoline pump island direction; or any other improvement required by land development regulations.

Electric Sign. Any sign containing electric wiring.

Flashing Sign. Any sign used for identification, directional, advertising, or promotional purposes that includes approved lighting fixtures which flash, blink, cut on and off intermittently, and are used as exterior or other signs visible from the public right-of-way.

Ground Sign. Any sign that is erected on the ground, when no part of the sign is attached to any part of a building or structure. A ground sign shall be supported by a base no greater than three (3) feet in height or two (2) feet minimum. A sign supported by and affixed to a base comprised of materials of a permanent nature permanently located on or in the ground with such base not to be in excess of two feet of height of surrounding ground level and wholly independent of any building for support.

Harmful to Minors. With regard to sign content, any description or representation, any non-erotic word or picture, in whatever form, of nudity, sexual conduct, or sexual excitement, when it:

1. Predominately appeals to the prurient, shameful, or morbid interest of minors in sex, and

2. Is patently offensive to contemporary standards in the adult community as a whole with respect to what is suitable sexual material for minors, and
3. Taken as a whole, lacks serious literary, artistic, political, or scientific value.

Height of a sign. The height of a sign shall be measured as the vertical distance from the grade, excluding berms, at the base of the supporting structure to the top of the sign, or its frame or supporting structure, whichever is higher.

Human Sign. Any sign or any form of commercial message held by, worn or attached to a human or character (animated, costumed, or otherwise) for the purpose of advertising or otherwise drawing attention to an individual, business, commodity, service, or product. This can also include a person or a live or animated character dressed in costume or wearing a commercial message for the purpose of advertising or drawing attention to an individual, business, commodity, service, or product.

Identification Monument(s) have a solid base that the location identification is installed upon. These monument(s) should be designed so that the style of the monument and its base are consistent with the architecture of the buildings on the site. This definition shall include residential pod entry monuments, non-residential pod entry monuments and City entry monuments, these entry monuments are not signs.

Illuminated Sign. A sign which contains a source of light or which is designed or arranged to reflect light from an artificial source including indirect lighting, neon, incandescent lights, back-lighting, and shall also include signs with reflectors that depend upon automobile headlights for an image.

Interior Sign. A sign inside a building that is not attached to a window or door and that is not visible from the exterior of the building.

Logo. Emblem, character, pictograph, trademark, or symbol used to represent a firm, organization, entity, product, or service.

Marquee. A structure projecting from and completely supported by a building and which extends beyond the building line or property line and fully or partially covers a sidewalk, public entrance or other pedestrian way.

Memorial Sign. A permanent commemorative or historical sign, plaque, inscription, or similar group of symbols that is engraved on a building or a cemetery or that is located at a memorial erected by, or with the approval of, a governmental entity. For purposes of this definition, a memorial includes any particular building, structure, or location intended to honor persons, places, or events.

Menu Board Sign. An outdoor sign, including a speaker, associated with a drive-through window or facility, which provides the list of available foods and food prices.

Menu Sign. An outdoor display of a restaurant's menu or offerings attached to a wall or façade.

Mural. Any figures, designs, pictures, characters, etc. which are painted or adhesively applied directly onto the window or wall of a building or other structure. For purposes of

this article, Murals are not signs, so long as they contain no logo, words, or letters, either foreign or domestic. In the event a figure, design, picture, or character, that contains words or letters either foreign or domestic, is painted or otherwise applied directly onto the window or wall of a building, the entire such figure, design, picture, or character is not a mural, but instead is a SIGN, the area of which shall encompass the entire figure, design, picture, and/or character that is applied directly onto the window or wall and not merely the portion containing the logo(s), word(s), or letter(s). For purposes of this article, figures, designs, pictures, characters, etc. which are nailed, bolted, or otherwise attached to a building wall or window are not “applied directly” onto the wall or window of a building and, therefore, are not murals.

Neon Signs. Electric signs lighted by long luminous gas-discharge tubes that contain rarefied neon, inert gas or other gases and is visible from outside of a building.

Non-commercial Sign. Any sign which does not meet the definition of a commercial sign.

Non-conforming Sign. A sign existing at the effective date of the adopting of this chapter which could not be built under the terms of this chapter.

Non-conforming Sign. A sign which does not conform to the height, type, setback, size, location, use, operating characteristics, or structural support established as of the effective date of this chapter.

Off-site Sign. A sign which advertises or announces merchandise, products, business, goods, entertainment, or services which are not available on the site on which the sign is located. A sign containing a non-commercial message shall not be considered to be an off-site sign.

On-site Sign. A sign which advertises only goods, services, facilities, events, or attractions on the premises where the sign is located.

Obscene Sign. A sign whose contents meet the judicially established definition of obscenity or that is otherwise considered obscene under Florida Statutes.

Off-site or Off-premise Sign. A sign advertising an establishment, merchandise, service or entertainment, which is not sold, produced, manufactured or furnished at the property on which said sign is located.

Parasite Sign. Any sign which is hung from, attached to, or is added onto an existing sign.

Painted Wall Sign. A sign painted on a wall or on any other surface or part of a building or structure.

Permit Board. A temporary freestanding device erected on a construction site for the sole purpose of providing a conspicuous display of and shelter for the permits required for construction service(s) being performed on such construction site. A permit board may also display a contractor name or logo.

Pole Mounted Banner. A freestanding sign made of cloth, fabric, paper, non-rigid plastic or similar type of material which is supported by one (1) or more poles, posts, columns, pyramids, street poles, light poles or other extensions from ground level.

Pole Sign. A freestanding sign attached to a pole or poles erected directly into the ground.

Political Sign. A sign designed and used for the purpose of soliciting support for or opposition to a candidate, proposition, or referendum at a public election.

Portable Sign. A moveable sign not secured or attached to the ground, which is manifestly designed to be transported by trailer or on its own wheels, including such signs even though the wheels may be removed and the remaining chassis or support structure converted to an A or T frame sign and attached temporarily or permanently to the ground.

Principal Tenant. An occupant of either the entire building or a portion of a building, identified specifically at time of sign construction by the developer to the principal tenant.

Real Estate Sign. Any sign installed by a property owner or agent on a temporary basis, advertising the real property upon which the sign is located to be for rent, lease, or sale.

Right-of-way Banner Sign. Signage that has letters, illustrations, or drawings that are applied to fabric or vinyl and are attached to a street pole or light pole in the public right-of-way, the placement of which has been properly permitted by the government agency that owns the right-of-way.

Roof Sign. A sign placed above the roof line of a building or on or against a roof slope of less than forty-five (45) degrees.

Sign. Any exterior identification, description, illustration or device which directs attention to a product, service, place, activity, person, establishment, institution or business; or any emblem, painting, banner, pennant or placard designed to advertise, identify or convey information. Use of merchandise, products, vehicles, equipment, inflated balloons, or the like for directing attention, with or without a printed or written message or advertisement, shall be considered a sign.

Sign Area. The background area upon which the sign or advertising is placed.

Sign Face. The part of a sign that is or may be used for copy.

Snipe Sign. An off-premise sign made of any material, including but not limited to wood, paper, cardboard, plastic, and metal, which is tacked, nail, posted, pasted, glued, or otherwise attached to trees, poles, fences, or other similar objects.

Special Event(s) Signs. A temporary sign used to notify the public that a special occasion, a civic, patriotic, or special event of public interest is taking place.

Sign structure. Any construction used or designed to support a sign.

Sign, time and temperature sign. A display containing numerals alternately showing the time or temperature.

Temporary Sign. A sign installed for a limited amount of time, intended to advertise community events, civic projects, political candidacy, political issues, real estate for sale or lease or other special events, and may include banners, flags, streamers, and pennants as approved by the city, or is attached to a wooden, plastic, or similar pole that is stuck into the ground.

Tiara Sign 3-D letter sign(s) attached to an awning.

Traffic Control Signs. A sign or signal for the control of vehicular, railroad, pedestrian, boat, or bicycle traffic, as authorized by the state or the city.

Unit. That part of a multiple occupancy complex housing one occupant.

Vehicle Signs. Any sign that is attached or painted or wrapped on a vehicle and/or trailer, parked so as to be visible from and so as to clearly provide advertising visible from the public right-of-way or parked on public property so as to clearly provide a commercial message close to the public right-of-way, unless said vehicle is used by a proprietor or employee of the business for the purpose of commuting between the business location and home or is used in the usual course or operation of a business. Factors to be considered in determining whether a vehicle is used in the usual course or operation of a business shall include, but not limited to, whether the vehicle is operable, whether the vehicle has a current registration in the State of Florida, the vehicle plays in the business, and the frequency with which the vehicle is used in the course or the operation of the business. In addition, any sign that is composed of fabric, paper, or other lightweight material, or wood (unless the wood is an integral part of the vehicle itself), or that is physically supported by a motor vehicle, but not applied directly to the surface of the motor vehicle, or that is attached to the vehicle in such a manner as to constitute a safety hazard if the vehicle were to be driven with the sign in place, such as signs located so as to impair the vision of the driver of the vehicle or insecurely mounted so as to present a danger of falling off the vehicles while it is being driven, shall be presumed to be a vehicle sign. Further, any sign bearing a commercial message that is attached to or painted on a vehicle and/or trailer which is routinely parked or otherwise located on a site or sites other than that at which the firm, product, or services advertised on such sign is offered shall be presumed to be a vehicle sign.

Wall Sign (flat wall sign). A sign installed, attached, or otherwise affixed parallel to the wall or façade of a building.

Window Sign. A sign painted, etched, or wrapped on a window. Includes inside signs adjacent to a window and intended to be viewed from the outside.

Section 2: NONCONFORMING SIGNS

Section 6.5 (1) Retention of Existing Signs. Every legal sign existing and lawful as of July 31, 2019, and which is a type of sign not permitted in this chapter or is not consistent with the requirements of this chapter shall conform to the requirements of this chapter within two years.

(2) **Annexation.** Signs on property annexed into the City are subject to the following requirements. Any permanent sign existing on property annexed into the city, that does not conform to the requirements of this chapter, but were lawful at the time of annexation, shall be removed, or otherwise brought into compliance, no later than two (2) years from the date the property is annexed into the city.

(3) **Temporary Non-Conforming Signs.** Temporary signs which are not permitted by this chapter shall be removed within sixty (60) days from the date of adoption of the comprehensive land use plan amendment which pertains to such property.

Section 6.6 Removal of Nonconforming Signs. All nonconforming signs shall be removed immediately by the property owner.

(1) **Existing Residential Signs.** All existing residential pod entry signs approved by the city council are exempt from these provisions.

(2) **Certain Nonconforming Signs.** Signs made nonconforming by sign regulation revisions are subject to the nonconforming structure provisions of chapter 6, Section 6.7.

Section 6.7. Amortization. The time period provided in this chapter is three years for the purpose of amortizing the costs of a sign created or existing on or prior to adoption of the ordinance from which this section originally derived by virtue of lease of location or sign space, or through annexation into the city.

Section 6.8. Permits Required, Fees, and Revocation

A. Building Permit Required: It shall be unlawful for any person to erect, repair, alter, relocate, or maintain any permanent sign defined in this division without obtaining a building permit and paying the required fee where a building permit is required.

B. Revocation: The building official is authorized to revoke any building permit if a sign is erected or installed that does not comply with the requirements of this section.

C. Maintenance and Inspection:

(1) **Maintenance.** All signs for which a permit is required, together with all supports, braces, guys, anchors, sign faces, and other structural and nonstructural members, shall be maintained in good condition and appearance and in compliance with applicable building codes. The city may order the removal of any sign that is not maintained in accordance with this section. The removal shall be at the expense of the owner or lessee. Examples of unacceptable maintenance and repair include the following:

- a. Cracked, ripped, or peeling paint present on more than ten (10) percent of the surface area of a sign;
- b. Bent, broken, loose, or otherwise insufficiently attached supports, struts, or other appendages;
- c. Partial illumination for more than fourteen (14) days;
- d. Obstruction of sign face by weeds, vines, tree branches, or other vegetative matter; and
- e. Maintaining a position that is more than fifteen degrees (15°) from vertical for more than ten (10) successive days.

(2) **Inspection.** The building official and/or code enforcement officers shall re-inspect all signs erected within the city as often as deemed necessary.

D. Design Requirements: All permanent signs shall be designed and constructed in compliance with applicable building codes. All electric wiring shall be installed underground, within building walls, or otherwise located so as not to be visible.

Section 6.9. Master Sign Plan

Section 6.9 Master Sign Plan. The City Council, at the time of development order or site plan approval or amendment, may waive one or more of the requirements of this chapter as part of a master sign plan. A master sign plan may be considered for two or more signs.

- (A) The city council may vary the size, setback requirements, number, and type of signs as part of a master sign plan application, provided the city council determines an application complies with the general intent and purpose of this chapter.
- (B) The Planning and Zoning Director may require any development order application for a PD, Civic, or conditional use application to include an overall Master Sign Plan. It shall not be a requirement to know all tenants at the time of submittal of the Master Sign Plan.
- (C) The master sign plan shall indicate location, number, size, font, color, type of sign, landscaping, and illumination of proposed sign(s). The Master Sign Plan shall be guided by the purpose and intent section of this chapter. Application for a master sign plan shall include the following:
 - (1) An overall plan identifying location of all proposed signs on the parcel, except window signs.
The location of window signs may be included, but it is not mandatory.
 - (2) The layout of all proposed signs including:
 - (a) Elevations plans drawn to scale and depicting all permanent signs placed or to be placed on the building on the parcel.
 - (b) A plan, drawn to scale, indicating the location of all permanent freestanding signs erected or to be erected on the parcel, including setbacks; depicting the sign type, dimensions, color, style, material, and copy area; and the method of supporting the signs;
 - (c) For signs providing for more than one (1) occupant, the amount of sign area allocated for each occupant shall be indicated.
 - (d) The types of illumination to be used for each type of sign.
 - (e) Method of attachment for all signs placed or to be placed on the building or the parcel.
 - (3) A calculation of copy area for each individual sign.
 - (4) The placement of signs on the building(s).
 - (5) A deviation table on drawing identifying deviations from the requirements of this Chapter.
- (D) Once the Master Sign Plan has been approved for a parcel, the criteria shall apply to the entire parcel shown on the master sign plan, as well as to each individual owner or occupant, and shall remain as long as the building(s) exist, regardless of change of ownership, management, or occupancy. No permanent sign permit shall be issued contrary to the master sign plan, unless a new master sign plan has been submitted and approved by the Planning and Zoning department and/or city council as applicable. When renovations to existing buildings include changes to an existing master site plan, all signage must meet the requirements of the amended master plan within one (1) year after the issuance of the first certificate of occupancy for the renovations.

Section 6.10. Removal of Signs

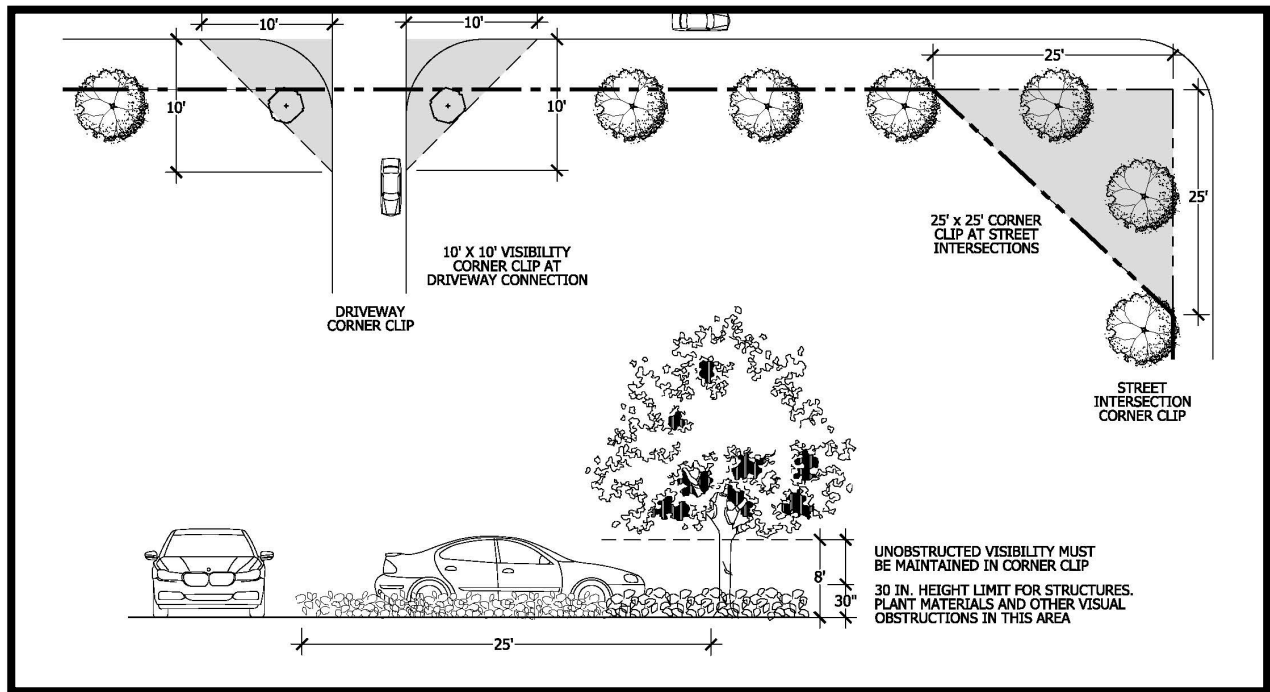
- A. Removal of Abandoned Signs.** Any sign which no longer is used to advertise a licensed business or a product sold on premises shall be removed by the owner of the property, building, or structure upon which the sign is located within ten (10) days after written notification from the building official. Upon failure to comply with the notice within the time specified in the order, the building official is authorized to cause removal of the sign.
- B. Removal of Unsafe Signs.** If the building official determines any sign regulated in this division is unsafe, insecure, a menace to the public health, or constructed, erected, or maintained in violation of this division, a written notice of such determination shall be provided to the property owner. The owner of the property has ten (10) days following receipt of the written notice to remove, repair, or otherwise alter the sign to comply with this chapter. If the sign is not removed, repaired, or otherwise altered to comply, the building official is authorized to cause the necessary removal or improvements at the expense of the owner of the property. The building division shall cause any sign that is an immediate peril to persons or property to be removed summarily and without notice.
- C. Owner to be charged for cost of removal by city.** When the city has caused or paid for the removal of a sign, any expense associated with the sign removal shall be paid by the owner of property on which the sign is located. The cost of removal shall include accrued interest at the rate of ten percent (10%) per annum from the date of the completion of the work.

Section 6.11. Obstructions Signs shall not be erected, installed, constructed, attached, or maintained so as to serve as an obstruction as noted below.

- A. Ingress and Egress.** A sign shall not block any fire escape, or any window, door, or opening used as a means of ingress or egress.
- B. Fire Escapes and Ventilation.** A sign shall not be attached to a fire escape or be placed in such manner as to interfere with any opening required by the building code for ventilation.
- C. City Property.** Permanent signs shall not be allowed on city property or rights of way within the City unless specifically authorized by the City Council. Temporary signs may be placed on City property or rights of way with permission from the Planning and Zoning Director or designee. Any signs not authorized on city property or rights of way shall be immediately removed by the city, and the cost of such removal shall be borne by the parties responsible for the installation.
- D. Other Governmental Agencies.** Other governmental entities which have jurisdiction and control of public rights of way may install signs within such rights of way. Any signs that are not authorized on such rights of way shall be immediately removed by the city or governing agency, and the costs of such removal shall be borne by the parties responsible for the installation.
- E. Visibility Triangles (Corner Clips).** A sign shall not be placed in such a manner as to obscure sight lines within a visibility triangle at the intersection of two (2) roads or a road and a private driveway in accordance with the City's intersection regulations. No sign located within a visibility triangle shall exceed thirty (30) inches in height as measured from the surface of the nearest vehicular traffic area. The visibility triangle at the intersection of a road and a private driveway

shall extend 10 feet by 10 feet, as illustrated in Figure 6-1. The visibility triangle at the intersection of two roads shall be 25 feet, as illustrated in Figure 6-1.

Figure 6-1 Visibility Triangle



Section 6.12 PROHIBITED SIGNS AND PROHIBITED SIGN LOCATIONS

Section 6.12. General. The signs described below, unless otherwise provided in this section, are prohibited and shall not be installed or constructed within the city.

Section 6.13. Off-Premise Signs. Off-site or off-premises signs are prohibited, unless approved for a Master Sign Program which shall be approved by the City Council or unless placement of the sign is authorized by the owner of the property on which the sign will be placed, and the sign is reasonably intended to inform as to the location or existence of a residential community, commercial business, commodity, service, product, or activity not otherwise visible from the road adjacent to the proposed sign. Off-site or off-premises signs are signs that direct attention to a residential community, commercial business, commodity, service, product, or activity not conducted, sold, offered, or available on the premises where such sign is located, the copy of which may be intended to be changed periodically.

Section 6.14. Traffic Regulation Signs. Any sign which resembles, is similar to, or may be confused with any sign or device to control vehicular, bicycle, or pedestrian traffic is prohibited.

Section 6.15. Obstruction of Vision. Any sign installed or erected in a location, or at a street intersection, or in any street right of way so as to obstruct free and clear vision is prohibited.

Section 6.16. Prohibited Sign Characteristics. Only passive-type signage shall be permitted. Unless otherwise permitted, signs which incorporate animation or flashing lights, movement or motions caused by the wind, electrical, or mechanical means, flashing messages, or other real or apparent forms of motion are prohibited.

Section 6.17. Prohibited Illumination. Illumination of signs utilizing flashing, intermittent, rotation, revolving, oscillating techniques is prohibited.

Section 6.18 Other Prohibited Signs. In addition to the prohibited signs listed hereinabove, the following signs are also prohibited in the city:

- (1) Awning signs, unless otherwise provided herein;
- (2) Bunting, pennants, streamers, and other similar signs or devices normally but not always installed in a series, designed to move with the wind, and usually attached to buildings, trees, ropes, poles, and similar structures; provided, however, the use of pole-mounted banners may be permitted in accordance with Section 14, Pole-Mounted Banner Criteria;
- (3) Murals;
- (4) Painted wall signs;
- (5) Signs created by illumination or shadow casting;
- (6) Changeable copy signs, with the exception of the following, which may be displayed as set forth in this division:
 - a. Gasoline price signs located on pump islands or on monument signs;
 - b. Menu pricing signs;
 - c. Building directory signs; and
 - d. Ground signs for government uses, public/private schools, and colleges/universities located in public/institutional zoning districts;
 - e. Performing Arts and Movie Theater Marquee signs.
- (7) Portable signs;
- (8) Balloons, balloon signs, or inflatable shapes or figures with or without copy;
- (9) Copies or imitations of official signs;
- (10) Beacons or searchlights;
- (11) Signs attached to an accessory structure;
- (12) Signs which emit sounds;
- (13) Exposed neon tubing, neon signs, and LED signs that emulate the general appearance of traditional neon signs, except as provided in Section 9, Illumination.
- (14) Signs which emit visible smoke, vapor particles, or odor;
- (15) Sandwich board, "A"-frame, and pole signs, except as otherwise provided herein;

- (16) Signs which express obscene, pornographic, or illegal messages or material, or signs harmful to minors;
- (17) Signs attached, posted, located on or to or posted on, any tree, light pole, utility pole, light, sidewalk, curb, fire hydrant, bridge, on public property, except for public utility, convenience, and warning signs;
- (18) Signs placed upon benches, bus or transit shelters, or waste receptacles, unless specifically approved by the city council;
- (19) Signs and sign structures which are not properly maintained or have been abandoned;
- (20) Parasite signs;
- (21) Roof signs with the exception of parapet signs on permanent ground floor canopies.
- (22) Box Signs
- (23) Cabinet Signs; and
- (24) Any other sign, device, or equipment not specifically permitted by this division.

Section 6.20 Permitted Signs

Permanent signs shall be permitted as indicated in Table 6-1.

Table 6-1 Permitted Signs

Sign Type	Max. Size of Copy	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions ¹	Additional Requirements ²
City Entry Identification Monument	60 sq. ft.	1	2 per access point	See Figure 6-2	Permitted only within 500 feet of the City boundaries at access points.

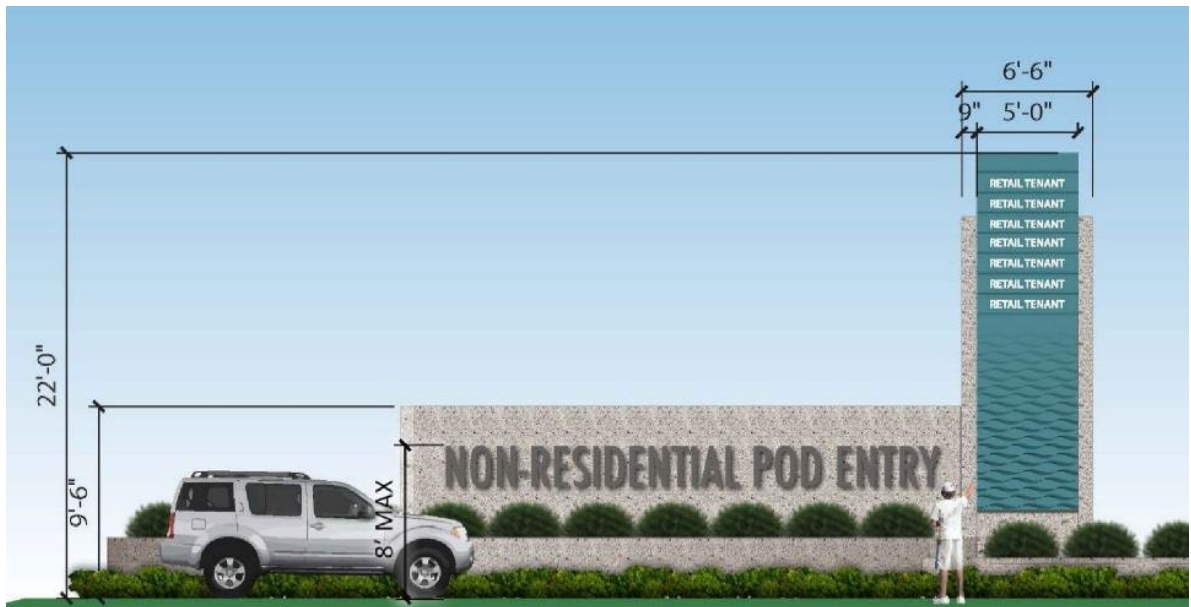
Figure 6-2: City Entry Monument



Table 6-1 Continued

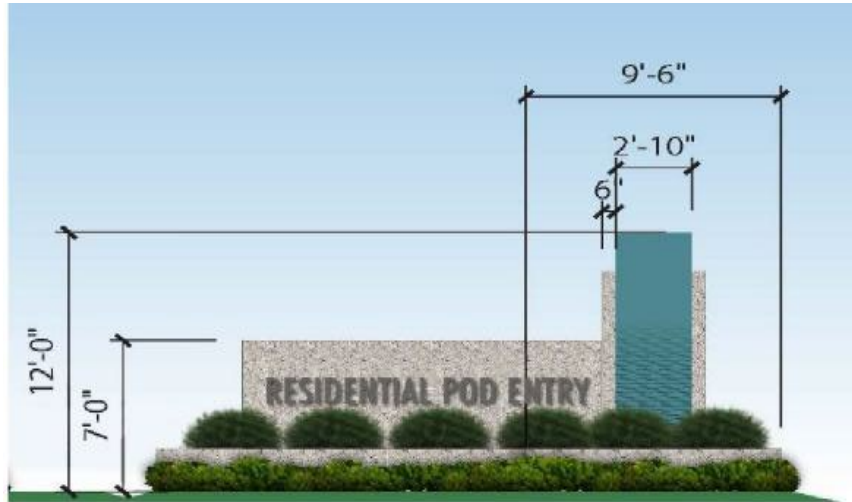
Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions ¹	Additional Requirements ³
Non-Residential Pod Entry Monument	60 sq. ft.	1	2 per access-way	See Figure 6-3	<p>Two 60-sq. ft. copy areas permitted per sign:</p> <ol style="list-style-type: none"> one for pod identification on horizontal structure, and one for tenant names on the vertical totem. Graphics and logos are prohibited on the vertical totem.

Figure 6-3: Non-Residential Pod Entry Monument



Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions ¹	Additional Requirements ³
Residential Pod Entry Monument	60 sq. ft.	1	2 per access-way	See Figure 6-4	<p>For pod name only.</p> <p>Logos and graphics may not be larger than 30% of copy area occupied by text.</p> <p><u>Developments with a shared entrance may have one (1) monument sign with two (2) sign faces.</u></p>

Figure 6-4: Residential Pod Entry Monument



Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions ¹	Additional Requirements ³
Alternate Residential Pod Entry Monument	60 sq. ft.	1	1 per Pod	See Figure 6-5	<p>By master sign plan application only.</p> <p>Permitted only in lieu of 2 Pod Entry Monuments</p> <p>Minimum 80 ft. setback from nearest property line.</p> <p>May include Pod Name only.</p> <p>Logos and graphics may not be larger than 30% of copy area occupied by text.</p>

Figure 6-5: Alternate Residential Pod Entry Monument Measurements

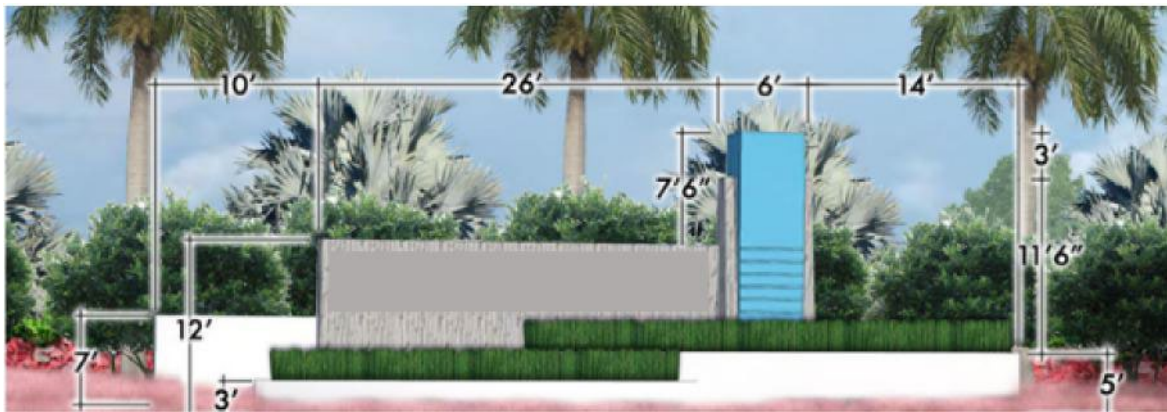


Figure 6-5: Alternate Residential Pod Entry Monument View



Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions ¹	Additional Requirements ³
Directional Sign in Public ROW	24 sq. ft.	2	As approved by Master Sign Plan	See Figure 6-6	Text shall be uniform color. Graphics and Logos are limited to 20% of the copy area. Maximum 1 for 500 feet of lineal of right-of-way.

Figure 6-6: Directions Sign in Public ROW



Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Additional Requirements ³
Directional Sign on Private Property	16 sq. ft.	2	Two (2) per access entry	Min. 4-inch letter height, including lowercase letters. Min. 10 feet setback from property line. Graphics and Logos permitted.

Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions ¹	Additional Requirements ²
<p align="center">Ground Sign for Commercial Buildings within Pod²</p>	<p align="center">60 square feet</p>	<p align="center">2</p>	<p align="center">1 per access entry for lots with a minimum of 200 lineal feet of ROW. Plus 1 for each additional 700 lineal feet of ROW.</p>	<p>Height: 8 feet Width: 15 ft. (Dimensions include base) Min. sign width must equal 50% of sign height. Maximum area 120 sq. ft. including decorative elements.</p>	<p>Requires solid base with a height equal to at least 30% of overall sign height or 2 ft. whichever is greater. Sign copy is prohibited on the base except for information as regulated by Temporary Signs Section. [See Sec. 12.B(9)c.] Sign copy not to exceed building identification and/or six (6) tenants (not including leasing information) per sign face. Min. 4-inch letter height, including lowercase letters. Min. 10 feet setback from ROW. Min. distance of 60 feet required between ground signs. Address numbers must be a min. of 6 inches in height located above copy area.</p>

Tenant-Specific Directional Sign	4 sq. ft.	2	Per approval as needed	Max. height: 4 ft.	Exempt from sign-base requirements. No advertising copy. Logos not more than 50% of copy area permitted by master sign plan only.
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Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions¹	Additional Requirements³
Gas Station Price Signs	20 square feet	2	1	Maximum height: 8 ft. Maximum area: 80 sq. ft. including decorative elements	May be integrated into another ground sign. May include changeable copy. Electronic changeable copy for fuel pricing information permitted up to 50% of the sign copy area.
Menu Board for Drive-Through Facilities	20 square feet per board	2	2 per establishment	Height: 6 feet Width: None	For menu/price information only. Internal illumination only. May include manual or electronic changeable copy. May have remote or electronic communication service. Exempt from landscaping and irrigation requirements.
Canopy Directional signs for drive-through facilities	3 square feet	1	1 sign per drive-through lane plus 1 "clearance height sign"		Must be located on drive-through canopy. Max. letter height: 8 inches. Uniform type, style, color, material, and shape, etc. Must be compatible with building style.

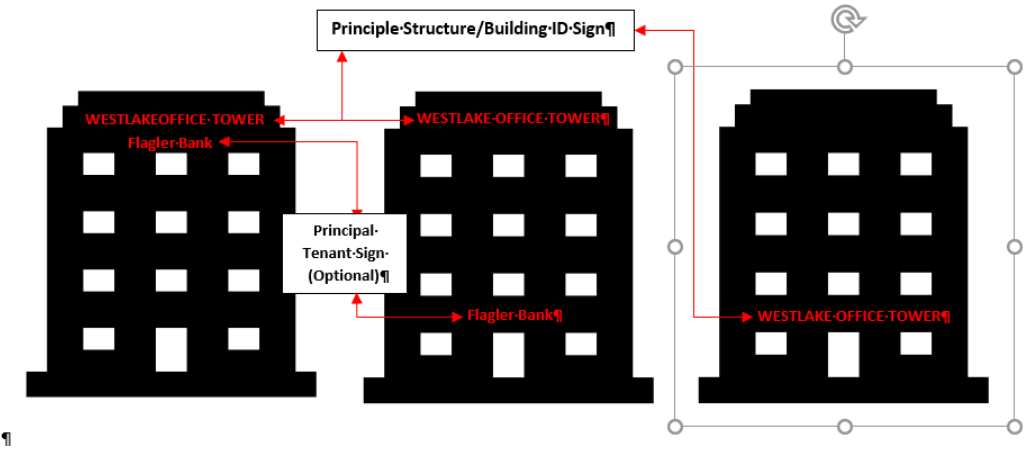
Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions ¹	Additional Requirements ³
Ground Floor Permanent Canopy Sign	Max. 80% of width of façade of canopy. Max. letter height: 24 in. Max. 24 square feet	1	1	24 sq. ft.	

Figure 6-7: Ground Floor Permanent Canopy Sign



Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions ¹	Additional Requirements ³
Enter and Exit Signs	4 square feet	2	1 per approved entry or exit.	Height: 3 feet	<p>Max. 3 feet above crown of paving or road.</p> <p>Signs located within a visibility triangle shall not exceed 30 inches in height measured from the surface of the nearest vehicular traffic area.</p> <p>Min. 2 feet from property line.</p> <p>Copy limited to EXIT, ENTRANCE, EXIT ONLY, etc.</p> <p>Internal illumination only.</p> <p>Shall be located in landscaped area [including grass or mulch].</p>
Projecting ID Signs	6 square feet	2	1 per tenant	N/A	<p>May be suspended from soffit or eave.</p> <p>Must be perpendicular to the building facade.</p> <p>Shall not project more than 36 inches from building façade or into a vehicular use area.</p> <p>Min. clearance of 8 feet from bottom of sign to top of walkway.</p> <p>Located at main or secondary entrance.</p> <p>May be externally illuminated.</p>

Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions ¹	Additional Requirements ³
Wall Sign for Principal Structure or Building Identification or Principal Tenant	90 square feet	1	One set of 2 signs [Principal Structure or Building name and Principal Tenant name] on façade(s) fronting ROW	N/A	<p>Sign(s) must be located at top of building, and/or below second floor line.</p> <p>Sign letters shall not exceed 36 inches in height including lowercase letters.</p> <p>Sign for building and tenant identification purposes.</p> <p>Each building is allowed a principal tenant wall sign.</p> <p>Maximum 1 name or message per sign.</p> <p>Sign(s) shall not exceed 80 percent of the width of the building, with a minimum of 10 percent clear area on each outer edge of the building.</p>
Wall Signs for Multi-Tenant Office Buildings with Common Entrance	–	–	–	–	<p>Signage limited to Principal Structure or Building Identification and/or Principal Tenant only.</p> <p>Individual tenant signs prohibited.</p>



¶

Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions ¹	Additional Requirements ²
Wall Sign for Residential Building Identification	16 square feet	1	1 front façade 1 rear facade	N/A	
Wall Sign for Ground Floor Uses with Separate Entrances at Ground Level	<p>Max. 80% of width of 1.5 sq.ft. per linear foot of façade of the tenant space or bay.</p> <p>Max. 70 square feet.</p>	1	1 per tenant space or bay. Except a tenant space or bay with double frontage shall be permitted 1 additional wall sign.	None	<p>Sign must face ROW or be over the primary entrance.</p> <p>Maximum letter height 24 inches.</p> <p>Maximum 2 lines of copy.</p> <p>Signs shall not be located above second floor line or above building parapet.</p>
Window Signs	Maximum 20% of each glass window or glass door area.	1	None	None	<p>Signs allowed in ground floor windows/doors only.</p> <p>All sign materials must be permanent: paper, cardboard, cling film, etc., are prohibited except as provided in Section 12, temporary signs.</p> <p>Any interior sign either hung within two feet of a window/door or attached to a display or other structure within two feet of a window/door shall be considered a window sign.</p> <p>Nonresidential multi-tenant uses shall submit a master sign plan application that includes all window signs and non-advertising window markings.</p>

Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions ¹	Additional Requirements ³
Menu Sign (Wall-Mounted)	4 square feet	1	1 per restaurant	None	<p>Must be attached to wall.</p> <p>Must be framed or matted.</p> <p>Not included in area for window signs.</p> <p>Enclosed in frame or casing compatible with building design and color.</p> <p>Casing shall not project more than 2 inches from wall.</p>
Building Directory Sign	18 square feet	1	1 per building	<p>Height: 6 feet</p> <p>Width: None</p>	<p>2 or more buildings on same parcel or development.</p> <p>Internal illumination only.</p> <p>Located within a 25-foot radius of main entry to building.</p> <p>May be a changeable copy sign.</p> <p>Shall be placed in landscaped area.</p> <p>Vehicle pull-off may be required.</p>
Changeable Copy/Digital Display Ground Sign²	60 square feet	2	1	<p>Height: 10 feet</p> <p>Width: 15 feet</p> <p>(Dimensions include base)</p> <p>Min. sign width must equal 50% of sign height.</p>	<p>Only allowed for government uses, public/private schools, and colleges/universities in public/institutional zoning districts, and places of worship in permitted districts.</p> <p>Requires solid base not less than three feet high w/out sign copy.</p> <p>Min. 15 feet setback from ROW.</p> <p>Min. 50 feet setback from non-ROW property lines.</p>

Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions ¹	Additional Requirements ³
Pole-mounted Banner	21 square feet	2	1 per light pole and/or pedestrian pole.	3 feet width by 7 feet length	Meet all requirements in Section 14.
Wrap Signs	Same as sign type to be wrapped	Same as sign type to be wrapped	Same as sign type to be wrapped	Same as sign type to be wrapped	Permitted only on permitted sign types. Wrapping prohibited on ATMs, Gas Pumps, Poles, etc.

¹Height measured from average grade unless otherwise noted.

²Ground sign must be landscaped as provided below.

- a. Front: minimum width shall be not less than ½ the height of the sign.
- b. Side: minimum width shall be not less than ½ the height of the sign.
- c. Rear: minimum width shall be two feet.

³**All signs are subject to criteria of Sec. 6.12**

Abbreviations

SPW = Seminole Pratt Whitney Road

ROW = Public road right-of-way

Section 6.30. Illumination

Section 6.31. Permitted Illumination

(A) **General.** Permanent ground signs shall be illuminated and wall signs may be illuminated utilizing the following: backlighting, internal lighting, or permanently fixed and encased lighting from below, and external to, the sign surface. Lighting shall be properly shielded to prevent glare upon adjacent public rights of way or adjacent property. The

Planning and Zoning Director may require photometric or other studies to ensure sign lighting will not adversely affect the public health, safety, and welfare.

(B) **Illumination of temporary signs prohibited.** Illuminated signs located within five hundred (500) feet of a residential zone, and which are visible from such residential zone, shall be turned off not later than 10:00 pm each night.

(C) **Neon Signs.** Neon signs with exposed tubes are permitted within a building, provided such signage is not visible from a public right of way.

(D) **Permitted Neon Signs.** Any exposed neon sign or LED design which emulates the appearance of a neon sign may be displayed and be visible from a public right of way so long as the total sign areas is three (3) square feet or less.

(E) **Wall Signs:** Only backlighting with opaque lettering and permanently fixed and encased face lighting from below the sign surface shall be permitted in residential zoning districts.

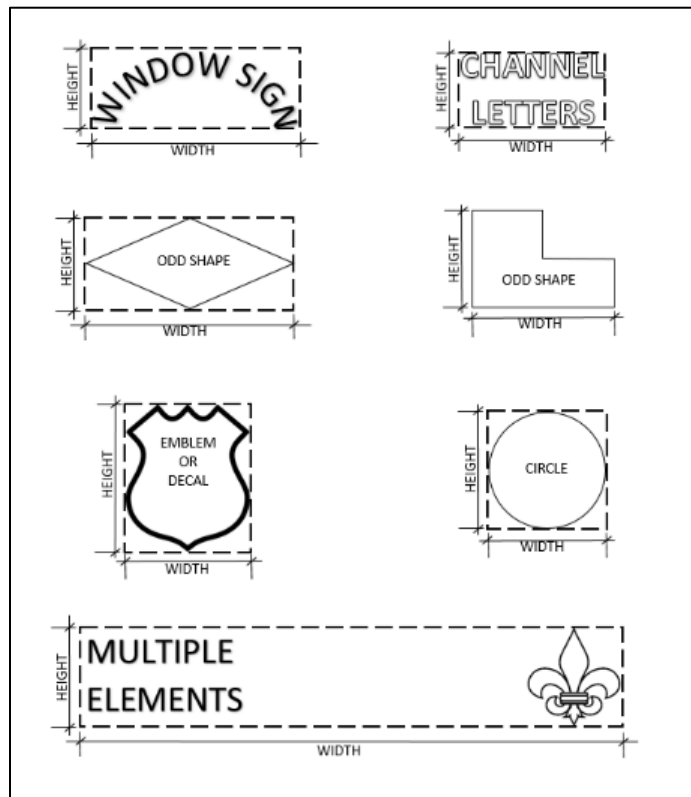
(F) **Flags. Flags.** Not more than two (2) flags and two (2) flag poles shall be located on any single property. Flag poles shall not exceed twenty-five (25) feet in height. One (1) flag per pole is permitted. The area of a flag shall conform to the requirements listed below. The setback for a flag pole shall be equal to the height of the flag pole as installed. The number, size, and height of flags and flag poles may be increased with city council approval.

Height of Flag Pole	Maximum Flag Area	Maximum Dimensions	Minimum Setback
Less than 20 feet	24 square feet	4 feet by 6 feet	Equal to 15' or the height of pole, whichever is less
20 to 25 feet	40 square feet	5 feet by 8 feet	Equal to height of pole

Section 6.33 Calculation of Sign Copy Area

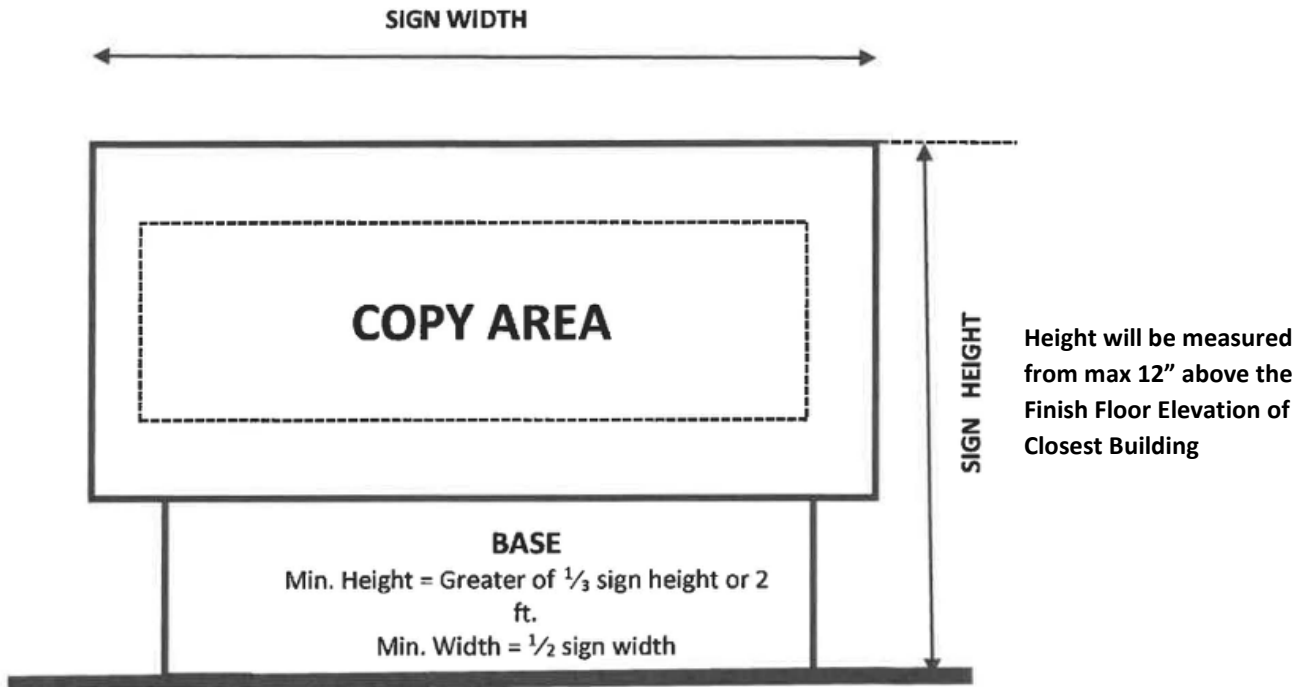
(1) **Sign Copy area.** Sign copy area shall be calculated as illustrated in Figure 6-9. The copy area of a sign face shall be calculated by means of the smallest rectangle that will encompass all letters, numbers, characters, logos, emblems, information, or other display. The sign copy area shall include any materials or colors utilized to differentiate the sign from the backdrop or structure on which it is placed. Sign copy area shall not include any supporting framework or bracing.

Figure 6-9



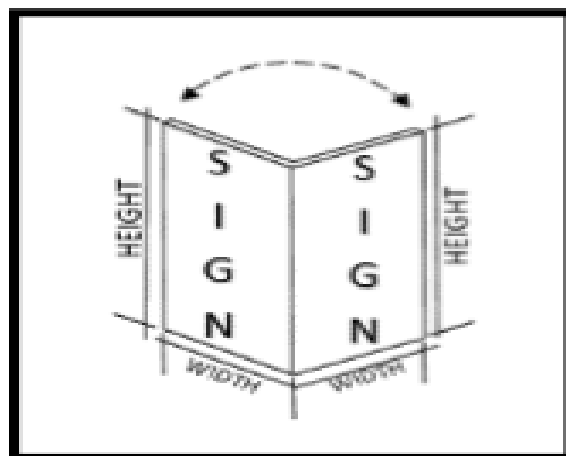
(2) **Ground Sign Measurement.** Ground signs shall be measured as illustrated in Figure 6-10.

Figure 6-10



- (3) A multi-faced sign having an angle greater than zero degrees (See figure 6-6) shall be treated as one double-faced sign. The maximum number of sign faces shall be limited to two-faces.
- (4) **Height and Width Measurements for Multi-Faced Signs.** The sign area shall be calculated as the combined total of the product of the height x width of each face. $A = 2(h \times w)$ [See Figure 6-11]

Figure 6-11



Section 6.34 Exempt Signs

- A. The signs listed below are permitted signs and are exempt from the requirements of this chapter.
 - A. **Mailboxes.** Roadside mailboxes.
 - B. **Residential identification signs.** Residential building identification, displaying the name or property occupant or street address, provided such sign is less than four (4) square feet.
 - C. **Warning signs.** Signs prohibiting peddlers or solicitors, indicating security such as burglar alarms, "no trespassing" or "beware of animal" signs. Signs of this nature shall be located at the entrance of the building or residence, or adjacent to fenced areas.
 - D. **Traffic control/traffic information.** Traffic control, directional, and public information/warning signs placed in public rights-of-way by federal, state, county, city, and other public agencies or at the direction of or as required by same.
 - E. **Interior signs.** Signs located within a building and not visible from a public right-of-way.
 - F. **Courtyard signs.** Signs located on the exterior elevation of an interior courtyard, provided such signs are not visible from a public right-of-way or abutting Residential zoning district.
 - G. **Vehicle advertising.** Motor vehicles with business names, business addresses, telephone numbers, contractor certification numbers, logos, and similar information painted, embossed, or wrapped on vehicle surfaces, when otherwise permitted or required by law. Parking of such vehicles shall be limited as provided below.
 - 1. Motor vehicles, including, but not limited to, trucks, vans, and automobiles, and any trailer towed by such vehicles, with business signage shall not be parked in any location for the primary purpose of advertising a business or service.
 - 2. The owners of commercial or industrial properties, or their legal tenants, whose vehicles are registered, licensed, and fully operational for company use are exempt from the above Subsection (a). for the purpose of parking such vehicles on site in the normal course of business.

Section 6.35 Permitted Temporary Signs. Temporary signs allowed within the city are listed in

Table 6-2.

Table 6-2 Permitted Temporary Signs

Type of Sign	Maximum Size (Square Feet)	Earliest Installation Date	Final Removal Date	Notes and Remarks
Free Speech Sign*	<i>Residential</i> –6 square feet <i>Nonresidential</i> –As specified in Table 5-1	None	None	<i>Residential</i> –1 sign per Residential parcel. <i>Nonresidential</i> –1 sign per Nonresidential parcel. Sign may be installed in lieu of any permitted Nonresidential sign. Signs may not be placed on public property. Signs may not be placed in public rights-of-way. Signs may not obstruct vision at corners, intersections, etc.

Type of Sign	Maximum Size (Square Feet)	Earliest Installation Date	Final Removal Date	Notes and Remarks
Political*	<i>Residential</i> : 6 square feet <i>Nonresidential</i> : 32 square feet	<i>Residential</i> –Not more than 30 days prior to the election to which it relates. <i>Nonresidential</i> –Same as <i>Residential</i> .	<i>Residential</i> –7 days after the election <i>Nonresidential</i> –7 days after the election	<i>Residential</i> –1 sign per candidate or issue per <i>Residential</i> parcel. <i>Nonresidential</i> –1 sign per candidate or issue. <i>Nonresidential</i> –1 sign per 200 linear feet of street frontage. A minimum of 1 sign per property allowed. Signs may not be placed on public property. Signs may not be placed in public rights-of-way. Signs may not obstruct vision at corners, intersections, etc. Applicable to federal, state, county, and local elections.

Sale: Residential Open House*	6	Day open house begins	Day open house closes	
Sale: Nonresidential Open House	16	Day open house begins	Day open house closes	
Nonresidential Sale, Rental or Lease of Building or Portion of Building	16	Upon issuance of Certificate of Occupancy	Until one hundred percent (100%) of the building is sold, rented, or leased	<p><i>Sign post.</i> Post shall be a four (4) by four (4) treated-wood post or other functional material. The minimum number of posts shall be two (2). The posts shall be directly buried into the ground at a minimum of two (2) feet. Use of concrete is prohibited.</p> <p><i>Backing.</i> Sign shall be installed on one-half-inch plywood. Plywood shall be attached with weather-resistant screws.</p> <p><i>Color.</i> The entire sign must be painted or wrapped.</p>
Type of Sign	Maximum Size (Square Feet)	Earliest Installation Date	Final Removal Date	Notes and Remarks
Development Sign	32'	When complete development order application filed with city	On receipt of first certificate of occupancy	
Project Suppliers/Trades	32	On receipt of building permit	On receipt of final certificate of occupancy	No more than 2 signs shall be permitted at one time.
Signage on Construction Barrier Fence	10% of total barrier area	On receipt of construction fence permit	On receipt of final certificate of occupancy	Limited to signage identifying the nature of the development, contractor's information, leasing information, corporate logos and renditions of development
Murals and Other Decorative Elements on	15% of total barrier area	On receipt of construction fence permit	On receipt of Final Certificate of Occupancy	May not contain any rendition of development or element of development

Construction Barrier Fence				
Grand Opening/Project Opening/New Businesses	32	7 days before event	10 days after opening or event	May be permitted as a banner.
Outparcel/Phase Opening	32	7 days before opening	10 days after opening	
Special Event Signage	32	7 days prior to event	1 day after event	One on-site sign may be permitted for each side of the property that fronts a public right-of-way, up to 4 signs. 1 per property allowed. May be permitted as a banner.
Special Event Directional Signage	4	Day before event	1 day after event	May be located off-site. May be located on private property w/ owner's written permission
Special Sale for Profit	16	7 days prior to event	1 day after event	Maximum 4 per calendar year per project.
Type of Sign	Maximum Size (Square Feet)	Earliest Installation Date	Final Removal Date	Notes and Remarks
Right-of-way Banner	24	30 days prior to event	2 days after event	For regional, national, city, or city co-sponsored special event. Must have authorization from applicable agency.
Name-Change Ground Sign Covering	60 square feet of copy	Issuance of permit	60 days from issuance of permanent sign permit application**	Only canvas coverings of ground signs allowed. Office and retail uses only. May be submitted when sign permit for new

				permanent sign is submitted.
School/Day Care/Nursery	32	30 days before registration	14 days after registration	Max. 3 per calendar year. May be permitted as a banner.
Garage Sale*	12	1 day before sale	Close of the day of sale	1 on-site sign
Construction Entrance	16	Issuance of land clearing, land alteration, or building permit.	On receipt of final certificate of occupancy	
Menu Sign (Free-Standing)	15 square feet	At opening	At closing	1 per restaurant. Additional signs permitted if outdoor seating areas are either separated by 6 feet high wall or not visible to each other. Constructed of durable materials. May be pole-mounted, "A"-frame, or sandwich board. May include name, hours, credit card, menu, and price information. Must be stored inside when restaurant closed.
Valet Parking Signs	6 square feet Height: 4 feet Width: None	2 hours prior to business opening each day.	2 hours after business closing each day.	1 sign per establishment. May be 2-sided. May not be visible from a public right-of-way. Notwithstanding Subsection (b)(4) above, such signs may be affixed to a valet kiosk. Valet sign permits shall not be transferrable.
Human Signs (or Living Signs)	3 square feet	Date indicated on the permit	Maximum 2 days	Maximum of 6 times per calendar year

*Exempt from fees and permit registration provided the sign complies with the requirements set forth in Table 5-2 and the Florida Building Code, as applicable.

**A written request for a 30-day extension may be granted administratively provided the permanent sign is not completed but is in the process of completion.

Section 6.37 Permit. A City temporary sign permit is required for all temporary signs except those exempt as shown in Table 6-2. Applicable application fees shall be paid with each application. Signs not approved by the city are subject to immediate removal by the city, at the expense of the owner.

Section 6.38 Temporary signs shall comply with the standards listed below.

- (1) **Illumination and/or Animation.** Temporary signs shall not be illuminated nor shall they incorporate any of the characteristics set forth in Section 6.36
- (2) **Setbacks.** Temporary signs shall be setback at least two (2) feet from the right-of-way line and side property lines, and must comply with Section 6.36, Prohibited Signs and Prohibited Sign Locations.
- (3) **Maximum Height.** A temporary sign shall not be higher than five (5) feet above the average grade at the property line nearest the sign, except for "human signs," which shall not exceed eight (8) feet in height above the grade upon which any such sign is located.
- (4) **Permitted Sign Types.** Only pole, sandwich-board or A-frame type signage, or human signs shall be used for temporary signs.
- (5) **Human Signs (living signs).** Upon the issuance of a permit, a living or human sign may be allowed on the premises of the property that is being advertised or within eight (8) feet of the right-of-way immediately adjacent to the property that is being advertised for a maximum of six (6) times per calendar year for no more than two (2) consecutive days. The sign area shall not exceed three (3) square feet in size, and the living or human sign shall not be permitted off site, within the right-of-way, or closer than eight (8) feet from the right-of-way immediately adjacent to the property being advertised. Any failure to comply with these regulations will result in the administrative suspension or revocation of the sign permit and/or enforcement proceedings pursuant to Chapter 162, Florida Statutes. Notwithstanding the foregoing, the city may also pursue any remedy available under the law.
- (6) **Maximum Sign Faces.** A maximum of two (2) faces will be allowed for each temporary sign. Maximum size as set forth in Table 6-2 applies to each sign face individually.
- (7) **Maintenance.** All signs shall be kept in good condition, present a neat appearance, and be maintained free of debris, stains, mold, discoloration, or deterioration.
- (8) **Hazard.** A sign shall not directly or indirectly create a traffic or fire hazard or interfere with the free and unobstructed use of streets or sidewalks.
- (9) **Number.** Each side of a property facing a right-of-way is allowed one (1) temporary sign as permitted in Table 5-2. Notwithstanding the foregoing Table 5-2, only one (1) human sign (or living sign) shall be permitted per property.
- (10) **Prohibited materials.** Paper, cardboard, or other such material subject to rapid deterioration shall not be used for any sign that is to be displayed for more than thirty (30) consecutive days.
- (11) **Non-residential sale sign.** For a temporary sign displaying information concerning nonresidential sale of portion of building, rental, or lease permit:
 1. If approved, a permit will be issued for a period of no longer than one (1) year, or until one hundred (100) percent of the building is sold, rented, or leased.

2. A renewal permit may be submitted annually if the applicant is in compliance with the City's standards.
3. **Standards.** Signage must be in compliance with all temporary signage standards and meet the following criteria:
 - i. **Size.** Maximum square footage of the sign face is sixteen (16) square feet, for parcels 2 acres or less. Parcels greater than 2 acres, the maximum square footage is (24) square feet.
 - ii. **Sign post.** Post shall be a four (4) by four (4) treated-wood post or other acceptable material. The minimum number of posts shall be two (2). The posts shall be directly buried into the ground at a minimum of two (2) feet. Use of concrete is prohibited.
 - iii. **Backing.** Sign shall be installed on one-half-inch plywood backing. Plywood shall be attached with weather-resistant screws.
 - iv. **Color.** The entire sign must be painted or wrapped.
 - v. **Number.** One shall be permitted for each road frontage and every 600 lineal feet.
3. **Additional Leasing Sign.** An additional leasing sign not exceeding twelve (12) square feet may be incorporated into the project's monument sign within the two-foot required base, if provided. Letter size shall be no less than six (6) inches for ground signs and must be compatible with the general design of the monument sign. A sign permit must be submitted and approved by the city. A leasing sign on a monument sign does not require annual renewal and may remain even if one hundred (100) percent of the property is leased.

Section 6.40 Removal.

- A. **Hurricane Watch.** Any temporary sign installed within the city shall be removed by the owner or city if a hurricane watch is posted. The city shall not be responsible for the replacement of such signage after a hurricane watch is discontinued.
- B. **Violations.** The city shall have the right to remove any temporary signage in violation of this section. Any failure to comply with these regulations will result in the administrative suspension or revocation of the sign permit and/or enforcement proceedings pursuant to Chapter 162, Florida Statutes. Notwithstanding the foregoing, the city may also pursue any remedy available under the law.

Section 6.41 Noncommercial Messages

1. **Noncommercial Messages.** Notwithstanding anything in this article to the contrary, any sign erected pursuant to the provisions of this article may, at the option of the applicant, contain either a noncommercial message unrelated to the business located on the premises where the sign is erected or a commercial message related to the business and located on the business premises pursuant to the following regulations:
 - a) **Message Size.** The noncommercial message may occupy the entire sign face or portion thereof.

- b) **Change in Messages.** The sign face may be changed from commercial to noncommercial messages as frequently as desired by the owner of the sign, provided that the following is true:
 - i. The size and design criteria conform to the applicable portions of this article;
 - ii. The sign is allowed by this article;
 - iii. The sign conforms to the requirements of the applicable zoning designation; and
 - iv. The appropriate permits are obtained.
- c) **Location.** For the purpose of this sign code, noncommercial messages shall never be deemed off-premises signs.

Section 6.42 Pole-Mounted Banner Criteria

Section 6.43 Criteria to Permit. Pole-mounted banners shall only be permitted in civic, commercial, or mixed-use zoned areas for the limited purpose of brand identification or as a holiday decoration, provided the following conditions are met:

- (1) **Master Sign Plan Required.** A master sign plan approved by city council is required for all pole-mounted banner programs, except those installed on city property by the city. Any additional pole-mounted banners, graphics, locations, or increase of sign square footage other than what has been previously approved by city council requires a new miscellaneous plan review approval. As part of the application process, the applicant must complete a detailed sign program to include:
 - (a) A copy of a current site plan showing all the proposed locations where the pole-mounted banners are to be placed;
 - (b) The light pole detail upon which the pole-mounted banner is to be located;
 - (c) The pole-mounted banner's copy shall be limited to the name of the development, the development's logo, and the development's branding, which does not include any individual business name, tenant, or individual business' logo.
 - (d) All graphic designs, variations, and/or seasonal sets of the banners must be provided for city council review and approval in accordance with the criteria set forth herein. City council may prescribe specific time periods during which a particular seasonal set of banners may be displayed if approval of more than one (1) set of banners is sought by the applicant.
- (2) **Requirements.** The program must satisfy the following requirements:
 - 1). Pole-mounted banners must be located on an existing light pole;
 - 2). One (1) pole-mounted banner per light pole may be permitted;
 - 3). Pole-mounted banners on light poles shall be two-sided with the identical design on each side;

- 4). Trees, palms, or shrubs shall not be pruned beyond the limits of the city codes or accepted maintenance standards in order to facilitate the placement of any banners;
- 5). Banners shall not interfere or block any existing or future traffic or pedestrian controls or signage;
- 6). Within twenty-four (24) hours of announcement of a tropical storm or hurricane watch by the National Hurricane Center, which places the city within the "3-day cone of probability" all pole-mounted banners shall be removed;
- 7). The city may require the removal of any pole-mounted banner should the city find that the pole-mounted banner is in a state of disrepair or is not being maintained appropriately with respect to accepted maintenance standards (e.g., not faded, free from rips and tears, properly attached, un-tattered, and generally in a state of good repair). The applicant shall either remove or replace the banner within ten (10) calendar days of being noticed;
- 8). All poles holding or supporting pole-mounted banners shall require a building permit in order to verify the safety and wind loads of the banners;
- 9). Pole-mounted banners shall only be interior to a particular site or development and shall not be placed in an area immediately adjacent to a public right-of-way;
- 10). Light poles with pole-mounted banners shall be a minimum of fifteen (15) feet from the property line, and no portion of the pole-mounted banner shall extend into or be visible from a public right-of-way immediately adjacent to the property or development upon which such pole-mounted banners are located;
- 11). The minimum clearance of banners above the finished grade shall be eight (8) feet;
- 12). Non-rectangular pole-mounted banners shall conform only to the maximum banner area criteria providing that a minimum clearance of eight (8) feet above the finished grade is maintained;
- 13). Height limitation. A banner's highest point shall not exceed the highest point of the pole upon which it is mounted;
- 14). Banner size:

Height of Light Pole	Maximum Banner Area	Maximum Dimensions
20 to 25 feet	21 square feet	3 feet width by 7 feet length
Less than 20 feet	4.5 square feet	1.5 feet width by 3 feet length

Section 4. Waivers: The application of this part may be waived by the City Manager or designee where such waiver would be in the best interests of the City of Westlake.

Section 5. Revocation: The building official is authorized to revoke any building permit if a sign is erected or installed that does not comply with the requirements of this section.

Section 6. Codification: It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances for the City of Westlake, Florida, and the sections of this ordinance may be re-numbered or re-lettered to accomplish such intentions, and the word "ordinance" shall be changed to "section" or other appropriate word.

Section 7. Effective Date: This ordinance shall be effective upon adoption on second reading.

PASSED this ___ day of _____, 2022, on first reading.

PUBLISHED on this ___ day of____, 2022 in the Palm Beach Post

PASSED AND ADOPTED this ___ day of _____, 2022, on second reading.

City of Westlake
JohnPaul O’Connor, Mayor

Zoie Burgess, City Clerk

APPROVED AS TO LEGAL FORM

OFFICE OF THE CITY ATTORNEY