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ORDINANCE NO. 130157

An ordinance of the City of Gainesville, Florida, updating, clarifying and reorganizing the sign regulations in the Land Development Code by amending Article IX. – *Additional Development Standards, Division 1. – Sign Regulations*; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, the City of Gainesville’s Land Development Code was enacted in order to implement the City’s Comprehensive Plan and to comply with the minimum requirements as set forth in Section 163.3202, Florida Statutes, including the requirement to enact specific and detailed provisions to regulate signage; and

WHEREAS, the City Commission of the City of Gainesville has determined the need to update, clarify, and reorganize the signage regulations in the City’s Land Development Code; and

WHEREAS, the City Commission recognizes that signs may present a safety hazard by distracting motorists, pedestrians and other members of the public and affect the aesthetic qualities and economic vitality of the community, and that these concerns are of a substantial interest to the City of Gainesville; and

WHEREAS, the City Commission finds that these sign regulations are reasonable and narrowly tailored to directly preserve and protect the health, safety, welfare, and general well-being of citizens by promoting public safety, economic vitality, and aesthetic qualities in the City of Gainesville; and

WHEREAS, notice was given as required by law that the text of the Land Development Code of the City of Gainesville, Florida, be amended and public hearings were then held by the City Plan Board on June 27, 2013, and by the City Commission on August 15, 2013; and

1 **WHEREAS**, at least ten (10) days' notice has been given once by publication in a
2 newspaper of general circulation notifying the public of this proposed ordinance and of public
3 hearings in the City Hall Auditorium located on the first floor of City Hall, in the City of
4 Gainesville; and

5 **WHEREAS**, public hearings were held pursuant to the notice described above at which
6 hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.

7 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
8 **CITY OF GAINESVILLE, FLORIDA:**

9 **Section 1.** Section 30-23. *Definitions* of the Land Development Code is amended as
10 follows. Except as amended herein, the remainder of Section 30-23 remains in full force and
11 effect.

12 **Sec. 30-23. Definitions.**

13 *Abandoned sign* means a sign or sign structure located on a parcel(s) that has been vacant or
14 unoccupied for a period of at least 120 consecutive days, a sign or sign structure with a message
15 that describes the availability of goods or services at a location where such goods and services
16 are no longer available and have ceased to be available for a period of at least 120 consecutive
17 days, or a sign or sign structure with a message that otherwise pertains to a time, event or
18 purpose that has elapsed or expired. that has not been used, or a sign or sign structure located on
19 a parcel or parcels that becomes vacant or unoccupied, for a period of 120 consecutive calendar
20 days or more.

21
22 *Animated sign* means any sign ~~or device visible from the right of way of a public street or~~
23 ~~highway~~ that contains text or pictorial information that moves or changes, or that uses movement
24 or change of lighting and/or ~~or change~~ of color to depict action or create a special effect or scene.
25

26 ~~*Banner sign* means a banner or other flexible sign characteristically suspended along or across~~
27 ~~any of the public streets of the city.~~

28
29 *Commercial message* means a message (including but not limited to text, copy, pictures,
30 symbols, or figures) that proposes a commercial transaction or is related primarily to the
31 economic interests of the speaker. Commercial messages include, but are not limited to, the
32 name of the business, business or brand identification, trademark, logo, or offer of service or
33 product.
34

1 Contractor sign means a temporary sign erected during construction to inform the public of the
2 developer, contractors, architects, engineers, the nature of the project and/or anticipated
3 completion date.

4
5 Directional sign or directory sign means any sign that exclusively contains information
6 providing direction to pedestrian and vehicular traffic to any object, place, or area. The term
7 includes, but is not limited to, a sign indicating an avenue of ingress or egress and a sign listing
8 the occupants of a property and their office or suite numbers.

9
10 Flag means any emblem or insignia that is displayed on a single pole or other supporting
11 structure, including but not limited to those of any nation, state, political subdivision, religious,
12 political, social or fraternal organization.

13
14 Freestanding (~~ground-mounted~~) sign means any sign that which is mounted on or supported by
15 an upright, uprights or braces in or upon the ground, any sign structure, or a fence, or a wall of an
16 accessory building or structure.

17
18 Frontage means the length of the property line of a lot or tract of land abutting a public or
19 private street, road, highway or other right-of-way.

20
21 Identification sign means any sign with a message than includes only the name of a subdivision,
22 neighborhood, or residential development.

23
24 Marquee signs means a building-mounted sign that is are attached to an architectural feature that
25 projects from a the building, such as a marquee of the sort typically associated with a theater, a
26 or solid structural canopy, or an awning that extends over the entrance of a building.

27
28 Monument sign means a freestanding sign with a base, either a solid structural base or a non-
29 structural base that gives the appearance of a solid structural base, that is at least 75 percent of
30 the length of the sign face. The sign shall be supported by one of the following methods:

- 31
32 ~~▪ by a solid structural base, or~~
33 ~~▪ by one or more poles or posts completely surrounded by a non-structural base, which~~
34 ~~shall be designed and constructed to give the appearance of a solid structural base.~~

35
36 Multiple occupancy means a building or development with two or more separate and distinct
37 businesses and/or organizations. ~~more than one separate independent business.~~

38
39 Obscene means material, as defined by Miller v. California, 413 U.S. 15 (1973), that:

- 40 (a) Taken as a whole, the average person applying contemporary community standards
41 would find appeals to the prurient interest;
42 (b) Depicts or describes, in a patently offensive way, sexual conduct as specifically defined
43 herein; and
44 (c) Taken as a whole, lacks serious literary, artistic, political, or scientific value.

1 ~~Off-premises sign means any sign (with the exception of other than a vehicle signs, a public~~
2 ~~service sign, and a permanent development identification sign for an office, business or industrial~~
3 ~~subdivision) with a commercial message that directs attention to a specific business, product,~~
4 ~~service, entertainment event or activity, or any other type of event, activity or thing that is not~~
5 ~~provided, sold, produced, manufactured, furnished, conducted, or located at the property upon~~
6 ~~which the sign is located. which advertises business, goods, products, services or facilities which~~
7 ~~are not manufactured, produced, sold, provided or located on the premises on which the sign is~~
8 ~~erected or maintained, or a sign which directs persons to a different location than the one upon~~
9 ~~which the sign is erected or maintained.~~

10
11 ~~Pennant means a piece of cloth, plastic, paper or similar material that is attached to any staff,~~
12 ~~cord, or wire, either singularly or in a series. any flag-like piece of cloth, plastic or paper~~
13 ~~attached to any staff, cord, building or other structure at only one or two edges, the remainder~~
14 ~~hanging loosely.~~

15
16 ~~Portable sign means any sign, except a vehicle sign, that is not permanently erected or that may~~
17 ~~be moved readily from place to place. means any sign except a vehicle sign, which is manifestly~~
18 ~~designed to be transported from one place to another, whether on a trailer, on its own trailer, on~~
19 ~~wheels, or otherwise, or which is not owned or leased for a period of more than one year by an~~
20 ~~owner of the property upon which such sign is erected or maintained. A portable sign may, at~~
21 ~~the same time, fall within the definition of other types of signs, yet still be a portable sign.~~

22
23 ~~Real estate sign means any temporary sign advertising the real property upon which the sign is~~
24 ~~located for rent, lease, or sale and providing information regarding the owner or his/her agent.~~

25
26 ~~Roof sign means any building-mounted sign erected and constructed wholly on and over the roof~~
27 ~~of a building, supported by the roof structure. Signs on parapet walls or mansards are not~~
28 ~~considered wall roof signs.~~

29
30 ~~Sign means any letter, number, symbol, figure, character, mark, plane, design, pictorial, stroke,~~
31 ~~stripe, trademark or combination of these which shall be so constructed, placed, attached,~~
32 ~~painted, erected, fastened, or installed or manufactured for the purpose of attracting the attention~~
33 ~~of and communicating a message to attraction of members of the public, either pedestrians~~
34 ~~and/or motorists, and that can be seen from a public or private street. the public to any place,~~
35 ~~subject, person, firm, corporation, public performance, article, machine or merchandise~~
36 ~~whatsoever, which can be seen from the right of way of a public street or highway, including~~
37 ~~window graphics placed inside a window but intended to attract attention of those outside in the~~
38 ~~public right of way.~~

39
40 ~~Sign area means the total surface area contained within a single continuous perimeter composed~~
41 ~~of a square or rectangle that which encloses all sign elements as described in the definition of~~
42 ~~sign. names, letters, numbers, symbols, pictures, trademarks, logos or other commercial~~
43 ~~messages or identifications contained in a sign.~~

1 Sign band means a permanent architectural feature integrated into the façade of a building
2 intended for the placement of a sign(s). The measurement of the sign area shall include only the
3 actual sign elements within a sign band.

4
5 Snipe sign means any temporary sign that is made of any material and is tacked, nailed, posted,
6 pasted, glued or otherwise attached to trees, poles, stakes, fences, or other objects.

7
8 Street banner means a flexible sign generally suspended along or across a street.

9
10 Vehicle sign means any sign on or affixed to a motorized vehicle that has a total sign area in
11 excess of 10 square feet, other than a registered logo, trademark or service mark.

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

16
17 Window sign means a building-mounted sign painted, mounted and/or attached to the inside or
18 outside of a window for display to the public passersby outside the window.

19
20 **Section 2.** Division 1. – Sign Regulations in Article IX. – Additional Development

21 Standards of the Land Development Code is deleted in its entirety and replaced with a new

22 Division 1. – Sign Regulations as follows.

23 **~~DIVISION 1. SIGN REGULATIONS~~**

24 ~~Sec. 30-315. Purpose and objectives.~~

25 ~~Sec. 30-316. General restrictions.~~

26 ~~Sec. 30-317. Temporary signs.~~

27 ~~Sec. 30-318. Permanent signs.~~

28 ~~Sec. 30-319. Reserved.~~

29 ~~Sec. 30-320. Reserved.~~

30 ~~Sec. 30-321. Illumination of signs.~~

31 ~~Sec. 30-322. Permit required; inspection; fees.~~

32 ~~Sec. 30-323. Applications for permits.~~

33 ~~Sec. 30-324. Nonconforming signs; limitations; removal of signs.~~

34 ~~Sec. 30-325. Maintenance.~~

35 ~~Sec. 30-326. Enforcement.~~

1 ~~Sec. 30-327. Severability.~~

2 **Sec. 30-315. Purpose and objectives.**

3 ~~(a) The objective of this article is to establish requirements for the placement, installation and~~
4 ~~maintenance of signs, in order to preserve and protect the health, safety, welfare and general~~
5 ~~well-being of the community's citizens. As the regulation of the placement, construction and~~
6 ~~maintenance of buildings and structures through zoning is a valid use of the police power, so~~
7 ~~too is the regulation of the placement, installation and maintenance of signs since such signs~~
8 ~~in the literal sense must ordinarily be considered structures, and in a practical sense are~~
9 ~~capable of producing many of the same nuisances as are produced by buildings.~~

10 ~~(b) The regulation of the placement, installation and maintenance of signs is further justified by~~
11 ~~their innate scheme and primary purpose to draw mental attention to them, potentially to the~~
12 ~~detriment of sound driving practices and the safety of the motoring public to which a~~
13 ~~majority of signs is oriented. Therefore, it is the intent of this article to regulate the size and~~
14 ~~location of signs so that their purpose can be served without unduly interfering with~~
15 ~~motorists and causing unsafe conditions.~~

16 ~~(c) Finally, it is the objective of this article to protect and preserve the aesthetic qualities of the~~
17 ~~community by regulating the placement, installation and maintenance of signs. The fact that~~
18 ~~such signs are intended to be seen grants to signs a proportionately greater role than other~~
19 ~~structures in determining the overall aesthetic quality of the community.~~

20 ~~(d) The aesthetic impact of signs is an economic fact which may bear heavily upon the~~
21 ~~enjoyment and value of property; therefore the regulation of signs is validly justified on the~~
22 ~~basis of conserving the value of property and encouraging the most appropriate use of land~~
23 ~~throughout the municipality. Furthermore, it is not irrational for a community's citizens to~~
24 ~~plan their physical surroundings in such a way that unsightliness is minimized.~~

25 ~~(e) With this purpose in mind, it is the intention of this article to authorize the use of signs~~
26 ~~which are:~~

27 ~~(1) Compatible with their surroundings and appropriate within the parameters of the~~
28 ~~comprehensive plan.~~

29 ~~(2) Appropriate to the type of activity to which they pertain.~~

30 ~~(3) Expressive of the identity of the individual proprietors or of the community as a whole.~~

31 ~~(4) Large enough to sufficiently convey a message about the owner or occupants of a~~
32 ~~particular property, the products or services available on such property, or the business~~
33 ~~activities conducted on such property, yet small enough to preserve and protect the~~
34 ~~natural beauty of the city and limit distractions to motorists.~~

35 ~~(5) To reduce the concentration of signs which result in clutter and unnecessary distraction~~
36 ~~to motorists.~~

37 ~~(6) To allow the placement of signs in a manner which would not result in the unnecessary~~
38 ~~removal of vegetation.~~

1 ~~(7) To regulate the placement, height and size of signs which are compatible to a pedestrian~~
2 ~~and motorist scale.~~

3 ~~(8) Are necessary to preserve the life and safety of the public, which the city finds to be a~~
4 ~~compelling interest.~~

5 **Sec. 30-316. General restrictions.**

6 ~~(a) Location of signs. It shall be unlawful to erect, cause to be erected, maintain or cause to be~~
7 ~~maintained a sign which violates the following general restrictions:~~

8 ~~(1) Ingress and egress to buildings. No sign shall be attached to or placed against a building~~
9 ~~in such a manner as to prevent ingress and egress through any door or window required~~
10 ~~or designed for access to any building, nor shall any sign obstruct or be attached to a~~
11 ~~fire escape.~~

12 ~~(2) Banners. No banner sign or other sign of any type whatever may be erected, constructed~~
13 ~~or maintained along or across any of the public streets of this city, except across street~~
14 ~~and vertical pole banners shall be permitted over or along the streets designated by the~~
15 ~~City Manager and the general manager for utilities within the city. They are authorized~~
16 ~~to adopt rules regulating the permit application, installation procedures and minimum~~
17 ~~banner specifications. An application shall be filed with the City Manager together with~~
18 ~~the permit fee. In addition to the permit fee, the applicant shall pay the banner~~
19 ~~installation fee in an amount prescribed by the general manager for utilities to allow full~~
20 ~~cost recovery to the city. The following conditions and restrictions shall apply:~~

21 ~~a. Application shall be accompanied by complete and accurate description and content~~
22 ~~of banner(s).~~

23 ~~b. Messages shall directly relate to a not for profit event that is scheduled to occur~~
24 ~~within the city or unincorporated Alachua County and that will be open to the~~
25 ~~general public.~~

26 ~~c. Messages and logos (if any) shall not include or contain:~~

27 ~~1. Any obscene, defamatory or patently offensive sexual and excretory words or~~
28 ~~symbols;~~

29 ~~2. Any commercial advertising;~~

30 ~~3. Promotion of any for profit commercial event or enterprise;~~

31 ~~4. Any phone numbers or addresses or references; or~~

32 ~~5. Any traffic directions or traffic signage that may cause a traffic or pedestrian~~
33 ~~hazard.~~

34 ~~d. Banners may be installed no more than 14 days prior to the event and shall be~~
35 ~~removed no later than seven days following the event.~~

36 ~~(3) Signs on public property and rights of way. No sign other than a city sign or other sign~~
37 ~~of a public nature will be allowed to be erected, placed, replaced, installed or~~

1 ~~maintained in or on any city property or public right of way. The following signs are~~
2 ~~allowed without permit in the public right of way:~~

3 ~~a. Signs described by the Manual of Uniform Traffic Control Devices;~~

4 ~~b. Signs required by federal or state law or regulation;~~

5 ~~c. Signs indicating obstruction of a road;~~

6 ~~d. Signs placed by a utility indicating where their underground lines are, as provided~~
7 ~~in subsection (c) of this section;~~

8 ~~e. Signs placed by a transit company along its routes to indicate stops and routes;~~

9 ~~f. Informational signs of a utility identifying its poles, lines, pipes or other facilities.~~

10 ~~g. Signs identifying public property.~~

11 ~~(b) *Prohibited signs.* It shall be unlawful to erect, cause to be erected, maintain or cause to be~~
12 ~~maintained any of the following signs:~~

13 ~~(1) Traffic or pedestrian hazards: No sign shall be erected in such a manner as to obstruct~~
14 ~~the vision of pedestrians. No signs shall obstruct vision at any street intersection as~~
15 ~~provided in section 30-341. This section, however, shall not prohibit the erection of a~~
16 ~~sign which is located at least eight feet above the highest crown of any adjacent street~~
17 ~~when such sign is mounted upon a sign support structure which does not exceed 8~~
18 ~~inches in diameter. Any sign which by glare or method of illumination constitutes a~~
19 ~~hazard to traffic is prohibited. No sign may use the words "Stop," "Look," "Drive in,"~~
20 ~~"Danger" or any similar word, phrase, symbol or character within ten feet of a public~~
21 ~~right of way or 200 feet of a traffic control device.~~

22 ~~(2) Signs of obscene nature: Signs displaying any statement, word, character or illustration~~
23 ~~of an obscene nature. The word "obscene" shall be construed consistent with the~~
24 ~~mandate of Miller v. California, 412 U.S. 15(1973).~~

25 ~~(3) Portable sign(s); including sandwich board, "A" frame, and swinger signs. (See section~~
26 ~~30-23, Definitions.) (See Figures 1 and 2).~~

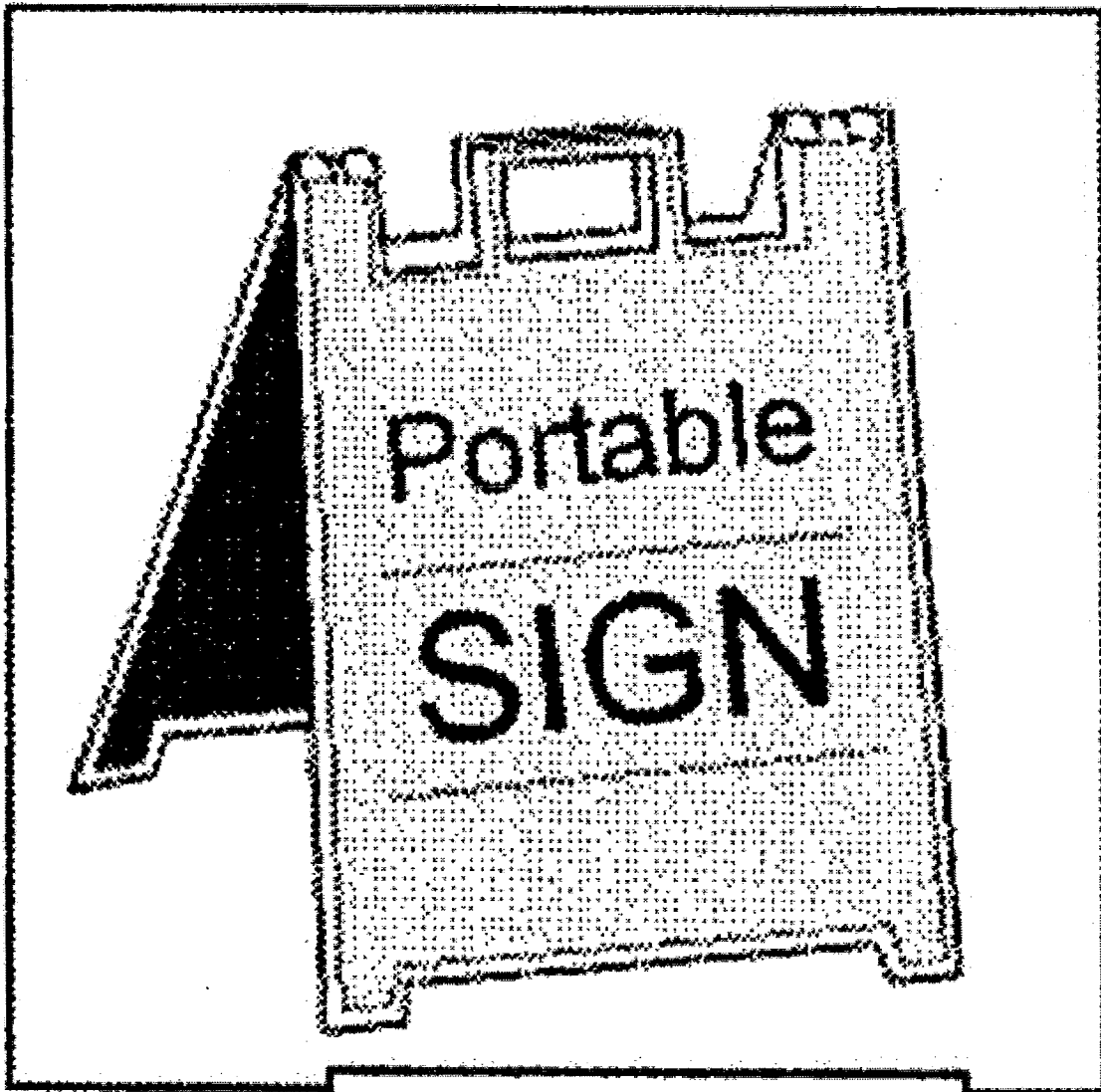


Figure 1

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Figure 1

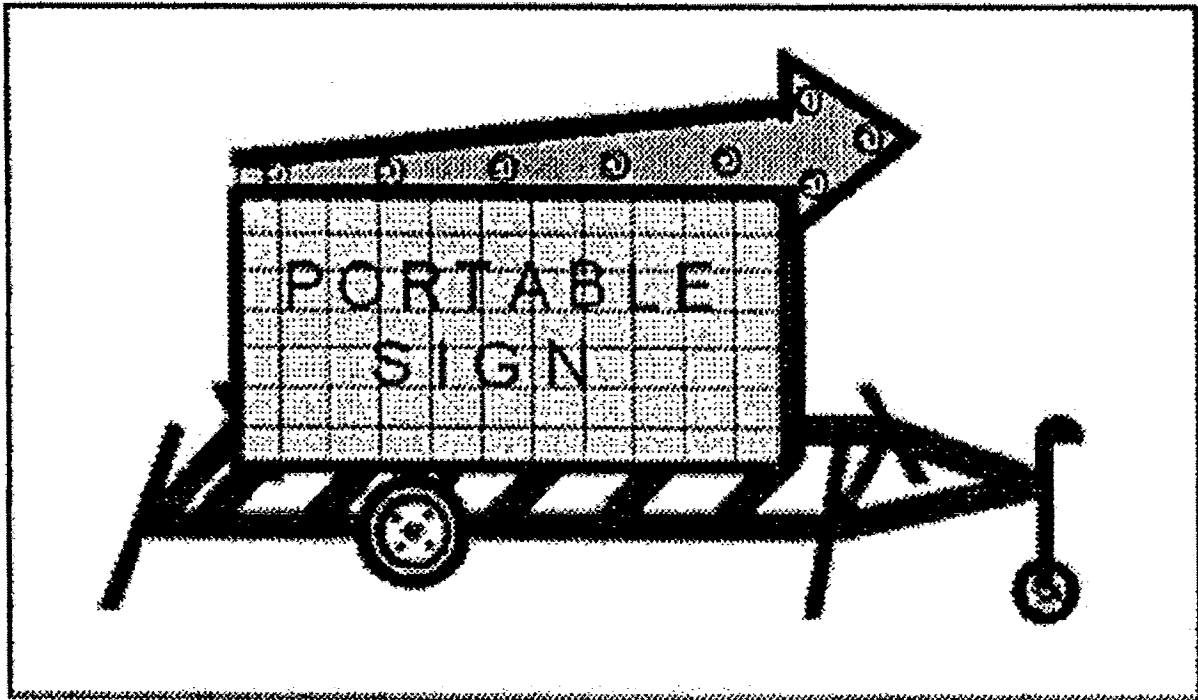


Figure 2

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Figure-2

(4) ~~Pennant(s) or spinner(s).~~ (See section 30-23, Definitions.) (See Figure 3.)

Pennants

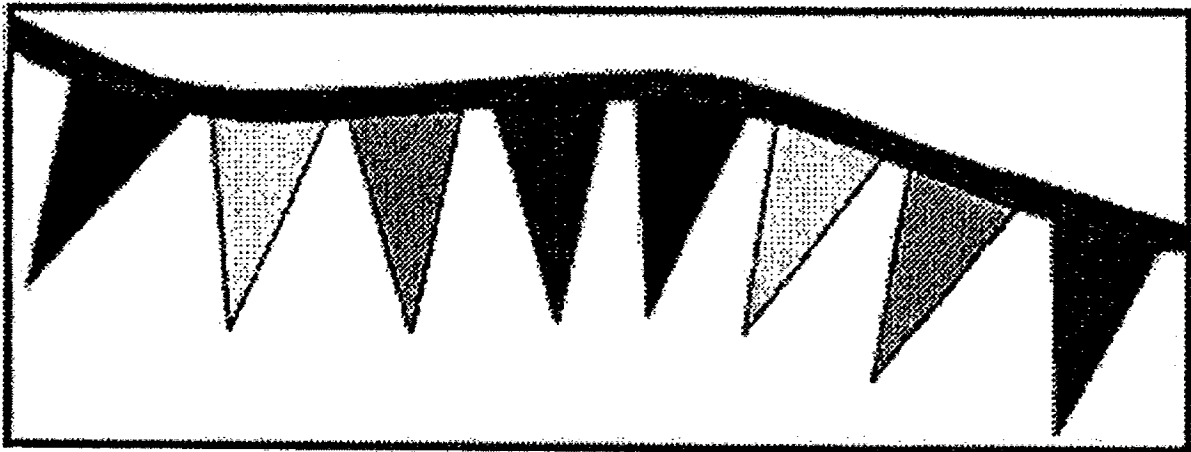


Figure 3

4

1 *Figure 3*

2 ~~(5) Red and green lights: Red or green lights, except traffic control signals, within ten feet~~
3 ~~of public right of way or 200 feet of traffic control lights, except as provided in~~
4 ~~subsection 30-316(d)(2).~~

5 ~~(6) Snipe signs: Any small sign, generally of a temporary nature, made of any material~~
6 ~~when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to trees,~~
7 ~~poles, stakes or fences, or to other objects, when the advertising matter appearing~~
8 ~~thereon is not applicable to the present use of the premises upon which such sign is~~
9 ~~located.~~

10 ~~(7) Revolving sign(s). (See section 30-23, Definitions.)~~

11 ~~(8) Animated sign(s). (See section 30-23, Definitions.)~~

12 ~~(9) Electronic sign(s)/ (see section 30-23, Definitions).~~

13 ~~(10) Off-premises sign(s). (See section 30-23, Definitions.)~~

14 ~~(11) Vehicle sign(s) with a total sign area on any vehicle in excess of 10 square feet, when~~
15 ~~parked on a business premises for more than one consecutive hour and located more~~
16 ~~than 100 feet from any business or business location advertised or named on the vehicle~~
17 ~~sign. (See section 30-23, Definitions.)~~

18 ~~(12) Tethered inflatable promotional devices, either on or off premises.~~

19 ~~(13) Flashing, intermittent or color-changing light or lighting located on or near a window or~~
20 ~~transparent door, and intended to be visible from the outside.~~

21 ~~(14) Banner signs(s) except as provided for in subsection 30-316(a)(2).~~

22 ~~(15) Flags or insignia displayed in connection with commercial promotion.~~

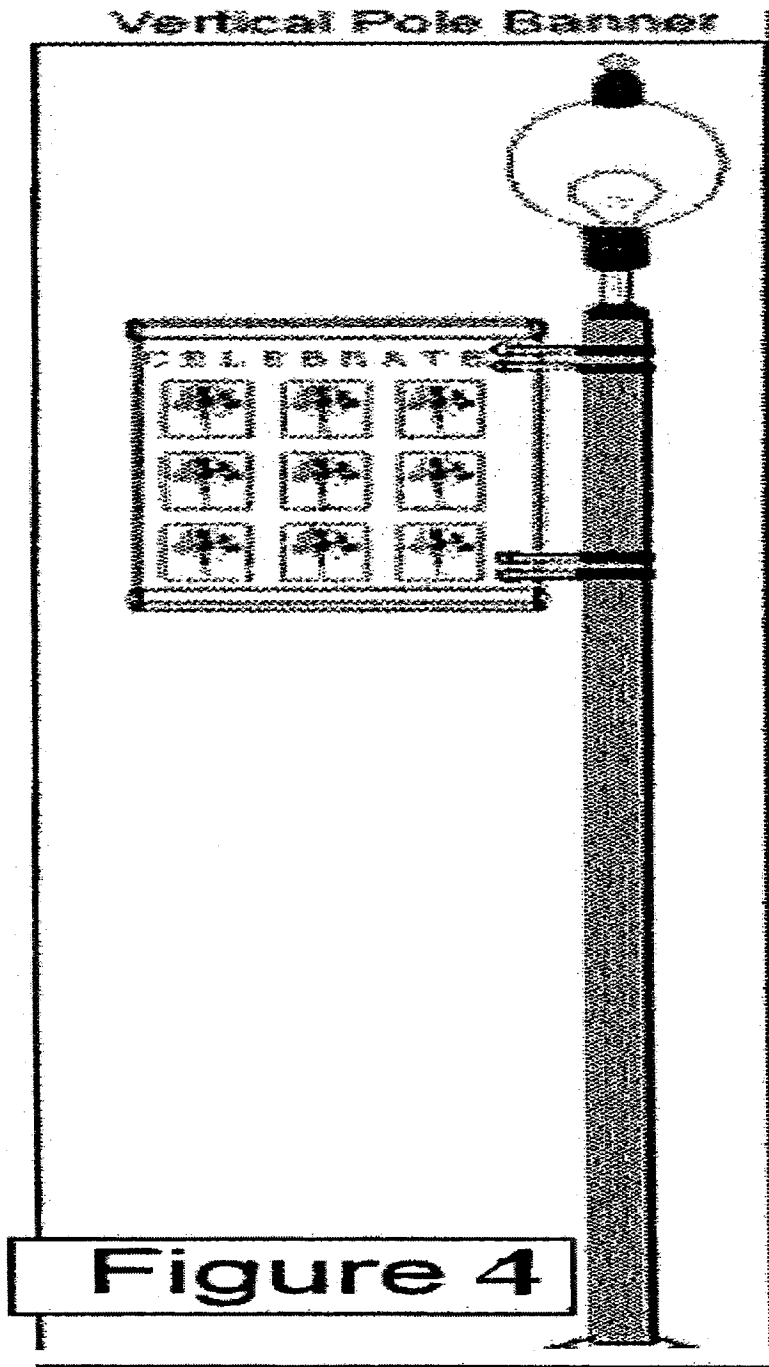
23 ~~(c) Signs exempt from this chapter. The following signs are exempt from regulation under this~~
24 ~~article but must meet requirements of any applicable special area plan.~~

25 ~~(1) Signs necessary to preserve life and prevent serious injury. The city finds that the~~
26 ~~following types of signs are necessary to protect the lives and safety of its citizens, and~~
27 ~~that such protection is a compelling interest:~~

28 ~~a. One sign with a total size of six square feet or less per building to provide~~
29 ~~information about the address of the building or identification and contact~~
30 ~~information of occupants of the premises, with characters not exceeding eight~~
31 ~~inches in height for nonresidential uses or of any height for residential uses, not to~~
32 ~~exceed a maximum height of six feet when freestanding. The city finds that these~~
33 ~~signs are critical for the timely provision of emergency services and thereby protect~~
34 ~~the lives and safety of its citizens.~~

35 ~~b. Signs of six square feet of sign area or less, either publicly or privately owned,~~
36 ~~directing and guiding traffic and parking, which may include the business~~
37 ~~identification which shall not exceed one third of the sign area, but bearing no~~

- 1 advertising matter. Example: Parking, entrance, exit, one-way, service, etc., not to
2 exceed a maximum height of six feet when freestanding.
- 3 e. ~~Nonilluminated signs of not over four square feet of sign area for safety or caution~~
4 ~~or to prohibit trespassing; not to exceed a maximum height of six feet when~~
5 ~~freestanding.~~
- 6 d. ~~Nonilluminated signs which warn or caution the general public of the location and~~
7 ~~direction of underground utility lines. Where feasible, these signs should be placed~~
8 ~~at the intersection of adjoining lots rather than near the midpoint of a lot line. The~~
9 ~~following criteria must be met:~~
- 10 1. ~~Signs and support have an overall height no greater than three feet;~~
11 2. ~~Support shall be no more than six inches in width or diameter;~~
12 3. ~~The width of the signs shall be no wider than its support;~~
13 4. ~~The signs shall contain no more than one-half square foot of sign area; and~~
14 5. ~~No more than one sign per block face or every 200 feet, whichever is less, will~~
15 ~~be allowed, and signs should not be clustered at street corners unless required~~
16 ~~because of a directional change to the underground line.~~
- 17 e. ~~Signs on hospital grounds directing the public to the emergency room, as follows:~~
- 18 1. ~~One wall-mounted sign on the front face of the emergency room entry wall,~~
19 ~~not to exceed the lesser of ten percent of the area of the wall or 100 square feet,~~
20 ~~which sign may only read "EMERGENCY".~~
- 21 2. ~~One ground-mounted sign, not to exceed 16 square feet, indicating the~~
22 ~~direction to the emergency room.~~
- 23 (2) ~~Flags or insignia except when displayed in connection with commercial promotion.~~
- 24 (3) ~~Signs reproduced on the body of coin-operated vending machines, gasoline pumps,~~
25 ~~telephone booths and ice vending equipment, and not including off-premises signs.~~
- 26 (4) ~~Vehicle signs with less than ten square feet of total sign area on any vehicle.~~
- 27 (5) ~~Nonilluminated signs of not over four square feet of sign area when located on a~~
28 ~~window or inside wall of any nonresidential use or when located within five feet of a~~
29 ~~public right-of-way and within ten feet of the city limits.~~
- 30 (6) ~~Words or letters reproduced or printed on an umbrella attached to a table at an outdoor~~
31 ~~eating or drinking place, provided that the table and umbrella are otherwise lawfully~~
32 ~~permitted.~~
- 33 (7) ~~Decorative vertical pole banners of 18 square feet or less (see Figure 4).~~



1

2

Figure 4

3

~~(d) Murals and other decorative features, and neon strip lighting.~~

4

~~(1) Murals, statues, paintings, designs or other decorative features or structures.~~

5

~~a. Such items containing information intending to advertise or draw attention to a brand of product or brand of service shall be regulated as a sign.~~

6

1 b. ~~Such items that are designed to attract attention to any occupancy shall be reviewed~~
2 ~~by the City Manager or designee as provided in section 30-323, and approved if the~~
3 ~~following are not included:~~

4 1. ~~The name of the commercial occupant.~~

5 2. ~~Business or brand identification, trademark, logo, address, offer of service or~~
6 ~~other commercial message.~~

7 e. ~~Such items displaying any statement, word, character or illustration of an obscene~~
8 ~~nature is prohibited. The word "obscene" shall be construed consistent with the~~
9 ~~mandate of Miller v. California, 412 U.S. 15(1973).~~

10 (2) ~~Neon strip lighting. Neon strip lighting of less than one inch in diameter shall be~~
11 ~~permitted by the City Manager or designee as provided in section 30-323 if it meets the~~
12 ~~following requirements:~~

13 a. ~~It contains no name of any commercial occupants, business or product~~
14 ~~identification, trademark, logo, address, offer of service or other commercial~~
15 ~~message.~~

16 b. ~~It does not face any property zoned or developed as single family residential~~
17 ~~located within 200 feet.~~

18 c. ~~It does not create a traffic hazard.~~

19 d. ~~All necessary electrical permits are obtained.~~

20 e. ~~Strip lighting shall be separated by at least two feet from any signs so that it would~~
21 ~~in no way be construed as being part of the total area allowed for the signs.~~

22 (e) ~~Signs for specific uses. There are some uses that because of their unique character have~~
23 ~~special regulations concerning signs that are not applicable to other uses. There are also~~
24 ~~locations within the city that deserve particular care in signage matters because of the~~
25 ~~existing or desired character of the area. Signs for the following uses and/or locations have~~
26 ~~specific regulatory provisions. Where there is conflict between these regulations and the sign~~
27 ~~regulations for specific uses and/or locations, the regulations for specific uses and/or~~
28 ~~locations shall prevail.~~

29 (1) ~~Accessory sale of used rental vehicles in the I-1 zoning district. See section 30-~~
30 ~~69(e)(2)b.4.~~

31 (2) ~~Outdoor gun club in the agriculture zoning district. See section 30-72(f)(6).~~

32 (3) ~~Conservation district. See section 30-73(e)(4).~~

33 (4) ~~Corporate park district for lots of record under 3.5 acres. See section 30-78(d)(1)(b)2.~~

34 (5) ~~Historic preservation/conservation district. New signs within one of the historic districts~~
35 ~~or for property that is listed on the local or National Register of Historic Places will be~~
36 ~~approved in accordance with the Historic Preservation Rehabilitation and Design~~
37 ~~Guidelines.~~

38 (6) ~~Temporary sales and leasing office(s). See section 30-85(e)(1)(e).~~

- 1 ~~(7) Bed and breakfast establishments. See section 30-101(8).~~
 2 ~~(8) Food distribution centers for the needy as a principal use. See section 30-111(4). For~~
 3 ~~this use as accessory to a place of religious assembly, see section 30-91(e)(5).~~
 4 ~~(9) Farmers markets. See section 30-115(b)(3).~~
 5 ~~(10) Permanent development identification signs and structures. See section 30-188(g).~~
 6 ~~(11) Traditional neighborhood development district (TND) requires a comprehensive sign~~
 7 ~~program for the entire TND in section 30-241(j)(1), and separate provisions for~~
 8 ~~different land use categories, as provided in section 30-242~~
 9 ~~(12) Special area plan for College Park. See Appendix A, Section 3, Exhibit B.~~
 10 ~~(13) Special area plan for University Heights. See Appendix A, Section 6, Exhibit A.~~
 11 ~~(14) Advisory guidelines for City Core sign(s). See Appendix E (see Figures III-31 and III-~~
 12 ~~32).~~
 13 ~~(15) Planned development ordinance adopted for a particular location.~~

14 ~~(f) *Substitution of messages.* Notwithstanding anything contained in this chapter or any special~~
 15 ~~area plan to the contrary, any sign erected pursuant to the provisions of this chapter or~~
 16 ~~otherwise lawfully existing with a commercial message may, at the option of the owner,~~
 17 ~~contain a noncommercial message in lieu of a commercial message. The noncommercial~~
 18 ~~message may occupy the entire sign face or any portion thereof. The sign face may be~~
 19 ~~changed from commercial to noncommercial messages provided that the sign is not a~~
 20 ~~prohibited sign or sign type and provided that the size, height, setback and other criteria~~
 21 ~~contained in this chapter or special area plan code have been satisfied.~~

22 ~~(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3851, § 1, 4-5-93; Ord. No. 3871, § 1, 6-21-93;~~
 23 ~~Ord. No. 951223, § 1, 7-8-96; Ord. No. 961037, § 2, 7-28-97; Ord. No. 002561, § 3,~~
 24 ~~12-9-02; Ord. No. 070776, § 1, 3-24-08; Ord. No. 070890, § 3, 4-14-08)~~

25 **Sec. 30-317. Temporary signs.**

26 Temporary signs are those that are used for a limited time and are not
 27 permanently mounted, such as but not limited to political signs, sales and special event
 28 signs, and signs indicating the development of property.

29 _____
 30 (a) Temporary signs that contain no commercial message are allowed without permit
 31 subject to the following regulations:

32 (1) The signs must meet the following size and location standards:

	Maximum area (square feet)	Maximum height (feet)	Setback (feet) from side
Residential district	6	4	10

Nonresidential district	32, with border no greater than 6 inches in width	8	15
-------------------------	---	---	----

1 -

2 ~~(2) Signs pertaining to an event, such as an election, must be removed no later than~~
3 ~~three days after the event.~~

4 ~~(b) Temporary signs that contain a commercial message, including but not limited to signs~~
5 ~~related to sales events, garage or yard sales, development or repair of property~~
6 ~~(contractor signs), and real estate signs, are allowed without permit subject to the~~
7 ~~following regulations:~~

8 ~~(1) The sign must relate to an event or activity taking place on the property on which~~
9 ~~the sign is posted.~~

10 ~~(2) The sign may be posted no earlier than ten days prior to the event or activity and~~
11 ~~must be removed no later than three days after the event or activity ends, or the sale~~
12 ~~is completed.~~

13 ~~(3) The signs must meet the following standards:~~

	Maximum area (square feet)	Maximum height (feet)	Setback (feet) from side property line	Maximum number of signs
Residential district	6	4	10	3 per property in single family district 3 per driveway in Multi-family district
Nonresidential district	32, with border no greater than 6 inches in width	8	15	1 per premises

14 -

15 _____

16 ~~(c) In addition, a new business or business in a new location that has not yet installed a~~
17 ~~permanent sign, or a business which has its permanent signs destroyed may obtain a~~
18 ~~permit for a temporary sign of up to 16 square feet in sign area for a period of not more~~
19 ~~than 60 days, or until installation of permanent signs, whichever occurs first. The sign~~
20 ~~may have a border up to six inches in width, and shall not exceed six feet in height if~~
21 ~~freestanding. The sign may be attached to the building at a height not to exceed the~~
22 ~~roofline.~~

1 ~~(d) A temporary sign shall not be illuminated.~~

2 **Sec. 30-318. — Permanent signs.**

3 It shall be unlawful to erect, cause to be erected, maintain or cause to be
4 maintained, display or cause to be displayed, or substantially alter or reconstruct, or cause
5 to be substantially altered or reconstructed, any signs, other than temporary signs
6 specifically permitted by this article and signs specifically exempted from this article,
7 which do not conform to the following provisions:

8 ~~(a) Areas in which permitted:~~

9 ~~(1) Except where otherwise specifically provided, signs shall be permitted only in~~
10 ~~areas other than residential districts. For purposes of this section, residential~~
11 ~~districts include all land zoned CON, RSF 1, RSF 2, RSF 3, RSF 4, RMF 5, RMF~~
12 ~~6, RMF 7, RMF 8, RC, RH 1, RH 2 and MH, as well as that zoned AG, OR, CCD,~~
13 ~~RMU, MU 1 and MU 2 when used solely for residential purposes.~~

14 ~~(2) For the purposes of this section, I-75 corridor signage shall be restricted to land~~
15 ~~zoned BT within one fourth mile of the centroid of an I-75 interchange with any~~
16 ~~arterial roadway.~~

17 ~~(b) Ground-mounted signs for single and multiple occupancy developments.~~

18 ~~(1) Multiple occupancy complex and single occupancy buildings or developments.~~
19 ~~Each multiple occupancy complex and each single occupancy~~
20 ~~building/development may have one or two ground-mounted signs. Monument~~
21 ~~signs as defined in section 30-23 are encouraged over other types of ground-~~
22 ~~mounted signs (See Figure 5). In order to provide incentives for the use of~~
23 ~~monument signs, a 20 percent size bonus is provided. For example, a property with~~
24 ~~an allowed maximum sign area of 64 feet would be able to install a monument sign~~
25 ~~of up to 77 square feet, which is 20 percent greater in area. Ground-mounted signs~~
26 ~~are regulated in accordance with the following:~~

27

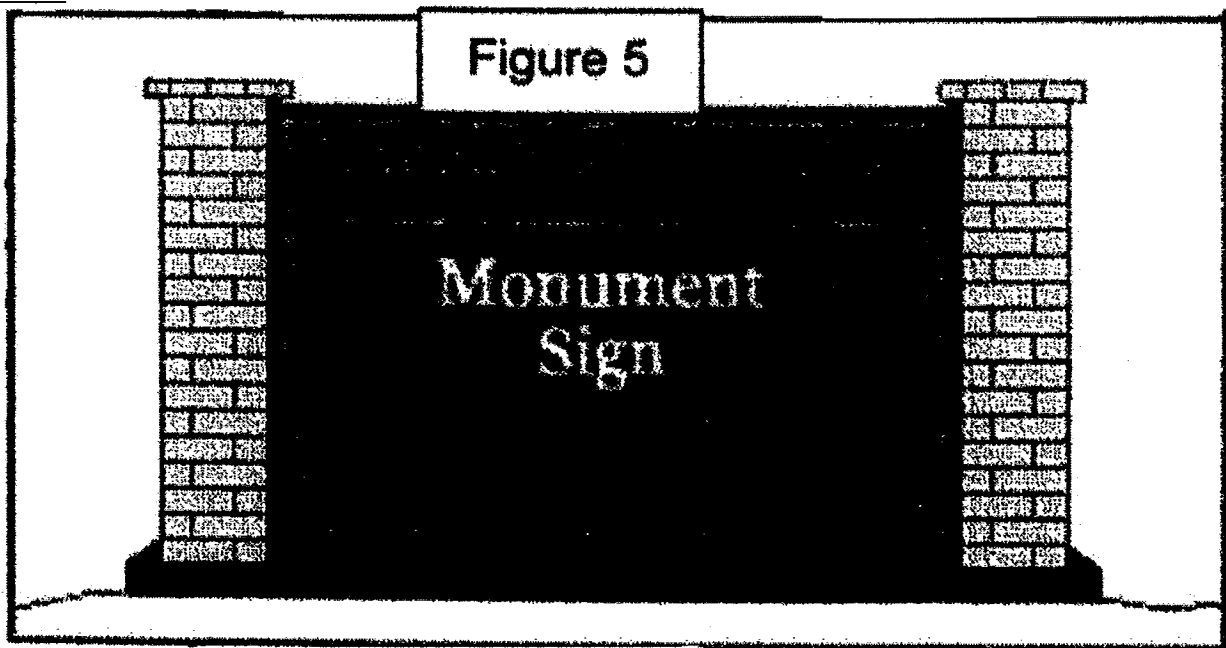
Street Frontage (feet)	Number of Signs	Size of Ground-Mounted Sign (square feet)	Size of Monument Sign (square feet)	Distance from Side Property Line (feet)	Distance from Other Signs (feet)
Less than 50	1	24	29	10	—
50 to less than 100	1	32	38	10	—
100 to less	1	64	77	20	—

than 200					
200 to less than 300	1	72	86	50	-50
Greater than 300	1	96	115	50	100
Greater than 600 with no outparcels	2	Total square footage no more than 144; neither sign may be greater than 96 square feet or more than 10 feet in height	Total square footage no more than 173; neither sign may be greater than 96 square feet or more than 10 feet in height	50	250

1 -

2 *Maximum height of a ground-mounted and a monument sign is ten feet; eight feet for a
 3 secondary frontage sign.

4 _____



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Figure 5

7

(2) Developments with frontage on more than one public right of way.

- 1 a. ~~In addition to signs allowed under subsection 30-318(b)(1) each multiple-~~
2 ~~occupancy development and each single-occupancy development with frontage~~
3 ~~on more than one right-of-way may have one secondary ground-mounted sign.~~
4 ~~However, no secondary frontage may have any ground-mounted sign located~~
5 ~~within 200 feet of any property designated for single-family land use on the~~
6 ~~future land use map of the city comprehensive plan or zoned for single-family~~
7 ~~development, measured in a straight line from the sign to the nearest property~~
8 ~~line. This provision shall not apply to single-family land uses designated on~~
9 ~~arterial roadways as shown in the Transportation Mobility Element of the City~~
10 ~~of Gainesville Comprehensive Plan.~~
- 11 b. ~~A sign located on a secondary frontage shall display only the name of the~~
12 ~~development.~~
- 13 c. ~~Size of secondary sign:~~
- 14 1. ~~The size of the secondary sign shall be no more than 24 square feet (29~~
15 ~~square feet for a monument sign) for a multiple-occupancy development)~~
16 ~~or a single-occupancy development.~~
- 17 2. ~~Signs on a secondary frontage shall be located a minimum of ten feet from~~
18 ~~the side property line.~~
- 19 3. ~~The owner of the property shall designate which is the primary and~~
20 ~~secondary frontage.~~
- 21 d. ~~The maximum height of a sign on a secondary frontage may not exceed eight~~
22 ~~feet.~~

23 ~~(3) *Outparcel and special signs.*~~

- 24 a. ~~*Generally.* In addition to signage authorized under this article a freestanding~~
25 ~~sign may be permitted on developed outparcels with an area of 22,500 or more~~
26 ~~square feet with a minimum street frontage of 150 feet.~~
- 27 b. ~~*Maximum number of signs.* An outparcel, whether a corner or interior parcel,~~
28 ~~may have no more than one freestanding sign. Directional, informational and~~
29 ~~other signs may be allowed in accordance with this article.~~
- 30 c. ~~*Maximum size of freestanding signs.* The maximum size of a freestanding sign~~
31 ~~for a development on an outparcel shall not exceed 48 square feet. The size of~~
32 ~~a freestanding sign for an outparcel shall be based on the length of street~~
33 ~~frontage of the outparcel. The allowable size of the signs shall be determined~~
34 ~~as follows:~~
- 35 1. ~~An outparcel with a street frontage of 200 feet or less may have a~~
36 ~~freestanding sign with a maximum size of up to 24 square feet (29 square~~
37 ~~feet for a monument sign).~~
- 38 2. ~~An outparcel with a street frontage of more than 200 feet but less than 300~~
39 ~~feet may have a freestanding sign with a maximum size of up to 32 square~~
40 ~~feet (38 square feet for a monument sign).~~

1 3. ~~An outparcel with a street frontage of 300 feet or more may have a~~
2 ~~freestanding sign with a maximum size of up to 48 square feet (58 square~~
3 ~~feet for a monument sign).~~

4 4. ~~Only one street frontage may be used to determine the maximum size of a~~
5 ~~freestanding sign for a corner outparcel.~~

6 d. ~~Maximum height of freestanding signs.~~ The maximum height of a freestanding
7 ~~outparcel sign may not exceed eight feet. The height shall be measured from~~
8 ~~average natural grade on the outparcel to the elevation of the highest point of~~
9 ~~the sign. Average natural grade shall be the average elevation determined from~~
10 ~~the elevation of no less than ten elevation points distributed evenly on the~~
11 ~~outparcel.~~

12 e. ~~Placement and design of signs.~~ Freestanding signs for the entire unified
13 ~~development, including those of the outparcel, shall be located so that no signs~~
14 ~~shall be within 50 feet of each other.~~

15 1. ~~Freestanding outparcel signs shall be placed no closer than 15 feet to any~~
16 ~~property line. Freestanding signs may not be placed in the vision triangle.~~

17 2. ~~An allowable freestanding sign on a corner outparcel may be located along~~
18 ~~either one of the street frontages providing it is in compliance with all the~~
19 ~~requirements of this Code.~~

20 3. ~~No freestanding outparcel signs may be located along the street frontage~~
21 ~~which is adjacent to property shown as single family residential on an~~
22 ~~adopted land development code or comprehensive plan.~~

23 4. ~~Signs shall be designed and placed in a manner which will be~~
24 ~~architecturally compatible with the structure and in harmony with the~~
25 ~~character of surrounding developments. The area around the base of all~~
26 ~~such signs shall be landscaped with appropriate low growing shrubbery.~~
27 ~~Grade treatment with the use of gravel, rocks, mulch or other materials~~
28 ~~used in the profession may be used.~~

29 5. ~~Signs shall be placed in a manner which is sensitive to the existing~~
30 ~~vegetation and natural features on the site.~~

31 f. ~~Nonconforming signs on outparcels.~~ If an outparcel contains a nonconforming
32 ~~sign, no new freestanding sign shall be permitted on the outparcel unless the~~
33 ~~nonconforming sign is brought into compliance. An outparcel with a~~
34 ~~nonconforming use may not have a new freestanding sign.~~

35 (4) ~~I-75 corridor signs.~~

36 a. ~~In addition to other ground mounted and wall mounted signs otherwise~~
37 ~~allowed by this section, an additional ground mounted or free-standing sign on~~
38 ~~a development site (including out parcels) with a maximum height of 18 feet~~
39 ~~shall be allowed, provided that the sign face area of such sign in combination~~
40 ~~with other permitted signs on the site does not exceed a maximum sign area of~~
41 ~~300 square feet. Such sign shall be oriented and located to achieve a view shed~~

1 from I-75. The location of this sign shall not be limited to properties actually
2 abutting I-75 however no I-75 corridor sign shall be located on any frontage
3 where the adjacent or facing properties are designated single family on the
4 future land use map.

5 ~~b. An applicant for this additional ground-mounted sign may apply for a special~~
6 ~~use permit for an I-75 corridor sign which allows a maximum height above 18~~
7 ~~feet. The plan board shall review sign height and the overall site design in~~
8 ~~order to make the appropriate findings in accordance with article VII and the~~
9 ~~following special considerations. Under no circumstances may a special use~~
10 ~~permit be granted for any sign exceeding 90 feet in height. The burden shall be~~
11 ~~on the applicant to prove by clear and convincing evidence that all~~
12 ~~requirements of article VII, division 5, are met and that no on-site sign of a~~
13 ~~height of 18 feet or less can be seen by motorists on I-75 at a distance of one-~~
14 ~~fourth mile from the nearest exit ramp and that the sign requested is of the~~
15 ~~minimum height and orientation necessary to achieve such visibility due to~~
16 ~~special conditions and circumstances relative to topography, vegetation or the~~
17 ~~built environment. Applicants for the special use permit must include~~
18 ~~certification by a registered engineer or other reliable documentary evidence of~~
19 ~~the factual and methodological basis that no on-site ground-mounted or roof-~~
20 ~~mounted sign of a height of 18 feet or less could be seen as specified above~~
21 ~~and that the requested sign is of the minimum height and orientation required~~
22 ~~to establish the clear view shed above visual obstacles such as topographical~~
23 ~~conditions, vegetation or built environment. If the applicant cannot prove that~~
24 ~~such visibility will be achieved within the 90-foot height, then no special use~~
25 ~~permit shall be issued. In addition, no special use permit for an I-75 corridor~~
26 ~~sign shall be granted unless the applicant can prove that the special conditions~~
27 ~~and circumstances do not result from actions of the applicant.~~

28 ~~e. Any sign authorized pursuant to a special use permit granted by the terms of~~
29 ~~this section shall comply with all other standards of this section except as~~
30 ~~specifically addressed above. In granting any special use permit the plan board~~
31 ~~may prescribe appropriate conditions and safeguards to ensure the structural~~
32 ~~integrity and safety of the sign and to landscape and buffer the sign structure.~~

33 ~~(5) *General restrictions.* All signs permitted pursuant to this subsection (b), and any~~
34 ~~sign structures upon which they are located, shall comply with the following~~
35 ~~general restrictions:~~

36 ~~a. The maximum height for a ground-mounted sign shall be ten feet, except as~~
37 ~~provided in subsection 30-318(b)(2)d. and subsection 30-318(b)(4).~~

38 ~~b. The height of a ground-mounted sign shall be measured vertically from the~~
39 ~~established average grade directly below the sign to the elevation of the highest~~
40 ~~point of the sign.~~

41 ~~c. A ground-mounted sign under which a pedestrian walkway passes must have at~~
42 ~~least a nine-foot vertical clearance.~~

1 ~~d. A ground-mounted sign shall not project over a right-of-way.~~

2 ~~e. Any sign over two feet in height and located within 25 feet of a driveway shall~~
3 ~~be set back at least ten feet from the right-of-way of any street to which such~~
4 ~~driveway provides access.~~

5 ~~f. Any ground-mounted sign may have a border of up to six inches in width~~
6 ~~surrounding the permitted sign area.~~

7 ~~g. No sign permitted by this subsection 30-318(b) shall contain any advertising~~
8 ~~message concerning any business, goods, products, services or facilities which~~
9 ~~are not manufactured, produced, sold, provided or located on the premises~~
10 ~~upon which the sign is erected or maintained.~~

11 ~~h. Signs shall be located to avoid the unnecessary removal of mature trees.~~

12 ~~(e) Wall-mounted, roof, projecting and marquee signs.~~

13 ~~(1) Permissible sign area. Wall-mounted, roof, projecting and marquee signs shall be~~
14 ~~permitted in all areas other than residential areas in accordance with the following~~
15 ~~limitations and restrictions:~~

16 ~~a. Single-occupancy development.~~

17 ~~1. Each single-occupancy development may display up to two wall-mounted,~~
18 ~~roof, projecting and marquee signs on any one side of the principal~~
19 ~~building in which such occupancy is located.~~

20 ~~2. The total area of both signs shall be no greater than 20 percent of the~~
21 ~~surface area of the portion of such building side of the occupancy or 200~~
22 ~~square feet, whichever is the smaller.~~

23 ~~3. Where the development abuts a second street, one additional sign (a~~
24 ~~secondary sign) may be allowed on the side of the building facing that~~
25 ~~street. However, no secondary sign shall be allowed to be located on any~~
26 ~~face of a building or any roof which would be directly opposing any~~
27 ~~property having a single-family land use designation or zoned for single-~~
28 ~~family use. This provision shall not apply to single-family land uses~~
29 ~~designated on arterial roadways (shown in the Transportation Mobility~~
30 ~~Element of the City of Gainesville Comprehensive Plan).~~

31 ~~4. The size of the secondary sign may not exceed an area of 50 square feet~~
32 ~~and the sign must be placed on the secondary street side. (See Figure 6.)~~

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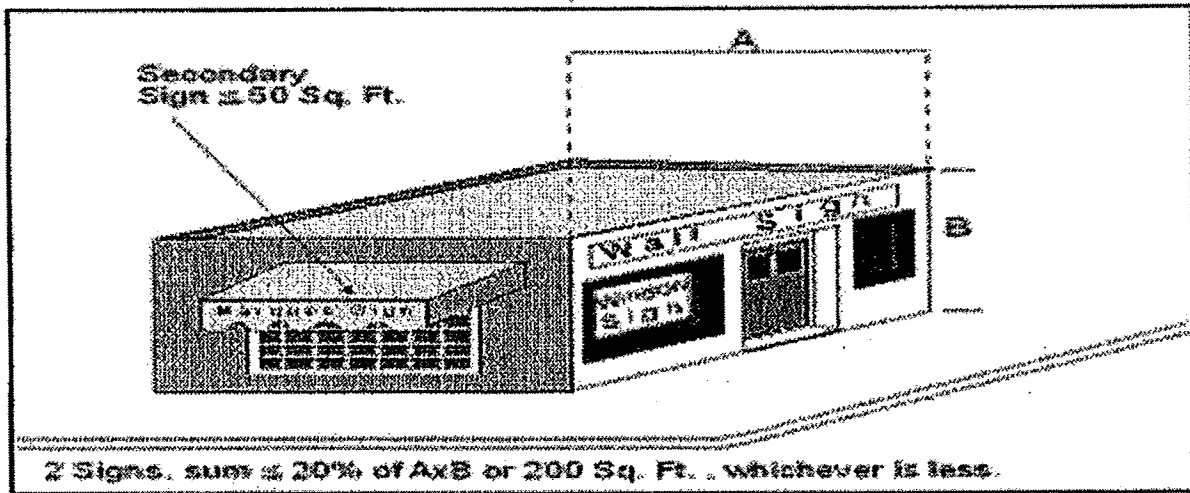


Figure 6

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Figure 6

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b. ~~Multiple-occupancy development.~~

6

1. ~~Each multiple-occupancy development may display one wall-mounted, roof, projecting or marquee sign on any one side of the principal building in which such occupancy is located.~~

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2. ~~The signs shall be no greater than 20 percent of the surface area of such building side or 200 square feet, whichever is the smaller.~~

10

11

3. ~~Where a multiple-occupancy development consists of only one principal building, one additional sign (a secondary sign) may be allowed if a second public street abuts the multiple-occupancy development.~~

12

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4. ~~The size of the secondary sign may not exceed an area of 50 square feet.~~

15

5. ~~The secondary sign for a multiple-occupancy complex shall only include identification of the multiple-occupancy complex.~~

16

17

6. ~~Wall-mounted signs for a multiple-occupancy complex shall only include identification of the complex itself.~~

18

19

7. ~~No secondary sign shall be allowed to be located on any face of a building or any roof which would be directly opposing any property having a single-family land use designation on the future land use map or zoned for single-family use. This provision shall not apply to single-family land uses designated on arterial roadways (shown in the City of Gainesville Comprehensive Plan, Data and Analysis Report).~~

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1 e. ~~Signs for occupants of a multiple occupancy development.~~

- 2 1. ~~Each occupant of a multiple occupancy complex may display such signs~~
3 ~~on the principal building in which such occupant is located, with the~~
4 ~~following limitations.~~
- 5 2. ~~The sign may be placed only on the exterior surface of the principal~~
6 ~~building, or portion thereof, which is included as part of the occupant's~~
7 ~~individually leased or owned premises in accordance with the following:~~
- 8 i. ~~On the side which is the primary entrance/exit to the occupancy, the~~
9 ~~occupant may display in the leased or owned area as many as two~~
10 ~~signs.~~
- 11 ii. ~~Only one building side will be considered as being any occupant's~~
12 ~~primary entrance/exit.~~
- 13 iii. ~~The two signs may have a combined maximum size of ten percent of~~
14 ~~the surface area of the exterior wall included in such occupant's~~
15 ~~individually leased or owned premises or 100 square feet, whichever~~
16 ~~is the less.~~
- 17 iv. ~~If the occupant has an entrance/exit on a corner or on more than one~~
18 ~~side, the occupant may choose which building side shall count as~~
19 ~~having the primary entrance/exit.~~
- 20 v. ~~One additional sign may be placed on the non entrance/exit side of~~
21 ~~the occupant's leased or owned area.~~
- 22 vi. ~~The maximum size of a sign on a non entrance/exit side of an~~
23 ~~occupancy shall be 24 square feet. Such sign shall be allowed if the~~
24 ~~property adjacent or opposite to the non entrance/exit side is zoned~~
25 ~~nonresidential.~~
- 26 3. ~~Each occupant, the individually owned or leased premises of which do not~~
27 ~~include part of an exterior wall of a principal building, may nevertheless~~
28 ~~display one such sign of up to six square feet of sign area on one side of~~
29 ~~the principal building in which such occupant is located.~~
- 30 4. ~~A common or jointly owned area shall not be included as part of the~~
31 ~~exterior surface of any one occupancy. The allowable sign area of two or~~
32 ~~more occupants may be placed on a common or jointly owned area~~
33 ~~providing:~~
- 34 i. ~~The common area is an integral part of all occupants which will be~~
35 ~~included in the sign.~~
- 36 ii. ~~Only one sign, common to all occupants of the common area, may be~~
37 ~~displayed.~~
- 38 iii. ~~The common area may not be used to display a sign for any one~~
39 ~~single occupant, regardless of whether the other occupants agree to~~
40 ~~placement of the sign.~~

1 iv. ~~The sign may display the names, products or service of all~~
2 participating occupants.

3 (2) ~~General restrictions.~~ All signs permitted pursuant to subsection (c) of this section
4 shall comply with the following general restrictions:

5 a. ~~The maximum height for wall-mounted signs is the roofline or eaves,~~
6 whichever is lower.

7 b. ~~Roof signs shall not project above the roofline. (See section 30-23,~~
8 Definitions.) (See Figure 7.)

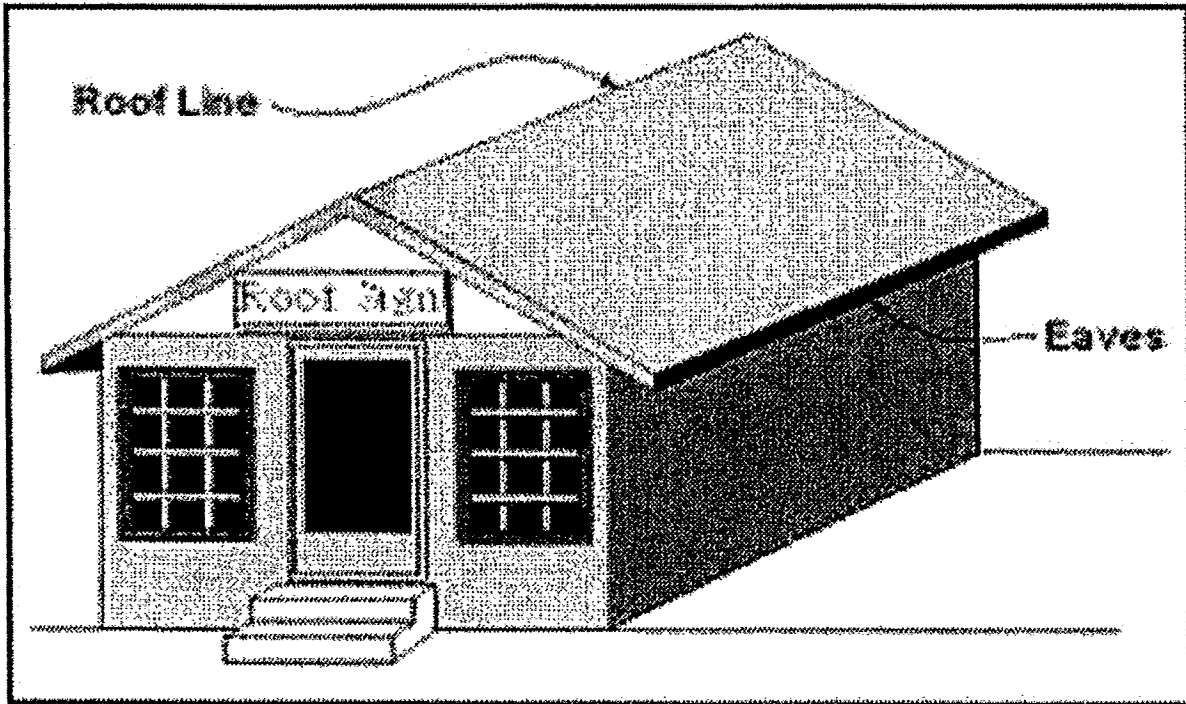


Figure 7

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Figure 7

11 e. ~~Marquee and projecting signs shall not project above the roofline or 18 feet,~~
12 whichever is the lower. (See section 30-23, Definitions.)

13 d. ~~The height of a marquee or projecting sign shall be measured vertically from~~
14 the established average grade directly below the sign to the highest point of the
15 sign.

16 e. ~~Where a wall supporting a wall sign is less than 12 inches back from a right-of-~~
17 way line, the wall sign may project over the right-of-way, provided it does not
18 project more than 12 inches from the wall.

- 1 f. ~~Marquee or projecting signs under which a pedestrian walkway passes must~~
2 ~~have at least a nine-foot vertical clearance.~~
- 3 g. ~~Projecting signs may project no more than four feet horizontally from the wall.~~
4 ~~(See Figure 8.)~~

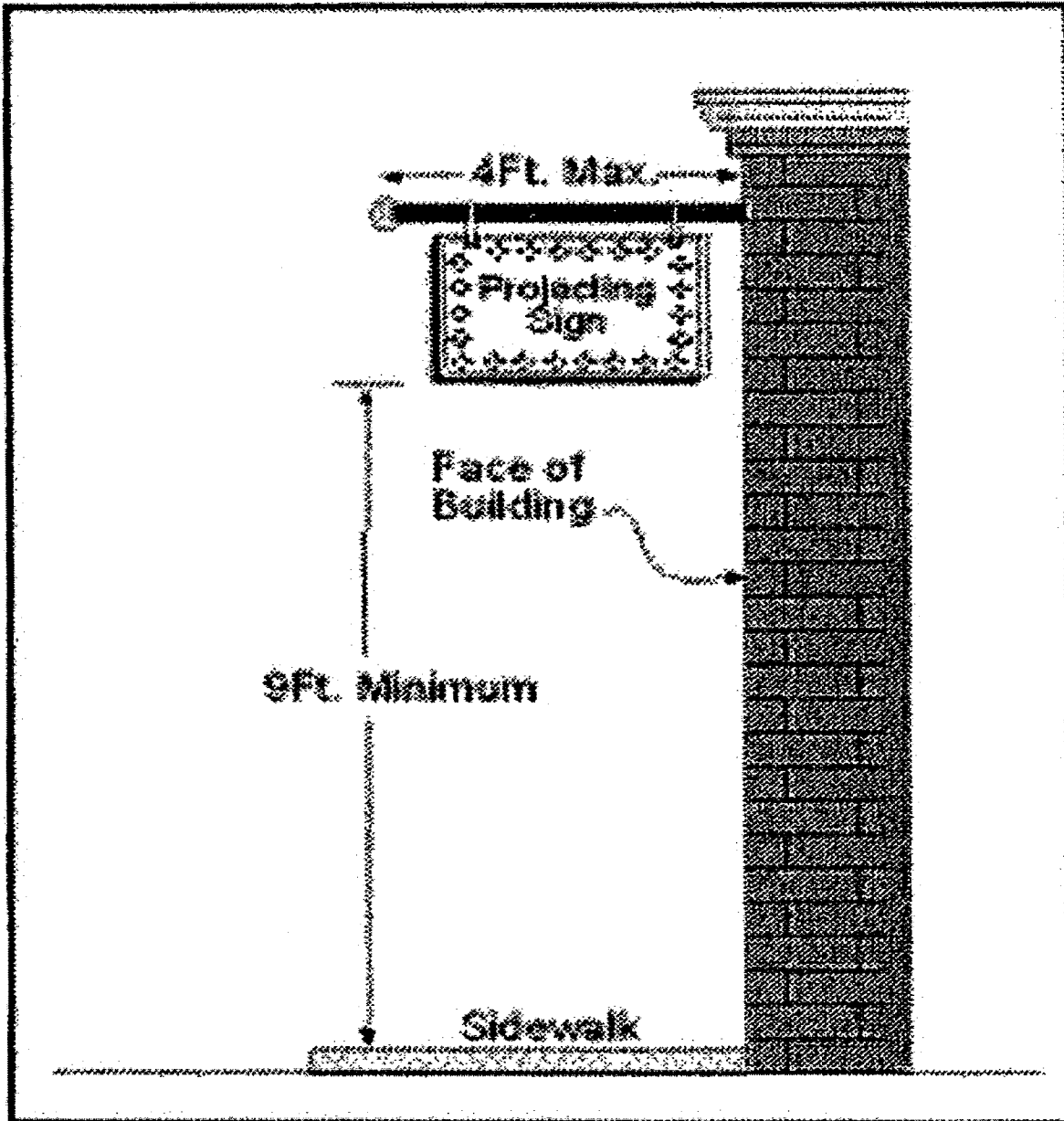


Figure 8

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Figure 8

1 ~~h. Marquee signs are permitted only on marquees, canopies or awnings otherwise~~
2 ~~lawfully permitted or in existence. Marquee signs shall not extend horizontally~~
3 ~~beyond the edges of the canopy, marquee or awning to which they are attached~~
4 ~~or from which they are suspended.~~

5 ~~i. Signs on service station canopies are not permitted unless the canopy is~~
6 ~~connected to the principal building, in which case the face of the canopy is~~
7 ~~considered a part of the face of the principal building. Signage will be~~
8 ~~regulated in accordance with subsection (c)(1).~~

9 ~~j. All roof and projecting signs may have a border of up to six inches in width~~
10 ~~surrounding the permitted sign area.~~

11 ~~k. No sign permitted by this subsection (3) shall contain any advertising message~~
12 ~~concerning any business, goods, products, services or facilities which are not~~
13 ~~manufactured, produced, sold, provided or located on the premises upon which~~
14 ~~the sign is erected or maintained.~~

15 ~~(d) Permanent development identification signs and structures for subdivisions and~~
16 ~~neighborhoods.~~

17 ~~(1) Generally. Any platted subdivision or neighborhood may display one sign~~
18 ~~identifying the name of the subdivision or neighborhood. Such subdivision or~~
19 ~~neighborhood may be permitted one additional sign at a secondary entrance.~~

20 ~~a. Freestanding signs for residential subdivisions or neighborhoods.~~

21 ~~1. The size of the sign shall be dependent on whether it is the main or~~
22 ~~secondary entrance sign.~~

23 ~~2. The main entrance sign for a residential subdivision or neighborhood shall~~
24 ~~be no greater than 24 square feet. Such signs may be double faced.~~

25 ~~3. The secondary entrance sign shall be no more than 16 square feet. Such~~
26 ~~signs may be double faced.~~

27 ~~4. Such signs may be located in the public right of way provided there is~~
28 ~~compliance with the restrictions delineated in subsection 30-188(g), as~~
29 ~~applicable.~~

30 ~~5. The maximum height of the sign shall not exceed eight feet measured~~
31 ~~from average grade; and~~

32 ~~6. No information other than the subdivision or neighborhood name may be~~
33 ~~shown. (See Figure 9.)~~

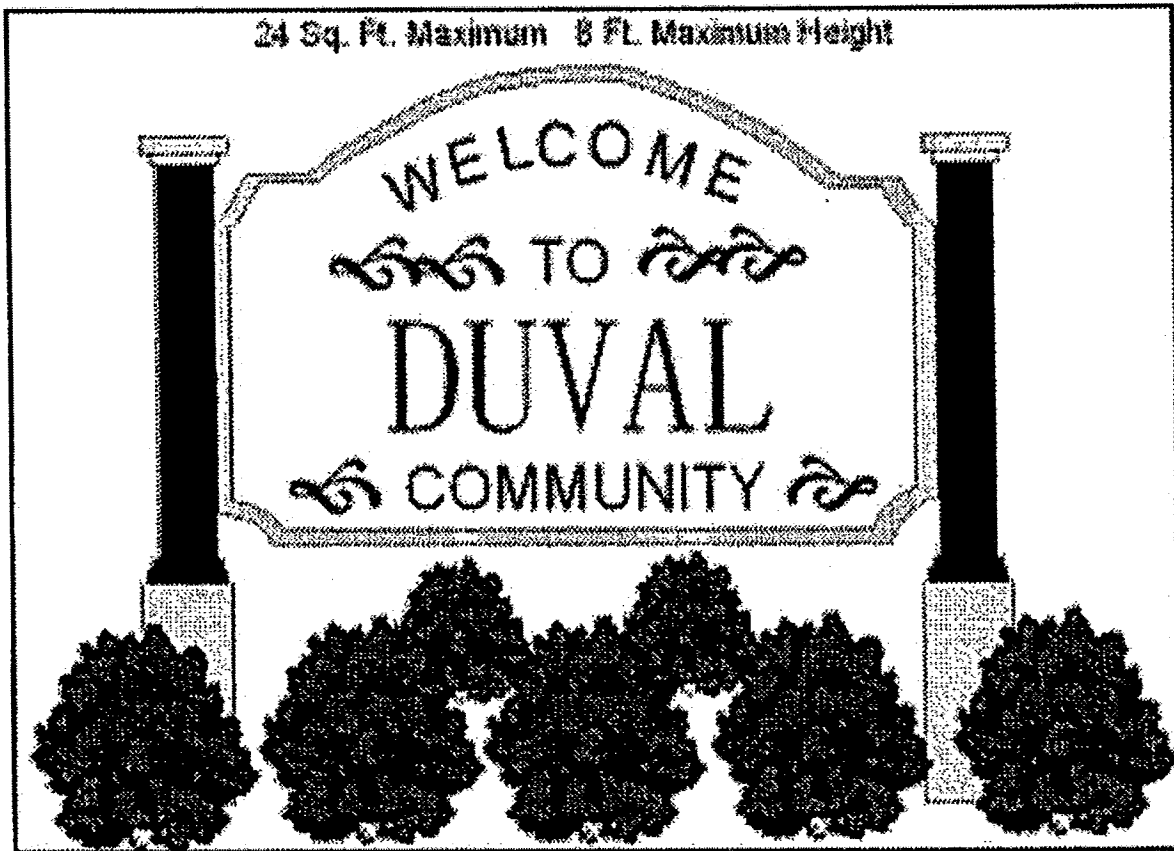


Figure 9

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Figure 9

- ~~b. Freestanding sign for nonresidential subdivisions. The size of a sign for a nonresidential subdivision shall be based on the number of individual lots in the subdivision. It may have a minimum of 24 square feet up to a maximum of 96 square feet. The size of the identification sign shall be based on six square feet per lot, not to exceed a maximum size of 96 square feet or 115 square feet for a monument sign. However, any subdivision or minor subdivision may have a minimum of 18 square feet. The maximum height of the sign shall not exceed eight feet measured from average grade.~~
 - ~~1. Such signs may be illuminated with a steady light, but not animated.~~
 - ~~2. Such signs may be located in the public right of way provided there is compliance with the restrictions delineated in subsection 30-188(g).~~
 - ~~3. Such signs may have tenant panels, listing the tenants of the subdivision, provided that only those businesses located within the subdivision are identified, and all tenant panels are the same size.~~

1 ~~(2) Multiple family residential developments, community residential homes with more~~
2 ~~than fourteen residents, mobile home parks and other allowable uses in multi-~~
3 ~~family districts for which signage is not otherwise regulated. Signs of a permanent~~
4 ~~nature, designed only to identify the development and indicate availability of~~
5 ~~dwelling units or mobile home sites and including structural features may be~~
6 ~~erected in accordance with the following regulations:~~

7 a. ~~Permanent identification signs and structures shall be permitted only for a total~~
8 ~~development as originally or subsequently approved as shown on the latest~~
9 ~~approved development plan for developments that require development plan~~
10 ~~approval. Such signs and structures shall be erected entirely on private~~
11 ~~property in accordance with the requirements of subsections (d)(2)b., c., d., and~~
12 ~~e. of this section.~~

13 b. ~~Except as provided in subsection c. below, such signs and structures shall be~~
14 ~~permitted on one entrance into such development from an abutting street. The~~
15 ~~sign shall not exceed 16 square feet in size, excluding structural elements and~~
16 ~~decorative features, and may be wall or ground mounted.~~

17 c. ~~Multi family developments consisting of six or more units shall be allowed a~~
18 ~~sign not to exceed 24 square feet in size, excluding structural elements and~~
19 ~~decorative features. Such signs may be wall or ground mounted and may be a~~
20 ~~single sign unit with two faces or a single faced sign mounted on each side of~~
21 ~~an entrance into such development from an abutting street. Where more than~~
22 ~~one entrance is approved, one additional sign, not exceeding 16 square feet in~~
23 ~~size, excluding structural elements and decorative features, shall be allowed at~~
24 ~~each additional entrance. If the development has frontage with no approved~~
25 ~~entrance on the frontage, one additional sign not exceeding 16 square feet in~~
26 ~~size, excluding structural elements and decorative features, shall be allowed to~~
27 ~~be placed on one additional frontage.~~

28 d. ~~Such signs may be illuminated with a steady light but shall not be animated.~~

29 e. ~~The maximum height of the freestanding sign shall not exceed eight feet.~~

30 ~~(e) Permanent identification signs and structures for non residential uses in residential~~
31 ~~districts. In all residential zoning districts as listed in section 30-41, a non residential~~
32 ~~primary use shall be allowed one ground mounted sign and one wall mounted sign. If~~
33 ~~there is also a non residential accessory use housed in a separate building or buildings~~
34 ~~from the primary use, one additional wall mounted sign is allowed on the separate~~
35 ~~building. The sign areas shall not be combined to form a single sign area larger than that~~
36 ~~permissible for each sign type as follows:~~

37 ~~(1) The maximum sign area for the ground mounted sign shall be 24 square feet,~~
38 ~~except the maximum sign area for the ground mounted sign when the primary use~~
39 ~~fronts on a four lane road shall be 32 square feet provided the sign fronts the four-~~
40 ~~lane road. The maximum height of the ground mounted sign shall be eight feet. The~~
41 ~~sign may be externally or internally illuminated. The light sources shall be shielded~~

1 from all adjacent residential buildings and shall not shine on or increase the lighting
2 adjacent residential districts or properties.

3 ~~(2) The maximum sign area for the wall-mounted sign on the building housing the~~
4 ~~primary use shall be 24 square feet. The sign shall not be internally illuminated.~~
5 ~~The light sources for external illumination of the wall-mounted sign shall not shine~~
6 ~~on or increase the light in adjacent residential districts or properties.~~

7 ~~(3) The maximum sign area for the wall-mounted sign on the building housing the~~
8 ~~accessory use shall be 18 square feet. The sign shall not be internally illuminated.~~
9 ~~The light sources for external illumination of the wall-mounted sign shall not shine~~
10 ~~on or increase the light in adjacent residential districts or properties.~~

11 ~~(f) *Pedestrian-oriented signs.* Pedestrian-oriented signs shall be allowed for businesses to~~
12 ~~attract pedestrian traffic. A pedestrian-oriented sign may be used to advertise changing~~
13 ~~specials such as food items, menus or other promotions; and shall only be used to~~
14 ~~advertise products or services available or for sale at the site where the sign is located.~~
15 ~~The allowable sign area for pedestrian-oriented signs shall not be counted against the~~
16 ~~total allowable sign area for a development or business. A permit must be obtained for~~
17 ~~pedestrian-oriented signs.~~

18 ~~(1) *Permitted number of signs.*~~

19 ~~a. Each single-occupancy development and each occupant of a multiple-~~
20 ~~occupancy development may display one under-canopy sign.~~

21 ~~b. Each single-occupancy development and each occupant of a multiple-~~
22 ~~occupancy development may display either one message-board sign or one~~
23 ~~pedestal-type sign.~~

24 ~~(2) *Under-canopy signs.*~~

25 ~~a. The maximum area of an under-canopy sign is four square feet.~~

26 ~~b. A minimum nine-foot vertical clearance must be maintained when an under-~~
27 ~~canopy sign is above a pedestrian walkway.~~

28 ~~c. Under-canopy signs shall not be internally illuminated.~~

29 ~~d. An under-canopy sign shall contain only the business name and logo.~~

30 ~~(3) *Pedestal-type signs.* Figures 10a and 10b illustrate samples of pedestal-type signs.~~

31 ~~a. The maximum height of a pedestal-type sign is five feet.~~

32 ~~b. Pedestal-type signs shall be permanently mounted in the ground, and shall not~~
33 ~~be placed in the public right-of-way or any pedestrian walkway.~~

34 ~~c. Pedestal-type signs shall have a maximum sign length and width of 18 inches,~~
35 ~~for a maximum sign area of 2.25 square feet.~~

36 ~~d. Pedestal-type signs may be internally illuminated.~~

37 ~~(4) *Message-board signs, including chalk boards and bulletin boards.* Figure 11~~
38 ~~illustrates a sample message-board sign.~~

- 1 a. ~~The maximum area of a message board sign is six square feet.~~
2 b. ~~Message board signs must be mounted on a wall, door, or window of a~~
3 ~~business.~~
4 c. ~~Message board signs may be mounted in a protective frame with a covering of~~
5 ~~up to six inches deep; and may project into the public right of way by six~~
6 ~~inches.~~
7 d. ~~Message board signs may be internally illuminated.~~

8 ~~(g) Determination of sign area, size of sign structure and distance between signs.~~

9 ~~(1) Distance between signs. The minimum required distance between signs shall be~~
10 ~~measured from the closest parts of any two sign areas.~~

11 ~~(2) Sign area. The sign area of any sign shall be determined by considering all~~
12 ~~adjoining or contiguous surfaces upon which any part of such sign appears as being~~
13 ~~one continuous surface. Signs contained on noncontiguous surfaces shall be~~
14 ~~considered as separate signs. Signs contained on different parts of a contiguous~~
15 ~~surface, except for the surface of a sign structure, may be considered as separate~~
16 ~~signs, and the intervening surface area not counted as part of the sign area, if more~~
17 ~~than one sign is permitted and if the distance between the signs is sufficient. The~~
18 ~~sign area of an irregularly shaped surface shall be determined by using an~~
19 ~~imaginary surface with the shape of a common geometric figure approximating the~~
20 ~~actual surface as closely as possible. (See Figure 12.) For all signs except wall-~~
21 ~~mounted signs, roof signs which are applied to the roof surface, ground mounted~~
22 ~~signs applied to the surface of a fence or accessory building and marquee signs~~
23 ~~which are applied to the surface of the marquee, canopy or awning, the sign area~~
24 ~~shall be determined by the largest surface area viewable at one time from any one~~
25 ~~direction parallel to the ground; and any sign which appears on the remaining~~
26 ~~surface area shall not count against the sign areas permitted hereunder. The base of~~
27 ~~a monument sign shall count towards the sign area unless the base area is~~
28 ~~landscaped sufficiently to screen it from view. This applies to up to three feet of the~~
29 ~~height of the base. A landscape plan is required with the permit application in order~~
30 ~~to use this provision. (See Figure 13.)~~

31 ~~(3) Size of sign structure. The size of any sign structure shall be limited so as to appear,~~
32 ~~from any direction from which any part of the sign area is viewable, to have~~
33 ~~borders no greater than six inches in width. Larger borders, or larger apparent~~
34 ~~borders, are allowed only if that part greater than six inches in width is counted as~~
35 ~~part of the sign area.~~

36 ~~(h) Directional signs, certain nonresidential developments. Directional signs are allowed~~
37 ~~for nonresidential developments with a minimum of 300,000 square feet of floor area.~~
38 ~~These signs shall be limited to the name of the development and/or the names of the~~
39 ~~occupants of the development, and shall comply with the following conditions:~~

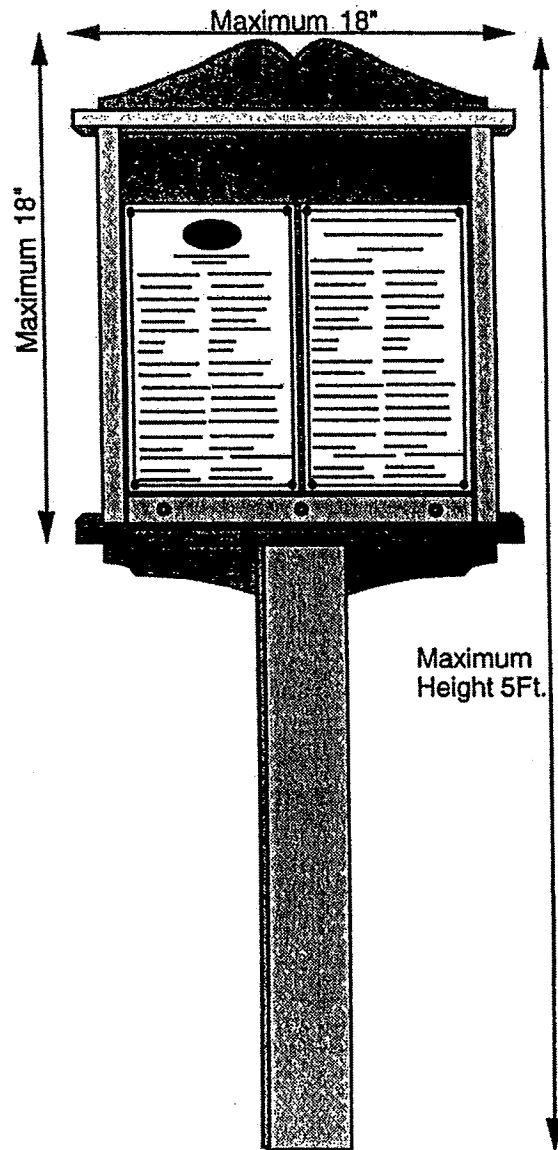
40 ~~(1) The signs shall not be located within 100 feet of any public right of way line.~~

- 1 ~~(2) A single business or activity shall be limited to two square feet per individual sign~~
2 ~~face.~~
- 3 ~~(3) The directional sign shall not exceed a total area of 50 square feet. Sign area shall~~
4 ~~be measured in accordance with section 30-318(g).~~
- 5 ~~(4) The maximum height of a directional sign shall not exceed six feet.~~
- 6 ~~(i) *Flags and flagpoles.* The display of flags shall be limited by the following regulations:~~
- 7 ~~(1) A flagpole may be ground-mounted or building-mounted.~~
- 8 ~~(2) No flag may contain a commercial message.~~
- 9 ~~(3) Height of flagpoles shall not exceed 25 feet in a residential district.~~
- 10 ~~(4) The vertical dimension of the flag shall be a maximum of 20 percent of the height~~
11 ~~of the flagpole.~~
- 12 ~~(5) Ground-mounted flagpoles shall be set back at least ten feet from any property line.~~
- 13 ~~(6) Flag and flagpole standards are as follows:~~

	Flagpole Height	Recommended Flag Dimensions
Residential Zone Districts	15'	3'x5'
	20'	3'x5'
	25'	4'x6'
Nonresidential Zone Districts	20'	4'x6'
	25'	5'x8'
	30'	6'x10'
	40' and above	6'x10' to 8'x15'

14 -

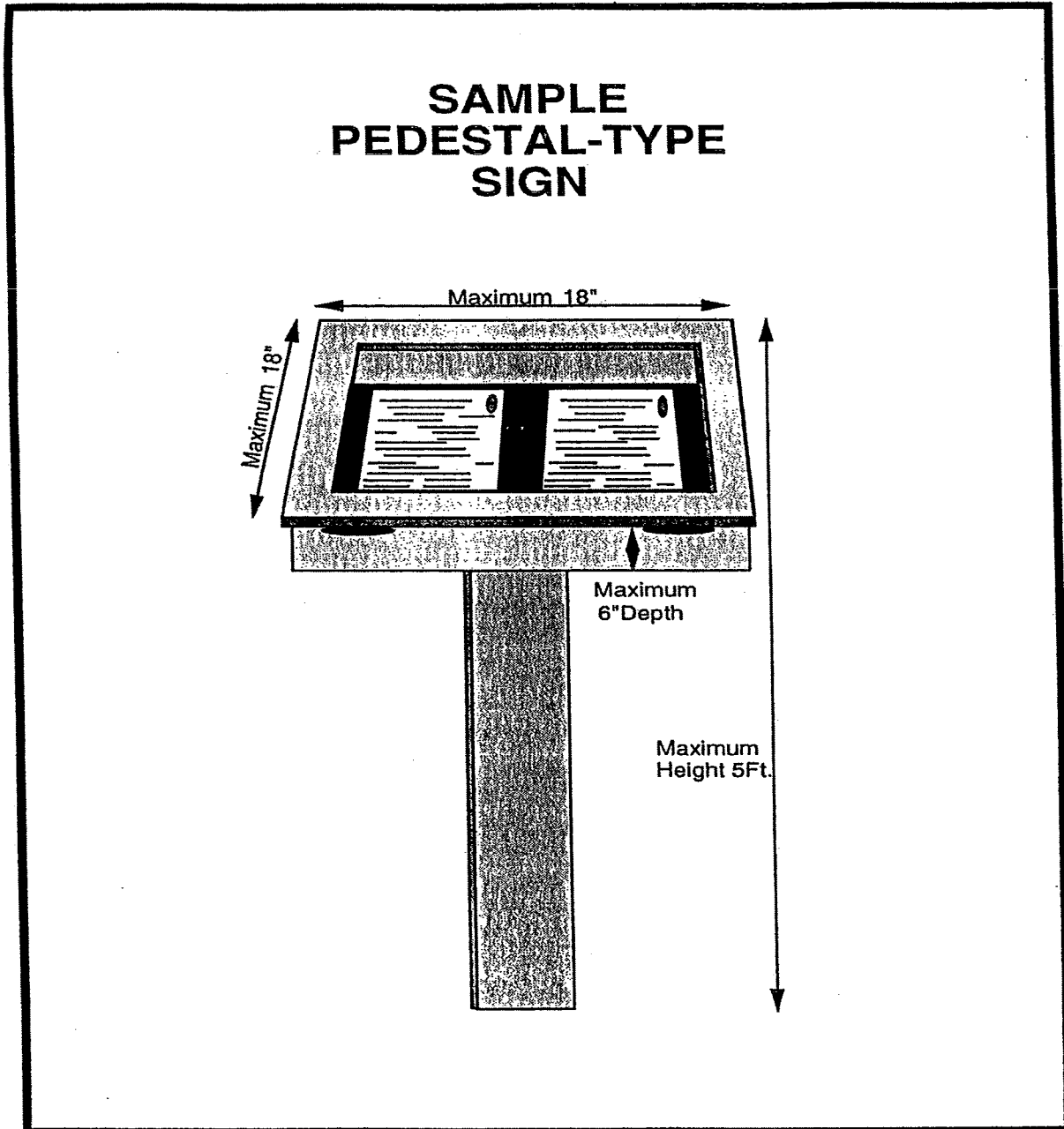
SAMPLE PEDESTAL-TYPE SIGN



1

1

Figure 10A



2

3

Figure 10B

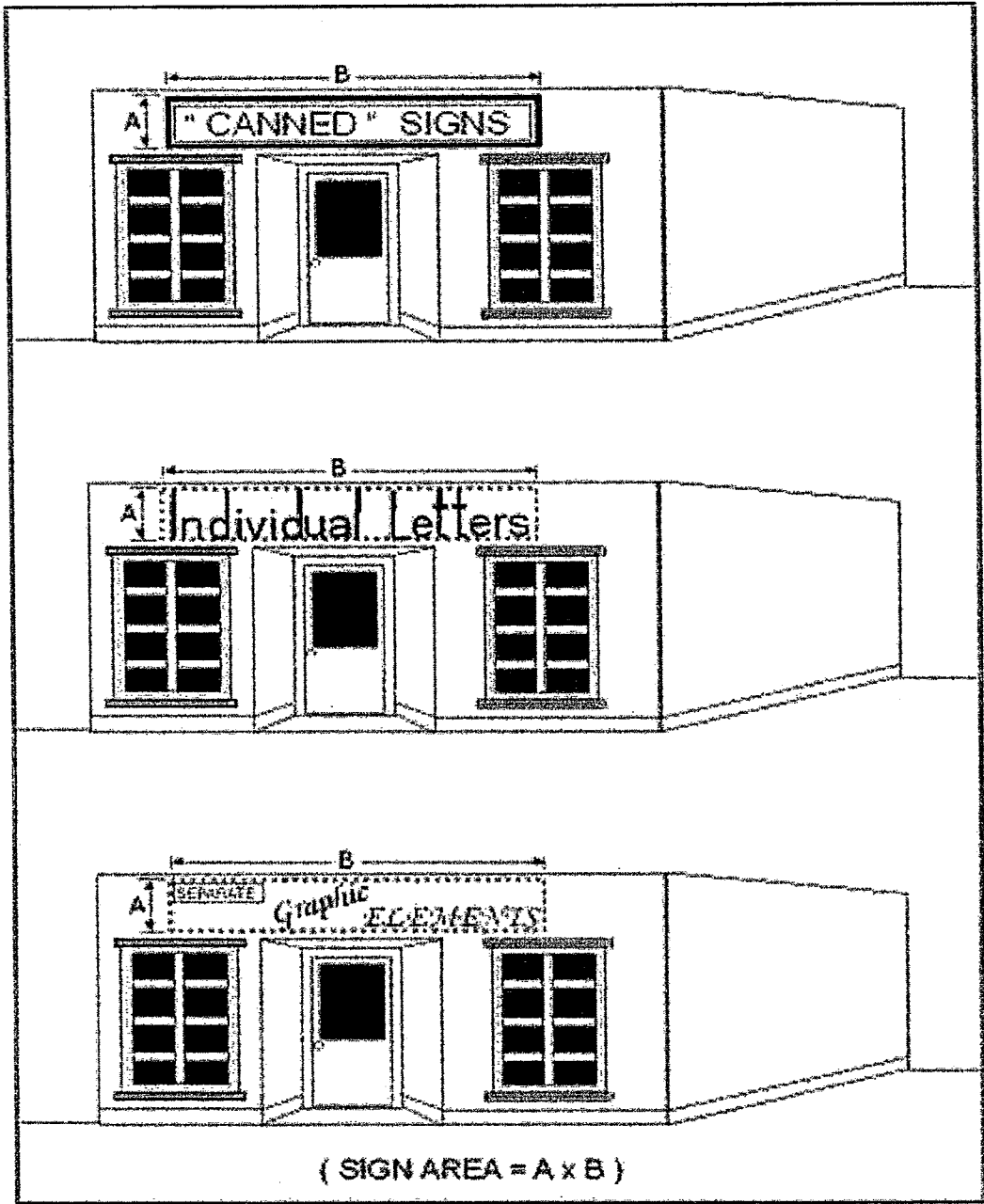


1

2

Figure 11

Figure 12



1

2

Figure 12

Figure 13

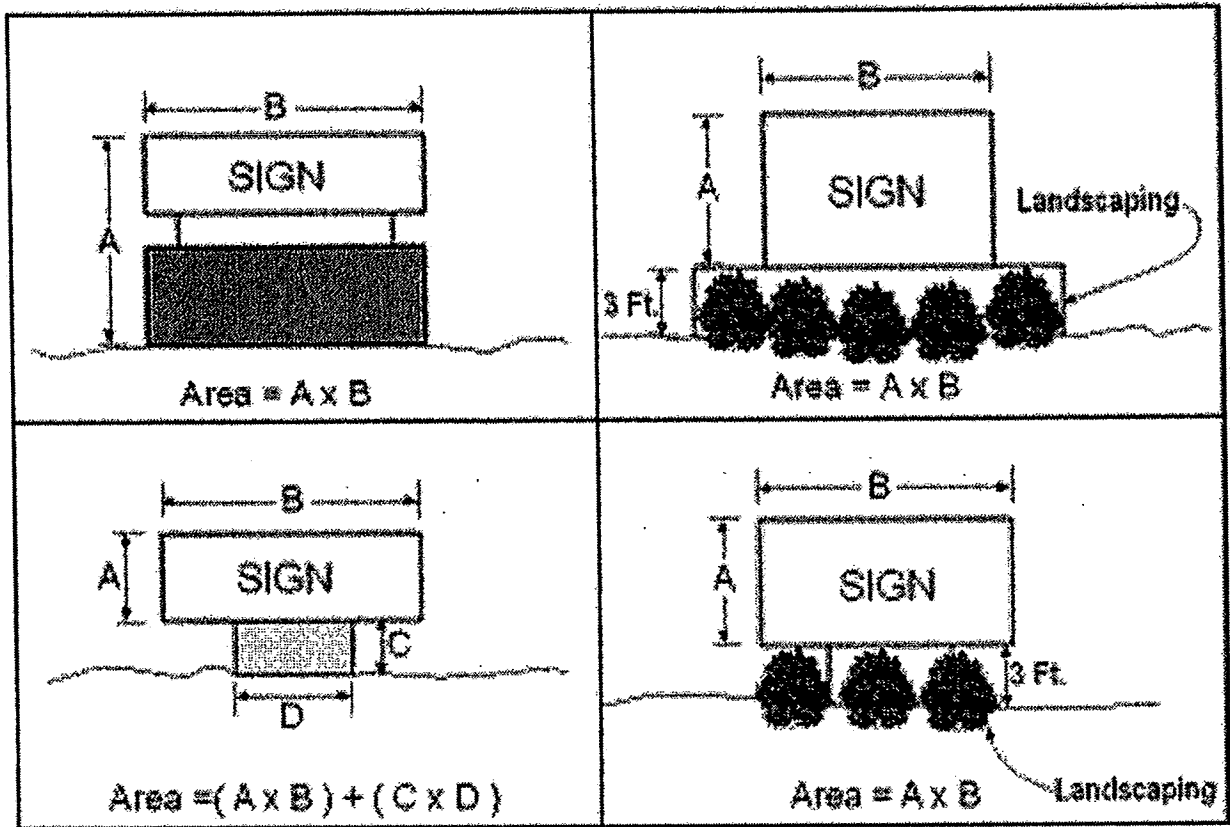


Figure 13

Sec. 30-319. — Reserved.

Editor's note—

Ord. No. 070776, § 1, adopted March 24, 2008, repealed § 30-319 which pertained to political signs and derived from Ord. No. 3777, § 1, adopted June 10, 1992; and Ord. No. 002561, § 6, adopted Dec. 9, 2002.

Sec. 30-320. — Reserved.

Editor's note—

Ord. No. 070776, § 1, adopted March 24, 2008, repealed § 30-320 which pertained to time and temperature devices and derived from Ord. No. 3777, § 1, adopted June 10, 1992.

1 | **Sec. 30-321. — Illumination of signs.**

- 2 ~~(a) *Colored lights.* Colored lights shall be designed to prevent confusion with traffic lights.~~
- 3 ~~(b) *Floodlight illumination.* Floodlight illumination of signs is permitted provided that the~~
4 ~~floodlight or spotlight is positioned so that none of the lights shine onto an adjoining~~
5 ~~property or in the eyes of motorists or pedestrians.~~
- 6 ~~(c) *Bare bulb illumination.* Bare bulb illumination of signs is permitted only in districts zoned~~
7 ~~MU-1, MU-2, BUS, BA, BT, CCD, W, I-1 and I-2.~~
- 8 ~~(d) *Flame.* Flame as a source of light for signs is permitted if adequate fire safety standards as~~
9 ~~prescribed by the City Manager or designee are met.~~

10 | **Sec. 30-322. — Permit required; inspection; fees.**

- 11 ~~(a) *Permit required.* It shall be unlawful to erect, cause to be erected, maintain, cause to be~~
12 ~~maintained, alter or extend any new or existing sign without first obtaining a permit~~
13 ~~indicating compliance with the provisions and regulations of this article, except as noted~~
14 ~~below. No permit shall be required for the following signs, provided that such signs are in~~
15 ~~compliance with the terms and provisions of this article, and provided further that such signs~~
16 ~~have no electrical parts or usage:~~
- 17 ~~(1) Signs exempt from the provisions of this article;~~
- 18 ~~(2) Temporary signs, except those for businesses awaiting their permanent signs pursuant to~~
19 ~~section 30-317(c);~~
- 20 ~~(3) Signs which are a permanent architectural feature of the building or structure, such as a~~
21 ~~cornerstone or other identifying letters carved into or embossed on the building,~~
22 ~~provided such letters are not illuminated apart from the building, are not made of a~~
23 ~~reflective material and do not contrast in color with the building;~~
- 24 ~~(4) Signs with a sign area of six square feet or less, at a height of four feet or less;~~
- 25 ~~(5) Panels or letters incorporated in larger signs, provided a permit has been issued for the~~
26 ~~larger signs; and~~
- 27 ~~(6) Any change in the advertising content of a sign, provided a permit has been issued for~~
28 ~~the sign and the advertising content does not violate any provisions of this article.~~
- 29 ~~(b) *Inspection.* It shall be unlawful to erect, cause to be erected, maintain or cause to be~~
30 ~~maintained any sign requiring a permit which has not been inspected at the time of initial~~
31 ~~installation.~~
- 32 ~~(c) *Fees.* Applications for a permit to erect, construct, alter or extend a sign shall be~~
33 ~~accompanied by a fee in the amount established by the building code as set out in Appendix~~
34 ~~A.~~
- 35 ~~(d) *Expiration of permit.* Any permit issued pursuant to this section shall expire six months after~~
36 ~~its date of issuance unless the permitted sign is erected or unless its erection is substantially~~
37 ~~underway.~~

1 ~~(e) Penalty.~~ In addition to other penalties provided by this article, a fee of double the amount
2 specified for a permit shall be charged for any work commenced before a permit therefor has
3 been issued, or renewed after the expiration date.

4 **Sec. 30-323. Applications for permits.**

5 All applications for sign permits required by this article shall be filed by the
6 owner, or his/her agent, in the office of the building official, after appropriate
7 development review, upon forms furnished by the city. The applications shall describe
8 and set forth the following:

9 ~~(1) The type of sign as defined in this article.~~

10 ~~(2) The actual cost of the sign.~~

11 ~~(3) The street address of the property upon which the sign is to be located and the proposed~~
12 ~~location of the sign on the property. In the absence of a street address, a method of~~
13 ~~location acceptable to the City Manager or designee shall be used.~~

14 ~~(4) The height, shape and dimensions of the sign structure, if any, and the dimensions and~~
15 ~~shape of the sign area.~~

16 ~~(5) The name and address of the owner or other person in control or possession of the real~~
17 ~~property upon which the sign is to be located.~~

18 ~~(6) Written consent of such owner, his/her lessee, or his/her agent, granting permission for~~
19 ~~the construction, operation, maintenance or display of the sign.~~

20 ~~(7) A plan, sketch, blueprint, blue line print or similar presentation drawn to scale, showing~~
21 ~~all pertinent structural details, wind pressure requirements, and display materials in~~
22 ~~accordance with the requirements of the Standard Building Code.~~

23 ~~(8) A map showing the location of the proposed sign and all trees having a diameter of 12~~
24 ~~inches or more at a height of 4 ½ feet above the ground that will be removed for the~~
25 ~~construction and display of the sign.~~

26 ~~(9) The name of the sign contractor, if any.~~

27 ~~(10) Any other information reasonably required by the City Manager or designee to~~
28 ~~determine whether such sign is in compliance with the requirements of this article.~~

29 ~~(11) Procedure.~~

30 a. ~~Investigation/time limits.~~ Upon the receipt of a completed permit application and
31 upon payment of the appropriate permit fee by the applicant, the City Manager or
32 designee shall promptly conduct an investigation of the application, the proposed
33 sign and the premises. The City Manager or designee shall grant or deny the permit
34 application within 30 days from the date the completed application with application
35 fee was filed with the City Manager or designee.

36 b. ~~Issuance or denial of permit.~~

37 1. ~~If, after review and investigation as required herein, the City Manager or~~
38 ~~designee determines that the application meets the requirements contained in~~

1 ~~this chapter and determines the proposed sign will not violate any building,~~
2 ~~electrical or other adopted codes of the city, the City Manager or designee shall~~
3 ~~issue the permit.~~

4 ~~2. If, after review and investigation as required herein, the City Manager or~~
5 ~~designee determines that one or more reasons for denial exist, the permit shall~~
6 ~~be denied and the City Manager or designee shall make a written report of the~~
7 ~~denial and the reasons therefore. A copy of the report shall be sent by certified~~
8 ~~mail to the designated return address of the applicant on the application. The~~
9 ~~application for a permit shall be denied if it does not comply with the~~
10 ~~requirements of this chapter; or the proposed sign would violate any building,~~
11 ~~electrical or other adopted codes of the city.~~

12 ~~3. If the application is denied, the applicant may submit a corrected application~~
13 ~~within 15 days of the notice of denial without additional cost, and staff will~~
14 ~~review the corrected plan within 15 days. If the applicant does not resubmitted~~
15 ~~a corrected application within 15 days of the notice of denial, a new sign~~
16 ~~permit application and fee will have to be submitted, and the city will have an~~
17 ~~additional 30 days to review the new application.~~

18 ~~e. Appeal. The decision of the City Manager or designee to grant or deny a sign~~
19 ~~permit is an administrative decision that can be appealed as provided in section 30-~~
20 ~~354 of this chapter.~~

21 **Sec. 30-324. ~~Nonconforming signs; limitations; removal of signs.~~**

22 ~~(a) *Nonconforming signs.* Any sign not allowed by this article, but for which a permit has~~
23 ~~previously been issued by the city, shall automatically become a lawful nonconforming sign.~~
24 ~~The owner of any other sign not allowed by this article, or the owner of any property upon~~
25 ~~which such sign is located, shall have a period of six months from the effective date of this~~
26 ~~article to establish to the satisfaction of the building official that such sign was in~~
27 ~~compliance with the laws and ordinances of the city when it was constructed. The building~~
28 ~~official shall maintain the list of such signs, which shall continue to be lawful~~
29 ~~nonconforming signs. At the expiration of the six month period, all other signs which are~~
30 ~~not in compliance with the terms of this article shall immediately be removed or brought~~
31 ~~into compliance with this article.~~

32 ~~(b) *Limitations.* All nonconforming signs shall be permitted to continue as nonconforming uses~~
33 ~~with the following limitations:~~

34 ~~(1) Signs not conforming to the requirements of this article shall be removed or made to~~
35 ~~conform when the structure housing the occupancy is demolished or requires~~
36 ~~renovations the cost of which exceeds 50 percent of the assessed value of the structure.~~

37 ~~(2) All nonconforming signs shall be removed or made to conform when the sign is~~
38 ~~substantially demolished. Substantially demolished shall be determined by the City~~
39 ~~Manager or designee on the basis of the extent of the physical damage of the sign.~~

40 ~~(3) Neither the overall size nor the sign area of a nonconforming sign may be increased, nor~~
41 ~~may the height be increased, nor may the location be changed, nor may the use of the~~

1 property on which it is located be changed, unless the sign is made to conform to the
2 requirements of this article.

3 ~~(4) A nonconforming sign may be changed to a sign allowed in the district in accordance~~
4 ~~with and in relation to allowable modification under section 30-346. Review and~~
5 ~~approval of such signs shall be by the plan board or development review board.~~

6 ~~(5) A sign which on March 16, 1981, became nonconforming as an off-premises sign shall~~
7 ~~be removed or made to conform to the requirements of this article within five years~~
8 ~~from March 16, 1981.~~

9 ~~(6) For purposes of this section, a channel/block letter wall-mounted sign means any wall-~~
10 ~~mounted sign where the letters of the sign are mounted directly to the face of a principal~~
11 ~~building wall. A lawful noneonforming channel/block letter wall-mounted sign may be~~
12 ~~replaced with another nonconforming channel/block letter wall-mounted sign under the~~
13 ~~following terms and conditions:~~

14 a. ~~Existing electrical components of the existing noneonforming sign are used;~~

15 b. ~~The size of the nonconforming sign's area shall be measured in accordance with~~
16 ~~subsection 30-318(g); and~~

17 c. ~~Either a permit for the replacement sign must be applied for before the existing sign~~
18 ~~is removed, or sufficient existing information must be provided so that a~~
19 ~~determination of the size of the existing noneonforming sign can be made by the~~
20 ~~City Manager or designee. If the City Manager or designee cannot determine the~~
21 ~~size of the sign due to insufficient information, then scaled drawings of the building~~
22 ~~and the previously existing sign shall be provided to the City Manager or designee.~~

23 ~~(e) Removal of signs. A sign, including the sign structure, now or hereafter existing, which no~~
24 ~~longer advertises a bona fide business conducted, or a product sold, on the premises and~~
25 ~~becomes dilapidated, run down, or a safety hazard, shall be taken down and removed by the~~
26 ~~owner, agent or person having beneficial use of the building, structure or land upon which~~
27 ~~such sign shall be found, within 30 days after written notice by the City Manager or~~
28 ~~designee.~~

29 ~~Cross reference—Nonconforming lots, uses and structures, § 30-346.~~

30 | **Sec. 30-325. Maintenance.**

31 It shall be unlawful to own, maintain or cause to be maintained any sign without
32 full compliance with the following requirements:

33 (1) ~~Weeds shall be kept cut in front of, underneath and around the base of ground-mounted~~
34 ~~and other signs, and no rubbish or debris shall be permitted so near the base that it shall~~
35 ~~constitute a fire hazard.~~

36 (2) ~~Signs shall be kept clean, neatly painted and free from all hazards, such as but not~~
37 ~~limited to faulty wiring and loose fastenings, and must be maintained at all times in~~
38 ~~such safe condition so as not to be detrimental to the public health and safety.~~

1 | **Sec. 30-326. Enforcement.**

2 ~~(a) *Duties of enforcing official.* The City Manager or designee shall be the enforcing official.~~
3 ~~The enforcing official is charged with the duty of administering the provisions of this article~~
4 ~~and securing compliance with it. In furtherance of this responsibility, the enforcing official~~
5 ~~shall:~~

6 ~~(1) Make such inspections as may be necessary to bring about the purposes and intent of~~
7 ~~this article and initiate appropriate action to bring about compliance with this article if~~
8 ~~such inspection discloses any instance of noncompliance.~~

9 ~~(2) Investigate thoroughly any complaints of alleged violations of this article, and indicate~~
10 ~~clearly in writing as a public record in his/her office the disposition made of such~~
11 ~~complaints.~~

12 ~~(3) Order in writing as set out below the remedy of all conditions or all violations of the~~
13 ~~article found to exist in or on any premises.~~

14 ~~(4) State in the violation order a time limit for compliance herewith as hereinafter set out.~~

15 ~~(5) Request the assistance of the city attorney and the state attorney in taking appropriate~~
16 ~~legal action upon the failure of the responsible party to comply with such violation~~
17 ~~order by the time specified therein.~~

18 ~~(b) *Right of entry.* The enforcing official or his/her agent is authorized and directed to lawfully~~
19 ~~enter in and upon all premises at reasonable times to determine their condition insofar as the~~
20 ~~provisions of this article are applicable, and to obtain search warrants when necessary to do~~
21 ~~so.~~

22 ~~(c) *Contents of notice of violation.* Whenever the enforcing official determines that a violation~~
23 ~~of this article exists, the official is authorized to issue a citation pursuant to section 2-337 of~~
24 ~~the Code. Time for compliance shall be as follows:~~

25 ~~1. *Nonpermanent signs.* For all portable signs as defined in section 30-23, unlawful and~~
26 ~~prohibited signs as specified in subsections 30-316(a) and (b), temporary signs as~~
27 ~~defined in section 30-317 and all other signs of a nonpermanent nature, the time may~~
28 ~~not be less than one hour nor more than 24 hours from the time of such written notice;~~
29 ~~provided, however, that any condition found to exist in violation of this article which~~
30 ~~constitutes a hazard to the public safety shall be required to be abated immediately.~~

31 ~~2. *All other signs.* For all signs not specified in subsection (c)1. of this section, the time~~
32 ~~may not be less than ten days nor more than 90 days from the date of such written~~
33 ~~notice; provided, however, that any condition found to exist in violation of this article~~
34 ~~which constitutes a hazard to the public safety shall be required to be abated~~
35 ~~immediately.~~

36 ~~(d) *Unauthorized signs in right of way.* Any sign placed in the public right of way in violation~~
37 ~~of this article shall be deemed to be abandoned and may be removed immediately by an~~
38 ~~enforcing official or agent. Any sign so removed may be disposed of without notice or~~
39 ~~compensation. This removal shall not preclude prosecution or imposition of penalties for~~
40 ~~violation of this article.~~

1 | ~~Sec. 30-327. Severability.~~

- 2 ~~(a) If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or~~
3 ~~word of this article is declared unconstitutional by the valid judgment or decree of any court~~
4 ~~of competent jurisdiction, the declaration of such unconstitutionality shall not affect any~~
5 ~~other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or~~
6 ~~word of this article.~~
- 7 ~~(b) Without diminishing or limiting in any way the declaration of severability set forth in~~
8 ~~subsection (a), or elsewhere in this article, this code, or any adopting ordinance, if any part,~~
9 ~~section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this~~
10 ~~article is declared unconstitutional by the valid judgment or decree of any court of~~
11 ~~competent jurisdiction, the declaration of such unconstitutionality shall not affect any other~~
12 ~~part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of~~
13 ~~this article, even if such severability would result in a situation where there would be less~~
14 ~~speech, whether by subjecting previously exempt signs to permitting or otherwise.~~
- 15 ~~(c) Without diminishing or limiting in any way the declaration of severability set forth in~~
16 ~~subsection (a), or elsewhere in this article, this code, or any adopting ordinance, if any part,~~
17 ~~section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this~~
18 ~~article or any other law is declared unconstitutional by the valid judgment or decree of any~~
19 ~~court of competent jurisdiction, the declaration of such unconstitutionality shall not affect~~
20 ~~any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term,~~
21 ~~or word of this article that pertains to prohibited signs, including specifically those signs and~~
22 ~~sign types prohibited and not allowed under section 30-316(b) of this article. Furthermore, if~~
23 ~~any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or~~
24 ~~word of section 30-316(b) is declared unconstitutional by the valid judgment or decree of~~
25 ~~any court of competent jurisdiction, the declaration of such unconstitutionality shall not~~
26 ~~affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause,~~
27 ~~term, or word of section 30-316(b), thereby ensuring that as many prohibited sign types as~~
28 ~~may be constitutionally prohibited continue to be prohibited.~~
- 29 ~~(d) If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or~~
30 ~~word of this article and/or any other code provisions and/or laws are declared invalid or~~
31 ~~unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the~~
32 ~~declaration of such unconstitutionality shall not affect the regulation of off premises signs in~~
33 ~~this article.~~

34 **** Note to codifier: all previous figures (Figures 1 – 13) are deleted.**

35
36 DIVISION 1. - SIGN REGULATIONS

37
38 Sec. 30-315. Short title; purpose and intent.

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- 2 Sec. 30-321. Permanent signs.
- 3 Sec. 30-322. Temporary signs.
- 4 Sec. 30-323. Sign maintenance.
- 5 Sec. 30-324. Nonconforming and abandoned signs.
- 6 Sec. 30-325. Enforcement.

7
8

9 **Sec. 30-315. Short title; purpose and intent.**

10 This Division shall be known as the “Sign Code.” The purpose and intent of this sign code is to
11 preserve and protect the health, safety, welfare, and general well-being of citizens by promoting
12 public safety, economic vitality, and aesthetic qualities through regulations for the use and
13 maintenance of signs that are:

- 14 1. Compatible with their surroundings and appropriate within the parameters of the
15 Comprehensive Plan;
- 16 2. Appropriate to the type of activity to which they pertain;
- 17 3. Expressive of the identity of the individual proprietors or of the community as a
18 whole;
- 19 4. Large enough to sufficiently convey a message about the owner or occupants of a
20 particular property, the products or services available on such property, or the
21 business activities conducted on such property, yet small enough to preserve and
22 protect the natural beauty of the city and limit distractions to motorists;
- 23 5. Not concentrated in a manner that results in clutter and unnecessary distraction to
24 motorists;
- 25 6. Placed in locations that do not result in the unnecessary removal of vegetation;
- 26 7. Compatible to a pedestrian and motorist scale; and
- 27 8. Otherwise conducive to the preservation and protection of the public health,
28 safety, and welfare.

29

30 **Sec. 30-316. Applicability.**

31 This sign code applies to the use and maintenance of all signs within the City of Gainesville.

32 (a) Exemptions.

- 33 1. Signs described by the Manual of Uniform Traffic Control Devices;
- 34 2. Signs required by federal or state law or regulation;
- 35 3. Signs necessary for public safety efforts, including but not limited to signs
36 necessary for law enforcement, fire rescue, and storm debris clean-up;
- 37 4. Signs indicating obstruction of a road;
- 38 5. Signs placed by a utility identifying underground lines, poles, above-ground lines,
39 pipes, or other facilities; and
- 40 6. Signs placed by a transit company along its routes to indicate stops and routes.

41

42 (b) Sign regulations elsewhere in Code of Ordinances. Sign regulations for specific uses
43 and/or locations are provided for elsewhere in the Code of Ordinances and where there is

1 conflict with this sign code, the sign regulations for specific uses and/or locations shall
2 prevail. Sign regulations for specific uses and/or locations include, but are not limited to,
3 the following:

- 4 1. Accessory sale of used rental vehicles in the I-1 zoning district. See section 30-
5 69(c)(2)b.4.
- 6 2. Outdoor gun club in the agriculture zoning district. See section 30-72(f)(6).
- 7 3. Conservation district. See section 30-73(e)(4).
- 8 4. Corporate park district for lots of record under 3.5 acres. See section 30-
9 78(d)(1)(b)2.
- 10 5. Historic preservation/conservation district. New signs within a historic district or
11 on property that is listed on the local or National Register of Historic Places will
12 be approved in accordance with the Historic Preservation Rehabilitation and
13 Design Guidelines.
- 14 6. Temporary sales and leasing office(s). See section 30-85(c)(1)(e).
- 15 7. Bed and breakfast establishments. See section 30-101(8).
- 16 8. Food distribution centers for the needy as a principal use, see section 30-111(4).
17 As an accessory use to a place of religious assembly, see section 30-91(c)(5).
- 18 9. Farmers markets. See section 30-115(b)(3).
- 19 10. Permanent development identification signs and structures. See section 30-188(g).
- 20 11. Traditional neighborhood development district (TND) requires a comprehensive
21 sign program for the entire TND in section 30-241(j)(1), and separate provisions
22 for different land use categories, as provided in section 30-242.
- 23 12. Special area plan for College Park. See Appendix A, Section 3, Exhibit B.
- 24 13. Special area plan for University Heights. See Appendix A, Section 6, Exhibit A.
- 25 14. Advisory guidelines for City Core sign(s). See Appendix E (see Figures III-31
26 and III-32).

27
28 **Sec. 30-317. Prohibited signs.**

29 Any sign not expressly authorized by this sign code is prohibited. The following signs are
30 expressly prohibited within city limits, except as otherwise provided by this sign code:

- 31 1. Off-premises signs;
- 32 2. Portable signs;
- 33 3. Vehicle signs that are parked in a location for greater than one hour and are being
34 used as an off-premises sign;
- 35 4. Roof signs;
- 36 5. Electronic signs;
- 37 6. Animated signs;
- 38 7. Snipe signs;

- 1 8. Revolving signs;
- 2 9. Pennants;
- 3 10. Spinners (See Figure 1);

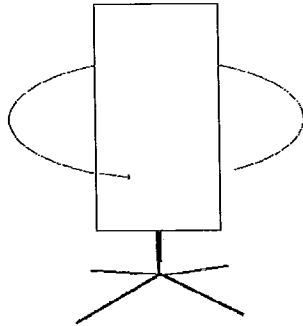


Figure 1.

- 5
- 6
- 7
- 8 11. Feather, flutter, bow, and twirler signs;
- 9 12. Sandwich boards, A-frame signs, and swinger signs;
- 10 13. Balloons, dancing tubes, and other tethered inflatable promotional devices; and
- 11 14. Obscene signs.

Sec. 30-318. Signs not requiring a permit.

The following signs may be used without a permit, provided that such signs meet the applicable regulations in this section and Section 30-320 and have no electrical parts or usage unless ULI listed. Any signage allowable per this section is in addition to any signage allowable per Sections 30-321 and 30-322.

(a) Signs necessary to preserve life and prevent serious injury.

<u>Sign type</u>	<u>Max #</u>	<u>Max sign area (sq. feet)</u>	<u>Max height (feet) (freestanding signs)</u>	<u>Notes</u>
<u>Address, identification, contact information</u>	<u>1 per street frontage</u>	<u>6</u>	<u>6</u>	<u>Characters shall not exceed eight inches in height for nonresidential uses.</u>
<u>Direct/guide traffic and parking (building identification may be included)</u>	<u>N/A</u>	<u>6</u>	<u>6</u>	<u>Example: Parking, entrance, exit, one-way, service, etc.</u>
<u>General safety/caution or to</u>	<u>N/A</u>	<u>4</u>	<u>6</u>	<u>Non-illuminated.</u>

<u>prohibit trespassing</u>				
<u>Safety/caution of the location and direction of underground utility lines</u>	<u>1 per block face or every 200 feet, whichever is less</u>	<u>0.5</u>	<u>3</u>	<u>Non-illuminated. Signs should not be clustered at street corners unless required because of a directional change to the underground line.</u>
<u>On hospital grounds, directing the public to the emergency room-wall-mounted</u>	<u>1 per street frontage</u>	<u>Lesser of 10 percent of the wall or 100 sq. ft.</u>	<u>N/A</u>	<u>At least one sign shall be located on front face of emergency room entry. May include directional arrows. May only read "EMERGENCY" or similar text.</u>
<u>On hospital grounds, directing the public to the emergency room-freestanding</u>	<u>1 per street frontage or entrance</u>	<u>24</u>	<u>10</u>	

1

2 (b) Signs that contain no commercial message.

<u>Sign location</u>	<u>Max #</u>	<u>Max sign area (sq. feet)</u>	<u>Max height (feet)</u>	<u>Setback from side property line (feet)</u>
<u>Residential district</u>	<u>N/A</u>	<u>6</u>	<u>4</u>	<u>10</u>
<u>Nonresidential district</u>	<u>N/A</u>	<u>32</u>	<u>8</u>	<u>15</u>

3

4 1. Signs pertaining to an event, such as an election, must be removed no later than
5 three days after the event.

6 2. The allowable signage in this subsection is in addition to the general provision in
7 Section 30-320 regarding substitution of messages, where any signage otherwise
8 permitted per Sections 30-321 and 30-322 may at the option of the owner contain
9 either a commercial or noncommercial message, provided that the sign otherwise
10 meets the provisions of this sign code.

11

12 (c) Contractor signs.

<u>Sign location</u>	<u>Max #</u>	<u>Max sign area</u>	<u>Max height</u>	<u>Setback from</u>
----------------------	--------------	----------------------	-------------------	---------------------

		(sq. feet)	(feet)	property line and from driveway (feet)
<u>Individual single family homes</u>	<u>3</u>	<u>6</u>	<u>4</u>	<u>10</u>
<u>Subdivision and multi-family developments</u>	<u>3</u>	<u>32</u>	<u>8</u>	<u>10</u>
<u>Nonresidential district</u>	<u>3</u>	<u>32</u>	<u>8</u>	<u>15</u>

- 1 1. May not be displayed until after the issuance of construction permits by the
2 building official.
- 3 2. Shall be removed no later than three days after the final Certificate of Occupancy
4 is issued.

6 (d) Real estate signs.

<u>Sign location</u>	<u>Max #</u>	<u>Max sign area (sq. feet)</u>	<u>Max height (feet)</u>	<u>Setback from property line and from driveway (feet)</u>
<u>Residential district</u>	<u>3</u>	<u>6</u>	<u>4</u>	<u>10</u>
<u>Nonresidential district</u>	<u>3</u>	<u>32</u>	<u>8</u>	<u>10</u>

- 7
- 8 1. Shall be removed no later than three days after the property is no longer for rent,
9 lease, or sale.

11 (e) Miscellaneous signs.

<u>Sign type or location</u>	<u>Max #</u>	<u>Max sign area (sq. feet)</u>	<u>Max height (feet)</u>	<u>Notes</u>
<u>Open, closed, hours of operation (Building-mounted only)</u>	<u>1 for each entrance/exit</u>	<u>4</u>	<u>NA</u>	<u>Information pertinent to the business operation.</u>

<u>Non-illuminated window signs</u>	<u>NA</u>	<u>12</u>	<u>NA</u>	<u>Signage in excess of this standard shall be counted as part of the building-mounted signage allowance.</u>
<u>Signs on the body of coin-operated vending machines, gasoline pumps, telephone booths and ice vending equipment</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	
<u>Signs on an umbrella attached to a table at an outdoor eating place or alcoholic beverage establishment</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>Table and umbrella must be otherwise lawfully permitted.</u>
<u>Decorative vertical pole banners</u>	<u>NA</u>	<u>18</u>	<u>NA</u>	<u>Pole must be lawfully permitted and serve a dual purpose such as light poles.</u>
<u>Signs that are a permanent architectural feature of the building or structure</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>Such as a cornerstone or other identifying letters carved into or embossed on the building, provided such letters are not illuminated apart from the building, are not made of a reflective material and do not contrast in color with the building.</u>
<u>Garage, yard, or estate sales</u>	<u>1</u>	<u>NA</u>	<u>NA</u>	<u>Must be on the premises of the associated dwelling and shall be removed no later than three days after the event.</u>

1

2 (f) Pedestrian-oriented signs.

<u>Sign type</u>	<u>Max #</u>	<u>Max sign area (sq. feet)</u>	<u>Max height (feet)</u>	<u>Notes</u>
<u>Under-canopy</u>	<u>1</u>	<u>4</u>	<u>NA</u>	<u>Permanently attached. Minimum 9-foot vertical clearance under sign. Not</u>

				<u>internally illuminated.</u>
<u>Pedestal</u>	<u>Either 1 pedestal sign or 1 message board sign</u>	<u>2.25</u>	<u>5</u>	<u>Permanently attached to ground. Outside of right-of-way and any pedestrian walkway. May be internally illuminated.</u>
<u>Message board</u>	<u>Either 1 pedestal sign or 1 message board sign</u>	<u>6</u>	<u>NA</u>	<u>Permanently attached to wall, door, or window. May be mounted in a protective frame up to 6 inches deep. May be internally illuminated.</u>

1

2 (g) Flags.

<u>Sign location</u>	<u>Max flagpole height (feet)</u>	<u>Recommended flag dimensions (h x w) (feet)</u>
<u>Residential districts</u>	<u>25'</u>	<u>4'x6'</u>
<u>Nonresidential districts</u>	<u>30'</u>	<u>6'x10'</u>

3

1. A flagpole may be freestanding or building-mounted.

4

2. The vertical dimension of the flag shall be a maximum of 20 percent of the height of the flagpole.

5

6

3. Freestanding flagpoles shall be set back at least 10 feet from any property line.

7

4. Shall not contain a commercial message.

8

9

(h) Strip lighting.

10

1. Shall be no greater than one inch in diameter.

11

2. Shall be made of neon or some similar material that gives the appearance of neon.

12

3. Shall not face any property zoned or developed as single-family residential that is located within 200 feet of the strip lighting.

13

14

4. Shall obtain all necessary electrical permits.

15

5. Shall be separated by at least two feet from any signs so that it would in no way be construed as being part of the total area allowed for the signs.

16

17

6. Shall not contain a commercial message.

18

19

(i) Murals and other works of art.

1 1. Murals and other works of art, as defined in Chapter 5.5 of the Code of
2 Ordinances, shall not require a sign permit provided that they meet any applicable
3 regulations in Section 30-320 and have no electrical parts or usage unless ULI
4 listed, and contain no commercial message. Any part of a mural or work of art
5 that contains a commercial message shall require a sign permit and shall be
6 included within the applicable calculation of maximum allowable sign area.
7

8 **Sec. 30-319. Permitting.**

9 (a) Permit required. Unless otherwise expressly authorized by this sign code, it shall be
10 unlawful to use, erect or cause to be erected, maintain or cause to be maintained, alter or
11 extend any new or existing sign without first obtaining a permit from the city.

12 (b) Interim signs. An owner or designated agent who has moved to a new location or whose
13 existing sign is being replaced due to damage, destruction, or to make it conforming to
14 this sign code may apply, at no fee, for an interim sign permit. The permit shall expire
15 120 days from issuance or when a permanent sign is installed and permitted according to
16 this section, whichever occurs first. Interim sign permits may not be extended or
17 renewed and interim signs shall be removed within 3 days after expiration of the interim
18 sign permit.

19 (c) Application. The owner or designated agent shall apply for any sign permits required by
20 this sign code by submitting an application to the office of the building official on a form
21 furnished by the city. All applications shall include the following:

22 1. The street address of the real property upon which the sign is to be located and the
23 proposed location of the sign on the property. In the absence of a street address, a
24 method of location acceptable to the City Manager or designee shall be used.

25 2. The name and address of the owner or other person in control or possession of the
26 real property upon which the sign is to be located.

27 3. Written consent of such owner, his/her lessee, or his/her agent, granting
28 permission for the construction, operation, maintenance or display of the sign.

29 4. The name of the sign contractor, if any.

30 5. The type of sign as defined in this sign code.

31 6. A map showing all structures, all street frontages, the location of all existing and
32 proposed sign(s), a north arrow, and all trees having a diameter of 12 inches or
33 more at a height of 4 ½ feet above the ground that will be removed for the
34 construction and display of the sign.

35 7. A plan, sketch, blueprint, blue line print or similar presentation drawn to scale,
36 showing all pertinent structural details, wind pressure requirements, display
37 materials, and other information in accordance with the requirements of the
38 Standard Building Code.

39 8. The height, shape and dimensions of the sign structure, if any, and the dimensions
40 and shape of the sign area.

1 9. A landscape plan that includes, at a minimum, the size (in gallons) of any required
2 plants and the common and scientific names of the plants, all of which shall be
3 healthy, disease and pest free, and hardy for the North Florida region. Plant
4 height shown on the sign elevations shall be the height expected within two years.

5 10. The actual cost of the sign.

6 11. Any other information reasonably required by the City Manager or designee to
7 determine whether such sign is in compliance with the requirements of this sign
8 code.

9 (d) Procedure.

10 1. Time limit. The City Manager or designee shall grant or deny a sign permit
11 application within 30 days from the date a completed application and payment of
12 the permit fee was submitted to the city. If the City Manager or designee fails to
13 take action by either granting or denying a sign permit application within this
14 specified period, it shall be deemed approved.

15 2. Issuance or denial of permit.

16 a. If the City Manager or designee determines that the application meets the
17 requirements of this sign code and all building, electrical and other
18 applicable regulations of the city, the City Manager or designee shall
19 approve the application and issue the sign permit contingent on an
20 inspection after installation/alteration.

21 b. If the City Manager or designee determines that the application fails to
22 meet one or more requirements of this sign code or building, electrical or
23 other applicable regulations of the city, the City Manager or designee shall
24 deny the application and shall make a written report of the denial and the
25 reasons therefore. A copy of the report shall be sent by certified mail to
26 the applicant.

27 c. If the application is denied, the applicant may submit an amended
28 application within 15 days of the date posted on the notice of denial
29 without additional cost. The City Manager or designee shall grant or deny
30 an amended application within 30 days of receipt. If the City Manager or
31 designee fails to take action by either granting or denying an amended
32 application within this specified period, it shall be deemed approved.

33 3. Appeal. The decision of the City Manager or designee to approve or deny a sign
34 permit application is an administrative decision that can be appealed as provided
35 in Section 30-354 of this chapter.

36 (e) Fees. Applications for a sign permit shall be accompanied by a fee in the amount
37 established by the buildings and building regulations section set forth in Appendix A.

38 (f) Expiration of permit. Any sign permit issued pursuant to this sign code shall expire
39 within six months after the date of issuance, unless such signs are constructed and
40 installed within the six month period.

1 (g) Penalty. Notwithstanding any other provision of this chapter, a fee of double the amount
2 normally required for the sign permit shall be charged for any work commenced without
3 an issued permit.

4
5 **Sec. 30-320. General regulations for all signs.**

6 (a) Location.

7 1. Traffic and pedestrian hazards. No sign shall be located in such a manner as to
8 obstruct the vision of pedestrians or motorists, including obstructions within the
9 vision triangle as provided in Section 30-341. However, signs may located at least
10 eight feet above the highest crown of any adjacent street when such sign is
11 mounted upon a sign support structure that does not exceed 8 inches in diameter.
12 Any sign producing glare or a method of illumination that constitutes a hazard to
13 traffic is prohibited. No sign may use the words "Stop," "Look," "Drive in,"
14 "Danger" or any similar word, phrase, symbol or character within ten feet of a
15 public right-of-way or 200 feet of a traffic control device.

16 2. Building ingress/egress. Signs shall not be located in such a manner as to
17 obstruct ingress/egress through any door or window required or designed for
18 ingress/egress to any building, and shall not obstruct or be attached to a fire
19 escape.

20 3. Right-of-way. No signs, other than signs identifying public property, shall be
21 located in or on any public right-of-way.

22 (b) Measurement.

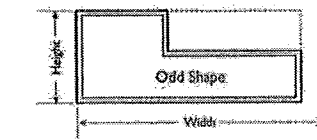
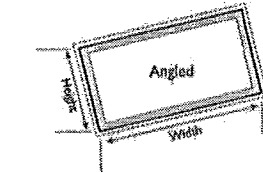
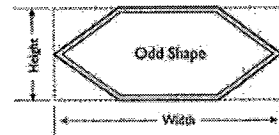
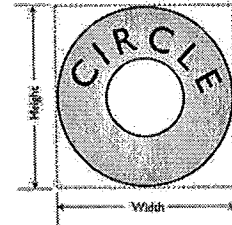
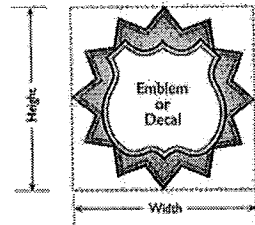
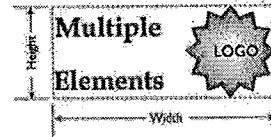
23 1. Sign height. The height of a freestanding sign shall be measured vertically from
24 the established average grade directly below the sign to the elevation of the
25 highest point of the sign.

26 2. Distance between signs. The minimum required distance between signs shall be
27 measured from the closest parts of any two sign areas.

28 3. Sign area.

29 a. The sign area shall be calculated as defined.
30

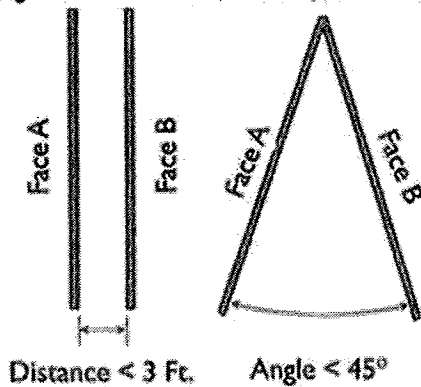
Sign Area = Height x Width



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b. Double-faced signs shall be counted as a single-faced sign when the two faces are parallel or at an angle of less than 45 degrees. Where the faces are not equal in size, the larger sign face shall be used as the basis for calculating sign area.

Total Sign Area = Face A or Face B, whichever is larger

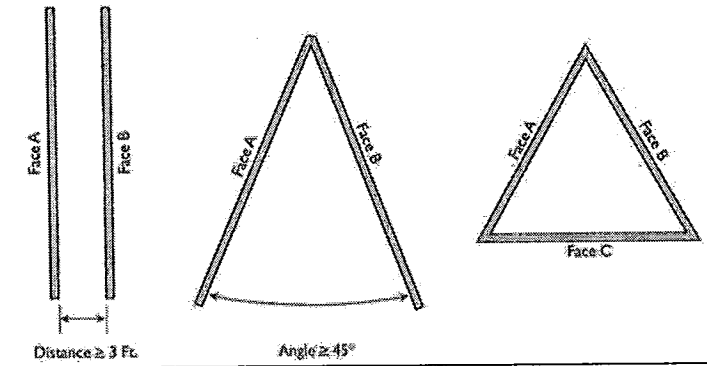


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c. Signs with three or more sign faces, or signs with two sign faces with a distance greater than three feet apart or an interior angle equal to or greater

1 than 45 degrees, shall calculate the sign area as the sum of all the sign
2 faces.

3 Total Sign Area = Sum of All Sign-Faces



4
5
6 (c) Illumination.

- 7 1. Signs may be illuminated with a steady light. Illumination that gives the effect of
8 blinking, flashing, or moving is prohibited.
- 9 2. Sign illumination shall be designed to minimize light pollution and shall meet the
10 light trespass requirements set forth in the outdoor lighting section of the Land
11 Development Code.
- 12 3. Colored lights. Colored lights shall be designed to prevent confusion with traffic
13 control signals. No sign located within 10 feet of public right-of-way or within
14 200 feet of traffic control signals shall contain red or green lights. Color-
15 changing light or lighting, including when located in, on, or near a window or
16 transparent door and intended to be visible to members of the public who are
17 located outdoors, is prohibited.
- 18 4. Bare-bulb illumination. Bare-bulb illumination of signs is permitted only in
19 districts zoned MU-1, MU-2, BUS, BA, BT, CCD, UMU-1, and UMU-2.
- 20 5. Flame. Flame as a source of light for signs is permitted if it meets adequate fire
21 safety standards as prescribed by the City Manager or designee.

22
23 (d) Substitution of message. Any sign used in conformance with the provisions of this sign
24 code may at the option of the owner contain either a commercial or noncommercial
25 message.

26
27 **Sec. 30-321. Permanent signs.**

28 (a) In general. Permanent signs are signs that are intended to be used for an indefinite period
29 of time and that are attached to a building, structure or to the ground in a manner that
30 resists environmental loads, such as wind, precludes ready removal or movement of the

1 sign, and meets applicable Florida Building Code standards. Permanent signs include but
 2 are not limited to building-mounted signs, freestanding signs, identification signs and
 3 directional signs.

4 (b) Building-mounted signs. Building-mounted sign allowance may be used by a
 5 combination of wall, window, mansard, parapet, awning, marquee, or canopy signs, and
 6 shall not exceed the maximum sign area established below. Except where otherwise
 7 specifically provided, building-mounted signs may be permitted as follows:

8 1. Residential districts.

<u>Sign Type</u>	<u>Max #</u>	<u>Max sign area (sq. feet)</u>
<u>Building-mounted</u>	<u>Principal use: 1</u> <u>Accessory use (if applicable): 1</u>	<u>Principal: 24</u> <u>Accessory: 18</u>

9
10 2. Nonresidential districts.

11 a. Single and multiple-occupancy developments – 2 stories or less.

<u>Sign type</u>	<u>Max #</u>	<u>Max sign area (sq. feet)</u>
<u>Occupant</u>	<u>2 per occupant, plus:</u> <u>Additional:</u> <u>1 for each exterior building wall</u> <u>that is part of an occupant’s space</u>	<u>Length of leased space x 1.5, up to 200</u> <u>max aggregate per occupant, plus:</u> <u>Additional:</u> <u>50 – second side</u> <u>24 – third side</u> <u>24 – fourth side</u>
<u>Directional</u>	<u>1</u>	<u>6</u>

12
13 b. Single and multiple-occupancy developments – greater than 2 stories.

<u>Sign type</u>	<u>Max #</u>	<u>Max sign area (sq. feet)</u>
<u>Primary</u>	<u>2 (3 if primary frontage greater than</u> <u>500 linear feet), plus:</u> <u>Additional:</u> <u>1 for each exterior building wall</u>	<u>300 max aggregate</u>
<u>Occupant</u>	<u>2 per occupant, within the building</u> <u>sign band</u>	<u>Length of leased space x 1.5, up to 100</u> <u>max aggregate per occupant</u>
<u>Directional</u>	<u>1</u>	<u>6</u>

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- (1) Projecting. Signs shall not extend horizontally beyond the edges of the awning, marquee, mansard, or parapet to which they are attached or from which they are suspended and no more than four feet horizontally from the wall. Signs shall not project vertically above the roofline. Such signs under which a pedestrian walkway passes must have at least a nine-foot vertical clearance.
- (2) Canopy. Permitted only when canopy is connected to the principal building, in which case the face of the canopy is considered a part of the face of the principal building.
- (3) Wall. Where a wall supporting a building-mounted sign is less than 12 inches from a public right-of-way, the wall sign may project over the right-of-way, provided it does not project more than 12 inches from the wall.
- (4) Common area. The allowable sign area of two or more occupants may be placed on a commonly owned area of a multi-occupancy development, provided that only one sign may be displayed at each entrance.

3. Parking Garage. Building-mounted signs with a maximum aggregate sign area of 75 square feet per street frontage may be permitted. In addition, if the parking garage has ground floor retail, each occupant is allowed two (2) signs equal to the width of leased space x 1.5, up to a maximum aggregate of 100 square feet per occupant. At each vehicle entrance to the parking garage, two directional signs (entrance /exit) are allowed with a maximum sign area of 6 square feet each.

(c) Freestanding signs. Except where otherwise specifically provided, freestanding signs may be permitted as follows:

1. Residential districts.

<u>Sign Type</u>	<u>Max #</u>	<u>Max sign area (sq. feet)</u>	<u>Max height (feet)</u>
<u>Freestanding</u>	<u>1</u>	<u>32 – monument</u> <u>24 – pole</u>	<u>8'</u>

2. Nonresidential districts.

<u>Sign Type</u>	<u>Max # (See a. below)</u>	<u>Max sign area (sq. feet) (See b. below)</u>	<u>Max height (feet)</u>
<u>Primary frontage</u>	<u>1</u>	<u>Monument:</u> <u>Frontage up to 50': 32</u> <u>Frontage 51-100': 40</u> <u>Frontage 101' or more: frontage x 0.5, up to 120</u>	<u>10'</u>

		<u>Pole:</u> <u>Frontage up to 50': 24</u> <u>Frontage 51-100': 32</u> <u>Frontage 101' or more: frontage x 0.4, up to 96</u>	
<u>Additional primary frontage</u>	<u>1 additional if primary frontage greater than 500 linear feet</u>	<u>75 – monument</u> <u>50 – pole</u>	<u>10'</u>
<u>Secondary frontage</u>	<u>1</u>	<u>30 – monument</u> <u>24 – pole</u>	<u>8'</u>
<u>Outparcel</u>	<u>1</u>	<u>Frontage 151-200':</u> <u>38 – monument</u> <u>32 – pole</u> <u>Frontage 201' or more:</u> <u>58 – monument</u> <u>48 – pole</u>	<u>8'</u>
<u>Directional for developments with greater than 300,000 square feet of floor area</u>	<u>N/A (shall not be located within 100 feet of any public right-of-way)</u>	<u>50</u> <u>(single-occupancy developments shall be limited to two square feet per individual sign face)</u>	<u>6'</u>

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a. Max #. Each single or multiple occupancy development shall be allowed one primary frontage freestanding sign. One additional primary frontage sign shall be allowed on any primary frontage that is greater than 500 linear feet, and must be located at least 50 feet from any other sign.

A single or multiple occupancy development with a secondary frontage shall be allowed one additional freestanding sign on the secondary frontage.

A freestanding sign shall be allowed on developed outparcels that are greater than 22,500 square feet in area and have a street frontage that is greater than 150 linear feet. An allowable freestanding sign on a corner outparcel may be located along either street frontage, provided it otherwise meets the requirements of this chapter.

b. Max sign area. A freestanding sign may be either a monument sign or a pole-mounted sign. A size bonus is provided for monument signs. No signage shall be displayed on the base of any monument sign.

1 c. Setback. Frontage signs shall be setback from the corresponding frontage
2 ends at a distance equal to 10 percent of the length of the frontage, with a
3 minimum setback of ten feet and a maximum setback of 50 feet.

4 3. I-75 corridor signs.

5 a. For purposes of this subsection, I-75 corridor signage shall be restricted to
6 permitted uses in nonresidential districts that are located within one-fourth
7 mile of the centroid of an I-75 interchange with any arterial roadway.

8 b. In addition to signage otherwise allowable per this sign code, an additional
9 freestanding sign with a maximum height of 18 feet shall be allowed on a
10 development (including outparcels), provided that the sign area of such
11 sign in combination with other permitted signs on the development does
12 not exceed a maximum sign area of 300 square feet. Such sign shall be
13 readily visible from I-75. The location of this sign shall not be limited to
14 properties actually abutting I-75; however, no I-75 corridor sign shall be
15 located on any frontage where the adjacent or facing properties are
16 designated single-family on the future land use map.

17 c. Height extension. An owner or designated agent may apply for a height
18 extension to allow for an I-75 corridor sign with a maximum height
19 greater than 18 feet. However, under no circumstances may a sign exceed
20 a height of 90 feet. Applications for a height extension shall be
21 accompanied by a fee in the amount established for a variance as set forth
22 in Appendix A. The City Plan Board shall review height extension
23 applications and shall approve or deny the application based upon the
24 following special considerations. The City Plan Board shall approve an
25 application for a height extension only when the applicant proves each of
26 the following requirements:

27 (1) A registered engineer certifies or other reliable documentary
28 evidence proves that, due to special conditions and circumstances
29 relative to topography, vegetation or the built environment, a sign
30 with a height of 18 feet or less cannot be seen by motorists on I-75
31 at a distance of one-fourth mile from the nearest exit ramp;

32 (2) The height extension requested is the minimum necessary to
33 achieve such visibility;

34 (3) The circumstances and/or special conditions do not result from the
35 actions of the applicant;

36 (4) The height extension will have general compatibility and harmony
37 with the uses and structures on adjacent and nearby properties; and

38 (5) The sign otherwise complies with all applicable regulations of this
39 sign code.

40 The City Plan Board may prescribe appropriate conditions and safeguards
41 to ensure the structural integrity and safety of the sign and to landscape

and buffer the sign structure to ensure compatibility and harmony with the uses and structures on adjacent and nearby properties.

(d) Identification signs.

1. Multiple-family residential development, community residential home with more than fourteen residents, and mobile home park identification signs.

<u>Sign Type</u>	<u>Max #</u>	<u>Max sign area (sq. feet)</u>	<u>Max height (feet)</u>
<u>Identification</u>	<u>1 per entrance; may be one double-sided sign or two single-faced signs on either side of an entrance</u>	<u>Primary entrance, less than 6 units: 16 Primary entrance, 6 or more units: 24 Additional entrance(s): 16</u>	<u>8'</u>

- a. If the property has more than one frontage but no approved entrance on the additional frontage(s), one additional sign may be placed on one additional frontage and will be regulated as an additional entrance sign.

2. Residential subdivision, nonresidential subdivision, and neighborhood identification signs.

<u>Sign Type</u>	<u>Max #</u>	<u>Max sign area (sq. feet)</u>	<u>Max height (feet)</u>
<u>Residential subdivisions and neighborhood signs</u>	<u>1 per entrance; may be one double-sided sign or two single-faced signs on either side of an entrance</u>	<u>Primary entrance: 24 Additional entrance(s): 16</u>	<u>8'</u>
<u>Nonresidential subdivisions</u>	<u>1 per entrance; may be one double-sided sign or two single-faced signs on either side of an entrance</u>	<u>Per lot: 6 Max 115 – monument Max 96 – pole</u>	<u>8'</u>
<u>Minor subdivisions</u>	<u>1</u>	<u>18</u>	<u>8'</u>

(e) Gainesville Regional Airport.

<u>Sign Type</u>	<u>Max #</u>	<u>Max sign area (sq. feet)</u>	<u>Max height (feet)</u>	<u>Notes</u>
<u>Freestanding</u>	<u>4</u>	<u>360 max aggregate for all freestanding signs</u>	<u>10'</u>	
<u>Building-mounted</u>				<u>As approved by the Gainesville Alachua</u>

				<u>County Regional Airport Authority (GACRAA); no city approval required</u>
<u>Directional</u>				<u>As approved by the Gainesville Alachua County Regional Airport Authority (GACRAA); no city approval required</u>

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Sec. 30-322. Temporary signs.

(a) In general. Temporary signs are signs not intended for permanent installation that are to be used for a limited period of time. Temporary signs shall not be illuminated and shall be constructed and affixed to the ground, an existing permanent sign, or a structure in such a way that does not create a safety hazard and that complies with applicable Florida Building Code standards.

(b) Special events.

1. Signs that fall in this category include, but are not limited to, signs related to special events, sales events, future openings, grand openings, and leasing of rental property.
2. The sign may be posted no earlier than 10 days prior to the event or activity and must be removed no later than three days after the event or activity ends, and may be posted for a total of no more than 60 consecutive days per event. Unless otherwise permitted by the Land Development Code, signs under this subsection may be used for no more than two events per year.

<u>Sign location</u>	<u>Max #</u>	<u>Max sign area (sq. feet)</u>	<u>Max height (feet)</u>	<u>Setback from side property line (feet)</u>
<u>Residential district</u>	<u>1 per property in single family district.</u> <u>4 per multi-family development.</u>	<u>6</u>	<u>4</u>	<u>10</u>
<u>Nonresidential district</u>	<u>2 per development.</u>	<u>32</u>	<u>8</u>	<u>15</u>

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(c) Street banners.

1. No sign may be erected, constructed or maintained along or across any public streets, except across-street and vertical pole banners shall be permitted over or along certain streets designated by the City Manager and the General Manager for Utilities. An application shall be filed with the City Manager or designee together with a banner installation fee in an amount prescribed by the General Manager for

1 Utilities to allow full cost recovery to the city. The following conditions and
2 regulations shall apply:

3 a. Banners shall relate to an event that will be open to the general public and
4 that is scheduled to occur within the city or unincorporated Alachua
5 County.

6 b. Banners shall not contain: 1) any commercial message; 2) any phone
7 numbers or addresses; or 3) any traffic directions or traffic signage that
8 may cause a traffic or pedestrian hazard.

9 c. The City will install street banners no more than 14 days prior to the event
10 and will remove them no later than 7 days following the event.

11
12 **Sec. 30-323. Sign maintenance.**

13 (a) All signs and sign structures regulated by this chapter, including any supports, braces,
14 guys and anchors, electrical parts, lighting fixtures and all painted and display areas shall
15 be maintained to present a neat, clean appearance and maintained in a safe condition.
16 Painted areas and sign surfaces shall be kept in good condition, and illumination, if
17 provided, shall be maintained in safe and good working order.

18 (b) Weeds and grass shall be kept cut in front of, behind, underneath and around the base of
19 freestanding signs for a distance of ten (10) feet, and no rubbish or debris shall be
20 permitted under or near such signs.

21 (c) Any sign that becomes dilapidated, run down, or a safety hazard shall be repaired or
22 removed by the owner or designated agent.

23
24 **Sec. 30-324. Nonconforming and abandoned signs.**

25 (a) Nonconforming signs. Any sign that does not comply with the requirements of this
26 chapter, but for which a permit has previously been issued by either the city or Alachua
27 County, shall be deemed legally nonconforming. The owner of any legally
28 nonconforming sign or the owner of any property upon which such sign is located shall
29 bear the burden of proving that such sign is a legally nonconforming sign. All other signs
30 that do not comply with the requirements of this chapter and that are not legally
31 nonconforming shall immediately be removed or brought into compliance with this
32 chapter.

33 1. All legally nonconforming signs shall be allowed to remain as originally
34 permitted.

35 2. Reasonable repair and maintenance necessary to keep a legally nonconforming
36 signs in a good state of repair is allowed, and may include but is not limited to:

37 a. Changing light bulbs, neon, or other light source;

38 b. Changing the face of a cabinet sign, or other modification that only
39 involves a change of copy;

40 c. Replacing cladding or other components that hold a sign face in place;

1. d. Painting, cleaning, and other maintenance activities that do not affect the
2. type, height, or size of the sign structure; and
3. e. Repairing electrical components.
4. 3. Reasonable repair and maintenance does not include, by way of example and not
5. limitation:
6. a. Any modification that changes the structure or type of structure, such as
7. conversion of a wooden sign structure to a metal sign structure, or
8. otherwise prolongs the life of the sign structure;
9. b. Any modification, including the addition of embellishments, that changes
10. the sign area or the height above ground level; and
11. c. Any modification that adds internal or external illumination, or increases
12. the existing illumination.
13. 4. A legally nonconforming sign shall be removed or brought into compliance with
14. this sign code if any of the following conditions apply:
15. a. The sign becomes damaged, destroyed or deteriorated by any means to the
16. extent that it requires more than reasonable repair and maintenance, as
17. described in subsection 2 above, or if the cost of renovation or repair
18. exceeds 50 percent of the replacement cost of the sign;
19. b. The principal structure on the parcel or parcels is demolished or requires
20. renovations the costs of which exceed 50 percent of the assessed value of
21. the structure; or
22. c. The nonconforming sign is moved for any reason.
23. 5. Historic signs. A sign that has been added to the local historic register in
24. accordance with Section 30-112 shall not be considered a nonconforming sign
25. and shall be exempt from the limitations of this subsection.
26. (b) Abandoned signs.
27. 1. A nonconforming abandoned sign shall be removed or brought into compliance
28. within thirty (30) days after it is deemed abandoned.
29. 2. An abandoned sign that otherwise complies with the requirements of this sign
30. code may remain, provided the owner takes one of the following actions:
31. a. Paints over or otherwise conceals the message on the sign;
32. b. Removes the sign face and replaces it with a blank sign face;
33. c. Reverses the sign face and does not illuminate the sign; or
34. d. Uses the sign structure to display the message "this space available" or
35. words of similar significance, and the name and telephone number of the
36. owner or the owner's agent, while the premises are vacant. A sign which
37. contains such a message shall be deemed an allowable real estate sign for
38. which a permit shall not be required.

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2 **Sec. 30-325. Enforcement.**

3 (a) Duties of enforcing official. The City Manager or designee shall be the enforcing official.
4 The enforcing official is charged with the duty of administering and securing compliance
5 with the provisions of this sign code. In furtherance of this responsibility, the enforcing
6 official shall:

- 7 1. Make such inspections as may be necessary to bring about the purpose and intent
8 of this sign code and initiate appropriate action to bring about compliance if such
9 inspection discloses any instance of noncompliance;
- 10 2. Investigate thoroughly any complaints of alleged violations of this sign code, and
11 indicate clearly in writing as a public record in his/her office the disposition made
12 of such complaints;
- 13 3. Order in writing as set out below the remedy of all conditions or all violations of
14 the sign code found to exist in or on any premises;
- 15 4. State in the violation order a time limit for compliance; and
- 16 5. Request the assistance of the City Attorney in taking appropriate legal action upon
17 the failure of the responsible party to comply with such violation order by the
18 time specified therein.

19 (b) Right of entry. The enforcing official or his/her agent is authorized and directed to
20 lawfully enter in and upon all premises at reasonable times to determine their condition
21 insofar as the provisions of this sign code are applicable.

22 (c) Contents of notice of violation. Whenever the enforcing official determines that a
23 violation of this sign code exists, the official is authorized to issue a citation pursuant to
24 Section 2-337. Time for compliance shall be as follows:

- 25 1. For all prohibited signs as specified in Section 30-317, temporary signs as
26 specified in Section 30-322, and all other signs of a nonpermanent nature, the
27 time may not be less than one hour nor more than 24 hours from the time of such
28 written notice. However, any condition found to exist in violation of this sign
29 code that constitutes a hazard to the public safety shall be required to be abated
30 immediately.
- 31 2. All other signs. For all signs not specified in subsection (c)1. of this section, the
32 time may not be less than 10 days nor more than 90 days from the date of such
33 written notice. However, any condition found to exist in violation of this sign
34 code that constitutes a hazard to the public safety shall be required to be abated
35 immediately.

36 (d) Unauthorized signs in right-of-way. Any sign placed in the public right-of-way in
37 violation of this sign code shall be deemed to be abandoned and may be removed
38 immediately by an enforcing official or agent. Any sign so removed may be disposed of
39 by the city without notice or compensation. This removal shall not preclude prosecution
40 or imposition of penalties for violation of this sign code.

1 (e) The enforcing official or agent may cause any sign that is a hazard or poses immediate
2 peril to persons or property to be removed immediately at the expense of the owner,
3 lessee or other person having beneficial use of the sign, or the owner or lessee of the land
4 upon which the sign is located.
5

6 **Section 3.** It is the intention of the City Commission that the provisions of Sections 1
7 and 2 of this ordinance shall become and be made a part of the Code of Ordinances of the City of
8 Gainesville, Florida, and that the sections and paragraphs of this ordinance may be renumbered
9 or relettered in order to accomplish such intentions.

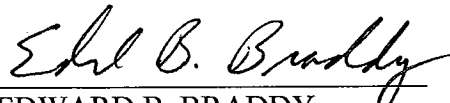
10 **Section 4.** If any word, phrase, clause, paragraph, section or provision of this ordinance
11 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
12 finding shall not affect the other provisions or applications of this ordinance that can be given
13 effect without the invalid or unconstitutional provision or application, and to this end the
14 provisions of this ordinance are declared severable.

15 **Section 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of
16 such conflict hereby repealed.

17 **Section 6.** This ordinance shall become effective immediately upon adoption.

18 **PASSED AND ADOPTED** this 7th day of August, 2014.


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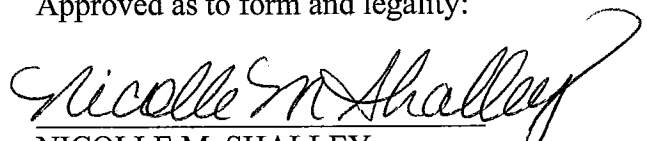

EDWARD B. BRADDY
MAYOR

23 Attest:

Approved as to form and legality:

24
25
26
27


KURT M. LANNON
CLERK OF THE COMMISSION


NICOLLE M. SHALLEY
CITY ATTORNEY

28 This ordinance passed on first reading this 17th day of July, 2014.
29 This ordinance passed on second reading this 7th day of August, 2014.