

**CITY OF BONITA SPRINGS, FLORIDA
ORDINANCE NO. 09 - 12**

AN AMENDMENT TO BONITA SPRINGS LAND DEVELOPMENT CODE, AMENDING AND REPLACING THE SIGN ORDINANCE (ORDINANCE NO. 08-13), CHAPTER 6 OF THE CITY OF BONITA SPRINGS LAND DEVELOPMENT CODE; AMENDING 6-2 DEFINITIONS; 6-5 PROHIBITED SIGNS; 6-7 PARKING OF ADVERTISING VEHICLE; 6-54 PERMITS; 6-56 ON SITE SIGNS, TEMPORARY; CREATING 6-156 PERMANENT SIGNS IN THE OLD US 41 REDEVELOPMENT AREA AND AMENDING 6-183 BILLBOARDS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE.

WHEREAS, Florida Statutes Section 166.021 authorizes the City of Bonita Springs to establish, coordinate and enforce laws that are necessary for the protection of the public; and

WHEREAS, City Council hereby finds that as a time, place, manner restriction, that it needs to ban electronic generated copy until standards can be met for the community to address their use, and instructs staff to bring standards back no earlier than one year from the adoption of this Land Development Code provision for City Council's consideration; and

WHEREAS, City Council finds that changes to its sign ordinance are warranted to create specific standards to the Old 41 redevelopment area so as to create a standards that will accommodate the revised architectural standards in that area; and

WHEREAS, City Council hereby amends its Sign Ordinance Chapter 6 of the Bonita Springs Land Development Code.

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

SECTION 1. AUTHORITY.

This Ordinance is enacted pursuant to the provisions of the City Charter, Chapters 163 and 166, Florida Statutes, and other applicable provisions of law.

SECTION 2. BONITA SPRINGS LAND DEVELOPMENT CHAPTER 6

City of Bonita Springs Land Development Chapter 6 is hereby amended as set forth attached to this Ordinance, with deleted text identified with strike through and additional text identified with underlining.

SECTION 3: CONFLICT

Whenever the requirements or provisions of this amending ordinance are in conflict with the requirements or provisions of any other lawfully adopted ordinance or statute, the most restrictive requirements shall apply.

SECTION 4: SEVERABILITY

If any part, section, subsection, or other portion of this Ordinance or any application thereof to any person or circumstance is declared void, unconstitutional or invalid for any reasons, such part, section, subsection, or other portion or the prescribed application thereof, shall be severable, and the remaining provisions of this Ordinance, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The City declares that no invalid or prescribed provision or application was an inducement to the enactment of this Ordinance, and that it would have enacted this Ordinance regardless of the invalid or prescribed provision or application.

SECTION 5: CODIFICATION, INCLUSION IN CODE AND SCRIVENER'S ERROR

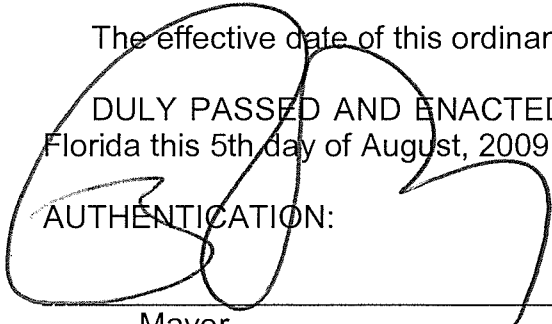
It is the intention of the City Council for the City of Bonita Springs that the provisions of this ordinance shall become and be made a part of the Bonita Springs City Code; and that sections of this ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or re-lettered and typographical errors which do not affect the intent may be authorized by the City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 6: EFFECTIVE DATE

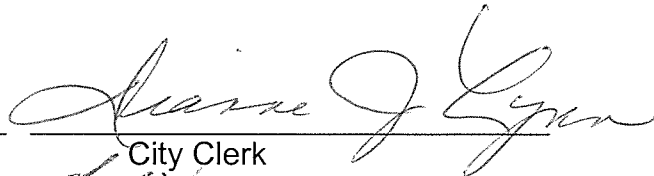
The effective date of this ordinance shall be thirty (30) days from its adoption date

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Florida this 5th day of August, 2009.

AUTHENTICATION:

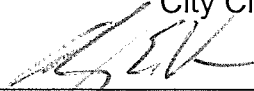


Mayor



City Clerk

APPROVED AS TO FORM:



City Attorney

Vote:

Ferreira	Nay	Nelson	Aye
Lonkart	Aye	Simons	Aye
McCourt	Absent	Spear	Aye
Martin	Aye		

Date filed with City Clerk: 8-6-09

CHAPTER 6 SIGNS

ARTICLE I. IN GENERAL

§6-1. PURPOSE AND INTENT OF CHAPTER.

A. *Generally.* The purpose and intent of this Chapter is to:

1. Facilitate the implementation of goals, objectives and policies set forth in the City comprehensive plan relating to sign control and protection of areas from incompatible uses.
2. Promote convenience, safety, property values and aesthetics, by establishing a set of standards for the erection, placement, use and maintenance of signs which will grant equal protection and fairness to all property owners in the City.
3. Encourage signs which help to visually organize the activities of the City, lend order and meaning to business identification, and make it easier for the public and business delivery systems to locate and identify their destinations.

B. *Protection of public safety.* The regulation of the placement, installation and maintenance of signs is justified by the innate scheme and primary purpose to draw mental attention to them, potentially to the detriment of sound driving practices and the safety of the motoring public to which a majority of signs are oriented. Therefore, it is the intent of this Chapter to regulate the size and location of signs so that their purpose can be served without unduly interfering with motorists and causing unsafe conditions.

C. *Protection of property values and aesthetics.* The aesthetic impact of signs is an economic fact which may bear heavily upon the enjoyment and value of property. The fact that signs are intended to command visual contact grants them a proportionately greater role than other structures in determining the overall aesthetic quality of the community. Therefore, the regulation of signs is further justified on the basis that the City has an obligation to promote the general welfare, including enhancement of property values, so as to create a more attractive business climate and

make the City a more desirable place in which to visit, trade, work and live.

D. *Equal protection and fairness.* This Chapter is designed to be fair to each property owner in that each receives equal and adequate exposure to the public and no one is allowed to visually dominate his neighbor.

E. *Use.* With the stated purpose in mind, it is the intention of this Chapter to authorize the use of signs in commercial and industrial areas which are:

1. Compatible with their surroundings;
2. Appropriate to the type of activity to which they pertain;
3. An expression of the identity of the individual proprietors or of the community as a whole; and
4. Large enough to sufficiently convey a message about the owner or occupants of a particular property, the commodities, products or services available on such property, or the business activities conducted on such property, yet small enough to prevent excessive, overpowering advertising which would have a detrimental effect on the character and appearance of commercial and industrial areas, or which could unduly distract the motoring public causing unsafe motoring conditions.

F. *Limitations.* It is also the intent of this Chapter to limit signs in noncommercial areas to essential uses, primarily for identification and information, in order to protect the character and appearance of noncommercial areas.

§6-2. DEFINITIONS AND RULES OF CONSTRUCTION.

A. In case of any difference of meaning or implication between the text of this chapter and any other law or regulation, this chapter controls.

B. The following words, terms and phrases, when used in this chapter, have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Abandoned sign means a sign which no longer correctly directs or exhorts any person or advertises a bona fide business, lessor, owner, product or activity conducted or available on the premises indicated on the sign.

Advertising message means that copy on a sign describing commodities, products or services being offered to the public, whether for a commercial or non-commercial purpose.

Animated sign means a sign composed of moving parts or lights or lighting devices that change color, flash, alternate illumination, show motion, movement or otherwise change the appearance of the sign. Animated signs do not include electronic changing message centers or revolving signs as defined in this section.

Announcement sign means a temporary sign announcing a project to be under construction or an intended use of the premises.

Area of sign. Refer to section 30-91, pertaining to measurement of sign area.

Awning means a roof-like cover, made of cloth, canvas or other similar material, that projects from the wall of a building for the purpose of shielding a doorway or window from the elements. See also *Canopy* and *Marquee*.

Awning sign means a sign placed or installed on the hanging border or other area of an awning. See section 30-6(1)a.

Banner means any sign, other than an official flag, made of cloth, paper or fabric of any kind and suspended by one or more strings or ropes, which is used to attract attention, whether or not imprinted with words or characters. See *Pennant*.

Beacon light means any light with one or more beams, capable of being directed in any direction, or capable of being revolved automatically, or having any part thereof capable of being revolved automatically; or a fixed or flashing high-intensity light.

Bench sign means signs which are attached to benches that are placed on or along public rights-of-way and are off-site advertising signs.

Billboard means outdoor advertising signs erected or maintained upon which advertising messages may be displayed and which advertise firms and organizations that, along with their goods, products or services, are not located on the same premises as the sign, and whose surface is sold, rented, owned or leased for the display of advertising material. Consistent with Florida Statutes §70.20, Bonita Springs has the authority to create a ban or partial ban on new billboard signs, and regulate so as to not provide new rights for the billboard.

Building face or wall. See *Facade*.

Bulletin board means a sign which identifies an institution or organization on the premises on which it is located and which contains the names of individuals connected with it and general announcements of events or activities occurring at the institution or similar messages. It shall not be interpreted to include movie theaters or other similar commercial activities.

Bus shelter sign means signs that are attached or placed within approved bus shelters located on or along public rights-of-way. Bus shelter signs are off-site advertising signs.

Business affiliation sign means signs displayed upon the premises denoting professional and trade associations with which the occupant is affiliated, including each credit card accepted by the occupant.

Business information sign means signs providing information to customers such as the business hours and telephone number, and "open" or "closed," "shirts and shoes required," "no soliciting" or "no loitering" signs.

Canopy means a permanent roof-like shelter open on four sides, to protect an area from the elements, such as over gasoline pumps.

Canopy sign means any permanent sign attached to or constructed in or on a canopy.

Changeable copy sign (manual) means a sign on which copy is changed manually in the field, i.e., reader boards with changeable letters or changeable pictorial panels.

Changing sign (automatic). See Electronic changing message center.

Commercial advertising sign means any structure, poster board, bulletin board, neon sign, screen, surface or wall with characters, letters or illustrations affixed thereto, thereon or thereunder, by any method or means whatsoever, where the matter displayed would be used for the purpose of publicly advertising the legal or exact firm or organization name or the name of the business carried on therein or thereat, or for advertising any service or product actually and actively being offered for sale therein or thereon.

Construction sign means a sign erected at a building site that displays the name of the project and identifies the owner, architect, engineer, general contractor, financial institutions and other firms involved with the design or construction of the project.

Copy (permanent and temporary) means the wording or pictures on a sign surface, either in permanent or removable letter form.

Copy area means the entire area within a single continuous perimeter composed of squares or rectangles which enclose the extreme limits of the advertising message, announcement or decoration on a facade or wall sign.

Development sign means a sign designed and intended to advertise and promote the sale or rental or lease of lots or homes in any residential development, and also in commercial areas for sale or rental or lease of units in the development.

Directional sign means any sign which serves solely to designate the location of or direction to any place or area.

Directory sign means any sign which gives the name, address or occupation of persons or businesses located on the premises.

Double-faced sign means a single plane with items of information identical on both sides and mounted as a single structure.

Double-tier billboard means two billboards that are stacked one above the other so that one is higher than the other and both are visible in the same direction.

Electronic generated copy means the copy on a sign which is capable of changing the copy through computer technology, using light emitting diodes or any other emerging technology.

Electronic changing message center means a sign, such as an electronically or electrically controlled public service time, temperature and date sign, message center or reader board, where different copy changes of a public service or commercial nature are shown on the same lampbank.

Emitting sign means any sign designed to emit visible smoke, vapor, particles or odor, or which produce noise or sounds capable of being heard, even though the sounds produced are not understandable sounds.

Erect means to build, construct, attach, hang, place, suspend or affix, and shall include the painting of wall signs.

Facade means the face of a building most nearly parallel with the right-of-way line under consideration. Facade includes the area of the building between principal front building corners from the ground to the roofline.

Face of sign means the entire area of a sign on which copy could be placed.

Figure-structured sign means a sign sculptured, inflated or otherwise constructed in the caricature or shape of an animal (including human beings) or vegetable, whether fictional or real, which is used to attract or draw attention to a business or commercial establishment.

Flash means an entry or exit mode in an electronic changing message center with any single frame that repeats two or more times consecutively without change.

Flashing sign means a sign or any part thereof that contains an intermittent or flashing light source, or that includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source. Automatic changing signs, such as a public service time, temperature and date signs or electronically controlled message centers, are classed as changing signs, not flashing signs.

Freestanding sign means a sign supported by a sign structure secured in the ground and which is wholly independent of any building, fence, vehicle or object other than the sign structure for support, as used in section 6-56.

Frontage means the distance measured along a public street right-of-way or a private street easement between the points of intersection of the side lot lines with the right-of-way or easement line.

Government sign means any sign erected and maintained pursuant to and in discharge of any governmental function, or required by law, ordinance or other governmental regulation.

Height of sign. See section 30-92, pertaining to measurement of sign height.

Identification sign means any sign where the matter displayed is used only to indicate the name, address, number of building or character of the primary land use.

Illuminated sign means any sign 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.

Individual letter sign means any sign made of self-contained letters that are mounted on the face of a building.

Instructional sign means a sign located entirely on the property to which it pertains and which is intended to provide direction to pedestrians or vehicular traffic or to control parking on private property. Examples include "entrance" signs, "exit" signs, "one-way" signs, "pedestrian walk" signs, "handicapped parking" signs, etc.

Interstate highway interchange area sign means on-site signage visible from interstate highways providing travelers with identification of the following services: fuel, food, lodging, camping and repair.

Licensed contractor means a person holding a valid contractor's license class A or B issued to

him by the state or ~~county~~ local construction board.

Maintain means to preserve from decline, keep in an existing state or retain in possession or control.

Marquee means any board or other permanent roof-like structure which projects from a wall of a building, usually above an entrance. See *Awning* and *Canopy*.

Marquee sign means a sign mounted, painted or attached to a marquee.

Motion picture sign means a sign capable of displaying moving pictures or images in conjunction with an outdoor advertising structure, accessory sign or advertising statuary visible from any public street or sidewalk.

Multiple-occupancy complex means a parcel of property under one ownership or singular control, or developed as a unified or coordinated project, with a building or buildings housing more than one occupant conducting a business operation of any kind.

Neon sign means any sign formed by luminous or gaseous tubes in any configuration.

Off-site sign means any sign relating in its subject matter to commodities, products, accommodations, services or activities on premises other than the premises on which the sign is located.

On-site sign means any sign relating in its subject matter to the commodities, products, accommodations, services or activities on the premises on which it is located.

Pennant means any flag-like piece of cloth, plastic or paper attached to any staff, cord, building or other structure at only one or two edges, with the remainder hanging loosely.

Plane means any surface capable of carrying items of information, such as a rectangle, square, triangle, circle or sphere; or any area enclosed by an imaginary line describing a rectangle, square, triangle or circle, which includes freestanding letters, numbers or symbols.

Polyester film window graphics means graphic presentations applied to windows and created by applying combinations of dyed, metallized, translucent and near-opaque polyester films in overlapping layers, resulting in a reflective poster-like display in daylight and a back-lit display at night, when normal interior room lighting is on. Polyester film window graphics may include lettering, logos, picture images, decorative borders and back-up films.

Portable sign means any mobile or portable sign or sign structure that is not permanently attached to the ground or to any other structure. This definition includes trailer signs, A-frame signs, sandwich signs, beacon lights, balloon signs, and vehicles whose primary purpose is advertising.

Posted property sign means signs used to indicate "no trespassing," "beware of dog," "no dumping" and other similar warnings.

Premises means any property owned, leased or controlled by the person actively engaged in business and so connected with the business as to form a contiguous component or integral part of it; or owned, leased or controlled by a person for living accommodations.

Professional nameplate means an identification sign bearing only the name, address and the occupation of the occupant.

Projecting sign means any sign which is affixed to any building wall or structure and extends more than 12 inches horizontally from the plane of the building wall.

Promotional sign means a sign posted to advertise a special event such as a bazaar, dance, art show, craft show, etc.

Public body means any government or governmental agency of the United States, the state, the county or City.

Real estate sign means any structure, device, display board, screen, surface or wall, with characters, letters or illustrations placed thereto, thereon or thereunder, by any method or means whatsoever, where the matter displayed shall be used solely for the purpose of offering for sale or lease, or for rent, the exact property upon which the sign is placed.

Replacing means rebuilding, enlarging or any change in size or structure other than repainting and repair to electrical apparatus or repairing parts thereof for maintenance purposes.

Residential nameplate means an identification sign bearing only property numbers, street addresses, mailbox numbers, estate names or names of the occupants of the premises.

Revolving sign means any sign so erected or constructed as to periodically display different copy changes through the revolving of face panels, provided that the changes shall occur not more than four times in any 60-second period of time.

Roof sign means any sign or other street graphic erected or constructed and maintained on the roof covering above the eaves of a building. Signs placed flat against the steep slope portion of a mansard roof will not be considered roof signs.

Sandwich sign means a sandwich sign, "A" sign or other types of portable signs, single- or double-faced, which are portable and readily movable from place to place.

Seawall sign means any sign with characters, letters, figures, designs or outlines painted on the face of the bulkhead or seawall.

Semipublic body includes churches and civic and other organizations operating as nonprofit organizations serving a public purpose or service.

Shopping center. See *Multiple-occupancy complex.*

Sign means any object, device, display or structure, or part thereof, consisting of letters (foreign or domestic), numbers, symbols, pictures, illustrations, announcements, cutouts, insignia, trademarks or demonstrations, including all trim and borders, designed to advertise, inform or identify, or to attract the attention of persons not on the premises on which the device or display is located, and visible from any public way.

Sign structure means any structure which supports, has supported or is capable of supporting a sign, including a decorative cover.

Snipe sign means a sign of any material, including paper, cardboard, wood and metal, when tacked, nailed or attached in any way to trees, telephone poles or other objects where such sign may or may not apply to the premises. This definition includes cardboard signs on sticks.

Statutory graphic means graphics required by a law of the city, county, the state or the United States government.

Swinging sign means a sign, installed on an arm or spar that is not, in addition, permanently fastened to an adjacent wall or upright pole.

Twinkle means an entry or exit mode in an electronic changing message center with a frame that has stationary text, and where lamps or pixels appear to twinkle on and off randomly.

Under-canopy or under-marquee sign means a sign suspended below the ceiling of a canopy or marquee.

Vision triangle means a triangular-shaped portion of land established at street intersections or street and driveway intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

Wall-mounted sign means any sign mounted on and approximately parallel to the face of the building wall and projecting not more than 12 inches from the plane of the wall. Signs on the outside of a window are considered wall-mounted signs.

Window sign means a sign mounted inside of a window for display to the public passersby outside the window.

Zoom means an entry or exit mode in an electronic changing message center with a frame that starts by bringing the text on from the center in an explosion type mode.

§6-3. VIOLATION OF CHAPTER; PENALTY.

- A. For any and every violation of the provisions of this Chapter, and for each and every day that such violation continues, such violation shall be punishable as provided in Section 1-5.

- B. In addition to the criminal penalties and enforcement procedures provided in subsection (A) of this Section, the violation of any of the regulations, restrictions and limitations promulgated under the provisions of this Chapter may be restricted by injunction, including a mandatory injunction, and otherwise abated in any manner provided by law, and each suit or action may be instituted and maintained by the City Council, by any citizen of the City or by any person affected by the violation of such regulations, restrictions or limitations.
- C. Persons charged with violations of this Chapter may include:
1. The owner, agent, lessee, tenant or contractor, or any other person using the land, building or premises where such violation has been committed or shall exist.
 2. Any person who knowingly commits, takes part in or assists in such violation.
 3. Any person who maintains any sign or sign structure in violation of this Chapter.

§6-4. APPLICABILITY OF CHAPTER.

- A. *Generally.* Except as otherwise provided in this Chapter, it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign in the City, or cause such work to be done, without first obtaining a sign permit for each such sign from the City Manager or designee as required by this Chapter.
- B. *Exceptions.* This Chapter does not apply to signs erected by the federal, state or City government or to the placement of temporary signs within a right-of-way for purposes of business identification or access location, when necessitated by road construction and when authorized by the Public Works Manager. The temporary sign may not exceed eight (8) square feet in area.
1. The following operations are not considered as creating a sign insofar as requiring the issuance of a sign permit, but such signs must be in conformance with all other building, sign, structural and electrical codes and regulations of the City:

- a. *Change of copy.* Changing of the advertising copy of a message on an existing approved changeable copy sign, whether electrical, illuminated, electronic changing message center or non-illuminated message, which are specifically designed for the use of replaceable copy. A change of copy for a billboard shall not require a permit.
- b. *Maintenance:* Painting, repainting, cleaning or other normal maintenance and a repair of a sign not involving change of copy, structural or electrical changes. Replacement of the plastic face of a sign or polyester film window graphics are not exempt from this Chapter.
- c. *Window displays.* Changes in the content of show window displays, provided all such displays are within the building.
- D. Abandoned signs as defined in this Chapter.
- E. Animated signs as defined in this Chapter, except where allowed by Sections 6-6 or 6-151(G).
- F. Emitting signs as defined in this Chapter, except where allowed by Sections 6-6 or 6-151(G).
- G. Balloons, including all inflatable air signs or other temporary signs that are inflated with air, helium or other gaseous elements, except where allowed by Sections 6-6 or 6-151(G) and under three feet in diameter.
- H. Banners, pennants or other flying paraphernalia, except an official federal, state or City flag, and one (1) symbolic flag not to exceed fifteen (15) square feet in area for each institution or business, or except where allowed by Sections 6-6 or 6-151(G).
- I. Bench signs, except as permitted in Section 6-182.
- J. Billboards, except as permitted in Section 6-183.
- K. Changing signs (Electronic changing message centers and electronic generated copy).
- L. Figure-structured signs as defined in this Chapter, except where allowed by Sections 6-6 or 6-151(G).
- M. Motion picture signs.
- N. Murals, except in the Old 41 redevelopment overlay district and as permitted by the Bonita Springs Arts in Public Places Board Ordinance.
- O. Parking of advertising vehicles.
- P. Pole or pylon signs, are prohibited within the Bonita Beach Road Corridor, Terry Street, Old US 41 from Bonita Beach Road to Rosemary Street, US 41 and Imperial Parkway.
- Q. Portable signs, except as permitted in Sections 6-6 or 6-151(A)2.
- R. Projecting signs as defined in this Chapter.
- S. Roof signs as defined in this Chapter.
- T. Signs with any lighting or control mechanism which causes radio or television or other communication interference.

§6-5. PROHIBITED SIGNS.

The only advertising signs permitted in the City, are those expressly authorized by the provisions of this Chapter. The following types of signs are prohibited, but this enumeration does not limit the general prohibition set forth in this subsection:

- A. Any sign that is not designed, located, constructed or maintained in accordance with the provisions of this Chapter, is not compatible with the objectives of this Chapter, or does not meet the requirements of applicable City, state and federal codes.
- B. Lights and signs that resemble any traffic control device, official traffic control signs or emergency vehicle markings.
- C. Signs or other advertising matter as regulated by this Chapter erected at the intersection of any streets or in any street right-of-way in such a manner as to obstruct free and clear vision, or at any location where, by reason of the position, shape or color, the sign may interfere with or obstruct the view of any authorized traffic sign, signal or device; or which uses words, phrases, symbols or characters in such a manner as to interfere with, mislead or confuse vehicular traffic.

- U. Signs erected, constructed or maintained so as to obstruct or be attached to any firefighting equipment or any window, door or opening used as a means of ingress or egress or for firefighting purposes, or placed so as to interfere with any opening required for proper light and ventilation.
- V. Signs, except "posted property" signs that are permitted in §6-6 (A)(15), which are erected or maintained upon trees or painted or drawn upon rocks or other natural features.
- W. Any sign which is placed on any curb, sidewalk, post, pole, electrolier, hydrant, bridge, tree or other surface located on public property or over or across any street or public street, except as may otherwise expressly be authorized by this Chapter.
- X. Snipe signs as defined in this Chapter.
- Y. Unshielded illuminated devices that produce glare or are a hazard or a nuisance to motorists or occupants of adjacent properties.
- Z. Window signs that collectively cover more than thirty (30) percent of the window glass surface area.
- AA. Any sign, including billboard or other signs as described in this ordinance, using light emitting diodes (LED) or any other new technology of electronic generated copy. This prohibition excludes back-lighting of signs or using LED's for illumination of landscaping or lighting plans, unless permitted by a special exception granted by City Council.

§6-6. PERMITTED SIGNS.

Permitted signs are classified into three (3) categories: signs not requiring a permit, signs requiring a sign location permit only, and signs requiring a sign construction permit.

A. *Signs not requiring permit.*

1. *Awning signs.* Signs consisting of one (1) line of letters, which are painted, placed or installed upon the hanging border only of any awning legally permitted, erected and maintained in accordance with City laws. An identification emblem, insignia, initial or other similar feature not exceeding an area of eight (8) square feet may be painted, placed or installed elsewhere on any awning, provided that

any sign emblem, insignia or other such similar item shall comply with other provisions of this Chapter.

2. *Business affiliation signs.* Signs displayed by businesses, upon the premises, denoting professional and trade associations with which the business is affiliated, required statutory signs and other signs pertaining to public safety and law enforcement, provided such graphics do not contain lettering more than six (6) inches high.
3. *Business information signs.* Business information signs, provided that such signs are posted on the entrance doors or within a window.
4. *Flags or insignias of governmental or nonprofit organizations.* Flags or insignias of a governmental, religious, charitable or fraternal organization are permitted without a permit along with one additional flag equal in size to or smaller than the United States flag except when displayed in a manner to garner attention to an unrelated object (e.g., multiple flags adjoining a commercial or non-commercial object).
5. *Garage sale signs.* Garage sale signs, provided they are erected not more than twenty-four (24) hours prior to the sale and are removed within seventy-two (72) hours of the time they were erected.
6. *Governmental and public safety signs.* Governmental signs for control of traffic and other regulatory purposes, street signs, danger signs, railroad crossing signs, signs of public service companies indicating danger, and aids to service or safety which are erected by or on the order of a public officer in the performance of his public duty.
7. *Winter Holiday decorations.* Signs of a primarily decorative nature, clearly incidental and customary and commonly associated with the winter holidays, may be displayed from November 15th to January 10th, as long as they meet the criteria for holiday decorations as set forth below.

8. Holiday decorations may be of any type (not otherwise prohibited by Section 6-5), provided:
 - a. The decorations contain no advertising (other than the name of the business);
 - b. The signs must be primarily decorative in nature, associated with an official or unofficial observances of religious, national, cultural or other significance, often accompanied by celebrations or festivities (public or religious holiday); and
 - c. Except for the winter holiday period, may be displayed no more than one week prior to and one week after the nationally recognized holiday.
 - d. The decorations are set back a minimum of ten (10) feet from all boundary lines of the lot, and provide clear visibility areas in accordance with the requirements of Chapter 4, Section 4-3131.
9. *Instructional signs.* Instructional signs or symbols located on and pertaining to a parcel of private property, not to exceed four (4) square feet in area per sign.
10. *Interior signs.* Signs located within the interior of any building or stadium, or within an enclosed lobby or court of any building, and signs for and located within the inner or outer lobby, court or entrance of any theater. This does not, however, exempt such signs from the structural, electrical or material specifications as set out in this Land Development Code or the Florida Building Code.
11. *Legal notices.* Legal notices and official instruments.
12. *Memorial signs or tablets.* Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other noncombustible materials.
13. *Nameplates.* Any sign not exceeding one and one-half (1½) square feet in area and bearing only property numbers and names of occupants of any private premises, for identification purposes only.
14. *Political signs.* Political or campaign signs, provided they do not exceed four (4) square feet in area. For larger signs, refer to Section 6-151(D).
15. *Posted property signs.* Posted property signs, not to exceed one and one-half (1½) square feet in area per sign and not exceeding four (4) in number per lot, except that special permission may be obtained from the City Manager or designee for additional signs under proven special circumstances. Such signs shall not be illuminated, and they shall not project over any public right-of-way.
16. *Professional nameplates.* Professional nameplates, not exceeding two (2) square feet in area, on which signs the name, address and occupation of the owner may appear.
17. *Promotional signs.* Promotional signs, not exceeding four (4) square feet in area, provided that such signs are posted only during such drive or no more than forty-five (45) days before the event and are removed no more than ten (10) days after an event. See §6-151 (E).
18. *Public information signs.* Any sign used for public information or direction erected either by or at the direction of a public body.
19. *Real estate, open house and model signs.* Real estate, open house and model signs, subject to Section 6-151(F).
20. *Signs incorporated on machinery or equipment.* Signs incorporated on machinery or equipment at the manufacturer's or distributor's level, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths and gasoline pumps.
21. *Symbols or insignia of religious orders or historical agencies (markers).* Religious symbols, commemorative plaques of recognized historical agencies, or identification emblems of religious orders or historical agencies, provided that no such marker, symbol, plaque or

identification emblem shall exceed four (4) square feet in area.

22. *Warning signs.* Signs warning the public of the existence of danger, but containing no advertising material, of a size as may be necessary, to be removed upon subsidence of danger.
23. *Waterway signs.* Directional signs along inland waterways are permitted, including uniform waterway markers required to obtain a permit from the Fish and Wildlife Commission pursuant to Florida Statutes §327.40 .
24. *Window signs.* Window signs which collectively cover thirty (30) percent or less of the window glass surface area. Lettering on windows and signs required by federal or state laws or regulations of agencies thereof, business information signs, and business affiliation signs are excluded from the computation of the sign area limitations and restrictions specified in Section 6-153(A).

B. *Signs requiring sign location permit only.* The following types of signs are allowed upon application for and issuance of a sign location permit (see Section 6-54(B)), provided that they are non-illuminated signs or the illumination is from a previously approved source, that the sign does not come under the requirements specified in subsection (C) of this Section for construction permits, and that all other provisions of this Chapter are met:

1. Announcement Signs, see Section 6-151(A).
2. Bench signs, see Section 6-182.
3. Construction signs, see Section 6-151(B).
4. Development signs, see Section 6-151(C).
5. Directory signs (on-site only), see Section 6-152(D).
6. Identification signs, see Sections 6-152 and 6-153.
7. Promotional signs, see Section 6-151(E).
8. Wall-mounted signs, see Section 6-153(B)3.

C. *Signs requiring sign construction permit.* No sign that meets or exceeds one (1) or more of

the following criteria may be erected prior to issuance of a sign construction permit in accordance with Section 6-54(c):

1. Any sign, including balloons, exceeding ten (10) feet in height.
2. Any sign exceeding thirty-two (32) square feet in area.
3. Any illuminated or electrically operated sign, including portable signs, if the source of the illumination or electricity has not been previously approved.
4. Any sign, other than a painted sign, attached to a wall or marquee.
5. Any billboard.

§6-7. PARKING OF ADVERTISING VEHICLES.

No person shall park any vehicle, trailer or boat on a public right-of-way, public beach or public property, or on private property so as to be clearly visible from a public right-of-way, which has attached thereto or located thereon any sign or advertising device for the primary purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises. This Section is not intended to prohibit any form of public vehicular signage such as a sign attached to a bus; neither shall this Section prohibit a sign lettered on or attached to a motor vehicle in such a manner as to primarily identify the vehicle with the business it serves and which is less than six (6) square feet in area. This Section shall not be interpreted as prohibiting company names which are customarily and normally on interstate or local trucks.

§6-8. REMOVAL OF UNLAWFUL OR DANGEROUS SIGNS.

All signs and sign structures which are or have been erected or maintained unlawfully shall be considered illegal and subject to the following removal procedures:

A. *Banners, promotional signs, sidewalk or sandwich signs and snipe signs.*

1. City Council finds that, in view of the inexpensive nature of these signs and the administrative burden which would be imposed by elaborate procedural

prerequisites prior to removal, any procedure other than summary removal of these signs when unlawfully erected and maintained would defeat the purpose of regulating such signs. Therefore, the City Manager or designee is hereby authorized summarily to remove such signs when unlawfully erected and maintained, subject to the provisions contained in subsection (2) of this Section.

2. After summary removal of a sign pursuant to this Section, the City Manager or designee shall notify, either in person or by first class postage, prepaid, the occupant of the property from which the sign was removed, and, if the sign identified a party other than the occupant of the property, the party so identified. The notice shall advise that the sign has been removed, and shall state that the sign may be retrieved within thirty (30) days of the date of the notice and that if the sign is not retrieved within thirty (30) days it will be disposed of by the City. If the sign is removed from public property, the party, if any, identified on the sign shall be notified; if no party is identified on the sign, then no notice prior to disposition is required. The City shall dispose of all unclaimed signs after the expiration of the 30-day period.

B. *Other unlawful signs.* Signs which are or have been erected or maintained unlawfully but do not fall under the provisions set forth in subsection (1) of this Section shall be subject to the following procedures:

1. The City Manager or designee shall prepare a notice which shall describe the sign and specify the violation involved, and which shall state that, if the sign is not removed or the violation is not corrected within fifteen (15) days, the sign shall be removed in accordance with the provisions of this Section.
2. All notices mailed by the City Manager or designee shall be sent by certified mail, return receipt requested. Any time periods provided in this Section shall be deemed to commence on the date of the receipt of the certified mail.

3. The notice shall be mailed to the owner of the property on which the sign is located as shown on the Lee County Property Appraisers current roll. If the owner of the sign and the occupant of the property are known, or with reasonable care should be known, the notice shall be mailed to or delivered to the owner of the sign and the occupant of the property.
4. Failing determination of the sign owner or user or owner of the property on which the sign is located, the notice may be affixed in a conspicuous place to the sign or to the business premises with which the sign is associated. The City Manager or designee shall require new sign permits to be issued for each existing sign classified as a legal nonconforming sign. A photograph of each sign so classified shall be attached to the City's copy of the permit application.
5. Any person having an interest in the sign or the property may appeal the determination of the administrator ordering removal or compliance by filing a written notice of appeal with the City within fifteen (15) days after the date of receiving the notice.
6. Upon completion of the notification procedures and after expiration of the 15-day appeal period, if no appeal has been filed, the City Manager or designee shall have the authority to remove or contract with a contractor to remove the unlawful sign. All costs associated with the removal of the unlawful sign shall be assessed against the property owner. Each such assessment shall be a lien against the property until paid, in accordance with subsection (4) of this Section.

C. *Emergency work.* When it is determined by the City Manager or designee that a sign would cause an imminent danger to the public safety, and contact cannot be made with a sign owner or building owner, no written notice shall have to be served. In this emergency situation, the City Manager or designee may take reasonable steps to correct the danger, with all costs being assessed against the property owner.

D. *Assessment of costs.*

1. As soon after the offending condition is corrected or removed by the City Manager or designee and the expense thereof can be finally determined, the City Manager or designee shall render a statement to the property owner or permittee or person having possession or right to use, by regular United States mail, addressed to the last known address of any of such persons, informing the person of the sums due the City.
2. If such sums are not paid within forty-five (45) days, the City Council shall, by resolution, levy a special assessment lien in the amount of all sums due the City, plus interest on the amount at a rate of twelve (12) percent per annum, plus all expenses which may be incurred incident to the enforcement of such lien, including any court costs or attorney's fees, until final payment of all sums have been made.
3. Liens shall be recorded in the official records of the County and shall remain in full force and effect until finally paid. The City Council shall furnish releases of the subject lien upon proper satisfaction having been made. The lien may be enforced in the manner provided by the general law of the state for the enforcement of liens or the foreclosure of mortgages.

§6-9--6-50. RESERVED.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

§6-51. COMPLIANCE WITH CHAPTER.

No sign or sign structure shall hereafter be erected, constructed, reconstructed, altered or relocated except in conformity with the provisions of this Chapter.

- A. No person shall erect on any premises owned or controlled by him any sign which does not comply with the provisions of this Chapter.
- B. No person shall maintain or permit to be maintained on any premises owned or controlled by him any sign which is in a dangerous or defective condition. Any such

sign shall be removed or repaired by the owner of the sign or the owner of the premises, or as otherwise provided for in this Chapter.

§6-52. POWERS AND DUTIES OF CITY MANAGER.

A. *Generally.* The City Manager or designee is hereby authorized and directed to administer and enforce the regulations and procedures set forth in this Chapter. The City Manager or designee is further empowered to delegate the duties and powers granted to and imposed upon him under this Chapter.

B. *Specific powers and duties.*

1. *Issuance or denial of permits and certificates.*

a. It shall be the duty of the City Manager or designee, upon receipt of a completed application for a sign permit, to examine such plans and specifications and other data and, if the proposed structure is in compliance with the requirements of this Section and all other applicable provisions of this Chapter, to issue to the applicant a written permit evidencing the applicant's compliance therewith. Issuance of the permit shall in no way prevent the City Manager or designee from later declaring the sign to be illegal if, upon further review of the information submitted with the application or of newly acquired information, the sign is found not to comply with the requirements of this Chapter.

b. No sign permit or certificate of compliance shall be issued by the City Manager or designee except in compliance with this Chapter and any other applicable ordinances and laws, decisions of the Zoning Board, Board of Adjustments, Construction Board or City Council, or court decisions.

2. *Revocation of permits and certificates.* The City Manager or designee may revoke a sign permit or certificate of compliance in those cases where an administrative determination has been

- duly made that false statements or misrepresentations existed as to material facts in the application or plans upon which the permit of approval was based.
3. *Suspension of permits and certificates.* The City Manager or designee may suspend a sign permit or certificate of compliance where an administrative determination has been duly made that an error or omission on the part of either the permit applicant or a government agency existed in the issuance of the permit or certificate. A new permit or certificate shall be issued in place of the incorrect permit or certificate after correction of the error or omission.
 4. *Cease and desist orders.* The City Manager or designee shall have the authority to issue cease and desist orders in the form of written official notices given to any person.
 5. *Complaints.*
 - a. Complaints on any violations of this Chapter shall be filed with City Manager or designee.
 - b. Upon inspection, where it is found that any sign or sign structure is in violation of this Chapter, City Manager or designee should take the appropriate action as set forth in Section 6-8.

§6-53. VARIANCES.

Requests for variances from the terms of this Chapter will be administered and decided in conformance with the requirements for variances set forth in Chapter 4.

§6-54. PERMITS; INSPECTION.

A. *Sign permit required; modifications.*

1. Except as otherwise provided for in this Chapter, it shall be unlawful for any person to erect, construct, replace, enlarge, move or convert any sign in the City, or cause such work to be done, without first obtaining a sign permit for each sign from the City Manager or designee.

2. Any sign which has been removed from its supports for the purpose of reconditioning shall obtain a reconditioning permit prior to reinstallation. In no event would a reconditioning permit allow for changing a sign to one with electronic generated copy or other sign prohibited in this Chapter.
 3. When a sign permit has been issued, it shall be unlawful to change, modify, alter or otherwise deviate from the terms or conditions of the permit without prior approval of the City Manager or designee. A written record of such approval shall be entered upon the original permit application and maintained in the files of the City Manager or designee. All such approvals shall be consistent with the terms of this Chapter.
- B. *Application for sign permit.* In order to obtain a permit to erect, alter or relocate any sign under the provisions of this Chapter, an applicant therefore shall submit to the City Manager or designee a sign permit application, which shall include:
1. A completed application form containing but not limited to:
 - a. The name, address and telephone number of the applicant.
 - b. The name, address and telephone number of the person constructing the sign, as well as the name, address and telephone number of the owner of the sign.
 - c. For off-site signs only, the name, address, telephone number and signature of the owner of the premises granting permission for the construction, operation, maintenance or displaying of the sign or sign structure, including:
 - i. Proof of ownership of the property upon which the sign is to be erected, if owned by the applicant;
 - ii. A copy of the executed lease or agreement permitting the sign to be erected on the subject parcel; or

- iii. A signed statement from the property owner of the subject property granting permission for the erection of the sign and recognizing that a lien may be filed against the subject property if the sign is required to be removed for violation of this Chapter.
 - d. ~~For off site bench signs, in addition to the requirements of subsection (b)(1)e of this Section, a statement signed by the City engineer approving the location.~~
 - e. Information as to the type of sign to be erected, e.g., ground-mounted, projecting, wall sign, illuminated or non-illuminated, temporary or permanent.
 - f. The approximate value of the sign to be installed, including the installation cost.
2. A site location plan including the following:
 - a. Location by street number and legal description (tract, block and lot) of the building, structure or lot to which or upon which the sign is to be installed or affixed.
 - b. A fully dimensioned plot plan, to scale, indicating the location of the sign relative to property lines, rights-of-way, streets, easements, sidewalks and other buildings or structures on the premises, as well as the location, size and type of any other existing signs whose construction requires a sign permit, when such signs are on the same premises.
 3. Bond or other security for certain type signs. City Council shall adopt a bond or other security schedule for certain type signs requiring a bond or other security as specified in this Chapter. If the signs are not removed within the specified time period, the signs will be removed by the City and the bond will be forfeited.

Such signs include but are not limited to:

 - a. Political signs.
 - b. Certain temporary signs.
 4. Application fee. Applications for a permit to erect, construct, alter or extend a sign or sign structure shall be accompanied by a fee in the amount to be established by City Council in a schedule of fees.
 5. Such other information as the City Manager or designee may require which is necessary to secure full compliance with this Chapter, the Florida Building Code and any other applicable ordinance.
- C. *Construction permit.* The following requirements shall apply for any sign requiring a construction permit as specified in Section 6-6(C):
1. All information required for site location permits.
 2. Construction plans showing the following:
 - a. A drawing to scale showing the design of the sign, including dimensions, sign size, method of attachment and source of illumination, and showing the relationship to any building or structure to which it is or is proposed to be installed or affixed, or to which it relates.
 - b. Plans indicating the scope and structural detail of the work to be done, including details of all connections, supports and footings and materials to be used.
 - c. A copy of stress sheets and calculations indicating that the sign is properly designed for dead load and wind pressure in any direction, if required by the City Manager or designee.
 - d. A listing of all materials to be utilized in the construction of the sign, or, in the alternative, a statement that all materials are in compliance with the Florida Building Code.
 3. In addition to the submittal documents required in subsections (c)(1) and (2) of this Section, the following documents, as applicable:

- a. An application and required information for such application, for an electric permit for all electric signs, if the sign is to be illuminated. All electrical work must be UL-approved or installed by a licensed electrician. If signs are illuminated, when external lighting such as floodlights, thin-line or gooseneck reflectors are used, the light source shall be directed onto the face of the sign and shall be effectively shielded so as to prevent beams or rays of light from being directed into any portion of the street right-of-way, or other areas consistent with Land Development Code Chapter 3.
- b. Certification by a registered engineer. Plans for the following signs shall be signed and certified by a Florida registered engineer, who shall submit sufficient data to enable the City Manager or designee to determine whether the sign complies with this Chapter:
 - i. Off-site signs or ground signs over forty (40) square feet in area, or over twenty (20) feet in height.
 - ii. All signs with unusual structural features.
- c. Sign contractor's license. Certain types of signs are required to be installed or erected only by a licensed contractor. No person shall perform any work or service in connection with the erection, construction, enlargement, alteration, repair, moving, improvement, maintenance, conversion or manufacture of any such sign in the City unless such person shall first have obtained a contractor's license class A or B from the City Manager or designee and paid the license fees provided by the City, or shall be represented by a duly licensed agent or subcontractor. All persons engaged in the business of installing or maintaining signs involving, in whole or part, the erection, alteration, relocation or maintenance of a sign or other sign work in or over or immediately adjacent to a public right-of-way or public property so that a portion of the public right-of-way or public property is used or encroached upon by the sign installer shall agree to hold harmless and indemnify the City and its officers, agents and employees from any and all claims of negligence resulting from the erection, alteration, relocation or maintenance of a sign or other sign work insofar as this Chapter has not specifically directed the placement of a sign.
- d. *Expiration of sign permit.* A sign permit shall expire and become null and void six (6) months from the date of issuance, except that it may be extended for good cause by the City Manager or designee.
- e. *Inspections.* All signs for which a permit is required by this Chapter are subject to inspection by the City Manager or designee. Failure to obtain a final satisfactory inspection within the permit period or any renewal shall render the permit invalid, and the applicant shall be required to reapply for a permit or remove the sign or sign structure.
- f. *Identification number.* All signs and sign structures required to have a permit shall display the permit number on the sign or sign structure in a manner clearly visible from the street right-of-way. The absence of the permit number shall be prima facie evidence that the sign or advertising is being operated in violation of this Chapter.
- g. *Street address.* The street address shall be clearly displayed on all monument signs, within the visibility triangle, in numbers no smaller than 6". The absence of the street address shall be prima facie evidence that the sign or advertising structure is being operated in violation of this Chapter.

§6-55. NONCONFORMING SIGNS.

A. *Status.* Every sign, as of the effective date of the ordinance from which this Chapter is derived, which is a permitted legally existing sign, shall be deemed a legal nonconforming sign. A permitted sign means a sign that was constructed or is in place with a valid permit from the city or the county prior to incorporation. All nonconforming signs shall be subject to the provisions of this Section. All existing signs which are not legal nonconforming signs must comply with the terms of this Chapter.

1. A nonconforming sign may not be enlarged or altered in a way which increases its nonconformity.
2. Nothing in this Section shall relieve the owner or user of a legal nonconforming sign or owner of the property on which the legal nonconforming sign is located from the provisions of this Chapter regarding safety, maintenance and repair of signs. Except for signs located within the Bonita Beach Road Corridor, any repair or refurbishing of a sign that exceeds twenty-five (25) percent of the value of the sign in its preexisting state shall be considered as an act of placing a new sign and not an act of customary maintenance. It shall be the responsibility of the permittee to provide the City with adequate proof of the cost of such work in the form of an itemized statement of the direct repair cost, whenever such information is requested by the City.

*Within the Bonita Beach Corridor, copy changes on a non-conforming sign that cover less than twenty-five (25) percent of the total copy area of the original sign in any 12-month period, shall not be considered as an act of placing a new sign.

3. If any nonconforming sign is destroyed to an extent of fifty (50) percent or more of its assessed value at the time of destruction, the sign shall not be replaced or repaired, in part or in full, except upon full compliance with this Chapter.
4. Any replacement billboard structure rebuilt in its present location under former Section 6-55(A)(4) prior to May 16, 2001,

shall be deemed a conforming billboard structure in conformance with this Chapter.

B. *Loss of legal nonconformity.*

1. A legal nonconforming sign shall become an illegal sign which must comply with this Chapter if:
 - a. More than fifty (50) percent of the sign is removed or unassembled for a period of more than six (6) months.
 - b. The sign is altered or relocated in any manner which increases its nonconformity or causes it to be less in compliance with the provisions of this Chapter. Except for signs located within the Bonita Beach Road Corridor* a change in copy of a sign listed as a prohibited sign by this Chapter is presumed to be an alteration which increases nonconformity; such a copy change on a prohibited sign is prohibited. To establish that the nonconformity is not increased by replacing copy on a sign, other than on a changeable copy sign (where it is presumed that changing copy cannot increase nonconformity) or a prohibited sign (where a change of copy is never allowed), a sealed statement from a state-certified engineer certifying that the sign meets the structural integrity required by the current applicable building code shall be submitted to the City Manager or designee in those instances when engineering documents are required for original placement of such a sign. All signs for which a change of copy is permitted shall be made to conform with the requirements of this Chapter by April 1, 1993, or any such sign shall lose its legal nonconforming status and shall be removed.

*Within the Bonita Beach Road Corridor, copy changes on a non-conforming sign that cover less than twenty-five (25) percent of the total copy area of the original sign in any 12-month period, shall not be

considered as an alteration that increases nonconformity.

- c. Repair or refurbishing exceeds twenty-five (25) percent of the value of the sign in its preexisting state.
 - d. The sign is replaced.
2. When a sign face remains blank, which is defined as void of advertising matter, for a period of twelve (12) months it loses its nonconforming status and must be treated as a sign which must comply with all the requirements of this Chapter. Signs displaying an "available for lease" message or similar message and partially obliterated signs which do not identify a particular product, service or facility are considered to be blank signs.
 3. A nonconforming sign that has lost its legal nonconforming status shall be immediately brought into compliance with this Chapter, or the sign shall be removed.
 4. The existence of an illegal sign or a legal nonconforming sign does not constitute a hardship warranting the issuance of a variance from the provisions of this Chapter.

§6-56. SIGN SETBACK OPTION.

- A. Any freestanding sign permitted by this chapter which is the identification sign on premises shall be permitted closer than 10 feet of, but not placed upon or projecting over, any public right-of-way line or within the visibility triangle, provided that the height of such sign structure does not exceed 7 feet.
- B. However, any freestanding sign located within the Old US 41 community redevelopment area, shall be permitted closer than 10 feet to, but not placed upon or projecting over, any public right-of-way or within the visibility triangle, provided that the height of such sign structure does not exceed 5 feet.

§6-57--6-90. RESERVED.

**ARTICLE III. MEASUREMENT;
CONSTRUCTION AND
MAINTENANCE STANDARDS**

§6-91. MEASUREMENT OF SIGN AREA.

- A. The sign area shall be measured from the outside edges of the sign or the sign frame, whichever is greater, excluding the area of the supporting structures provided that the supporting structures are not used for advertising purposes and are of an area equal to or less than the permitted sign area. In the case of wall signs without a border or frame, the surface area shall include such reasonable and proportionate space as would be required if a border or frame were used.
- B. When a single sign structure is used to support two (2) or more signs, or unconnected elements of a single sign, the surface area shall comprise the square footage within the perimeter of a regular geometric form enclosing the outer edges of all the separate signs or sign elements.
- C. Where signs are installed back-to-back, one (1) face only is considered as the sign area. If unequal in size, the larger face will be counted.
- D. When window or wall signs include the use of polyester film window graphics, only the lettering and logo portions of the display will be calculated in determining sign area.

§6-92. MEASUREMENT OF SIGN HEIGHT.

- A. The height of a sign shall be considered to be the vertical distance measured from the adjacent street grade or upper surface of the nearest street curb, whichever is higher.
- B. On elevated streets such as interchange overpasses, height shall be measured from the street grade of the adjacent street providing access to the property.

§6-93. LOCATION.

- A. *Visibility triangle.* No sign shall be erected which would impair visibility at a street intersection or driveway entrance. Within the area formed by the right-of-way lines of

intersecting streets or streets and driveways, and a straight line connecting points on such right-of-way lines at a distance of twenty-five (25) feet from their point of intersection, such connecting lines extending beyond the points to the curved lines, there shall be a cleared space with no obstructions between the height of three (3) feet and the height of ten (10) feet above the average grade of each street as measured at the centerline thereof.

- B. *Clearance from high-voltage power lines.* Signs shall be located in such a way that they maintain a clearance of ten (10) feet to all overhead electrical conductors and a three-foot clearance on all secondary voltage service drops.

**§6-94. CONSTRUCTION STANDARDS;
LANDSCAPING.**

- A. *Generally.* All signs must comply with the appropriate detailed provisions of the Florida Building Code relating to design, structural members and connections. Illuminated signs must also comply with provisions of the National Electrical Code, and all electrical work must be Underwriters' Laboratories approved or be certified by an electrician licensed by the City. Signs must also comply with the additional standards set forth in this Section.

- B. *Erection by licensed contractor.* No sign may be erected, other than a painted wall sign or polyester film window graphics, except by a licensed contractor, if the sign:

1. Exceeds thirty-two (32) square feet in area;
2. Exceeds ten (10) feet in height; or
3. Requires or uses electricity from other than a previously approved source.

- C. *Structural design.*

1. Structural drawings reviewed and certified by an engineer registered by the state shall be required for any sign over forty (40) square feet in area or over twenty (20) feet in height. Wind load calculations shall be submitted with the engineer's submittal.
2. The City Manager or designee may request wind load calculations for signs

less than forty (40) square feet in area prior to issuing a permit.

3. A wall must be designed for and have sufficient strength to support any sign which is attached thereto.

- D. *Materials for ground signs.*

1. All ground sign structures or poles shall be self-supporting structures erected on and permanently attached to concrete foundations. Such structures or poles shall be fabricated from American Standard, ASA, steel or of an equivalent.
2. All wood permitted to be used, whether for new permanent signs, for replacement of existing permanent signs, or for any part thereof, shall be rot and termite resistant, through open-cell preservation methods as specified by the American Wood Preservation Association, or by any other open-cell preservation treatment approved by the City Building Department.

- E. *Electric signs.*

1. All electric signs, including portable signs, must be certified by the sign contractor that the sign meets the standards established by the National Electrical Code. All electric signs must be erected and installed by a licensed sign contractor. The electrical connection to a power source must be performed by a licensed electrical contractor.
2. Artificial light used to illuminate any sign from outside the boundaries of the sign must be screened in a manner that prevents the light source from being visible from any abutting right-of-way or adjacent property.

- F. *Supports and braces.* Metal supports or braces shall be adequate for wind loadings. All metal wire cable supports and braces and all bolts used to attach signs to brackets or brackets and signs to the supporting building or structure shall be of galvanized steel or of an equivalent corrosive resistant material. All such sign supports shall be an integral part of the sign.

- G. *Anchoring.* No sign shall be suspended by chains or other devices that will allow the sign

to swing due to wind action. Signs shall be anchored to prevent any lateral movement that would cause wear on supporting members or connections.

H. *Maximum angle for double-faced signs.* Double-faced signs with opposing faces having an interior angle greater than thirty (30) degrees shall not be permitted.

I. *Landscaping.*

1. Approved landscaping shall be functional and decorative. It should be designed for minimal maintenance and capable of withstanding vandalism. It may be of many materials, including flowers, shrubs, trees, rockwork, brickwork or other constructional elements in an attractive combination and appropriate to the specific location. The support structure of the sign may, if properly designed, be included as part of the landscaping.

2. The least dimension of the landscaped area shall be the greatest dimension of the sign, and the sign shall not extend beyond the landscaped area. The area enclosed by curbing shall be landscaped with shrubs and ground cover.

J. *Polyester film window graphics.* Use of polyester film window graphics is subject to review and approval of the City Manager or designee. Applicants must submit drawings prepared by the sign fabricator to the City Manager or designee prior to fabrication of the graphics. The drawings must include full dimensions, letter style and type, face (color and thickness), and placement of the graphics on the window.

§6-95. SIGN AND STREET IDENTIFICATION AND MARKING.

A. Unless specifically exempted from permit requirements of this Chapter, no sign shall hereafter be erected, displayed, rebuilt, repaired, painted or otherwise maintained until and unless the city sign permit number is painted on or otherwise affixed to the sign or sign structure in such a manner as to be plainly visible from the street or roadway.

B. For monument signs and any sign used for commercial developments facing the street,

the numbers to the address must be clearly displayed, within the visibility triangle, in numbers no smaller than 6”.

C. In addition to the requirements of subsection (A) of this Section, all off-site signs hereafter erected or remodeled shall bear, in a permanent position thereon, a clearly legible identification plate stating the name and address of the owner of the sign and the person responsible for its construction and erection, and the date of erection. Electrical signs shall be marked with input amperages at the full load input.

§6-96. MAINTENANCE.

A. All signs for which a permit is required by this Chapter, including their supports, braces, guys and anchors, shall be maintained so as to present a neat, clean appearance. Painted areas and sign surfaces shall be kept in good condition, and illumination, if provided, shall be maintained in safe and good working order.

B. Weeds and grass shall be kept cut in front of, behind, underneath and around the base of ground signs for a distance of ten (10) feet, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near such signs.

§6-97--6-130. RESERVED.

**ARTICLE IV. RESTRICTIONS
BASED ON LOCATION**

DIVISION 1. GENERALLY

§6-131--6-150. RESERVED.

DIVISION 2. ON-SITE SIGNS

§6-151. TEMPORARY SIGNS.

The following types of temporary signs that are in compliance with the regulations set forth in their indicated Sections will not be required to obtain sign location permits:

* residential construction signs, subsection (B) of this Section;

* political or campaign signs, subsection (4D) of this Section; and

* real estate signs, subsection (6F) of this Section.

The following types of temporary signs are permitted in all zoning districts subject to the following regulations.

A. *Announcement signs.*

1. A temporary sign announcing a project to be under construction or an intended use of the premises within sixty (60) days of erection of the sign may be permitted in accordance with the following:
 - a. One (1) ground-mounted sign is allowed per street frontage per project.
 - b. Sign area may not exceed thirty-two (32) square feet, and signs (including the support structure) may not exceed ten (10) feet in height above the crown of any abutting street.
 - c. A sign announcing a project to be under construction or an intended use of the premises in the immediate future may include only the project name, the nature of development (e.g., professional office, villas, townhouses, condominium, etc.), the name of the owner or agent, and one (1) telephone number.

Such sign may be posted for a 180-day period, at the end of which time continued use of the sign will be subject to approval by the Building Official. Such sign must be removed upon issuance of a building permit for the project. The provisions of this subsection notwithstanding, signs announcing the development of a recorded subdivision may be posted for a 12-month period from the date of recording the subdivision plat.

2. Temporary announcement signs for a new business, or a business in a new location with no permanent signs, may be permitted up to thirty-two (32) square feet in sign area (or for a portable sign up to forty (40) square feet), or the maximum permitted sign area for any one ground-mounted permanent sign, whichever is lesser, for a period of not more than sixty (60) days or until installation of permanent signs, whichever occurs first.

The temporary sign (including the support structure) may not exceed ten (10) feet in height. No temporary announcement sign may be permitted if the sign would exceed either the number or size of permanent signs otherwise permitted by this Chapter for the occupant or location.

B. *Construction signs.*

1. One (1) construction sign shall be permitted per construction project on each street frontage. The sign shall be erected no more than five (5) days prior to any construction of the project, shall be confined to the site of construction, and shall be removed prior to issuance of a certificate of occupancy.
2. Construction signs may denote the architect, engineer, contractor, subcontractor, owner, future tenant, financing agency, or other persons performing services or labor or supplying materials to the premises.
3. Maximum size limitations for construction signs shall be as follows:
 - a. For all one- and two-family residences, one non-illuminated ground-mounted sign not exceeding twelve (12) square feet in sign area and six (6) feet in height, including supports, may be erected.
 - b. For all multiple-family residences and nonresidential developments, one (1) non-illuminated wall or ground-mounted sign not exceeding thirty-two (32) square feet in sign area and ten (10) feet in height, including supports, may be erected on each street frontage.
 - c. Size of signs may be increased to sixty-four (64) square feet provided a construction permit is issued.
 - d. All construction signs shall be set back a minimum of fifteen (15) feet from any property line or street right-of-way or easement line, whichever is greater.

C. *Development signs.*

1. A development sign may be permitted in any residential development wherein

more than twenty (20) percent of the lots, homes or living units remain unsold, subject to the following regulations:

- a. One non-illuminated development sign not exceeding twenty-four (24) square feet in sign area may be permitted for each street entrance into the subject subdivision or development.
 - b. The sign shall be located within the confines of the property being developed.
 - c. Permits for such signs shall be issued for one (1) year and may be renewed annually until twenty (20) percent or less of the total lots, homes or living units remain unsold.
2. One (1) non-illuminated development sign per street frontage may be permitted in any commercially or industrially zoned district to promote the sale or rental or lease of units within the development. The maximum size shall be thirty-two (32) square feet and the maximum height shall be ten (10) feet.
- D. *Political or campaign signs.* Temporary political or campaign signs on behalf of candidates for public office or measures on election ballots may be permitted in any zoning district, provided that such signs are subject to the following regulations:
1. No person or organization shall post a political or campaign sign on property owned by others until such person or organization places on file with the City Manager or designee a location list, which shall be updated by submission of amended lists, indicating the placement of all temporary political or campaign signs in the City, and bond or other security deposit acceptable to the City is posted to ensure the proper maintenance and removal of the signs in accordance with Section 6-54(b)(3).
 2. Political or campaign signs may be erected not earlier than sixty (60) days prior to the election and shall be removed within ten (10) days following the election.

3. In areas used for agriculture, commercial or industrial uses, or adjacent vacant property, signs shall not exceed thirty-two (32) square feet in area or six (6) feet in height.

4. The provisions of subsections (D)1, 2, and 3 of this Section notwithstanding, nothing in this Section shall be construed as prohibiting a property owner from placing temporary political or campaign signs on his property provided they do not exceed four (4) square feet in sign area per sign.

E. *Promotional signs.* Except as provided in Section 6-6(A)17., no person, civic club or other non-profit organization may post any sign on property owned by others for special events or promotions until such person, civic club or non-profit organization obtains a permit from the City Manager or designee and a bond or other security deposit acceptable to the City is posted to ensure the proper maintenance or removal of the sign in accordance with Section 6-54(B)(3), and the following regulations:

1. Promotional signs may be erected within forty-five (45) days prior to a proposed event and must be removed within ten (10) days after the event.

2. Promotional signs (including the support structure) may not exceed twenty five (25) ~~forty (40)~~ square feet in area and ten (10) feet in height.

3. Signs may not be located in any area that limits the function of vehicular or pedestrian access or visibility.

F. *Real estate signs.*

1. *Temporary "for sale," "for rent" or "for lease" signs.*

a. Temporary real estate signs shall be permitted on properties where the owner is actively attempting to sell, rent or lease such property, either personally or through an agent, as follows:

i. For one- and two-family residences or residential lots, one (1) non-illuminated on-site wall or ground-mounted sign, not exceeding four (4) square feet in

sign area and four (4) feet in height, may be erected on each street frontage.

- ii. For all multiple-family structures and nonresidential buildings or vacant lots, one (1) on-site non-illuminated wall or ground-mounted sign, not exceeding thirty-two (32) square feet in area or ten (10) feet in height, shall be permitted on each street frontage.
 - iii. Any property ten (10) acres or more in size, regardless of the limitations set forth in subsections (F)1.a.i and ii of this Section, shall be permitted non-illuminated real estate signs as follows: One (1) sign may be erected for every three hundred thirty (330) linear feet, or major fraction thereof, of frontage on any one (1) street. Signs shall not exceed thirty (32) square feet in area or ten (10) feet in height.
- b. Signs are to be located a minimum of fifteen (15) feet from the right-of-way line and a minimum of fifteen (15) feet from the side lines, except where the building is in a commercial area the sign may extend to the sidewalk line. No signs may be fastened to trees.
 - c. "Sold" signs shall be allowed on real estate signs in three-inch by 16-inch strips, removable within thirty (30) days after consummation of sale.
2. *"Open house" or "open for inspection" signs.* One (1) company ground-mounted "open house" sign per street frontage shall be allowed per single-family dwelling or per multifamily building. Sign area shall not exceed three (3) square feet, and the sign shall be placed upon the property to be sold or leased. The sign shall be displayed only when the premises are actually available for inspection by a prospective buyer or tenant.
3. *"Model" signs.*
- a. One (1) temporary ground-mounted "model" or "model open" sign per

residential building containing a model unit which is not for sale but which represents a particular unit design of similar units that are for sale shall be permitted, provided that:

- i. The sign area shall not exceed twenty-four (24) square feet;
 - ii. Sign copy may include only the word "model," the name of the builder and his agent, the number of bedrooms and baths, and one (1) telephone number.
- b. The sign permitted by this subsection (F)3 shall be in lieu of the real estate sign permitted under subsection (F)1.a of this Section.
 - c. One (1) "parking in rear" or "model parking" sign per model shall be permitted.
4. *"Model row" signs.*
- a. Two (2) ground-mounted "model row" signs indicating a group of three (3) or more proximate model single-family dwelling units shall be permitted per group provided that:
 - i. A sign location permit is issued;
 - ii. The sign area shall not exceed twelve (12) square feet; and
 - iii. Sign copy may include only the name of the developer of the model row, the model row name, and the hours of business.
 - b. Additionally, each model row which contains six (6) or more models shall be entitled to place two (2) signs along any major road within the County City leading to the model row. Each sign shall be no larger than three (3) square feet and the copy shall be limited to the words "model row." The signs may be placed within the right-of-way with the permission of the City Manager or designee, and shall be located within one thousand (1,000) feet of the entrance to the model row, and may remain in place as long as the property is used as a model row.

5. *Illuminated signs.* Any real estate sign which is illuminated shall require a construction permit.

G. *Special occasion signs.*

1. Temporary on-site signs may be issued for special occasions such as holidays (other than the Holiday Decorations that are addressed in Section 6-6), car, boat or craft shows, carnivals, parking lot sales, annual and semiannual promotions or other similar events, provided:
 - a. A special occasion sign permit is issued by the City Manager or designee,;
 - b. The special occasion sign permit is issued for a period of time not to exceed fifteen (15) days;
 - c. Special occasion signs defined as animated, ~~balloon~~, emitting, figure structured, or motion picture signs, must be approved by the City manager or designee. The City Manager's or designee's decision may be appealed to City Council within fifteen days of his written decision to deny the special occasion sign permit; and
 - d. No business may be permitted more than two (2) special occasion permit in a calendar year.
2. Signs must be located on-site only and in such a manner as to not create any traffic or pedestrian hazard;
3. Signs animated, inflated or illuminated by electricity must comply with all electrical and safety codes; and
4. Signs must be constructed and secured in accordance with all applicable standards.

§6-152. PERMANENT SIGNS IN RESIDENTIAL AREAS.

Permanent signs in residential areas shall be subject to the following:

- A. *Definition.* For purposes of this Section, the term "subdivision" shall be interpreted to include mobile home and recreational vehicle developments, condominiums and multiple-

family buildings containing five (5) or more dwelling units.

B. *Residential development identification signs.*

1. *Entrance signs.* Permanent wall or ground-mounted signs for identification purposes only, giving only the name of the subdivision or residential development, may be permitted at each main entrance into such subdivision or development, subject to the following regulations:

- a. Subdivision or residential development entrances which contain a boulevard entrance, i.e., a median strip separating the entrance and exit lanes, may be permitted:
 - i. A single ground-mounted sign located in the median strip of the entrance, provided that it is set back a minimum of fifteen (15) feet from the right-of-way of the public access road and a minimum of five (5) feet from the edge of the pavement of the entrance and exit lanes; or
 - ii. Two (2) single-faced signs equal in size and located on each side of the entranceway.
- b. Subdivision or residential development entrances which are not boulevards may be permitted:
 - i. One (1) double-faced sign facing perpendicular to the public road; or
 - ii. Two (2) single-faced signs equal in size and located on each side of the entranceway.

2. *Additional identification signs.* One (1) additional permanent wall or ground-mounted sign for identification purposes only, and giving only the name of the subdivision or residential development, may be permitted along each boundary line of the development which exceeds two thousand (2,000) feet in length.

3. *Internal subdivision signs.* Permanent wall or ground-mounted signs for identification purposes may be permitted at one (1) main entrance into each internal

subdivision or development, subject to the following:

- a. Subdivision entrances which contain a boulevard entrance, i.e., a median strip separating the entrance and exit lanes, would be permitted:
 - i. A single ground-mounted sign located in the median strip of the entrance, provided that it is set back a minimum of fifteen (15) feet from the right-of-way of the public access road and a minimum of five (5) feet from the edge of the pavement of the entrance and exit lanes; or
 - ii. Two (2) single-faced signs equal in size and located on each side of the entranceway.
 - b. Subdivision entrances which are not boulevards may be permitted:
 - i. One (1) double-faced sign facing perpendicular to the public road; or
 - ii. Two (2) single-faced signs equal in size and located on each side of the entranceway.
4. *Limitations.*
- a. The subdivision's homeowners' association or similar entity must agree in writing to be responsible for maintenance of the sign.
 - b. The face of each permitted main entrance identification sign shall not exceed thirty-two (32) square feet, except that, in developments of more than twenty-five (25) units, the face may be up to one hundred five (105) square feet in area. The sign shall be not more than ten (10) feet in height.
 - c. The face of each permitted internal identification sign shall not exceed thirty-two (32) square feet in area, and the sign shall not be more than eight (8) feet in height.
 - d. Except when permitted in the entrance median strip, the sign shall be located on private or commonly owned property and shall be set back

a minimum of fifteen (15) feet from the edge of the public right-of-way and at least fifteen (15) feet from the edge of the entranceway pavement, if a private street.

- e. The sign may be illuminated with a steady light so shielded as to not allow the light to interfere with vehicular traffic.
 - f. The sign may incorporate or be incorporated into accessory entrance structural features such as a project wall or landscaping.
- C. *Schools, churches, day care centers, parks, recreational facilities and libraries.* A school, church, day care center, park, recreational facility, library or any other similar use permitted by right or by special exception in accordance with the County City zoning regulations set out in Chapter 4 shall be permitted one (1) ground-mounted or wall-mounted identification sign and one (1) directory sign, subject to the following limitations:
1. Maximum sign area shall be thirty-two (32) square feet per sign face.
 2. Signs shall be located at least fifteen (15) feet from any property line.
 3. No sign shall exceed six (6) feet in height.
- D. *On-site directional signs.*
1. *Permitted signs.* Permanent wall or ground-mounted signs, for directional purposes only, may be permitted within any residential development which consists of several distinctly separate subdivisions, clusters or other subunits of development.
 2. *Location.* On-site directional signs may be permitted within any such residential development along any interior collector street at intersections with other interior streets.
 3. *Limitations.*
 - a. The development shall have a homeowners' association or similar entity which will be responsible for maintenance of the sign.

- b. The face of each permitted directional sign shall not exceed ten (10) square feet in area.
- c. Maximum permitted height shall be six (6) feet.
- d. Signs shall be set back a minimum of fifteen (15) feet from the edge of the street right-of-way or easement.
- e. The signs may be illuminated.

- d. For uses with over three hundred thirty (330) feet of frontage, maximum permitted sign area shall be four hundred (400) square feet.

2. *Multiple frontage.*

- a. *Corner lots.* Uses located on corner lots may utilize up to the maximum sign area allowed for each frontage providing vehicle access. No transfers of allowable area may be made from one frontage to another. See subsection (B)1 of this Section for exceptions.

- b. *Parallel street frontage.* Uses with frontage on two (2) streets which do not form a corner lot shall be allowed sign area credit for the second street as follows:

- i. *Both streets collector or better.* When both streets serve as collectors or better and public access is available from both streets, each street frontage shall be computed as provided in subsection (A)1 of this Section. However, no transfers of allowable area may be made from one frontage to the other. (Example: a use located on a through lot between old and new U.S. 41.)

- ii. *One street collector or better and one street local.* When a use fronts on two (2) streets, one (1) of which is classified as a local street, the following limitations shall apply:

- (a) If the property across the local street is residential or institutional, or if the primary use on either side of the local street within that block is residential, the sign area allowance on the local street shall be limited to twenty-five (25) square feet, regardless of frontage. (Example: property front has primary access to U.S. 41 but also borders a local street behind the property.)

§6-153. PERMANENT SIGNS IN COMMERCIAL AND INDUSTRIAL AREAS.

The provisions of this Section do not apply to the Bonita Beach Road Corridor. Provisions for the Bonita Beach Road Corridor are set forth in Section 6-155.

In order to provide fair, equal and adequate exposure to the public, and to prevent a single property owner from visually dominating neighboring properties with signs, all nonresidential uses are limited to a total permissible sign area in accordance with the provisions of this Section.

A. *Calculation of total permissible area.* Except as specifically provided in Section 6-6(A)23, total permitted sign area for any nonresidential use shall be calculated at the ratio of twenty (20) square feet of sign area for every ten (10) linear feet, or major fraction thereof, of frontage on a street which affords vehicle access to the property, subject to the following limitations:

1. *Single frontage.*

- a. For uses with fifty (50) feet or less frontage, maximum permitted sign area shall be one hundred (100) square feet.
- b. For uses with over fifty (50) feet but less than one hundred (100) feet of frontage, maximum permitted sign area shall be one hundred fifty (150) square feet.
- c. For uses with from one hundred (100) to three hundred thirty (330) feet of frontage, maximum permitted sign area shall be three hundred (300) square feet.

- (b) If the property across the local street is commercial or industrial, and the street provides vehicular access to the subject property, sign area allowance shall be the same as provided in subsection (A)1 of this Section. No transfer of allowable area may be made from one street to the other. (Example: a business establishment located in a commercial or industrial area.)
 - iii. *Both streets local.* When a use borders on two (2) local streets, full sign area credit shall be allowed for the street that provides the primary vehicle access. The second street shall be limited to a sign area of twenty-five (25) square feet. No transfers of allowable sign area shall be made from one street to the other. (Example: a permitted establishment in a primarily residential area.)
 - iv. *Frontage roads.* Where a business fronts upon a collector or better street but is separated by a frontage road, the allowable sign area shall be treated as though the frontage road was not there.
- B. *Nonresidential subdivisions and multiple-occupancy complexes with more than five (5) establishments.*
 - 1. *Identification sign.* A nonresidential subdivision or a multiple-occupancy complex of more than five (5) establishments shall be permitted one (1) ground-mounted identification sign along any street which provides access to the property as follows:
 - a. One (1) square foot of sign area per face shall be permitted for every one (1) linear foot of frontage, provided that:
 - i. No sign shall exceed two hundred (200) square feet in area per sign face.
 - ii. Only one (1) identification sign shall be permitted along any street frontage of less than three hundred thirty (330) linear feet. A second identification sign may be permitted if the frontage along any one (1) street exceeds three hundred thirty (330) linear feet, provided that the total combined sign area of both signs does not exceed three hundred (300) square feet.
 - iii. On corner lots, the developer may either place one (1) identification sign on both streets providing access as stipulated in subsections (B)1.a.i and ii of this Section, or he may place one (1) sign in the corner with a total sign area based upon the total frontage of both streets provided the maximum sign area shall not exceed three hundred (300) square feet per face.
 - iv. Where a nonresidential subdivision has more than one (1) entrance from the same street, one (1) additional identification sign not exceeding sixteen (16) square feet in area, not illuminated, and displaying the name of the development only may be permitted at each additional entrance.
 - b. The maximum height of any identification sign shall be twenty-four (24) feet.
 - c. Except as provided in subsection (B)1.a.iv of this Section, the identification sign may be illuminated with a steady light, but the sign shall not be animated.
 - d. Identification signs shall be set back a minimum of fifteen (15) feet from any street right-of-way or easement, and ten (10) feet from any other property line. In no case shall an identification sign be permitted

between a collector or arterial street and a frontage road.

- e. Address numbers for nonresidential subdivisions with multiple buildings. The address numbers will be located on each building. Address numbers will be visible from all internal vehicular access points. These numbers must be at least 6 inches in height and made of reflective material. At the time of development order, the location of placement of address numbers must be shown on any application required to provide building elevations. Suite numbers must also be provided on service or rear entries. These numbers must be at least 6 inches in height and made of reflective material.
2. *Directory signs.* Nonresidential subdivisions and multiple-occupancy complexes of more than five (5) establishments shall be permitted to place a directory sign on the same structure as the project identification sign, subject to the following limitations:
 - a. Each directory sign must be of the same background and lettering and color scheme.
 - b. Theaters may advertise on permitted identification signs provided the theater's copy area does not exceed twenty-five (25) percent of the total permissible sign area.
 - c. The maximum size of sign area for all directory and ground identification signs shall not exceed the size and height limitations as written in subsection (B)1 of this Section. It shall be the responsibility of the developer to assure adequate space on the directory and identification sign for each tenant. Failure to provide space shall not be grounds for any occupant to request or obtain a variance from the provisions of this Section.
 3. *Individual occupants within multiple-occupancy complex.* Individual offices, institutions, business or industrial establishments located within a multiple-

occupancy complex shall not be permitted individual ground-mounted identification signs, but may display wall-mounted, marquee or under-canopy signs as follows:

- a. *Wall signs.*
 - i. Wall signs are permitted on any wall facing a collector or arterial street or parking lot provided that the total sign area of the wall sign and any attached marquee or canopy sign does not exceed ten percent of the wall area.
 - ii. Where the wall abuts residentially zoned property or a delivery vehicle accessway, wall signs shall be limited to a maximum size of twenty-four (24) square feet in area.
 - b. *Marquee signs.* Marquee signs are permitted only on marquees or canopies otherwise lawfully permitted or in existence. Marquee signs shall not extend horizontally beyond the edges of the canopy or marquee to which they are attached or from which they are suspended.
 - c. *Under-canopy signs.* Signs attached to the underside of a canopy shall have a copy area no greater than four (4) square feet, with a maximum letter height of six (6) inches, subject to a minimum clearance height of eight (8) feet from the sidewalk, and shall be mounted as nearly as possible at a right angle to the building face, and must be rigidly attached.
 - d. *Sign content.* No sign permitted by this subsection (B)3 shall contain any advertising message concerning any business, goods, products, services or facilities which are not manufactured, produced, sold, provided or located on the premises upon which the sign is erected or maintained.
4. *Interior directional signs.* Directional signs interior to a multiple-occupancy complex of five (5) or more establishments or to a nonresidential

subdivision may be permitted subject to the following:

- a. Interior directional signs shall not exceed ten (10) feet in height and thirty-two (32) square feet in total sign area;
 - b. Individual tenant panels not exceeding four (4) square feet in area may be affixed to the interior directional sign structure provided that the total sign area does not exceed thirty-two (32) square feet;
 - c. Signs shall be located in a manner which will not adversely obstruct safe visibility between moving vehicles or vehicles and pedestrians;
 - d. Signs shall not be visible from outside the complex premises.
- C. *Individual office, institution, business or industrial establishments, and multiple-occupancy complexes with five (5) or less establishments.* The following regulations shall apply for any office, institution, business or industrial establishment which is not located within a multiple-occupancy complex and to all multiple-occupancy complexes containing five (5) or less establishments:
1. Every individual office, business or industrial establishment, and a multiple-occupancy complex of five (5) or less establishments, shall be allowed one (1) ground-mounted sign.
 - a. If the establishment has fifty (50) feet or less frontage on a public right-of-way, the maximum sign area shall be thirty-two (32) square feet, and the sign shall be located no closer than five (5) feet to any side property line.
 - b. If the establishment has over fifty (50) feet and up to one hundred (100) feet of frontage on a public right-of-way, the maximum permitted sign area shall be sixty-four (64) square feet, provided that no ground-mounted sign shall be closer than five (5) feet to any side property line.
 - c. If the establishment has over one hundred (100) feet and up to three hundred (300) feet of frontage on a public right-of-way, the maximum permitted sign area shall be seventy-two (72) square feet, and the sign shall be set back a minimum of ten (10) feet from any side property line.
 - d. Establishments having over three hundred (300) feet of frontage on a public right-of-way shall be permitted up to ninety-six (96) square feet of sign area, and the sign shall be set back a minimum of ten (10) feet from any side property line.
 - e. Establishments having frontage on more than one (1) public right-of-way may be allowed one (1) additional ground-mounted sign on the secondary frontage of not more than twenty-four (24) square feet in area.
 - f. On corner lots, the occupant may be allowed one (1) single ground-mounted sign rather than two (2) separate ground-mounted signs (one [1] per street frontage) provided the total sign area of the ground-mounted sign does not exceed one and one half ($1\frac{1}{2}$) times the maximum size permitted on any one (1) street frontage.
 - g. In multiple-occupancy complexes of five (5) or less occupants, ground sign area not identifying the complex should be divided equally among the occupants.
2. Maximum height of a ground-mounted identification sign shall be twenty (20) feet.
 3. Identification signs may be illuminated, but shall not be animated.
 4. Wall-mounted, marquee or canopy signs may be displayed provided the total sign area of such signs plus any permitted ground-mounted identification sign does not exceed the total permitted sign area for the property based upon the calculations set forth in subsection (A) of this Section, provided that not more than ten (10) percent of any wall area may be used for signage.
 5. Identification signs shall be set back a minimum of fifteen (15) feet from any

right-of-way or easement. In no case shall an identification sign be permitted between a collector or arterial street and a frontage road.

- D. *Hospitals or other emergency medical facilities.* Hospitals or other emergency medical facilities shall be allowed the same size identification sign as permitted for individual establishments not located within a multiple-occupancy complex (see subsection (C) of this Section). In addition, one (1) additional illuminated ground or wall sign, not to exceed sixteen (16) square feet in area, to identify emergency entrances, shall be permitted.

§6-154. INTERSTATE HIGHWAY INTERCHANGE AREA SIGNS.

On-site identification signs may be approved by the City Manager or designee in accordance with the regulations set forth in this subsection.

- A. *Purpose.* It is the purpose of this subsection to provide on-site signage visible from the interstate highway for auto- and traveler-oriented commercial establishments located within interstate highway interchange areas.
- B. *Permitted signs.* Only interstate highway interchange area signs as defined in this Chapter may be permitted under the terms of this subsection.
- C. *Location.* Signs must be located within one-fourth (¼) mile of the midpoint of the interstate intersection.
- D. *Application for approval.* Application for an interstate highway interchange area sign must follow the procedures set forth in Section 6-6(C) and Article III of this Chapter. Additional application requirements include the following: ~~Letter of consent.~~ A notarized letter from the property owner consenting to the application, where the applicant is not the property owner.
- E. *Spacing, dimension and height regulations.*
1. Only one (1) interstate highway interchange area identification sign structure may be located in each quadrant of the I-75 interchange, but the structure may contain identification messages

visible to both directions of travel along the interstate.

2. The maximum permitted area will be as follows:
 - a. If the sign is fifty (50) feet or less in height, the maximum area permitted is four hundred (400) square feet.
 - b. If the sign is more than fifty (50) feet and less than seventy-five (75) feet in height, the maximum area permitted is five hundred (500) square feet.
 - c. If the sign is more than seventy-five (75) feet and up to one hundred (100) feet in height, the maximum area permitted is seven hundred fifty (750) square feet.
 3. No sign may exceed one hundred (100) feet in height. For the purpose of this subsection only, sign height will be measured from the average interstate grade, excepting overpasses, to the top of the sign frame.
 4. The bottom of the sign must be a minimum of thirty (30) feet above grade.
 5. There must be a 15-foot setback from street rights-of-way or street easements.
- F. *Exclusion from other sign calculations.* The interstate highway interchange area sign will not be included in calculating sign area or number of signs permitted by other regulations contained within this Chapter.

§6-155 PERMANENT SIGNS IN THE BONITA BEACH ROAD CORRIDOR.

In order to provide fair, equal and adequate exposure to the public and to prevent a single property owner from visually dominating neighboring properties with signs: and to promote the purpose and intent of the Bonita Beach Road Corridor plan, all nonresidential uses fronting on Bonita Beach Road are limited to a total permissible sign area in accordance with the provisions of this Section.

- A. *Calculation of total permissible area.* Except as specifically provided in Section 6-6(A)23, total permitted sign area for any nonresidential use shall be calculated at the

ratio of two (2) square feet of sign area for every one (1) linear foot, or major fraction thereof, of frontage on Bonita Beach Road, subject to the following limitations:

1. For uses with fifty (50) feet or less frontage, maximum permitted sign area shall be one hundred (100) square feet.
2. For uses with over fifty (50) feet but less than one hundred (100) feet of frontage, maximum permitted sign area shall be one hundred fifty (150) square feet.
3. For uses with from one hundred (100) to three hundred thirty (330) feet of frontage, maximum permitted sign area shall be three hundred (300) square feet.
4. For uses with over three hundred thirty (330) feet of frontage, maximum permitted sign area shall be four hundred (400) square feet.

B. Nonresidential subdivisions and multiple-occupancy complexes with more than five (5) establishments.

1. *Pole and pylon signs.* Pole and pylon style signs are prohibited within the Bonita Beach Road Corridor.
2. *Identification sign.* Commercial establishments will be permitted one (1) monument identification sign along any street which provides access to the property as follows:
 - a. One square foot of sign area per face may be permitted for every two (2) linear feet of frontage, provided that:
 - i. No sign may exceed two hundred forty (240) square feet in area per sign face. For purposes of this Section, sign measurement includes any borders, frames, columns or other support structures above ground. Copy area shall not exceed seventy-five (75) percent of the total sign area. A minimum of twenty-five (25) percent of the area must be devoted to architectural features. The overall total area may be increased a maximum of five (5) percent, provided the additional

area is devoted to architectural features.

- ii. Only one (1) monument style identification sign will be permitted along any street frontage of less than three hundred thirty (330) linear feet. A second monument style identification sign may be permitted if the frontage along any one (1) street exceeds three hundred thirty (330) linear feet, provided that the total combined sign area of both signs does not exceed three hundred (300) square feet.
- iii. On corner lots, the developer may either place one (1) monument style identification sign on both streets providing access as stipulated in subsections (B)2.a.i and ii of this Section, or he may place one (1) sign in the corner with a total sign area based upon the total frontage of both streets provided the maximum sign area does not exceed three hundred (300) square feet per face.
- iv. Where a nonresidential subdivision has more than one (1) entrance from the same street, one (1) additional identification sign not exceeding sixteen (16) square feet in area, not illuminated, and displaying the name of the development only may be permitted at each additional entrance.
 - b. The maximum height of any monument style identification sign is twelve (12) feet.
 - c. Except as provided in subsection (B)2.a.iv of this Section, the identification sign may be illuminated with a steady light, but the sign may not be animated.
 - d. Identification signs must be set back a minimum of fifteen (15) feet from any street right-of-way or street

- easement, and ten (10) feet from any other property line.
- e. All monument style signs must display the street address of the property. Street numbers must be a minimum of six (6) inches in height but not more than eight (8) inches in height. The copy area of the street address will not be counted toward the total allowable sign area.
 - f. Subsection 6-155(B) shall not apply to active applications for signs made prior to December 19, 2001 that are consistent with the regulations existing prior to this amendment.
3. *Directory signs.* Nonresidential subdivisions and multiple-occupancy complexes of more than five (5) establishments will be permitted to place a directory sign on the same structure as the project identification sign, subject to the following limitations:
 - a. Each directory sign must be of the same background and lettering and color scheme.
 - b. Theaters may advertise on permitted identification signs provided the theater's copy area does not exceed twenty-five (25) percent of the total permissible sign area.
 - c. The maximum size of sign area for all directory and ground identification signs may not exceed the size and height limitations as written in subsection (2)b of this Section. It will be the responsibility of the developer to assure adequate space on the directory and identification sign for each tenant. Failure to provide space will not be grounds for any occupant to request or obtain a variance from the provisions of this Section.
 4. *Individual occupants within multiple-occupancy complex.* Individual offices, institutions, business or industrial establishments located within a multiple-occupancy complex will not be permitted individual ground-mounted identification signs, but may display wall-mounted, marquee or under-canopy signs as
 - a. *Wall signs.* Wall signs are permitted on any wall facing Bonita Beach Road or a parking lot provided that the total sign area of the wall sign and any attached marquee or canopy sign does not exceed ten (10) percent of the wall area. Wall signs are not included in the calculation of total sign area established in the zoning ordinance.
 - b. *Marquee signs.* Marquee signs are permitted only on marquees or canopies otherwise lawfully permitted or in existence. Marquee signs may not extend horizontally beyond the edges of the canopy or marquee to which they are attached or from which they are suspended.
 - c. *Under-canopy signs.* Signs attached to the underside of a canopy may have a copy area no greater than four (4) square feet, with a maximum letter height of six (6) inches, subject to a minimum clearance height of eight (8) feet from the sidewalk, and must be mounted as nearly as possible at a right angle to the building face, and must be rigidly attached.
 - d. *Sign content.* No sign permitted by this subsection (2)c may contain any advertising message concerning any business, goods, products, services or facilities which are not manufactured, produced, sold, provided or located on the premises upon which the sign is erected or maintained.
 5. *Interior directional signs.* Directional signs interior to a multiple-occupancy complex with more than five (5) establishments or to a nonresidential subdivision may be permitted subject to the following:
 - a. Interior directional signs shall not exceed six (6) feet in height and twenty-four (24) square feet in total sign area;
 - b. Individual tenant panels not exceeding four (4) square feet in area may be affixed to the interior directional sign structure provided

- that the total sign area does not exceed twenty-four (24) square feet;
- c. Signs must be located in a manner which will not adversely obstruct safe visibility between moving vehicles or vehicles and pedestrians; and
 - d. Signs must not be visible from outside the complex premises.
- C. *Individual office, institution, business or industrial establishments, and multiple-occupancy complexes with five (5) or less establishments.* The following regulations shall apply for any office, institution, business or industrial establishment which is not located within a multiple-occupancy complex and to all multiple-occupancy complexes containing five or less establishments:
1. *Pole and pylon signs.* Pole and pylon style signs are prohibited within the Bonita Beach Road Corridor, Terry Street, Old US 41 from Bonita Beach Road to Rosemary Street and Imperial Parkway.
 2. Every individual office, business or industrial establishment, and a multiple occupancy complex of five (5) or less establishments, shall be allowed one (1) ground-mounted sign. For purposes of this Section, sign measurement includes any borders, frames, columns or other support structures above ground. Copy area shall not exceed seventy-five (75) percent of the total sign area. A minimum of twenty-five (25) percent of the area must be devoted to architectural features. The overall total area may be increased a maximum of five (5) percent, provided the additional area is devoted to architectural features.
 - a. If the establishment has less than three hundred (300) feet of frontage on a public right-of-way, the maximum permitted sign area shall be seventy-two (72) square feet, and the sign shall be set back a minimum of ten (10) feet from any side property line.
 - b. Establishments having over three hundred (300) feet of frontage on a public right-of-way shall be permitted up to ninety-six (96) square feet of

- sign area, and the sign shall be set back a minimum of ten (10) feet from any side property line.
- c. On corner lots, the occupant may be allowed one (1) single ground-mounted sign rather than two (2) separate ground-mounted signs (one [1] per street frontage) provided the total sign area of the ground-mounted sign does not exceed one hundred eight (108) square feet.
 - d. In multiple-occupancy complexes of five (5) or less occupants, ground sign area not identifying the complex may be divided equally among the occupants.
 - e. All monument style signs must display the street address of the property. Street numbers must be a minimum of six (6) inches in height. The copy area of the street address will not be counted toward the total allowable sign area.
 - f. Maximum height of a ground-mounted identification sign shall be eight (8) feet.
 - g. Identification signs may be illuminated, but shall not be animated.
 - h. Wall-mounted, marquee or canopy signs may be displayed provided that the total sign area of all signs on the property including the main ground-mounted identification sign(s), does not exceed the total permitted sign area as set forth in subsection (1), *Calculation of total permissible area*
 - i. Identification signs shall be set back a minimum of fifteen (15) feet from any right-of-way or street easement and ten (10) feet from any other property line.

§6-156

PERMANENT SIGNS ON OLD U.S. 41 FROM BONITA BEACH ROAD TO ROSEMARY STREET

In order to provide fair, equal and adequate exposure to the public and to prevent a single property owner from visually dominating neighboring properties with signs: and to promote

the purpose and intent of the Old US 41 Redevelopment District Overlay and adjacent area, all nonresidential uses fronting on Old US 41 from Bonita Beach Road to Rosemary Street (hereinafter referred to as Old US 41) is limited to a total permissible sign area in accordance with the provisions of this Section. Signs permitted in the Old 41 Redevelopment Overlay, except sandwich signs, must be reviewed by the Design reviewer consistent with the Old 41 Redevelopment Overlay provisions in Chapter 4.

- A. Wall signs. Wall signs are permitted on any wall facing Old US 41 or a parking lot provided that the total sign area of the wall sign and any attached marquee or canopy sign does not exceed fifteen (15) percent of the wall area, provided there is no other signage. If there is other signs, wall signs may not exceed ten (10) percent of the wall area. Wall signs are not included in the calculation of total sign area established in the zoning ordinance.
- B. Identification Signs. Only one (1) monument style identification sign will be permitted along any street frontage. One square foot of sign area per face may be permitted for every two (2) linear feet of frontage, provided that the height of the sign does not exceed seven feet unless using the freestanding sign setback option in section 6-56. No sign may be greater exceed fifty (50) square feet for copy area. A minimum of twenty-five (25) percent of the area must be devoted to architectural features. The overall total area may be increased a maximum of five (5) percent, provided the additional area is devoted to architectural features. Identification sign may be illuminated with a steady light, but the sign may not be animated, digitalized or contain any form of motion.
- C. Pole and pylon signs. Pole and pylon style signs are prohibited within the Old US 41
- D. Sandwich signs. Notwithstanding any other provision of this code, on-site sandwich signs are permitted in the Overlay during business hours, one per business limited to six square feet per side, provided they are not placed on the sidewalks or hydrant, and do not interfere with the public right-of-way or within the visibility triangle. Sandwich signs will not count against the permitted sign area. Any sandwich sign which violates these conditions may be summarily removed in accordance with §6-8 (A).
- E. On corner lots, the applicant may place one (1) identification sign on both streets provided both signs are in compliance with this section.
- F. All monument style signs must display the street address of the property. Street numbers must be a minimum of six (6) inches in height but not more than eight (8) inches in height. The copy area of the street address will not be counted toward the total allowable sign area.
- G. Directory signs. Nonresidential subdivisions and multiple-occupancy complexes of more than five (5) establishments will be permitted to place a directory sign on the same structure as the project identification sign, subject to the following limitations:
 - a. Each directory sign must be of the same background and lettering and color scheme.
 - b. Theaters may advertise on permitted identification signs provided the theater's copy area does not exceed twenty-five (25) percent of the total permissible sign area.
 - c. The maximum size of sign area for all directory and ground identification signs may not exceed the size and height limitations for identification signs in this Section. It will be the responsibility of the developer to assure adequate space on the directory and identification sign for each tenant. Failure to provide space will not be grounds for any occupant to request or obtain a variance from the provisions of this Section.
- G. Individual occupants within multiple-occupancy complex. Individual offices, institutions or business establishments located within a multiple-occupancy complex will not be permitted individual ground-mounted identification signs, but may display wall-mounted, marquee or under-canopy signs.
 - a. Allowable size for multiple occupancy buildings will be calculated as follows:

i. 2 Tenants or less: Consistent with the zoning district.

ii. 3-6 Tenants: Consistent with the zoning district plus 15%.

iii. 6 Tenants or more: Consistent with the zoning district plus 20%

- b. For the purpose of this subsection, a tenant equals one unit that can be leased or sold.
- c. Marquee signs. Marquee signs are permitted on marquees or canopies, but cannot extend greater than five (5) feet above the height of the building or include more than 15% of that sign's total area, or extend beyond the height of the zoning district, whichever is more restrictive. Marquee signs may not extend horizontally beyond the edges of the canopy or marquee to which they are attached or from which they are suspended. For signs extending above the roof line, the standards of the Florida Building Code will be reviewed as part of the permit process.
- d. Under-canopy signs. Signs attached to the underside of a canopy may have a copy area no greater than four (4) square feet, with a maximum letter height of six (6) inches, subject to a minimum clearance height of eight (8) feet from the sidewalk, and must be mounted as nearly as possible at a right angle to the building face, and must be rigidly attached.
- e. Sign content. No sign permitted by this section may contain any advertising message concerning any business, goods, products, services or facilities which are not manufactured, produced, sold, provided or located on the premises upon which the sign is erected or maintained.
- f. Signs must be located in a manner which will not adversely obstruct safe visibility between moving vehicles or vehicles and pedestrians.

§6-157--6-180. RESERVED.

DIVISION 3. OFF-SITE SIGNS

§6-181. OFF-SITE DIRECTIONAL SIGNS.

A. Residential developments.

1. *Location; size.* Off-site, non-illuminating directional signs for subdivisions or residential projects shall be permitted along arterial and collector streets within five hundred (500) feet of the nearest intersection involving a turning movement to locate the development, subject to the following:
 - a. For a development proposing a single sign to serve the traveling public from two directions, the sign shall not be closer than fifty (50) feet from the intersection and shall not exceed sixty-four (64) feet in area.
 - b. For a development proposing two (2) signs, one (1) on each side of the intersection, the sign shall be a minimum of one hundred (100) feet from the intersection and shall not exceed thirty-two (32) square feet in area.
2. *Number of signs; separation.* No subdivision or residential development shall be permitted more than two (2) off-site directional signs, and no off-site directional sign shall be located closer than one hundred (100) feet to any other off-site directional sign.
3. *Setback.* Off-site directional signs shall be set back a minimum of fifteen (15) feet from any street right-of-way.
4. *Height.* No off-site directional sign shall exceed a height of eight (8) feet.
5. *Copy area.* Off-site directional sign copy message shall be limited to the name of the development and directions to the development entrance. No advertising shall be permitted.

- B. *Semipublic bodies.* Off-site directional signs for semipublic bodies will be allowed subject to approval of the City Manager or designee, provided that:

1. *Number of signs.* No semipublic body shall be allowed more than two (2) off-site directional signs. Signs serving two (2) or more semipublic bodies and located at the same intersection shall use the same support structure as necessary.
2. *Location.* Signs shall be located along arterial and collector streets at the nearest intersection involving a turning movement to locate the organization.
3. *Height.* No off-site directional sign shall exceed a height of eight (8) feet.
4. *Size; content.* Sign area shall be limited to four (4) square feet, and signs shall contain only the name and logo of the semipublic body and a pointing arrow indicating the turn toward the organization.
5. *Design generally.* Off-site directional signs shall be of a construction and design approved by the City Manager or designee.
6. *Location in right-of-way.* Off-site directional signs may be allowed in the right-of-way with approval of the County City Engineer, based upon local and state highway safety standards, and shall be subject to future removal by the County City.

§6-182. BENCH SIGNS.

Bus benches with signs shall only be provided by the City.

§6-183. BILLBOARDS.

Billboards are permitted along I-75 and any arterial street within the City, subject to the following limitations:

A. *Location.*

1. Except as provided in this Section, billboards are permitted in any zoning district provided the area is shown on the City comprehensive plan as ~~intensive development, industrial or development, interchange areas, or airport commerce.~~ Arterial streets must be designated on the existing functional classification map, as in effect on March 20, 1991.

2. No new billboard (relocated billboards under 6-183 (K) shall not count as new billboards) will be permitted along:
 - a. Imperial Parkway Corridor from the City's northern corporate boundaries to the City's southern corporate boundaries. This prohibition includes any other roads which are not stated in this subsection but are located within this corridor. This prohibition specifically contemplates the future renaming of Imperial Parkway.
 - b. Bonita Beach Road.
 - c. Proposed 951 Corridor. This prohibition includes any other roads which are not stated in this subsection but are located within this corridor. This prohibition specifically contemplates the future renaming of the proposed 951 corridor.
 - d. Old US 41, from Bonita Beach Road north to new U.S. 41.
 - e. U.S. 41
 - f. Any future arterial road, or existing arterial, collector or local roads.

B. *Separation.* Minimum distance separation will be as follows:

1. Within industrial/business and intensive business areas, two thousand (2,000) feet from any other billboard on the same side of the street.
2. Within interchange areas, one thousand three hundred twenty (1,320) feet from any other billboard on the same side of the street.

C. *Size.* No billboard may be less than seventy-two (72) square feet in area per face or more than four hundred (400) square feet in size. Embellishments may not extend more than four (4) feet from the top edge or more than two (2) feet from any one (1) side edge.

D. *Height.* Billboards may not exceed a height of twenty (20) feet when placed at the sign setback line set forth in subsection (5) of this Section, except that, for every two (2) feet the sign is placed back from the required setback line, the height of the sign may be increased

by one (1) foot, to a maximum height of thirty (30) feet.

- E. *Setbacks.* All billboards must be set back a minimum of ten (10) feet from any property line and any building as measured between the closest point of the sign to the property line or building.
- F. *Roof signs.* Billboards are prohibited on any roof portion of any building.
- G. *Copy area.* The billboard advertisement shall cover the entire copy area of the billboard.
- H. *Maximum number of signs per structure.* Each billboard structure shall be limited to a single sign, which may be single- or double-faced, but side-by-side or vertically stacked (double-tier) signs shall be prohibited.
- I. *Illumination.* Billboards may be illuminated provided that, if external lighting such as floodlights, thin-line or gooseneck reflectors are used, the light source shall be directed onto the face of the sign and shall be effectively shielded so as to prevent beams or rays of light from being directed into any portion of the street right-of-way.
- J. *Revolving signs.* Billboards may be a revolving sign as defined in this Chapter, but shall not consist of animation, with any electronic generated copy, or flashing devices.
- K. *Replacements.* Existing billboards as of July 1, 2009 will be considered a conforming structure, with the City allowing replacement and reconstruction in substantially the same location. This may include relocation to another parcel, as long as the proposed relocated area on the different parcel meets the separation requirements (minimum distance of 2,000 feet from another billboard on the same side of the street). The proposed location for any replacement must first exhaust the opportunity of being placed on the same road. If such location is not feasible, the relocated billboard must be placed in the same land use, or of a more intensive land use, as compared to the billboard's original location. Administrative setback variances are permitted in accordance with §4-3205 and §4-3206.

§6-184--6-220. RESERVED