

Article 6. Signs

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Sec. 18-601. SHORT TITLE.

This Article 6 of the Land Development Code shall be known as "The City of Pinellas Park Sign Ordinance."

(Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-602. PURPOSE, INTENT AND SCOPE.

It is the purpose of this Article to promote the public health, safety and general welfare through reasonable, consistent and non-discriminatory sign standards. The sign regulations in this Article are not intended to censor speech or to regulate viewpoints, but instead are intended to regulate the secondary effects of speech and especially insofar as those secondary effects may adversely affect aesthetics and traffic and pedestrian safety, and are narrowly drawn and tailored to achieve those goals. In order to preserve and enhance

Pinellas Park as a desirable community in which to live and do business, a pleasing, visually attractive environment is of foremost importance. The regulation of signs within the City of Pinellas Park 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 of Pinellas Park and promoting its continued well-being, and are intended to:

- (a) Encourage the effective use of signs as a means of communications in the City;
- (b) Maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth;
- (c) Improve pedestrian and traffic safety;
- (d) Minimize the possible adverse affect of signs on nearby public and private property;
- (e) Foster the integration of signage with architectural and landscape designs;
- (f) 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;
- (g) 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;
- (h) Encourage and allow signs that are appropriate to the zoning district in which they are located and consistent with the category of use, activity and function to which they pertain;
- (i) 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;
- (j) 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;
- (k) Categorize signs based upon the function that they serve and tailor the regulation of signs based upon their function;
- (l) Preclude signs from conflicting with the principal permitted use of the site and adjoining sites;
- (m) Regulate signs in a manner so as to not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians;
- (n) 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;

- (o) Preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all districts of the City;
- (p) 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;
- (q) 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;
- (r) 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;
- (s) 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 the community; and
- (t) Enable the fair and consistent enforcement of these Sign Regulations.
(Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-603. DEFINITIONS.

All words used in this Article shall carry their customary dictionary meanings, except that the following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning: (Ord. No. 3509, § 1, 1-11-2007)

Abandoned or discontinued sign or sign structure means a sign or sign structure is considered abandoned or discontinued when its owner fails to operate or maintain a sign for a period of six (6) months or longer. The following conditions shall be considered as the failure to operate or maintain a sign: (i) a sign displaying advertising for a product or service which is no longer available or displaying advertising for a business which is no longer licensed, or (ii) a sign which is blank. (Ord. No. 3509, § 1, 1-11-2007)

Advertising means sign copy intended to aid, directly or indirectly, in the sale, use or promotion of a product, commodity, service, activity, entertainment, or real or personal property. (Ord. No. 3509, § 1, 1-11-2007)

Allowed bench sign and allowed bus shelter sign means a bus bench sign or bus shelter sign along a public transportation route that has been duly authorized by ordinance or resolution utilizing content-neutral criteria. (Ord. No. 3509, § 1, 1-11-2007)

Animated sign means a sign which includes action, motion, the optical illusion of action or motion or color changes of all or any part of the sign facing, requiring electrical energy or set in motion by movement of any device or the atmosphere or a sign made up of a series of sections that turn and stop to show two (2) or

more pictures or messages in the copy area, except time and temperature signs. Animated signs shall not include electronic reader boards. (Ord. No. 3509, § 1, 1-11-2007)

Architectural roof means the ornamental or protective framing that is attached to the exterior walls of a building and serving no structural purpose, such as a mansard roof. (Ord. No. 3509, § 1, 1-11-2007)

Artwork means a two- or three-dimensional representation of a creative idea that is expressed in a form and manner as to provide aesthetic enjoyment for the viewer rather than to specifically convey the name of the business or a commercial message about the products or services offered on the property upon which the artwork is displayed. (Ord. No. 3509, § 1, 1-11-2007)

Attached signs means any sign attached to, on, or supported by any part of a building (e.g. walls, architectural roof, awning, windows, or canopy) which encloses or covers usable space. (Ord. No. 3509, § 1, 1-11-2007)

Bandit sign. See "snipe sign." (Ord. No. 3509, § 1, 1-11-2007)

Banner means any sign or string of one (1) or more signs, usually made of cloth or other lightweight material, which is used to attract attention, whether or not imprinted with words or characters, including but not limited to balloons and pennants. Flags shall not be considered banners. (Ord. No. 3509, § 1, 1-11-2007)

Beacon means a stationary or revolving light which flashes or projects illumination, single color or multicolored, in any manner which has the effect of attracting or diverting attention, except, however, this term does not include any kind of lighting device which is required or necessary under the safety regulations of the Federal Aviation Administration or other similar agency. This definition does apply to any similar type of lighting device contained entirely within a structure and which does not project light to the exterior of the structure. (Ord. No. 3509, § 1, 1-11-2007)

Bench signs or *bus shelter signs* mean any sign that is drawn, painted, printed, or otherwise affixed to a bench or a bus shelter. (Ord. No. 3509, § 1, 1-11-2007)

Billboard means a sign structure and/or sign utilized for advertising an establishment, an activity, a product, service or entertainment, which is sold, produced, manufactured, available or furnished at a place other than on the zoned lot on which said sign structure and/or sign is located. (Ord. No. 3509, § 1, 1-11-2007)

Building development director means the Director of the City Building Development Division, or his/her designee, responsible for the administration, interpretation and enforcement of this Article. (Ord. No. 3509, § 1, 1-11-2007)

Building frontage means the single facade constituting the length of a building or that portion of a building occupied by a single office, business or enterprise. (Ord. No. 3509, § 1, 1-11-2007)

Building wall area means the exterior wall surface of a building, including all window and door openings, from finished grade to soffit/roof line, or top of the building wall, with a maximum height of twenty (20) feet. (Ord. No. 3509, § 1, 1-11-2007)

Bulletin board means a permanent sign with removable letters, words, numerals or symbols, indicating the names or persons associated with, or events conducted upon, or products or services offered upon, the premises upon which such a sign is located, and such sign is designed not to be read from the property line. (Ord. No. 3509, § 1, 1-11-2007)

Bus stop informational sign means a freestanding or attached noncommercial sign located at a bus stop and providing information as to the route, hours or times of service. (Ord. No. 3509, § 1, 1-11-2007)

Canopy (awning) sign means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy. (Ord. No. 3509, § 1, 1-11-2007)

Changeable message sign means a sign upon which the copy is changed manually or automatically through the utilization of attachable letters, numbers, symbols, or other similar characteristics. This sign-type includes an electronic reader board that is not utilized as an animated sign, moving sign, or flashing sign. (Ord. No. 3509, § 1, 1-11-2007)

Commercial message means any sign wording, logo, or other representation or image that directly or indirectly names, advertises, or calls attention to a product, service, sale or sales event or other commercial activity. (Ord. No. 3509, § 1, 1-11-2007)

Construction sign means a temporary on-premise sign identifying the ongoing construction activity during the time that a building permit is active and prior to completion of the work for which the permit was issued, containing sign copy that is limited to the ongoing construction activity and identifying the contractor and/or any subcontractor engaged to perform construction activity on the site. (Ord. No. 3509, § 1, 1-11-2007)

Copy means the linguistic or graphic content of a sign. (Ord. No. 3509, § 1, 1-11-2007)

Directional sign means a sign that exclusively contains information providing directional information pertaining to any place or area, including but not limited to those signs indicating avenues of ingress/egress (such as "entrance," "enter," "exit," "exit only," "one way only," and "do not enter"). (Ord. No. 3509, § 1, 1-11-2007)

Double-faced sign means a sign which has two (2) display surfaces, one (1) face of which is designed to be seen from one (1) direction and the other face of which is designed to be seen from the opposite direction. (Ord. No. 3509, § 1, 1-11-2007)

Election sign means a temporary sign erected or displayed for the purpose of expressing support for or opposition to a candidate or stating a position regarding an issue upon which the voters of the City shall vote. (Ord. No. 3509, § 1, 1-11-2007)

Erect means to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish; but it does not include any of the foregoing activities when performed as an incident to the change of advertising message or customary maintenance or repair of a sign. (Ord. No. 3509, § 1, 1-11-2007)

Exempt sign means a sign described in Section 18-608 of this Article. (Ord. No. 3509, § 1, 1-11-2007)

Facade means the side of a building, either front or side; and a building facade may be less than the entire side of a building if limited to the occupancy of a portion of a building. (Ord. No. 3509, § 1, 1-11-2007)

Flag means any fabric, or bunting containing distinct colors, patterns or symbols, used as an ornamental flag or as a symbol of government, political subdivision, corporation or business or other entity. (See also "ornamental flag.") (Ord. No. 3509, § 1, 1-11-2007)

Flagpole shall mean a pole on which to raise a flag. (Ord. No. 3509, § 1, 1-11-2007)

Flashing sign means a sign, which permits light to be turned on or off intermittently more frequently than once per minute. (Ord. No. 3509, § 1, 1-11-2007)

Free expression sign means a sign, not in excess of three (3) square feet in size (area) and the top of the sign is not more than six (6) feet off the ground, communicating information or views on matters of public policy concern or containing any other noncommercial message, that is otherwise lawful. (Ord. No. 3509, § 1, 1-11-2007)

Freestanding sign means a sign supported by structures or supports that are placed on or anchored in the ground or at ground level and which are independent of any building or other structure. Unless otherwise limited or restricted, a freestanding sign may be either a freestanding monument sign or a freestanding pole sign. (Ord. No. 3509, § 1, 1-11-2007)

Freestanding monument sign means a freestanding sign whose ratio of width of sign to width of support is less than three to one (3 to 1). (Ord. No. 3509, § 1, 1-11-2007)

Freestanding pole sign means a freestanding sign whose ratio of width of sign to width of support is equal to or greater than three to one (3 to 1). (Ord. No. 3509, § 1, 1-11-2007)

Frontage means the length of the property line of a parcel of land, which runs parallel with and along a road right-of-way or street, exclusive of alleyways. (Ord. No. 3509, § 1, 1-11-2007)

Garage or yard sale sign (garage-yard sale sign) means any onsite temporary sign pertaining to the sale of personal property in, at or upon any residentially-zoned property located in the City. Garage or yard sale signs shall include but not be limited to all such sales, and shall include the advertising of the holding of any such sale, or the offering to make any sale, whether made under any name such as garage sale, lawn sale, yard sale, front yard sale, back yard sale, home sale, attic sale, rummage sale, patio sale, flea market sale, or any similar designation. (Ord. No. 3509, § 1, 1-11-2007)

Ground level means the finished grade of a parcel of land exclusive of any filling, berming or mounding. In connection with marina docks or floating structures, *ground level* shall mean the finish grade of the landward portion of the adjoining parcel. (Ord. No. 3509, § 1, 1-11-2007)

Grand opening sign means an on-premise temporary sign announcing the opening of a new business, that does not exceed sixteen (16) square feet in sign area and that is not displayed for longer than thirty (30)

days after the opening date of the new business. (Ord. No. 3509, § 1, 1-11-2007)

Height means vertical distance measured from ground level nearest the base of the sign to the highest point on the sign. (Ord. No. 3509, § 1, 1-11-2007)

Holiday and seasonal decorations mean decorations that pertain to legal or other recognized holidays or to a season of the year. (Ord. No. 3509, § 1, 1-11-2007)

Illuminated sign means any sign or portion thereof, which is illuminated by artificial light, either from an interior or exterior source, including outline, reflective or phosphorescent light, whether or not the source of light is directly affixed as part of the sign. (Ord. No. 3509, § 1, 1-11-2007)

Incidental sign means a sign not exceeding one (1) square foot in size attached to a freestanding sign or affixed to a wall, that either (i) identifies credit cards accepted by the owner, tenant, or occupant of the parcel where the incidental sign is located, or (ii) provides an official notice of services required by law or trade affiliation. (Ord. No. 3509, § 1, 1-11-2007)

Illegal sign means any sign, which has been determined to be in violation of any provision of this Article. (Ord. No. 3509, § 1, 1-11-2007)

Intermittent sign means a sign, other than a time and temperature sign, which permits light to be turned on or off intermittently more frequently than once every two (2) hours. (Ord. No. 3509, § 1, 1-11-2007)

Lot. See definition of "parcel." (Ord. No. 3509, § 1, 1-11-2007)

Machinery and equipment signs mean signs incorporated into machinery or equipment by a manufacturer or distributor, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper dispensers, telephone booths and gasoline pumps. (Ord. No. 3509, § 1, 1-11-2007)

Maintenance means the replacing, repairing or repainting of a portion of sign structure, periodically changing changeable copy or renewing copy, which has been made unusable by ordinary wear. (Ord. No. 3509, § 1, 1-11-2007)

Marquee means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather. (Ord. No. 3509, § 1, 1-11-2007)

Marquee sign means any sign attached to a marquee. (Ord. No. 3509, § 1, 1-11-2007)

Menu/display sign means any sign placed so as to be viewed from a drive-through lane which contains a listing and/or picture of products, with prices, offered for sale by the business and provides a mechanism for ordering products while viewing the sign. (Ord. No. 3509, § 1, 1-11-2007)

Multifaced sign, or multiple faced sign, means any sign with more than one (1) display surface, with one (1) face of which is designed to be seen from one direction and the other faces from other directions. Maximum

of four (4) display surfaces. (Ord. No. 3509, § 1, 1-11-2007)

Multiprism sign means any sign that turns and stops, to show two (2) or more graphics or messages in the same area. (Ord. No. 3509, § 1, 1-11-2007)

Nameplate sign or occupant identification sign means a sign indicating the name and/or profession or address of a person or persons residing on the premises or legally occupying the premises. (Ord. No. 3509, § 1, 1-11-2007)

Noncommercial message means any message that is not a commercial message. (Ord. No. 3509, § 1, 1-11-2007)

Noncommercial on-site directional sign means an on-site sign providing direction or information to pedestrian or vehicular traffic that is related or reasonably necessary to the movement of pedestrian or vehicular traffic on the premises, and not displaying a commercial message (e.g., "entrance," "exit," "caution," "no parking," "one way only," "no trespassing," and the like). (Ord. No. 3509, § 1, 1-11-2007)

Nonconforming sign means a sign, which does not conform to the regulations provided in this Article. (Ord. No. 3509, § 1, 1-11-2007)

Non-Profit Directional sign means an off-premise sign located on public right-of-way directly adjacent to an arterial or collector roadway that provides direction to an Internal Revenue Service-approved non-profit organization. The non-profit organization must be the primary use of the property to which the sign provides direction. (Ord. No. 3509, § 1, 1-11-2007)

Off-premise sign or off-site sign means any sign relating in its subject matter to commodities, accommodations, services or activities on a zone lot other than the zone lot on which the sign is located. (Ord. No. 3509, § 1, 1-11-2007)

On-premise sign or on-site sign means any sign relating in its subject matter to the commodities, accommodations, service or activities on the zone lot on which it is located. (Ord. No. 3509, § 1, 1-11-2007)

Ornamental flag means any fabric or similar material containing patterns, drawings or symbols used for decorative purposes and designed to be flown as a flag. (Ord. No. 3509, § 1, 1-11-2007)

Parcel means land that has been or that is proposed to be used, developed, or built upon as a unit under single ownership. (Ord. No. 3509, § 1, 1-11-2007)

Parapet means a false front or wall extension above the roofline of a building. (Ord. No. 3509, § 1, 1-11-2007)

Pavement sign means any sign painted or otherwise affixed to the pavement. (Ord. No. 3509, § 1, 1-11-2007)

Pennant means any series of small flag-like or streamer-like pieces of cloth, plastic, paper or similar material attached in a row to any staff, cord, building, or at only one (1) or two (2) edges, the remainder hanging

loosely. (Ord. No. 3509, § 1, 1-11-2007)

Permanent sign means any sign which, when installed, properly permitted and is intended for permanent use. For the purposes of this Article any sign with an intended use in excess of twelve (12) months from the date of installation shall be deemed a permanent sign. (Ord. No. 3509, § 1, 1-11-2007)

Person means any individual, corporation, company, association, firm, partnership, joint venture, trust, and the like, singular or plural. (Ord. No. 3509, § 1, 1-11-2007)

Portable sign means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to: signs designed to be transported by means of wheels; signs converted from A-frames; menu and sandwich board signs; balloons and other inflatables; umbrellas used for advertising. (Ord. No. 3509, § 1, 1-11-2007)

Premises means any property owned, leased or controlled by the person actively engaged in business at that location. (Ord. No. 3509, § 1, 1-11-2007)

Principal use means the use, which constitutes the primary activity, function or purpose to which a parcel of land or a building is put. (Ord. No. 3509, § 1, 1-11-2007)

Projecting sign means any sign affixed perpendicularly to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of such building or wall. (Ord. No. 3509, § 1, 1-11-2007)

Property means the overall area represented by the outside boundaries of a parcel of land or development. (Ord. No. 3509, § 1, 1-11-2007)

Public/Semi-Public sign means any sign erected on site for a non-profit, public or quasi-public use such as a library, educational institution, church, hospital, or government owned/leased building. (Ord. No. 3509, § 1, 1-11-2007)

Real estate sign means a sign advertising the purchase, auction, rental, sale, lease, or exchange of all or any portion of the real property on which the sign is displayed temporarily. (Ord. No. 3509, § 1, 1-11-2007)

Revolving sign or *rotating sign* means any sign that revolves or rotates. (Ord. No. 3509, § 1, 1-11-2007)

Rider means an additional sign not exceeding one (1) square-foot in size, attached to a temporary real estate sign, and advertising some special circumstance or additional information pertaining to the real property (e.g., "reduced price," "waterfront lot," etc.). (Ord. No. 3509, § 1, 1-11-2007)

Roof sign means any sign erected and constructed wholly on or over the roof of a building, which is supported by the roof structure, or any sign that extends in whole or in part above the roofline of a building. (Ord. No. 3509, § 1, 1-11-2007)

Roofline means the highest continuous horizontal line of a roof. On a sloping roof, the roofline is the principal ridgeline or the highest line common to one (1) or more principal slopes of roof. On a flat roof, the

roofline is the highest continuous line of a roof or parapet. (Ord. No. 3509, § 1, 1-11-2007)

Safety sign. See "warning sign." (Ord. No. 3509, § 1, 1-11-2007)

Sandwich board sign means a temporary portable double-faced, freestanding sign. (Ord. No. 3509, § 1, 1-11-2007)

Sign means any device, fixture, placard or structure which uses color, form, graphics, illumination, architectural style or design with text, or writing to advertise, attract attention, announce the purpose of, or identify the purpose of any person or entity or to communicate information of any kind to the public. The term "sign" includes sign structure. The term "sign" does not include artwork or holiday and seasonal decorations. (Ord. No. 3509, § 1, 1-11-2007)

Sign area means the total square foot area of sign surface, including all parts thereof devoted to the background, computed by bounding the exterior of the sign structure or surface with a series of straight or curved lines tangent thereto (*see* illustrative examples in Section 18-605 herein). The area of a sign painted directly on a wall or awning and signs with letters attached directly to walls or awnings shall be the smallest rectangle, triangle, circle, parallelogram, other geometric figure, or other architectural design encloses the whole group or words or characters. (Ord. No. 3509, § 1, 1-11-2007)

Sign face means the part of the sign that is or can be used to identify, display, advertise, communicate information, or for the visual representation, which attracts or intends to attract the attention of the public for any purpose. (Ord. No. 3509, § 1, 1-11-2007)

Sign structure mean any structure which is designed specifically for the purpose of supporting a sign, which has supports or which is capable of supporting a sign. The definition shall include any decorative covers, braces, wires, supports, or other components attached to or placed around the sign structure. (Ord. No. 3509, § 1, 1-11-2007)

Snipe sign (bandit sign) means any sign tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, or fences, with the message appearing thereon not applicable to the present use of the premises upon which the sign is located. (Ord. No. 3509, § 1, 1-11-2007)

Special event sign means a content-neutral sign providing notice of, or direction to, an event, gathering, assembly or meeting that is open to the public at large. (Ord. No. 3509, § 1, 1-11-2007)

Statutory sign means a sign required by any statute or regulation of the State of Florida or the United States. (Ord. No. 3509, § 1, 1-11-2007)

Street means a public right-of-way used for vehicular and pedestrian traffic. (Ord. No. 3509, § 1, 1-11-2007)

Street address sign means any sign denoting the street address of the premises on which it is attached or located. (Ord. No. 3509, § 1, 1-11-2007)

Substantially damaged or destroyed, as it pertains to a nonconforming sign, means that (i) more than

fifty (50) percent of the upright supports of a sign structure are physically damaged such that normal repair practices of the sign industry would call for, in the case of wooden structures, replacement of the broken supports and, in the case of a metal sign structure, replacement of at least twenty-five (25) percent of the length above ground of each broken, bent, or twisted support, or (ii) that more than fifty (50) percent of a wall or attached sign is physically damaged such that normal repair practices of the sign industry would call for the same to be replaced or repaired. However, any nonconforming sign holding a lawful permit under the provisions of F.S. ch. 479, shall be not be deemed to be substantially damaged or destroyed if the same is lawfully maintained in accordance with the applicable provisions of the Florida Administrative Code. (Ord. No. 3509, § 1, 1-11-2007)

Subdivision monument identification sign means a monument sign, which contains only the name of a platted subdivision or other residential development. A subdivision monument identification sign at a platted subdivision or neighborhood entrance shall not be considered a billboard. (Ord. No. 3509, § 1, 1-11-2007)

Temporary use sign means a sign intended for a temporary use, consisting of balloons, banners, ridged board, or other similar material, for no more than two (2) periods not to exceed thirty (30) days each within any twelve-month period. (Ord. No. 3509, § 1, 1-11-2007)

Time and temperature sign means a sign, which functions only to display the current time and temperature at intervals no more frequently than once per minute and which contains no other messages. Time and temperature signs are regulated within the zoning districts in which they are allowed. (Ord. No. 3509, § 1, 1-11-2007)

Traffic control device sign means any sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the National Standard. A traffic control device sign includes those signs that are classified and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational, or cultural information). (Ord. No. 3509, § 1, 1-11-2007)

Vehicle sign means any sign attached to or placed on a vehicle, including automobiles, trucks, boats, campers, and trailers which vehicle is parked on or otherwise utilizing a public or private right-of-way, public property or private property so as to be intended to be viewed from a vehicular right-of-way for the basic purpose of providing advertisement of products or services or directing people to a business or activity. This definition is not intended to include those signs or such advertising devices as may be attached to and within the normal unaltered lines of the vehicle of a licensed transit carrier that identify a firm or its principal products on a vehicle, of but only during the time said vehicle is regularly and customarily traversing the public highways during the normal course of business. (Ord. No. 3509, § 1, 1-11-2007)

Visibility triangle means a triangular area designed to maintain sight lines and cross visibility at the intersection of two (2) street rights-of-way, public or private, including alleys, or the intersection of a street right-of-way, public or private, including alleys, and driveways, designed to maintain lateral vision between a height of two (2) feet and eight (8) feet as measured from the property line across triangles, as described in more detail below. Lawful sign structures shall be allowed within the visibility triangle so long as such support structures do not exceed twelve (12) inches in diameter. See Section 18-1502.2 for a graphic illustrating the

forgoing visibility triangles. (Ord. No. 3509, § 1, 1-11-2007)

1. *Intersection of two (2) street rights-of-way.* The triangle is formed with a base of twenty-five (25) feet and a height of twenty-five (25) feet adjacent to the subject property lines and the hypotenuse of the triangle formed by connecting the terminal points of the base and height. (Ord. No. 3509, § 1, 1-11-2007)
2. *Intersection of an alley and a street right-of-way, intersection of a street right-of-way and a driveway, and intersection of an alley and a driveway.* The triangle is formed on both sides of the alley and driveway with a base and height of ten (10) feet adjacent to the subject property lines and the hypotenuse of the triangle formed by connecting the terminal points of the base and height. (Ord. No. 3509, § 1, 1-11-2007)
3. *Rounded corners.* In the case of rounded corners, the point of which they would meet without such rounding will be used in determining the base and height. (Ord. No. 3509, § 1, 1-11-2007)

Wall sign means a sign, which is painted on, fastened to, or erected against the wall of a building with its face in a parallel plane with the plane of the building facade or wall, which is used for advertising, and does not project more than six (6) inches from the building surface. (Ord. No. 3509, § 1, 1-11-2007)

Warning sign or safety sign means a sign which provides warning of a dangerous condition or situation that might not be readily apparent or that poses a threat of serious injury (e.g., "gas line," "high voltage," "condemned building," etc.) or that provides warning of a violation of law (e.g., "no trespassing," "no hunting allowed," etc.). (Ord. No. 3509, § 1, 1-11-2007)

Window sign means (i) any sign mounted in any fashion on the exterior of the surface of a window, or (ii) any sign mounted in any fashion on the interior surface of a window or located within one (1) foot of the interior surface of the window, placed so as to be visible from any public street or right-of-way on the exterior of the building. (Ord. No. 3509, § 1, 1-11-2007)

Wind sign means a sign, which uses objects or material fastened in such a manner as to move upon being subjected to pressure by wind, and shall include banners, pennants, ribbons, spinners, streamers or captive balloons; however, the term wind sign shall not include flags. (Ord. No. 3509, § 1, 1-11-2007)

Zone lot means a parcel of land that is of sufficient size to meet minimum zoning requirements for area, coverage, and use, and that can satisfy such setbacks and other open spaces as required by Article 15 Zoning Requirements. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-604. COMPUTATION OF SIGN SIZE (AREA) AND SIGN HEIGHT.

Sign size (area) and sign height shall be computed as follows:

- (a) **Sign size (area).** The sign size (area) shall be computed on a per sign face basis; however it does not include any framework, bracing, fence or wall, that is reasonably necessary to support the sign. (Ord. No. 3509, § 1, 1-11-2007)

- (b) Sign height. The sign height of a freestanding sign shall be computed as the distance from the base of the sign at ground level to the highest portion of the sign structure. However, in cases where the ground level cannot reasonably be determined, sign height shall be derived on the assumption that the elevation of the ground at the base of the sign is equal to the average elevation at the front property line of the zone lot; and if the sign is on a parcel adjacent to an overpass or elevated roadway from which the sign is primarily designed to be viewed, the height of the sign shall be measured (i) from the highest point of the overpass or elevated roadway at that portion of the crown of the roadway surface adjacent to the parcel, or (ii) to the top of the sign. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-605. RESERVED.

Sec. 18-606. PROHIBITED SIGNS.

The following signs and sign-types are prohibited within the City of Pinellas Park and shall not be erected. Any lawfully existing permanent sign or sign-type that is among the prohibited signs and sign-types listed in Section 18-606(d), (i) and (j) below shall be deemed a nonconforming sign subject to the provisions of Section 18-607. (Ord. No. 3509, § 1, 1-11-2007)

- (a) Abandoned or discontinued signs. (Ord. No. 3509, § 1, 1-11-2007)
- (b) Animated signs, flashing signs, intermittent signs, revolving signs, and wind signs. (Ord. No. 3509, § 1, 1-11-2007)
- (c) Beacons, except as required by federal or state law. (Ord. No. 3509, § 1, 1-11-2007)
- (d) Billboards, other than as allowed in industrial zoning districts and further subject to the limitations, restrictions, and requirements set forth in Section 18-630.1. (Ord. No. 3509, § 1, 1-11-2007)
- (e) Portable signs. (Ord. No. 3509, § 1, 1-11-2007)
- (f) Roof signs. (Ord. No. 3509, § 1, 1-11-2007)
- (g) Signs that (i) emit sound, vapor, smoke, odor, particles or gaseous matter, (ii) obstruct, conceal, hide or otherwise obscure from view any official traffic or governmental sign, signal or device, or (iii) are illuminated in such a manner as to cause glare or to impair the vision of motorists or otherwise distract motorists so as to interfere with the motorists' ability to safely operate their vehicles. (Ord. No. 3509, § 1, 1-11-2007)
- (h) Signs located on real property without the permission of the property owner. (Ord. No. 3509, § 1, 1-11-2007)
- (i) Signs located within a public easement or public right-of-way, other than traffic control device signs, bus stop informational signs, allowed bus bench, allowed bus shelter signs, public warning signs or public safety signs. (Ord. No. 3509, § 1, 1-11-2007)

- (j) Signs prohibited by state or federal law. (Ord. No. 3509, § 1, 1-11-2007)
- (k) Signs with a support structure that exceeds one (1) foot in diameter and is located within the visibility triangle. (Ord. No. 3509, § 1, 1-11-2007)
- (l) Snipe signs, also known as bandit signs, including any signs nailed, fastened or affixed to any tree. (Ord. No. 3509, § 1, 1-11-2007)
- (m) Vehicle signs, as defined herein. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-607. NONCONFORMING SIGN.

(a) Except as provided herein, no nonconforming sign shall be moved, reconstructed, extended, enlarged, or altered, unless such change is to conform with the provisions of this Article. (Ord. No. 3509, § 1, 1-11-2007)

(b) Nonconforming signs may be maintained, and repaired, and the message of the sign may be changed. If however, the nonconforming sign is structurally altered by more than twenty-five (25) percent of the replacement cost of the sign, the sign shall be required to conform to the provisions of this Article. (Ord. No. 3509, § 1, 1-11-2007)

(c) When the principal structure is removed from a zone lot, the nonconforming sign(s) shall be required to conform to the provisions of this Article. Off-premise signs are exempt from this Subsection (c). (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-608. EXEMPTIONS.

This Article does not pertain to the following:

- (a) A sign, other than a window sign, located entirely inside the premises of a building or enclosed space. (Ord. No. 3509, § 1, 1-11-2007)
- (b) A sign on a vehicle, other than a prohibited vehicle sign or signs. (Ord. No. 3509, § 1, 1-11-2007)
- (c) A statutory sign. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-609. RESERVED.

Sec. 18-610. ILLUMINATION; SHIELDING OF ILLUMINATION.

(a) The light from any illuminated sign shall be shaded, shielded, or directed away from adjoining residential and nonresidential parcels. (Ord. No. 3509, § 1, 1-11-2007)

(b) No sign shall have blinking, flashing, or fluttering lights or other illumination, device which has

a changing light intensity, brightness, color, or direction. This is not to include electronic reader boards. (Ord. No. 3509, § 1, 1-11-2007)

(c) No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic-control devices. (Ord. No. 3509, § 1, 1-11-2007)

(d) Neither the direct nor the reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public thoroughfares. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-611. SUBSTITUTION OF NONCOMMERCIAL SPEECH FOR COMMERCIAL SPEED.

Notwithstanding anything contained in this Article or Code to the contrary, any sign erected pursuant to the provisions of this Article or Code or otherwise lawfully existing with a commercial message may, at the option of the owner, contain a noncommercial message unrelated to the business located on the premises where the sign is erected. The noncommercial message may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to noncommercial messages, or from one (1) noncommercial message to another, as frequently as desired by the owner of the sign, provided that the sign is not a prohibited sign or sign-type and provided that the size, height, setback and other dimensional criteria contained in this Article and Code have been satisfied. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-612. CONTENT NEUTRALITY AS TO SIGN MESSAGE (VIEWPOINT).

Notwithstanding anything in this Article or Code 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. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-613. SIGN PERMIT REQUIRED.

(a) PERMITTING PROCESS.

1. Permit requirements. Except as otherwise expressly provided herein, no permanent sign shall be erected, altered or relocated without a sign permit issued by the City. Temporary grand opening signs, temporary use signs, and temporary special event signs shall require a permit unless otherwise exempted. (Ord. No. 3509, § 1, 1-11-2007)
2. Applications-In general. The permit application shall contain the location of the sign structure; the name and address of the owner of the sign structure; the name and address of the owner of the zone lot upon which the sign structure is placed or to be placed; a letter from the zone lot owner approving the sign; the name and address of signed and sealed drawings from a Florida certified engineer showing the design and location of sign; and such other information required by the provisions of the Florida Building Code and the Florida Statutes. An application for a permanent sign shall be in accordance with Section 18-614. (Ord. No. 3509, § 1, 1-11-2007)
3. Fees, if any, shall be paid in accordance with Section 18-905(D) and/or (E). (Ord. No. 3509, § 1, 1-11-2007)

4. Temporary sign application fee: Consideration of a request to erect a Temporary sign shall be made pursuant to Sections 18-628(r) and 18-628(s). Application fee: \$25.00. (Ord. No. 3509, § 1, 1-11-2007)

(b) VARIANCES.

1. Requests for variances from any provision of this Article or from an interpretation of this Article shall be in writing and processed and reviewed by the City Manager or designated committee. A request for a variance shall be heard within fifteen (15) business days after the applicant's submission of a written variance request, and a decision by the City Manager or designated committee on the requested variance shall be rendered within seven (7) days following the aforesaid review. (Ord. No. 3509, § 1, 1-11-2007)
2. Variances from the terms of this Article may be granted where, owing to a special condition, the literal enforcement of the provisions would result in unnecessary hardship, excluding economic hardship. However, no variance shall be granted unless the City Manager or designated committee finds that the following conditions are met: (Ord. No. 3509, § 1, 1-11-2007)
 - i. Special conditions or circumstances exist which are peculiar to the applicant; a literal enforcement of this Article would deprive the applicant of rights commonly enjoyed by other properties in the same district; and the granting of such variance will not confer upon the applicant any special privilege that is denied by this Article to other lands, structures or buildings in the same district. (Ord. No. 3509, § 1, 1-11-2007)
 - ii. The variance sought does not result from any action by the applicant or from an action of which the applicant had knowledge and acquiesced in or gave approval. (Ord. No. 3509, § 1, 1-11-2007)
 - iii. The variance sought does not substantially impair the purposes of or intent of this Article nor serve merely as a convenience to the applicant; nor shall the variance be a detriment to the public welfare or injurious to the neighborhood. (Ord. No. 3509, § 1, 1-11-2007)
 - iv. Any variance granted shall only be granted to the extent necessary to accomplish the intended objective of the variance request. (Ord. No. 3509, § 1, 1-11-2007)
 - v. The City Manager or designated committee makes findings that the applicant has met the above requirements. (Ord. No. 3509, § 1, 1-11-2007)
3. In granting such variances, conditions may be attached thereto and the violation of which shall rescind the variance. (Ord. No. 3509, § 1, 1-11-2007)
4. Variances granted herein shall be void after one (1) year from the date of approval if construction or other required activity has not commenced. (Ord. No. 3509, § 1, 1-11-2007)
5. Appeals from denied variances shall be made in writing to the Building Development Division within fifteen (15) days from the denial and reviewed by City Council. The City Council's

review shall take place at the next regularly scheduled City Council meeting following the filing of the appeal with the Building Development Division, but in no event later than thirty (30) days following the filing of the appeal, and a decision on the appeal shall be rendered within seven (7) business days of the hearing of the appeal by the City Council. (Ord. No. 3509, § 1, 1-11-2007)

6. Variance fee/appeal fee: No fee. (Ord. No. 3509, § 1, 1-11-2007)

(c) VIOLATIONS, ENFORCEMENT, AND PENALTIES. See Section 18-622, below. (Ord. No. 3509, § 1, 1-11-2007)

(d) NONCONFORMING SIGNS. See Section 18-607, above. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-614. SIGN PERMIT APPLICATION AND ISSUANCE OF SIGN PERMIT.

(a) A sign permit application for a permanent sign shall be made upon a form provided by the City. The sign permit application is in addition to any building permit application required by the Florida Building Code. The sign permit application shall be accompanied by plans and specifications drawn to scale, together with any site plan required by this Article or the Code. The applicant shall furnish the following information on or with the sign permit application form: (Ord. No. 3509, § 1, 1-11-2007)

1. The street address of the real property where the sign is proposed to be located. (Ord. No. 3509, § 1, 1-11-2007)
2. The legal description of the real property where the sign is proposed to be located. (Ord. No. 3509, § 1, 1-11-2007)
3. The zoning district for the real property on which the sign will be located. (Ord. No. 3509, § 1, 1-11-2007)
4. The name, mailing address and telephone number (where available) of the owner(s) of the real property where the sign is proposed to be located. (Ord. No. 3509, § 1, 1-11-2007)
5. A notarized statement of authorization signed by the owner(s) consenting to the placement of the proposed sign on the real property. (Ord. No. 3509, § 1, 1-11-2007)
6. The name, mailing address and telephone number of the licensed or registered sign contractor if a building permit is required for the construction or erection of the subject sign. (Ord. No. 3509, § 1, 1-11-2007)
7. Type of proposed sign (e.g., attached wall sign, attached canopy sign, freestanding monument sign, freestanding pole sign). (Ord. No. 3509, § 1, 1-11-2007)
8. If the proposed sign is a freestanding sign on a nonresidential zoned parcel: (Ord. No. 3509, § 1, 1-11-2007)
 - i. The height of the proposed freestanding sign [maximum twenty (20) feet]. (Ord. No.

3509, § 1, 1-11-2007)

- ii. The size (surface area) expressed in square footage for each face of the freestanding sign [maximum is lesser of one hundred fifty (150) square feet or one and one-half (1 1/2) square feet per one (1) linear feet of lot frontage]. (Ord. No. 3509, § 1, 1-11-2007)
- iii. The setback to the leading edge of the freestanding sign [minimum of ten (10) feet to the property line]. (Ord. No. 3509, § 1, 1-11-2007)
- iv. Each street right-of-way adjacent to the parcel [the zone lot]: (Ord. No. 3509, § 1, 1-11-2007)
 - a. The street name. (Ord. No. 3509, § 1, 1-11-2007)
 - b. The linear feet of street frontage. (Ord. No. 3509, § 1, 1-11-2007)
- v. The number of all freestanding signs (i) that are already on the parcel [the zone lot] and (ii) that are the subject of any other sign permit application for the same parcel [the zone lot]. (Ord. No. 3509, § 1, 1-11-2007)
- vi. The minimum distance from the nearest freestanding sign (existing or applied for), and a sketch showing the same with the separation between the freestanding signs expressed in linear feet. (Ord. No. 3509, § 1, 1-11-2007)
- vii. If the proposed freestanding sign is a billboard structure located in both an industrial zoning district and on a parcel that is adjacent to an interstate or federal-aid primary highway, or on 49th Street (between U.S. Hwy. 19 and the northern city limits), or on U.S. Hwy. 19 (between Park Blvd. and the northern city limits), then the following additional separation (spacing) information shall be provided: (Ord. No. 3509, § 1, 1-11-2007)
 - a. Linear feet to nearest residentially zoned property [minimum separation requirement of five hundred (500) linear feet]. (Ord. No. 3509, § 1, 1-11-2007)
 - b. Linear feet to nearest billboard on same side of road [minimum separation of fifteen hundred (1,500) linear feet for interstate location, and minimum separation of one thousand (1,000) linear feet for Federal-Aid-Primary Highway] and the following setback information shall be provided: (Ord. No. 3509, § 1, 1-11-2007)
 - c. Front yard setback [minimum fifty (50) feet]. (Ord. No. 3509, § 1, 1-11-2007)
 - d. Side yard setback [minimum twenty (20) feet]. (Ord. No. 3509, § 1, 1-11-2007)
 - e. Primary structure setback [minimum twenty-five (25) feet]. (Ord. No. 3509, § 1, 1-11-2007)

9. If the proposed sign is an attached sign on nonresidential property: (Ord. No. 3509, § 1, 1-11-2007)
 - i. The surface area expressed in terms of square footage for eight (8) percent of the aggregate building wall area on which the attached sign shall be affixed. (Ord. No. 3509, § 1, 1-11-2007)
 - ii. The maximum total surface area expressed in terms of square footage for the attached sign. (Ord. No. 3509, § 1, 1-11-2007)
 - iii. The maximum total surface area expressed in terms of square footage for all other attached signs. (Ord. No. 3509, § 1, 1-11-2007)
 - iv. The maximum elevations on which the attached sign shall be located (maximum two (2) elevations). (Ord. No. 3509, § 1, 1-11-2007)
 - v. Each plan showing the attached sign and all other attached signs on the building wall area. (Ord. No. 3509, § 1, 1-11-2007)
10. Whether the proposed sign will be an illuminated or non-illuminated sign. (Ord. No. 3509, § 1, 1-11-2007)

(b) An applicant shall deliver a sign permit application for a permanent sign to the City's Building Development Director or his or her designee, or such other person 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 Article and any applicable zoning law. The review of the sign permit application shall be completed within fifteen (15) business days, and the application shall be granted or denied within that time frame. In the event that no decision is rendered within fifteen (15) business days following submission, the applicant may appeal to the City Council. Any appeal shall be heard and a decision rendered within the time frames specified in this Article or otherwise set forth or provided for appeals. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-615. RESERVED.

Sec. 18-616. DURATION OF SIGN PERMIT.

If the work authorized under a sign permit has not been completed within six (6) months after the date of issuance, the permit shall become null and void and a new application for a sign permit shall be required. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-617. MAINTENANCE OF SIGNS.

(a) All visible portions of a sign and its supporting structure shall be maintained in safe condition, and neat appearance according to the following: (Ord. No. 3509, § 1, 1-11-2007)

1. If the sign is lighted, all lights shall be maintained in working order and functioning in a safe manner. (Ord. No. 3509, § 1, 1-11-2007)

2. If the sign is painted, the painted surface shall be kept in good condition. (Ord. No. 3509, § 1, 1-11-2007)
3. Every sign shall be kept in such manner as to constitute a complete or whole sign. (Ord. No. 3509, § 1, 1-11-2007)

(b) Lawfully erected nonconforming signs may suffer only ordinary and customary repairs and maintenance. As provided in Section 18-607, above, a lawfully erected nonconforming sign shall not be structurally altered by more than twenty-five (25) percent of the replacement cost of the sign, except in full conformance with this Article. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-618. APPEALS.

(a) Whenever it is alleged that there has been an error in any order, action, decision, determination, or requirement by an administrative official in the enforcement and application of any provision contained within this Article or any other provision of this Code pertaining to sign permits (including any allegation that an administrative official has failed to act within applicable time frames), the aggrieved party shall file a written appeal with the City. (Ord. No. 3509, § 1, 1-11-2007)

(b) The written appeal shall be filed with the Building Development Director within thirty (30) days of the date of the alleged error. The written appeal shall describe the alleged error and the applicable provisions of this Article or the Code pertaining to the administrative official's order, action, decision, determination, requirement, or failure to act. (Ord. No. 3509, § 1, 1-11-2007)

(c) The City Council shall hold a hearing within forty-five (45) calendar days following receipt of the written appeal. (Ord. No. 3509, § 1, 1-11-2007)

(d) The City Council shall render a written decision within seven (7) business days following the hearing. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-619. APPELLATE DECISIONS DEEMED FINAL, SUBJECT TO JUDICIAL REVIEW.

The appellate decisions of the City Council pursuant to Section 18-613(b)(5) and Section 18-618, above, shall be deemed final, subject to judicial review as provided by law. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-620. ADMINISTRATION AND ENFORCING OFFICIAL.

The Building Development Director or an official designated by the director shall be the enforcing official of this Article. The enforcing official is charged with the duty of administering this Article and securing compliance therewith. Further, the enforcing official shall make such inspection as may be necessary to ensure compliance with this Article and shall initiate appropriate action, if any, to enforce the provisions of this Article. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-621. FAILURE TO COMPLY.

If the Building Development Director finds that any sign has been erected, altered or maintained in violation of this Article, the department shall notify the owner of record of the property upon which such sign is located by either certified mail or by hand delivery that such violation exists. The owner shall cause the violation to be remedied or shall file an appeal of the violation within three (3) working days after receipt of the notice. Where it is determined that such illegal sign poses an imminent threat to the health, safety or welfare of the public, the City may cause the immediate removal of the sign by its own action. The property owner or the person who erected, altered or maintained the sign in violation of this Article shall pay the cost of such removal. In addition to removal, the City shall be entitled to proceed with alternative legal or equitable remedies, including injunctive relief. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-622. VIOLATIONS AND PENALTIES.

- (a) The acts enumerated in this Section shall be a violation of this Article and shall be subject to the enforcement remedies and penalties provided by this Article, by other City codes, and by State law. Such remedies may be pursued simultaneously. (Ord. No. 3509, § 1, 1-11-2007)
- (b) It shall be a violation to: (Ord. No. 3509, § 1, 1-11-2007)
1. Install, create, erect or maintain any sign in a way that is inconsistent with any approved plan or permit governing such sign or the site on which the sign is located. (Ord. No. 3509, § 1, 1-11-2007)
 2. Install, create, erect or maintain any sign requiring a permit without having first obtained such permit. (Ord. No. 3509, § 1, 1-11-2007)
 3. Fail to remove any sign that is installed, created, erected or maintained in violation of this Article. (Ord. No. 3509, § 1, 1-11-2007)
 4. Install, erect, or maintain any sign contrary to the provisions of this Article, including any sign or sign structure not allowed within the applicable zoning district. (Ord. No. 3509, § 1, 1-11-2007)
 5. Continue any such violation. (Ord. No. 3509, § 1, 1-11-2007)
 6. Knowingly provide false or fraudulent information to any official or employee of the city charged with the implementation or enforcement of this Article for the purposes of inducing the official or employee to take or refrain from taking any particular action or making or refrain from taking any particular determination under its terms and provisions. (Ord. No. 3509, § 1, 1-11-2007)
- (c) Each sign or sign structure installed, created, erected or maintained in violation of this Article shall be considered a separate violation, and each day of a continued violation shall be considered a separate violation. (Ord. No. 3509, § 1, 1-11-2007)
- (d) Any violation of this Article or any condition or requirement adopted pursuant to this Article may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceedings pursuant to law. The remedies of the City shall include but not be limited to the following: (Ord. No. 3509, § 1,

1-11-2007)

1. Issuing a stop work order for any and all work on any signs on the same site. (Ord. No. 3509, § 1, 1-11-2007)
2. Seeking an injunction or other order of restraint or abatement that requires the removal of the sign or the correction of the violation. (Ord. No. 3509, § 1, 1-11-2007)
3. For a sign which poses an immediate danger to the public health, safety or welfare, taking such measures as are available to the City under the applicable provisions of this Article for such circumstances. (Ord. No. 3509, § 1, 1-11-2007)
4. The City's Special Master and/or Code Enforcement Board shall exercise jurisdiction to enforce the provisions of this Article consistent with the power and authority conferred thereon by general Florida law and applicable City ordinances. However, nothing contained herein shall prevent the citation of any violation under this Article by Complaint/Arrest Affidavit vesting jurisdiction in the County Court as a Local Ordinance Violation. (Ord. No. 3509, § 1, 1-11-2007)

(e) Reserved.

(f) Any person or persons, firm or corporation who shall violate or fail to comply with any of the provisions of this Article shall, upon conviction thereof in a court of competent jurisdiction, be punished by a fine not to exceed five hundred dollars (\$500.00). Each and every day that any such violation is committed or is permitted to continue shall constitute a separate and distinct offense, and shall be punished as such hereunder. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-623. ADOPTION OF ZONING REGULATIONS.

The boundaries of the various districts shown upon the official zoning map and the regulations of the comprehensive zoning ordinance contained in the Code, governing the use of land and buildings and other matters set forth therein, as the same may be amended from time to time, are made part of this Article. Except as provided in this Article, no sign shall be erected, enlarged, reconstructed or structurally altered which does not comply with all the district regulations established by this Article for the zoning district in which it is located. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-624. RESERVED.

Sec. 18-625. SETBACK MEASUREMENT.

Required setbacks for signs in all zoning districts shall be measured from the property line to the leading edge of the sign. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-626. RESERVED.

Sec. 18-627. TIME AND TEMPERATURE SIGNS.

Time and temperature signs may be utilized as part of an otherwise allowed freestanding or attached sign in nonresidential zoning districts; otherwise they are prohibited. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-628. ALL DISTRICTS.

The following signs and sign-types described and identified in this Section do not require sign permits except as otherwise specified herein and are allowed in all districts except as otherwise specified herein. (Ord. No. 3509, § 1, 1-11-2007)

- (a) Address numbers. Street address numbers shall be assigned by the Building Development Division. The following provisions relating to street address number shall apply to all new and existing structures: (Ord. No. 3509, § 1, 1-11-2007)
 - 1. All buildings shall be permanently marked in a clear and legible manner in such location(s) as may be designated by the Building Development Division. (Ord. No. 3509, § 1, 1-11-2007)
 - 2. Buildings less than fifty (50) feet from the defined edge of a street shall have numbers at a minimum size of three (3) inches in height. (Ord. No. 3509, § 1, 1-11-2007)
 - 3. Buildings fifty (50) feet or more from the defined edge of a street shall have numbers at a minimum size of five (5) inches in height. (Ord. No. 3509, § 1, 1-11-2007)
 - 4. The required numbering shall be of a color which clearly contrasts with that of the building, and shall be placed so that the same shall be clearly seen from the street to which the address has been assigned. (Ord. No. 3509, § 1, 1-11-2007)
 - 5. All numbering hereby required shall be maintained in good repair. (Ord. No. 3509, § 1, 1-11-2007)
- (b) Artwork except graffiti shall be submitted to the City Manager or designee for determination as to whether the same constitutes artwork as defined in 18-603. (Ord. No. 3509, § 1, 1-11-2007)
- (c) Bus shelters with signs and bus bench signs. No fee required. Bus shelters with signs and bus bench signs, the locations of which are approved in advance pursuant to F.S. § 337.408, and shall be installed in accordance with the following: (Ord. No. 3509, § 1, 1-11-2007)
 - 1. The following is a list of requirements for placement of bus shelters with signs and bus bench signs: (Ord. No. 3509, § 1, 1-11-2007)
 - i. Each proposed location for a bus shelter with signs or bus bench sign must be approved in advance. Each such application shall be submitted on a form approved by the City Manager or designee, and shall be accompanied by such other information as the City Manager or designee may require. (Ord. No. 3509, § 1, 1-11-2007)

- ii. Signage on bus shelters may be two-sided and illuminated, shall be no larger than four (4) feet wide by six (6) feet high, and shall be installed in accordance with all applicable City Code requirements, including wind load requirements. Signage on bus benches shall be on one (1) side only, no larger than two (2) feet high by four (4) feet wide, and shall not be illuminated. (Ord. No. 3509, § 1, 1-11-2007)
 - iii. Only one (1) bus shelter or bus bench sign is allowed per zone lot. (Ord. No. 3509, § 1, 1-11-2007)
 - iv. If the proposed bus shelter or bus bench is on private property, a letter of approval from the property owner must be included with the application to the City. (Ord. No. 3509, § 1, 1-11-2007)
 - v. Bus shelter and bus bench signage shall be in addition to signage otherwise allowed by this Article; (Ord. No. 3509, § 1, 1-11-2007)
 - vi. Notwithstanding anything contained in this section to the contrary, each bus shelter may have an interior public message display space, which such space shall be restricted to inconspicuous areas of the bus shelter. The interior public message display space shall not be greater than two (2) feet wide and one (1) foot high. (Ord. No. 3509, § 1, 1-11-2007)
2. In determining whether to approve or deny the request for the location of bus shelters with signs and bus bench signs, the following shall be considered: (Ord. No. 3509, § 1, 1-11-2007)
 - i. The effect of the bus shelter or bus bench and the allowable signage upon the visibility of pedestrians and vehicular traffic. (Ord. No. 3509, § 1, 1-11-2007)
 - ii. The effect of the proposed signage and the bus shelter or bus bench upon (i) the surrounding property, and (ii) the lot upon which the proposed signage and bus shelter or bus bench are to be placed. Such consideration shall include, but not be limited to, the effect thereof upon existing signage, landscaping, structures, parking, and character of development. (Ord. No. 3509, § 1, 1-11-2007)
3. The following types of signage shall be prohibited on bus shelters and bus benches: (Ord. No. 3509, § 1, 1-11-2007)
 - i. Signage promoting the sale of alcoholic beverages or tobacco products shall not be allowed. (Ord. No. 3509, § 1, 1-11-2007)
 - ii. Signage which is false, misleading or deceptive shall not be allowed. (Ord. No. 3509, § 1, 1-11-2007)
 - iii. Signage which is clearly defamatory or likely to hold up to public scorn or ridicule any person or group of persons shall not be allowed. (Ord. No. 3509, § 1,

1-11-2007)

- iv. Signage, which contains material, which is lewd, lascivious, obscene, indecent, or pornographic shall not be allowed. (Ord. No. 3509, § 1, 1-11-2007)
 - v. Signage which advocates imminent lawlessness or unlawful violent action shall not be allowed. (Ord. No. 3509, § 1, 1-11-2007)
 - vi. Signage relating to a political election or political campaign shall not be allowed. (Ord. No. 3509, § 1, 1-11-2007)
 - vii. Signage which is prohibited by law shall not be allowed. (Ord. No. 3509, § 1, 1-11-2007)
4. The bus shelter or bus bench owner shall, within three (3) business days of receipt of written demand from a bus shelter or bus bench, at the owner's sole cost and expense, any signage, which does not comply with the provisions of this Section. If the bus shelter or bus bench is located upon private property, and the owner of the bus shelter or bus bench fails for any reason to remove such signage within such three (3) business days period, then the City may make written demand upon the owner of the lot or parcel upon which such bus shelter or bus bench is located for removal of the signage, and the property owner shall with three (3) business days from receipt of such written demand remove therefrom, at the property owner's sole cost and expense, such signage. Any failure to timely remove any such signage after receipt of written demand from the City therefore shall constitute a violation of this Article. (Ord. No. 3509, § 1, 1-11-2007)
- (d) Changeable message or sign face on or within a sign designed and approved for changeable message or face. No permit or fee required. (Ord. No. 3509, § 1, 1-11-2007)
 - (e) Signs on City owned property as approved by the City Manager or designee. No fee required. (Ord. No. 3509, § 1, 1-11-2007)
 - (f) Common carrier signs. Examples are signs on taxis and buses. No permit or fee required. (Ord. No. 3509, § 1, 1-11-2007)
 - (g) Construction sign. One (1) sign per frontage which shall not exceed a total of thirty-two (32) square feet for a single faced sign, or sixty-four (64) square feet for double faced sign area. The sign may be displayed only during the time a valid building or engineering permit is in force. No permit or fee required. (Ord. No. 3509, § 1, 1-11-2007)
 - (h) Help wanted signs. Help Wanted signs in residential districts shall not exceed six (6) square feet for a single faced sign, or twelve (12) square feet for a double faced sign, and the maximum height shall be six (6) feet; signs in nonresidential districts, and those on zone lots larger than twenty thousand (20,000) square feet shall not exceed thirty-two (32) square feet for a single faced sign or sixty-four (64) square feet for a double faced sign, and the maximum height shall be eight (8) feet. Lots fronting two (2) or more streets are allowed the permitted help wanted

signs for each frontage, but these signs cannot be accumulated and used on one (1) street in excess of that allowed for the lots based on that one (1) frontage. For parcels with two hundred fifty (250) feet or more of street frontage on the right-of-way, one (1) additional help wanted sign may be permitted. Help wanted signs shall not be placed in the right-of-way or in the visibility triangle. No permit or fee required. (Ord. No. 3509, § 1, 1-11-2007)

- (i) Government and public signs, including but not limited to, community identity and entrance signs, signs for special community events, and coordinated countywide trailblazing signs that provide direction to places of interest. No permit or fee required. (Ord. No. 3509, § 1, 1-11-2007)
- (j) Government flags. The flags shall be flown according to their respective protocols. The height of any flag or flagpole shall not exceed the maximum building height, as set forth in the Zoning Districts. No permit or fee required. (Ord. No. 3509, § 1, 1-11-2007)
- (k) Machinery information signs. Examples are signs on newspaper machines, vending machines, gasoline pumps, and public telephone booths. The sign allowed is an information sign for the product dispensed by the machine. No permit or fee required. (Ord. No. 3509, § 1, 1-11-2007)
- (l) On-Site directional signs. No individual sign shall exceed four (4) square feet for a single faced sign, or eight (8) square feet for a double faced sign. Permit and fee required. (Ord. No. 3509, § 1, 1-11-2007)
- (m) Political signs. Political campaign signs announcing, endorsing, or opposing candidates seeking public political office, or issues and other data pertinent thereto, up to a maximum sign height of eight (8) feet of each zone lot. These signs shall be confined within private property and erected no earlier than thirty (30) days prior to the election for which they were made and removed no later than seven (7) days after said election. For purposes of this Section, all primary elections and the general election for any office shall be deemed to be separate elections, unless they fall within seventy-five (75) days of each other, in which event signs for all candidates appearing on the general election ballot may remain up until seven (7) days after the general election. The removal of these signs shall be the responsibility of the candidate named for office. No permit or fee required. (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
 - 1. The following political signs are permitted: (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
 - i. Lollypop signs mounted in the ground. (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
 - ii. Double-faced signs with a message on both sides up to a maximum of thirty-two (32) square feet per sign face per zone lot. The signs shall be mounted to posts in the ground. (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
 - iii. Single-faced signs up to a maximum of thirty-two (32) square feet per sign per zone lot. The signs shall be mounted to posts in the ground. (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)

- iv. Vehicle signs. (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
 - iv. Window signs. (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
 - v. Signs on apparel, buttons or hand-held balloons. (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
 - vii. Snipe signs, but only those attached to fences or poles on private property. (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
2. All political signs not expressly permitted, including but not limited to the following, are prohibited: (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
- i. Animated signs. (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
 - ii. A-Frame or sandwich signs. (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
 - iii. Portable signs. (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
 - iv. Signs located within the public right-of-way. (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
 - v. Signs located in the visibility triangle. (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
 - vi. Projecting or wall signs. (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
 - vii. Bench/bus shelter signs. (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
 - viii. Roof/canopy signs. (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
 - viii. Pennants, beacons, banners, streamers and flags. (Ord. No. 3509, § 1, 1-11-2007; Ord. No. 3701, § 1, 10-8-2009)
- (n) Real estate signs. Real Estate signs in residential districts shall not exceed six (6) square feet for a single faced sign, or twelve (12) square feet for a double faced sign, and the maximum height shall be six (6) feet; signs in nonresidential districts, and those on zone lots larger than twenty thousand (20,000) square feet shall not exceed thirty-two (32) square feet for a single faced sign or sixty-four (64) square feet for a double faced sign, and the maximum height shall be eight (8) feet. No more than one (1) such sign per saleable or leasable unit lot is permitted. Directional off-site real estate signs are permitted for a particular property only on those days when there is

an open house but they cannot be placed in any right-of-way. Saleable or leasable lots fronting two (2) or more streets are allowed the permitted real estate signs for each frontage, but these signs cannot be accumulated and used on one (1) street in excess of that allowed for the saleable or leasable lots based on that one (1) street frontage. For parcels with two hundred fifty (250) feet or more of street frontage on the right-of-way, one (1) additional real estate sign may be permitted. No permit or fee required. (Ord. No. 3509, § 1, 1-11-2007)

- (o) Small off-premise signs that are for public/semi-public purposes and are directional only. Approval of the sign(s) shall be obtained, prior to their erection, from the City Manager or designee. No permit or fee required. (Ord. No. 3509, § 1, 1-11-2007)
- (p) Temporary window signs. Temporary window signs shall be allowed in areas classified as multi-family residential, office, commercial, industrial, and public/semi-public. The maximum area of said signs in areas classified as office, commercial, industrial, and public/semi-public shall be thirty-five (35) percent of windowpane area or one hundred (100) square feet, whichever is less. In multi-family residential areas, the area of temporary window signs shall not exceed a total of twenty-five (25) square feet. No permit or fee required. (Ord. No. 3509, § 1, 1-11-2007)
- (q) Warning signs. Warning signs shall not exceed six (6) square feet for a single faced sign or twelve (12) square feet for a double-faced sign. No permit or fee required. (Ord. No. 3509, § 1, 1-11-2007)
- (r) Temporary signs consisting of balloons, banners, ridged board, or other similar material, for two (2) periods not to exceed thirty (30) days each within any twelve-month period. Approval to the sign(s) shall be obtained from the City Manager or designee. In determining whether to approve such proposed sign, the City Manager or designee, shall consider location, height/size, clearance, means of support, material composition, safety considerations, impact upon neighboring properties, impact on traffic, and the purpose of the sign. A balloon must maintain a setback from all property lines that is no less than the height of the balloon (including anchor cable) and may not be placed more than thirty-five (35) feet above the ground, but must be fastened to the ground. The City Manager or designee may require such information, including a graphic representation, as may be necessary to make a proper determination. Application and fee required. (Ord. No. 3509, § 1, 1-11-2007)
- (s) Temporary signs consisting of balloons, banners ridged board, or other similar material, of nonprofit organizations for a period not to exceed thirty (30) consecutive days. Approval of the sign(s) shall be obtained from the City Manager or designee. In determining whether to approve such proposed sign, the City Manager or designee, shall consider location, height/size, clearance, means of support, material composition, safety considerations, impact of neighboring properties, impact on traffic, and the purpose of the sign. Said signs may be posted, with approval of the City Manager or designee, up to four (4) times per calendar year. Permit required, no fee required. (Ord. No. 3509, § 1, 1-11-2007)
- (t) Traffic control signs that are in the "Manual on Uniform Traffic Control Devices" (MUTCD). (Ord. No. 3509, § 1, 1-11-2007)

- (u) Free expression signs. For each parcel, one (1) free expression sign not exceeding three (3) square feet in sign area may be displayed. The free expression sign may be displayed as an attached sign or as a freestanding sign; if displayed as a freestanding sign shall not exceed six (6) feet in height. There is no durational limit to a free expression sign. A free expression sign is in addition to any other sign permitted under this Article and is permitted in any zoning district. Only one (1) such sign shall be permitted on each parcel. The sign must be located within six (6) feet of a building located on a lot or parcel; or if there is no building on the lot or parcel, the sign must be located at least fifteen (15) feet from any street. (Ord. No. 3509, § 1, 1-11-2007)
- (v) Subdivision monument identification signs. (Ord. No. 3509, § 1, 1-11-2007)
 - 1. Number - A maximum of two (2) signs is permitted for each platted subdivision entrance. (Ord. No. 3509, § 1, 1-11-2007)
 - 2. Area - The maximum area shall not exceed twenty-four (24) square feet per each sign face, not to exceed a total of forty-eight (48) square feet per sign. (Ord. No. 3509, § 1, 1-11-2007)
 - 3. Height - The maximum height for a freestanding sign shall not exceed four (4) feet. (Ord. No. 3509, § 1, 1-11-2007)
 - 4. Setbacks - No setback is required. (Ord. No. 3509, § 1, 1-11-2007)
 - 5. Visibility triangle - No sign is allowed in the visibility triangle.
 - 6. Subdivision monument identification signs in the right-of-way shall be approved by the City Manager or designee. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-629. RESIDENTIAL ZONING DISTRICTS: "F", "RE", "RR", "R-1", "R-2", "R-3", "R-4", "R-5", "R-6", "R7", "T-1", AND "T-2".

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to Section 18-628, the following permanent and temporary signs are also allowed within the residential districts designated in the City of Pinellas Park Land Development Regulations, as amended from time to time, as "F", "RE", "RR", "R-1", "R-2", "R-3", "R-4", "R-5", "R-6", "R7", "T-1", and "T-2". The permanent signs described below require a sign permit. (Ord. No. 3509, § 1, 1-11-2007)

- (a) Garage or yard sale signs shall be permitted only as follows: (Ord. No. 3509, § 1, 1-11-2007)
 - 1. Number - A maximum of two (2) signs per zone lot. (Ord. No. 3509, § 1, 1-11-2007)
 - 2. Area - The maximum area for one (1) sign shall not exceed a total of four (4) square feet. (Ord. No. 3509, § 1, 1-11-2007)
- (b) Home occupational signs shall be permitted only as follows: (Ord. No. 3509, § 1, 1-11-2007)

1. Number - A maximum of one (1) attached sign is permitted. (Ord. No. 3509, § 1, 1-11-2007)
 2. Area - The maximum area of the sign shall not exceed two (2) square feet. (Ord. No. 3509, § 1, 1-11-2007)
- (c) Freestanding signs, subject to the following limitations: (Ord. No. 3509, § 1, 1-11-2007)
1. Number - A maximum of one (1) freestanding sign per zone lot is permitted. One (1) additional freestanding sign may be permitted for each additional street frontage. Such additional freestanding signs shall be spaced at least one hundred and twenty-five (125) feet along property lines from the other sign. For parcels with over three hundred (300) feet of street frontage on one (1) right-of-way, one (1) additional freestanding sign may be allowed; such additional freestanding sign shall be spaced at least one hundred fifty (150) feet from the other. (Ord. No. 3509, § 1, 1-11-2007)
 2. Area - The total maximum area for any freestanding sign shall not exceed one and one-half (1 1/2) square feet of signage per one (1) linear foot of zone lot frontage, or a maximum of sixty-four (64) square feet, whichever is less. (Ord. No. 3509, § 1, 1-11-2007)
 3. Height - The maximum height for a freestanding sign shall not exceed fifteen (15) feet. (Ord. No. 3509, § 1, 1-11-2007)
 4. Setbacks - Setbacks shall be a minimum of ten (10) feet from the property line. (Ord. No. 3509, § 1, 1-11-2007)
- (d) Attached signs, subject to the following limitations: (Ord. No. 3509, § 1, 1-11-2007)
1. Area - The total maximum area for all attached signs shall not exceed eight (8) percent of the building wall area, on a maximum of two (2) elevations, or a maximum total of forty-eight (48) square feet, whichever is less. (Ord. No. 3509, § 1, 1-11-2007)
 2. The following attached signs may be allowed, provided the cumulative area of the attached signs does not exceed the maximum area according to Subsection (d)1., above: (Ord. No. 3509, § 1, 1-11-2007)
 - i. Wall sign. (Ord. No. 3509, § 1, 1-11-2007)
 - ii. Canopy or awning sign. (Ord. No. 3509, § 1, 1-11-2007)
 - iii. Projecting sign. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-630. PUBLIC/SEMIPUBLIC, COMMERCIAL, AND INDUSTRIAL ZONING DISTRICTS: "ROR" "CN", "GO", "B-1", "CH", "M-1", "IH", "P," "PRES," "OS", "MXD", "MXD-1", "MXD-2", and "TC".

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to Section 18-628, the following permanent signs are also allowed within the Public/Semipublic, Commercial, and Industrial Zoning Districts: "ROR" "CN", "GO", "B-1", "CH", "M-1", "IH", "P," "PRES," "OS", "MXD", "MXD-1", "MXD-2", and "TC". Other than incidental signs, the permanent signs described below require a sign permit. (Ord. No. 3509, § 1, 1-11-2007)

(a) Freestanding signs, subject to the following limitations: (Ord. No. 3509, § 1, 1-11-2007)

1. Number - A maximum of one (1) freestanding sign per zone lot is permitted. One (1) additional freestanding sign is permitted for each additional street frontage. Such additional freestanding signs shall be spaced at least one hundred and twenty-five (125) feet along property lines from the other sign. For parcels with over three hundred (300) feet of street frontage on one (1) right-of-way, one (1) additional freestanding sign is allowed; such additional freestanding sign shall be spaced at least one hundred fifty (150) feet from the other. (Ord. No. 3509, § 1, 1-11-2007)
2. Area allowed, single to multi-faced - The total maximum area for any freestanding sign shall not exceed one and one-half (1 1/2) square feet of signage per one (1) linear foot of zone lot frontage, or a maximum of one hundred fifty (150) square feet per sign face, whichever is less. However, notwithstanding the foregoing, a freestanding sign shall be allowed to have up to an additional eight (8) square feet per sign face, provided that this allowance is used exclusively for the street address number, numbers, or number range. (Ord. No. 3509, § 1, 1-11-2007)
3. Height - The maximum height for a freestanding sign shall not exceed twenty (20) feet. In the case where the freestanding sign is on a parcel adjacent to an overpass or elevated road from which the sign is designed to be viewed, the height of the sign shall be measured from the highest point of the overpass or elevated road at that portion of the crown of the roadway surface adjacent to the parcel, to the top of the sign. (Ord. No. 3509, § 1, 1-11-2007)
4. Setbacks - Setbacks shall be a minimum of ten (10) feet from the property line. (Ord. No. 3509, § 1, 1-11-2007)
5. Flags - One (1) flag containing a corporate name or logo may be permitted. Such flag shall be flown on a flagpole, with the height of any flag or flagpole not exceeding the maximum building height as set forth in the Zoning Districts. Any flag containing a corporate name or logo exceeding the one (1) flag allowed shall be part of the computation of the allowable area for freestanding signs. (Ord. No. 3509, § 1, 1-11-2007)

(b) Attached signs, subject to the following limitations: (Ord. No. 3509, § 1, 1-11-2007)

1. Area - The total maximum area for all attached signs shall not exceed eight (8) percent of the building wall area, on a maximum two (2) elevations. The maximum height allowed for the computation is twenty (20) feet. (Ord. No. 3509, § 1, 1-11-2007)

2. The following attached signs may be allowed, provided the cumulative area of the attached signs does not exceed the maximum area according to Subsection (b)(1), above: (Ord. No. 3509, § 1, 1-11-2007)
 - i. Wall sign. (Ord. No. 3509, § 1, 1-11-2007)
 - ii. Canopy or awning sign. (Ord. No. 3509, § 1, 1-11-2007)
 - iii. Projecting sign. (Ord. No. 3509, § 1, 1-11-2007)
- (c) Menu/display signs for drive-thru establishments. In addition to other allowed permanent signs, for each parcel with a lawful nonresidential use that utilizes a drive-through lane, a maximum of two (2) signs per drive-thru lane may be permitted. The sign area shall not exceed a total of twenty-five (25) square feet per sign. (Ord. No. 3509, § 1, 1-11-2007)
- (d) Incidental signs. Up to four (4) incidental signs may be permitted to be attached (i) to a freestanding sign structure or (ii) to a building wall, but not perpendicular to the wall. An incidental sign shall not exceed one (1) square foot in size. (Ord. No. 3509, § 1, 1-11-2007)
- (e) Non-profit directional signs are permitted as follows: (Ord. No. 3509, § 1, 1-11-2007)
 - 1) Size: Sign shall be no larger than 2' x 2' and may have two (2) faces. For multiple organizations on the same sign, the sign shall be 2' x 3' maximum. (Ord. No. 3509, § 1, 1-11-2007)
 - 2) Number: A maximum of one (1) sign per institution. Only one (1) sign permitted per intersection. (Ord. No. 3509, § 1, 1-11-2007)
 - 3) Style: Signs text and color will conform to standards as described in the manual on Uniform Traffic Control Devices. (Ord. No. 3509, § 1, 1-11-2007)
 - 4) Sign location: Sign shall be located in the public right-of-way within five (5) feet of an arterial or collector roadway. A sign under this Section shall only be considered for a non-profit organization which is not located on an arterial or collector roadway. (Ord. No. 3509, § 1, 1-11-2007)
 - 5) General information: Fabrication, installation and maintenance of all signs under this Section will be performed by the City's Traffic Division. Information on all signs under this Section shall be in the English language, with the special exception that the signs may be bilingual at the applicant's request. The applicant shall be responsible for providing all text of the sign, including both in English and any requested foreign language, to the City's Traffic Division for use in the fabrication of the sign, and the applicant shall be solely responsible for the content and translation of the text of the sign. The City Manager or designee shall have unlimited authority to remove any sign allowed under this Section from the public right-of-way, for any reason he/she deems necessary.

A permit application requested with a one-time twenty-five dollar (\$25.00) fee. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-630.1. OFF-PREMISE SIGNS (BILLBOARDS) IN INDUSTRIAL ZONING DISTRICTS.

Off-premise signs (Billboards) are allowed in the industrial zoning districts "M-1" and "IH" but subject to the following content-neutral criteria as to maximum number, minimum frontage, locational restrictions, maximum sign size (area) limitations, maximum height limitations, minimum separation requirements, and minimum setback requirements: (Ord. No. 3509, § 1, 1-11-2007)

- (a) Maximum number. A maximum number of one (1) billboard structure per zone lot is permitted. (Ord. No. 3509, § 1, 1-11-2007)
- (b) Minimum zone lot frontage. A billboard structure may not be located on a zone lot unless the zone lot has at least one hundred (100) feet of frontage. (Ord. No. 3509, § 1, 1-11-2007)
- (c) Locational restrictions. A billboard structure may only be located along one of the following designated roadways: (Ord. No. 3509, § 1, 1-11-2007)
 - i. An interstate or federal-aid primary highway. (Ord. No. 3509, § 1, 1-11-2007)
 - ii. 49th Street (between U.S. 19 and the northern city limits). (Ord. No. 3509, § 1, 1-11-2007)
 - iii. U.S. Hwy. 19 (between Park Blvd. and the northern city limits). (Ord. No. 3509, § 1, 1-11-2007)
- (d) Maximum sign size (area) limitation. The billboard structure shall not have a sign face that exceeds three hundred sixty (360) square feet in size per sign face. Two (2) such sign faces may be mounted back-to-back on the same sign structure. (Ord. No. 3509, § 1, 1-11-2007)
- (e) Maximum height limitation. A billboard structure shall not exceed thirty-five (35) feet in height from the ground level; however, in the case where the off-premise sign is on a parcel contiguous to an overpass or elevated road (excluding service roads) from which the sign is designed to be viewed, the height of the sign shall be measured from the highest point of the overpass or elevated road at that portion of the crown of the roadway surface adjacent to the parcel to the top of the sign. (Ord. No. 3509, § 1, 1-11-2007)
- (f) Minimum separation requirements. A billboard structure must meet the following minimum separation requirements: (Ord. No. 3509, § 1, 1-11-2007)
 - i. The billboard structure shall not be located within a fifteen hundred (1,500) foot radius of another billboard on an interstate highway. (Ord. No. 3509, § 1, 1-11-2007)
 - ii. The billboard structure shall not be located within a one thousand (1,000) foot radius of another billboard on a federal-aid primary highway. (Ord. No. 3509, § 1, 1-11-2007)

- ii. The billboard structure shall not be located within five hundred (500) feet of any residentially-zoned property. (Ord. No. 3509, § 1, 1-11-2007)
- (g) Minimum setback requirements. A billboard structure must meet the following minimum setback requirements: (Ord. No. 3509, § 1, 1-11-2007)
- i. The billboard structure shall have a minimum fifty-foot setback in the front yard. (Ord. No. 3509, § 1, 1-11-2007)
 - ii. The billboard structure shall have a minimum twenty-foot setback in any side yard. (Ord. No. 3509, § 1, 1-11-2007)
 - iii. The billboard structure shall have a minimum twenty-five-foot setback from all primary structures. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-631. RESERVED.

Sec. 18-632. MISCELLANEOUS PROVISIONS--RESERVED.

Sec. 18-633. TRANSITION RULES.

Any sign permit actually issued prior to the effective date of the adoption of the sign regulations that comprise this Article 6 shall remain valid but only until the earlier of the following dates: (i) six (6) months after the issuance of the sign permit if no work has progressed pursuant thereto, as contemplated in Section 18-906, or (ii) six (6) months after the last inspection of the site if no work has progressed pursuant thereto, or (iii) the date that said permit expired by its own terms or by the operation of the former ordinance, unless extended by the Building Development Division in accordance with Section 18-906. Any sign unlawfully erected under the sign regulations in effect prior to the adoption of these sign regulations shall remain an unlawful sign and shall be deemed an unlawfully erected sign subject to all applicable penalties and remedies under the law. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-634. SEVERABILITY.

(a) Generally. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article 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 Article. (Ord. No. 3509, § 1, 1-11-2007)

(b) Severability where less speech results. Without diminishing or limiting in any way the declaration of severability set forth above in Section 18-634(a), or elsewhere in this Article, this code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article 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 Article, 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. (Ord. No. 3509, § 1, 1-11-2007)

(c) Severability of provisions pertaining to prohibited signs. Without diminishing or limiting in any way the declaration of severability set forth above in Section 18-634(a), or elsewhere in this Article, this code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article 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 Article that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed under Section 18-606 of this Article. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Section 18-606 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 18-606. (Ord. No. 3509, § 1, 1-11-2007)

(d) Severability of prohibition on billboards. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article 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 herein. (Ord. No. 3509, § 1, 1-11-2007)

Sec. 18-635. ILLUSTRATIONS.

The diagrams in the Appendix to this Article 6 illustrate sign-types and methods of measurement. (Ord. No. 3509, § 1, 1-11-2007)

APPENDIX

Except where otherwise provided, the illustrations in this Appendix are for purposes of interpreting the application of provisions of this Article. Where found to be in conflict with specific provisions of this Article, the provisions of this Article shall prevail.

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