



MEMORANDUM

Office of the City Attorney

Legistar No. .002561

Phone: 334-5011/Fax 334-2229
Box 46

TO: Mayor and City Commission

DATE: December 9, 2002
SECOND READING

FROM: City Attorney

SUBJECT: Ordinance No. 0-02-30; Petition No. 30TCH-02 PB
An ordinance of the City of Gainesville, Florida, amending Article IX , Division 1, of the Land Development Code of the City of Gainesville, relating to sign regulations; eliminating redundancies and providing consistencies within the Land Development Code; amending sec. 30-23, adding a definition; amending sec. 30-315, providing clarification; amending sec. 30-316, providing that an application be filed with the city for banners; prohibiting banner signs; providing clarification; allowing signs for specific uses; providing for additional exemptions; amending sec. 30-317, allowing one on-site, non-illuminated wall or ground mounted sign at main entrance; amending sec. 30-318, providing for monument signs in and for single and multiple occupancy developments; amending sec. 30-319 relating to political signs by eliminating numerical restrictions on signs per lot; providing additional restrictions; amending sec. 30-322, providing that a permit is not required to erect a political sign; amending sec. 30-323, providing for clarification; amending sec. 30-324, adding limitations and removal of nonconforming signs; amending sec. 30-325, providing for clarification; amending sec. 30-326, providing for clarification; amending sec. 30-327, extending the time period for filing appeals; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Recommendation: The City Commission adopt the proposed ordinance.

COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

This petition is part of the overall update of the City's Land Development Regulations. Specifically, these amendments are proposed for the sign regulations in Division 1 of Article IX. A summary of the major changes includes:


1. Adding a definition for monument sign.
2. Adding public vertical pole banners and neighborhood entrance signs of 6 square feet or less to the signs exempt from the chapter.

3. Adding cross-references to signs that are under special regulation and that have specific sign provisions in other areas of the code.
4. Adding a size incentive of 20 percent to install a monument sign as opposed to another type of ground-mounted sign.
5. Lowering the maximum height of a ground-mounted sign from 18 feet to 10 feet.
6. Adding text to clarify how signage on service station canopies are treated.
7. Adding neighborhood signs to section on permanent development identification signs.
8. Revise Section 30-319 concerning political signs by eliminating the numerical restrictions on signs per lot.
9. Adding text on when a sign structure must be removed.

The other changes involve housekeeping items such as moving paragraphs from one section to another, re-lettering and renumbering some sections to match the City formatting hierarchy, and eliminating the duplication of numbers. Illustrations have been added to clarify some of the major concepts in the Division. The proposed changes are intended to make the sign regulations clearer and easier to understand while ensuring that signs remain compatible with the aesthetic vision of the community.

Public notice was published in the Gainesville Sun on April 30, 2002. The Plan Board held a public hearing May 16, 2002. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 30TCH-02 PB. Plan Board vote 5-0

Prepared and
Submitted by:



Marion J. Radson,
City Attorney

MJR:WM:sw

PASSED ON FIRST READING, AS REVISED, BY A VOTE OF 4-0.

D R A F T

11-26-02

ORDINANCE NO. _____
0-02-30

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5 **An ordinance of the City of Gainesville, Florida, amending**
6 **Article IX , Division 1, of the Land Development Code of the**
7 **City of Gainesville, relating to sign regulations; eliminating**
8 **redundancies and providing consistencies within the Land**
9 **Development Code; amending sec. 30-23, adding a definition;**
10 **amending sec. 30-315, providing clarification; amending sec.**
11 **30-316, providing that an application be filed with the city for**
12 **banners; prohibiting banner signs; providing clarification;**
13 **allowing signs for specific uses; providing for additional**
14 **exemptions; amending sec. 30-317, allowing one on-site, non-**
15 **illuminated wall or ground mounted sign at main entrance;**
16 **amending sec. 30-318, providing for monument signs in and for**
17 **single and multiple occupancy developments; amending sec.**
18 **30-319 relating to political signs by eliminating numerical**
19 **restrictions on signs per lot; providing additional restrictions;**
20 **amending sec. 30-322, providing that a permit is not required**
21 **to erect a political sign; amending sec. 30-323, providing for**
22 **clarification; amending sec. 30-324, adding limitations and**
23 **removal of nonconforming signs; amending sec. 30-325,**
24 **providing for clarification; amending sec. 30-326, providing for**
25 **clarification; amending sec. 30-327, extending the time period**
26 **for filing appeals; providing directions to the codifier;**
27 **providing a severability clause; providing a repealing clause;**
28 **and providing an immediate effective date.**
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31 **WHEREAS,** the City Plan Board authorized the publication of notice of a Public
32 Hearing that the text of the Land Development Code of the City of Gainesville, Florida,
33 be amended; and

34 **WHEREAS,** notice was given and publication made as required by law and a
35 Public Hearing was then held by the City Plan Board on May 16, 2002, and

1 **WHEREAS**, at least 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 a
3 Public Hearing in the Auditorium of City Hall in the City of Gainesville; and

4 **WHEREAS**, a Public Hearing was held pursuant to the published notice
5 described at which hearing the parties in interest and all others had an opportunity to be
6 and were, in fact, heard;

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

9

10 **Section 1.** Section. 30-23, Land development Code of the City of Gainesville, is
11 amended to add the following definition as follows:

12 Section30-23. Definitions.

13 Monument sign means a freestanding sign that is supported entirely by its own ground-
14 mounted solid structural base and not by support poles. The base shall be equal to or
15 greater than the length of the sign face including any structure within which the sign is
16 located.

17 **Section 2.** Section 30-315, Land Development Code of the City of Gainesville, is
18 amended to read as follows:

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

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21 (a) The objective of this article is to establish requirements for the placement,
22 installation and maintenance of signs, in order to preserve and protect the health, safety,
23 welfare and general well-being of the community's citizens. As the regulation of the
24 placement, construction and maintenance of buildings and structures through zoning is a
25 valid use of the police power, so too is the regulation of the placement, installation and
26 maintenance of signs since such signs in the literal sense must ordinarily be considered

1 structures, and in a practical sense are capable of producing many of the same nuisances
2 as are produced by buildings.

3
4 (b) The regulation of the placement, installation and maintenance of signs is further
5 justified by their innate scheme and primary purpose to draw mental attention to them,
6 potentially to the detriment of sound driving practices and the safety of the motoring
7 public to which a majority of signs is oriented. Therefore, it is the intent of this article to
8 regulate the size and location of signs so that their purpose can be served without unduly
9 interfering with motorists and causing unsafe conditions.

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11 (c) Finally, it is the objective of this article to protect and preserve the aesthetic
12 qualities of the community by regulating the placement, installation and maintenance of
13 signs. The fact that such signs are intended to ~~command visual contact~~ be seen grants to
14 signs a proportionately greater role than other structures in determining the overall
15 aesthetic quality of the community.

16
17 (d) The aesthetic impact of signs is an economic fact which may bear heavily upon
18 the enjoyment and value of property; therefore the regulation of signs is validly justified
19 on the basis of conserving the value of property and encouraging the most appropriate use
20 of land throughout the municipality. ~~It is contended that~~ Furthermore, it is not irrational
21 for a community's citizens to plan their physical surroundings in such a way that
22 unsightliness is minimized.

23
24 (e) With this purpose in mind, it is the intention of this article to authorize the use of
25 signs which are:

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

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

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32 (3) Expressive of the identity of the individual proprietors or of the
33 community as a whole.

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35 (4) Large enough to sufficiently convey a message about the owner or
36 occupants of a particular property, the products or services available on such
37 property, or the business activities conducted on such property, yet small enough
38 to preserve and protect the natural beauty of the city and limit distractions to
39 motorists.

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41 (5) To reduce the concentration of signs which result in clutter and
42 unnecessary distraction to motorists.

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

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

Section 3. Section 30-316, Land Development Code of the City of Gainesville, is amended to read as follows:

Sec. 30-316. *General restrictions.*

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

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

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

- a. Application shall be accompanied by complete and accurate description and content of banner(s).
- b. Messages shall directly relate to a not-for-profit event that is scheduled to occur within the city or unincorporated Alachua County and that will be open to the general public.
- c. Messages and logos (if any) shall not include or contain:
 - 1. Any obscene, defamatory or patently offensive sexual and excretory words or symbols;

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- 2. Any commercial advertising;
- 3. Promotion of any for-profit commercial event or enterprise;
- 4. Any phone numbers or addresses or references; or
- 5. Any traffic directions or traffic signage that may cause a traffic or pedestrian hazard.

d. Banners may be installed no more than 14 days prior to the event and shall be removed no later than 7 seven days following the event.

(3) *Signs on public property and rights-of-way, schools and places of religious assembly.* No sign other than a city sign or other sign of a public nature will be allowed to be erected, placed, replaced, installed or maintained in or on any city property or public right-of-way; nor shall any sign be permitted on the grounds of any place of religious assembly or school or on property owned by any public agency, except as specifically authorized herein.

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

(1) Traffic or pedestrian hazards: No sign shall be erected in such a manner as to obstruct the vision of pedestrians. No signs shall obstruct vision at any street intersection as provided in section 30-341. ~~Any sign over two feet in height and located within 25 feet of a driveway shall be set back at least ten feet from the right of way of any street to which such driveway provides access.~~ This section, however, shall not prohibit the erection of a sign which is located at least 8 eight feet above the highest crown of any adjacent street when such sign is mounted upon a sign support structure which does not exceed 8 eight inches in diameter. Any sign which by glare or method of illumination constitutes a hazard to traffic is prohibited. No sign may use the words "Stop," "Look," "Drive in," "Danger" or any similar word, phrase, symbol or character within 10 ten feet of a public right-of-way or 200 feet of a traffic control device.

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

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



Figure 1

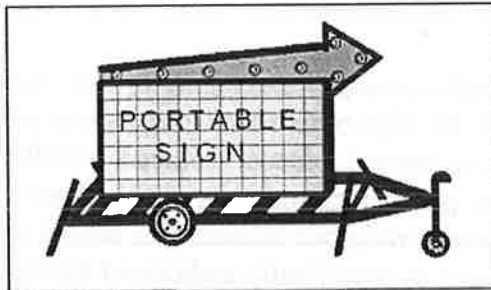


Figure 2

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

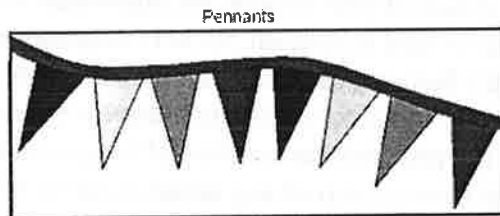


Figure 3

- (5) Red and green lights: Red or green lights, except traffic control signals, within 10 ~~ten~~ feet of public right-of-way or 200 feet of traffic control lights, except as provided in subsection 30-316(d)(2).

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

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

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

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(9) Changing message devices, except for time and temperature devices. (See section 30-23. Definitions)

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

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

(12) Tethered inflatable signs, either on- or off-premises.

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

(14) Banner sign(s) except as provided for in subsection 30-316(a)(2) and Section 30-317(f)(3)(a).

(c) Signs exempt from this chapter.

(1) Signs with a total size of 6 six square feet or less per building which bear only property numbers, street addresses, telephone numbers, post box numbers or names of occupants of the premises, with characters not exceeding 8 eight inches in height for nonresidential uses or of any height for residential uses, not to exceed a maximum height of 6 six feet when freestanding.

(2) Governmental flags or insignia except when displayed in connection with commercial promotion.

(3) Legal notices and other signs of 6 six square feet of sign area or less, either publicly or privately owned, directing and guiding traffic and parking, which may include the business identification which shall not exceed one-third of the sign area, but bearing no advertising matter. Example: Parking, entrance, exit, one-way, service, etc., not to exceed a maximum height of 6 six feet when freestanding.

(4) Christmas trees, other holiday displays and window displays of merchandise except as specifically prohibited herein.

(5) Signs reproduced on the body of coin-operated vending machines, gasoline pumps, telephone booths and ice vending equipment, and not including off-premises signs.

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(6) Nonilluminated signs of not over 4 ~~four~~ square feet of sign area for safety or caution or to prohibit trespassing; not to exceed a maximum height of 6 ~~six~~ feet when freestanding.

(7) Nonilluminated signs which warn or caution the general public of the location and direction of underground utility lines. Where feasible, these signs should be placed at the intersection of adjoining lots rather than near the midpoint of a lot line. The following criteria must be met:

- a. Signs and support have an overall height no greater than 3 ~~three~~ feet;
- b. Support shall be no more than 6 ~~six~~ inches in width or diameter;
- c. The width of the signs shall be no wider than its support;
- d. The signs shall contain no more than one-half square foot of sign area; and
- e. No more than one sign per block face or every 200 feet, whichever is less, will be allowed, and signs should not be clustered at street corners unless required because of a directional change to the underground line.

(8) Murals, statues, paintings, designs or other decorative features or structures designed to attract attention to any occupancy but containing no names of occupants, business or product identification, trademark, logo, address or other commercial message shall be regulated in accordance with subsection 30-316(d).

(9) Signs, other than off-premise signs, of up to 18 square feet of sign area on any property in actual use as a private school not associated with a place of religious assembly, day care center not associated with a place of religious assembly, or federal, state or local governmental office provided such uses are located in residential districts as enumerated in section 30-41. In all zoning districts the provisions of section 30-318 shall apply.

(10) Vehicle signs with less than 10 ~~ten~~ square feet of total sign area on any vehicle.

(11) Nonilluminated public service signs of not over 4 ~~four~~ square feet of sign area when located on a window or inside wall of any nonresidential use or when located within 5 ~~five~~ feet of a public right-of-way and within 10 ~~ten~~ feet of the city limits.

Vertical Pole Banner

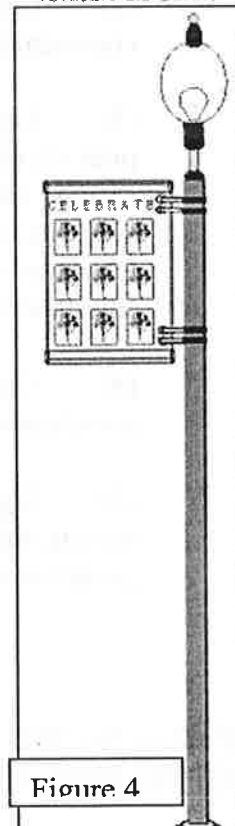


Figure 4

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(12) Words or letters reproduced or printed on an umbrella attached to a table at an outdoor eating or drinking place, provided that the table and umbrella are otherwise lawfully permitted.

(13) Decorative public vertical pole banners of 18 square feet or less, as approved by the Community Redevelopment Agency for placement and in accordance with Sec. 30-318(b)(5) within Community Redevelopment Agency Redevelopment Districts (see Figure 4).

(14) Neighborhood identification entrance signs of 6 square feet or less, not to exceed a maximum height of 6 feet and not containing any commercial message.

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

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

a. ~~Any mural, statue, painting, design or other decorative feature~~
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.

b. ~~Any mural, statue, painting, design or other decorative feature or structure including the entire structure~~ Such items that are designed to attract attention to any occupancy shall be reviewed by the city manager or designee and approved if the following are not included:

1. The name of the occupant.
2. Business or brand identification, trademark, logo, address, offer of service or other commercial message.

c. ~~Any mural, statue, painting, design or other decorative feature~~
Such items displaying any statement, word, character or illustration of an obscene nature is prohibited.

(2) Neon Sstrip lighting. Neon Sstrip lighting of less than 1" in diameter shall be permitted by the city manager or designee if it meets the following requirements:

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

- b. It does not face any property zoned or developed as single-family residential located within 200 feet.
- c. It does not create a traffic hazard.
- d. All necessary electrical permits are obtained.
- e. Strip lighting shall be separated by at least 2 ~~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.

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

- 1. Accessory sale of used rental vehicles in the I-1 zoning district. See Sec. 30-69(c)(2)b.4.
- 2. Outdoor gun club in the Agriculture zoning district. See Sec. 30-72(f)(6).
- 3. Conservation district. See Sec. 30-73(e)(4).
- 4. Corporate park district for lots of record under 3.5 acres. See Sec. 30-78(d)(1)(b)2.
- 5. Historic preservation/conservation district. New signs within one of the historic districts or for property that is listed on the local or National Register of Historic Places will be approved in accordance with the Historic Preservation Rehabilitation and Design Guidelines.
- 6. Temporary sales and leasing office(s). See Sec. 30-85(c)(1)(e).
- 7. Bed and breakfast establishments. See Sec. 30-101(8).
- 8. Food distribution centers for the needy as a principal use. See Sec. 30-111(4). For this use as accessory to a place of religious assembly, see Sec. 30-91(c)(5).
- 9. Farmers markets. See Sec. 30-115(b)(3).

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- 10. Permanent development identification signs and structures. See Sec. 30-188(g).
- 11. Traditional neighborhood development district (TND) requires a comprehensive sign program for the entire TND in Sec. 30-241(j)(1), and separate provisions for different land use categories, as provided in Sec. 30-242.
- 12. Special Area Plan for College Park. See Appendix A, Section 3, Exhibit B.
- 13. Special Area Plan for University Heights. See Appendix A, Section 6, Exhibit A.
- 14. Advisory guidelines for City Core sign(s). See Appendix E (see Figures III-31 and III-32).
- 15. Planned Development ordinance adopted for a particular location.

Section 4. Section 30-317, Land Development Code of the City of Gainesville, is

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amended to read as follows:

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Sec. 30-317. *Temporary signs.*

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Temporary signs are those indicating the sale or development of property, or those displayed in conjunction with new businesses or special events or sales, and are permitted prior to the use of the permanent signs otherwise allowed in this chapter. Such temporary signs are permitted in all districts, unless stated otherwise, according to the following regulations except that it shall be unlawful to erect, cause to be erected, maintain or cause to be maintained any temporary sign which fails to conform to the following regulations:

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(a~~1~~) *Temporary subdivision development signs.* These signs shall be permitted to identify any platted subdivisions where an active building and development program is underway.

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(1)a. Such signs shall be nonilluminated and wall- or ground-mounted.

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(2)b. It shall be permitted for a maximum period of not more than 2 ~~two~~ years.

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(3)e. It shall be removed when the permit becomes void or when 75 percent of the lots in the subdivision have been conveyed or had principal buildings erected on them.

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- (4)~~d~~. It shall not exceed 32 square feet in sign area.
- (5)~~e~~. The sign structure may have a border not to exceed 6 ~~six~~ inches in width.
- (6)~~f~~. It shall be set back not less than 15 feet from any side property line.
- (7)~~g~~. It shall be no greater than 10 ~~ten~~ feet in height.
- (8)~~h~~. Where the subdivision abuts more than one street, one such sign may be erected on each street frontage.

(2) *Temporary on-site development signs.* These signs shall be permitted on property on which there is an active building program underway, to identify the developer, architect, contractor, realtor, etc. Such on-site development signs shall be permitted on a temporary basis and shall not be erected more than 60 days prior to the beginning of actual construction of the project and shall be removed when construction is completed. If a sign is erected as permitted in this section and if construction is not initiated within 60 days after the sign is erected, or if such construction is not continuously and actively prosecuted to completion, the sign shall be removed.

(1)~~a~~. *Placement of signs.*

a.~~1~~. No on-site development sign shall be permitted to be erected closer than 15 feet to any side property lines. Where such signs are adjacent to residential uses, they shall not be directly illuminated. This distance requirement may be reduced to 5 ~~five~~ feet providing the following conditions are met:

1.~~i~~. The adjacent properties are undeveloped and/or the adjacent lot is at least 50 feet wide and undeveloped.

2.~~ii~~. There is an existing wall, fence or hedge between the proposed sign and any existing residential development.

3.~~iii~~. Where the existing vegetation may create an obstruction.

b.~~2~~. On-site development signs may not exceed 6 ~~six~~ feet in height, except as provided below.

(2)~~b~~. *Number and dimensions of signs.*

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a.1- In CON, AGR, RSF-1, RSF-2, RSF-3, RSF-4 and RC zoning districts, one nonilluminated wall- or ground-mounted sign not exceeding 12 square feet in sign area and 6 ~~six~~ feet in height, including supports, may be erected.

b.2- In RMF-5, RMF-6, RMF-7, RMF-8, RMU, MH, RH-1, RH-2, OR and CCD districts where residential construction is occurring, one nonilluminated wall- or ground-mounted sign not exceeding 32 square feet in sign area or 8 ~~eight~~ feet in height may be erected. In cases where development in excess of 50 dwelling units abuts more than one street, one wall- or ground-mounted sign may be erected on each street frontage, provided the total aggregate sign area of the two signs does not exceed 64 square feet and neither one exceeds 32 square feet in sign area.

c.3- In all zoning districts where nonresidential development is under way, one nonilluminated wall- or ground-mounted sign not exceeding 64 square feet in sign area or 10 ~~12~~ feet in height including supports may be erected. In cases where development in excess of 5 ~~five~~ acres abuts more than one street, one wall- or ground-mounted sign may be erected on each street frontage, provided the total aggregate sign area of the 2 ~~two~~ signs does not exceed 96 square feet and neither exceeds 64 square feet in sign area.

d.4- The size of any sign structure upon which an on-site development sign is located shall not exceed the permitted sign area and a 6 ~~six~~-inch border.

(c3) *Temporary real estate signs.* These signs shall be permitted on properties where an owner is actively attempting to sell, rent or lease such property, either personally or through an agent. No sign permitted by this subsection shall be located closer than 15 feet to any side property line except as provided for in subsection (b2) of this section. Such signs shall be removed when ownership has changed or the property is no longer for sale, rent or lease. A sign advertising that a property has been sold shall not be displayed for more than 30 days after it is first put up.

(1)a- In RSF-1, RSF-2, RSF-3, RSF-4 and MH zoning districts, there shall be permitted one on-site, nonilluminated fence, window, wall- or ground-mounted sign not exceeding 6 ~~six~~ square feet in sign area and 6 ~~six~~ feet in overall height.

(2)b- In all other districts, one on-site nonilluminated fence, window, wall- or ground-mounted sign not exceeding 32 square feet in sign area,

1 plus a border of not more than 6 six inches in width, and not exceeding 8
2 eight feet in overall height, shall be permitted.

3
4 (3)e- The size of any sign structure upon which a temporary real estate
5 sign is located shall not exceed the permitted sign area and border.

6
7 (4) In any residential district as defined in subsection 30-318(a) where
8 development is currently under construction or construction has been
9 completed within one year, one on-site, non-illuminated wall- or
10 ground-mounted sign may be placed at the main entrance to a
11 subdivision or multifamily development in association with a special
12 showing of the units such as the "Parade of Homes." The sign shall
13 not exceed 32 feet in sign area and 10 feet in overall height. This type
14 of sign shall be limited to twice within any 12-month period allowed
15 by this subsection.

16
17 (d4) *New businesses.* A new business, or a business in a new location
18 with no permanent signs, may obtain a permit for a temporary sign of up to 16 square feet
19 in sign area for a period of not more than 60 days or until installation of permanent signs,
20 whichever shall occur first. Such a temporary sign structure shall not exceed in size the
21 maximum sign area plus a border of 6 six inches in width and shall not exceed 6 six feet
22 in overall height if freestanding. The sign may be attached to the building at a height not
23 to exceed the roofline.

24
25 (e5) *Signs destroyed.* Any business which has its permanent signs destroyed
26 may obtain a permit for a temporary sign of up to 16 square feet in sign area for a
27 period of not more than 60 days, or until installation of permanent signs,
28 whichever occurs earlier.

29
30 (f6) *Special events or sales.* One sign announcing a temporary special event or
31 sale (as listed below) shall be allowed on the premises of the event or sale. Signs
32 shall be located wholly on private property and shall be at least 5 five feet from
33 any right-of-way, and 15 feet from side property lines, except as provided in
34 subsection (2) of this section. Signs must meet the provisions of section 30-341
35 regarding the vision triangle. Signs shall not be displayed more than 3 three days
36 before the beginning of the special event or sale unless specifically allowed by this
37 section and must be removed no later than the end of the special event or sale.
38 Notwithstanding the foregoing, In spite of the previous provisions, no sign may be
39 displayed for more than 30 consecutive calendar days. Temporary signs for special
40 events and sales must comply with the following standards, as applicable:

41
42 (1)a. *Yard or garage sales.* In all residential districts as defined in
43 subsection 30-318(a)(1), including residential portions of planned
44 developments, for the purpose of yard or garage sales, one on-site,

1 nonilluminated ground-mounted sign not to exceed 6 ~~six~~ square feet in
2 sign area and not exceeding 4 ~~four~~ feet in height shall be allowed.

3
4 (2)b. *Nonprofit institutions.* In all ~~other~~ zoning districts where the
5 purpose is to promote a special event or sale by nonprofit institutions such
6 as places of religious assembly, schools and fraternal societies, where such
7 event or sale is clearly incidental to the primary functions of such
8 institutions and where such a sale is conducted with or as a special event
9 and for a specified time period, one on-site, nonilluminated wall- or
10 ground-mounted sign not to exceed 16 square feet in sign area plus a
11 border of not more than 6 ~~six~~ inches in width and 10 ~~ten~~ feet in overall
12 height shall be allowed.

13
14 (3)e. *University student organizations.* A student organization officially
15 registered with the University of Florida that is located on property within
16 the university context area that allows nonresidential and multifamily use
17 by right may display one on-site, nonilluminated wall- or ground-mounted
18 sign not to exceed 32 square feet in sign area, plus a border of not more
19 than (6) ~~six~~ inches in width, and (10) ~~ten~~ feet in overall height. The sign
20 shall only be allowed when the purpose of the event is to increase
21 membership in the organization or to provide a nonprofit community
22 service. The sign may be displayed for a maximum of 10 ~~ten~~ days for any
23 one event. Each organization is limited to 4 ~~four~~ permits for this type of
24 sign within a 12-month period. The organization must show proof that it is
25 an officially-registered University of Florida organization in order to
26 receive the permit for the sign. If the organization does not own the
27 property on which it is located, it must show proof that the property owner
28 has agreed to allow the sign in order to receive the permit for the sign.

29
30 a.1. *Banners.* This subsection applies only to University
31 student organizations. Unless otherwise specified by ordinance,
32 banners for special events or sales to be hung outdoors as
33 freestanding or wall mounted signs must meet the following
34 specifications:

35
36 1.(i) Banners must be constructed of heavy cloth, heavy
37 vinyl or heavy plastic, properly sewn and vented.

38
39 2.(ii) Rope or cloth-type fasteners must be of sufficient
40 strength to hold banners. No staples, wire, nails or screws
41 may be used to connect banners to trees.

42
43 3.(iii) Posts may be used to support the freestanding signs.
44

4.(iv) All rope guys must be marked to be visible day and night. No wire guys may be used.

5.(v) No banner may be placed under or in the immediate area of utility lines or facilities.

6.(vi) Commercial advertising or sponsorship will not be allowed.

7.(vii) Wall-mounted signs must be secured to the building in a way that prevents the sign from becoming a hazard to the public during inclement weather or heavy winds.

d. — ~~Residential subdivisions and multifamily developments. In any residential district as defined in subsection 30-318(1) where development is currently under construction or construction has not been completed for more than one year, one on-site, nonilluminated wall or ground-mounted sign may be placed at the main entrance to a subdivision or multifamily development in association with a special showing of the units such as the "parade of homes." The sign shall not exceed 32 square feet in sign area and ten feet in overall height. This type of sign shall be limited to twice within any 12-month period.~~

Section 5. Section 30-318, Land Development Code of the City of Gainesville, is

amended to read as follows:

Sec. 30-318. Permanent signs.

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

(a) Areas in which permitted:

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

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

(b2) *Ground-mounted signs for single- and multiple-occupancy developments.*

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

Street Frontage (feet)	Number of Signs	Figure 5	Distance from Other Signs (feet)
Less than 50			--
50 to less than 100			--
100 to less than 200			--
200 to less than 300			50
Greater than 300			100
Greater than 600 with no outparcels			250

*Maximum height of a ground-mounted and a monument sign is 10 feet; 8 feet for a secondary frontage sign.

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

~~a.1.~~ In addition to signs allowed under subsection 30-318(b)(1)(2)a., each multiple-occupancy development and each single-occupancy development with frontage on more than one right-of-way may have one secondary ground-mounted sign. However, no secondary frontage may have any ground-mounted sign located within 200 feet of any property designated for single-family land use on the 1991-2001 Future Land Use Map of the City of Gainesville Comprehensive Plan or zoned for single-family development, measured in a straight line from the sign to the

1 nearest property line. This provision shall not apply to single-
2 family land uses designated on arterial roadways as shown in the
3 1991-2001 Transportation Mobility Element of the City of
4 Gainesville Comprehensive Plan, Data and Analysis Report.

5
6 b.2. A sign located on a secondary frontage shall display only
7 the name of the development.

8
9 c3. Size of secondary sign:

10
11 1.i. The size of the secondary sign shall be no more than
12 24 square feet (29 square feet for a monument sign) (for a
13 multiple-occupancy development) or a single-occupancy
14 development.

15
16 2.ii. Signs on a secondary frontage shall be located a
17 minimum of 10 ~~ten~~ feet from the side property line.

18
19 3.iii. The owner of the property shall designate which is
20 the primary and secondary frontage.

21
22 d. The maximum height of a sign on a secondary frontage may
23 not exceed 8 feet.

24
25 (3)e. Outparcel and sSpecial signs.

26
27 a.1. *Generally.* In addition to signage authorized under this
28 article a freestanding sign may be permitted on developed
29 outparcels with an area of 22,500 or more square feet with a
30 minimum street frontage of 150 feet.

31
32 b.2. *Maximum number of signs.* An outparcel, whether a corner
33 or interior parcel, may have no more than one freestanding sign.
34 Directional, informational and other signs may be allowed in
35 accordance with this article.

36
37 c.3 *Maximum size of freestanding signs.* The maximum size of
38 a freestanding sign for a development on an outparcel shall not
39 exceed 48 square feet. The size of a freestanding sign for an
40 outparcel shall be based on the length of street frontage of the
41 outparcel. The allowable size of the signs shall be determined as
42 follows:
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1.i. An outparcel with a street frontage of 200 feet or less may have a freestanding sign with a maximum size of up to 24 square feet (29 square feet for a monument sign).

2.ii. An outparcel with a street frontage of more than 200 feet but less than 300 feet may have a freestanding sign with a maximum size of up to 32 square feet (38 square feet for a monument sign).

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

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

d.4. *Maximum height of freestanding signs.* The maximum height of a freestanding outparcel sign may not exceed 8 ~~eight~~ feet. The height shall be measured from average natural grade on the outparcel to the elevation of the highest point of the sign. Average natural grade shall be the average elevation determined from the elevation of no less than ~~ten~~ (10) elevation points distributed evenly on the outparcel.

e.5. *Placement and design of signs.* Freestanding signs for the entire unified development, including those of the outparcel, shall be located so that no signs shall be within ~~fifty~~ (50) feet of each other.

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

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

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

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

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

f.6. Nonconforming signs on outparcels. If an outparcel contains a nonconforming sign, no new freestanding sign shall be permitted on the outparcel unless the nonconforming sign is brought into compliance. An outparcel with a nonconforming use may not have a new freestanding sign.

(4)d. *I-75 corridor signs.*

a.1. In addition to other ground-mounted and wall-mounted signs otherwise allowed by this section, an additional ground-mounted or free-standing sign on a development site (including out-parcels) with a maximum height of ~~eighteen (18)~~ feet shall be allowed, provided that the sign face area of such sign in combination with other permitted signs on the site does not exceed a maximum sign area of ~~three hundred (300)~~ square feet. Such sign shall be oriented and located to achieve a view-shed from I-75. The location of this sign shall not be limited to properties actually abutting I-75 however no I-75 corridor sign shall be located on any frontage where the adjacent or facing properties are designated single-family on the future land use map.

1. ~~—A ground-mounted sign which is located within ten (10) feet of a building shall be no higher than the roofline or eighteen (18) feet, whichever is the lower.~~

2. ~~—A ground-mounted sign which is located at a distance of ten (10) feet or more of the principal building shall be no higher than eighteen (18) feet.~~

b.2. An applicant for this additional ground-mounted sign may apply for a special use permit for an I-75 corridor sign which allows a maximum height above ~~eighteen (18)~~ feet. The plan board

1 shall review sign height and the overall site design in order to make
 2 the appropriate findings in accordance with article VII and the
 3 following special considerations. Under no circumstances may a
 4 special use permit be granted for any sign exceeding ~~ninety~~ (90)
 5 feet in height. The burden shall be on the applicant to prove by
 6 clear and convincing evidence that all conditions of article VII,
 7 division 4, are met and that no on-site sign of a height of ~~eighteen~~
 8 (18) feet or less can be seen by motorists on I-75 at a distance of
 9 1/4 mile from the nearest exit ramp and that the sign requested is of
 10 the minimum height and orientation necessary to achieve such
 11 visibility due to special conditions and circumstances relative to
 12 topography, vegetation or the built environment. Applicants for the
 13 special use permit must include certification by a registered
 14 engineer or other reliable documentary evidence of the factual and
 15 methodological basis that no on-site ground-mounted or roof-
 16 mounted sign of a height of ~~eighteen~~ (18) feet or less could be seen
 17 as specified above and that the requested sign is of the minimum
 18 height and orientation required to establish the clear view-shed
 19 above visual obstacles such as topographical conditions, vegetation
 20 or built environment. If the applicant cannot prove that such
 21 visibility will be achieved within the ~~ninety~~ (90) feet height, then
 22 no special use permit shall be issued. In addition, no special use
 23 permit for an I-75 corridor sign shall be granted unless the
 24 applicant can prove that the special conditions and circumstances
 25 do not result from actions of the applicant.

26
 27 c.3- Any sign authorized pursuant to a special use permit granted
 28 hereunder by the terms of this section shall comply with all other standards
 29 of this section except as specifically addressed above. In granting any
 30 special use permit the plan board may prescribe appropriate conditions and
 31 safeguards to ensure the structural integrity and safety of the sign and to
 32 landscape and buffer the sign structure.

33
 34 (5)e. *General restrictions.* All signs permitted pursuant to this subsection (~~b2~~),
 35 and any sign structures upon which they are located, shall comply with the
 36 following general restrictions:

37
 38 a. The maximum height for a ground-mounted sign shall be 10 feet,
 39 except as provided in Section 30-318(b)(2)d and Section 30-318(b)(4).

40
 41 b.3 The height of a ground-mounted sign shall be measured vertically
 42 from the established average grade directly below the sign to the elevation
 43 of the highest point of the sign.
 44

c.4. A ground-mounted sign under which a pedestrian walkway passes must have at least a nine-foot vertical clearance.

d.5 A ground-mounted sign shall not project over a right-of-way.

e. Any sign over 2 feet in height and located within 25 feet of a driveway shall be set back at least 10 feet from the right-of-way of any street to which such driveway provides access.

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

g.7- No sign permitted by this subsection 30-318(b2) shall contain any advertising message concerning any business, goods, products, services or facilities which are not manufactured, produced, sold, provided or located on the premises upon which the sign is erected or maintained.

h.8- Signs shall be located to avoid the unnecessary removal of mature trees.

(c3) *Wall-mounted, roof, projecting and marquee signs.*

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

a.1- Single-occupancy development.

1.i- Each single-occupancy development may display up to ~~two (2)~~ wall-mounted, roof, projecting and marquee signs on any one ~~(4)~~ side of the principal building in which such occupancy is located.

2.ii- The total area of both signs shall be ~~equivalent to~~ no greater than twenty (20) percent of the surface area of the portion of such building side of the occupancy or ~~two hundred (200)~~ square feet, whichever is the smaller.

3.iii- Where the development abuts a second street, one ~~(1)~~ additional sign (a secondary sign) may be allowed on the side of the building facing that street. However, 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 or zoned for single-family use. This provision shall not apply to single-family land uses designated on arterial

roadways (shown in the ~~1991-2001~~ Transportation Mobility Element of the City of Gainesville Comprehensive Plan, Data and Analysis Report).

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

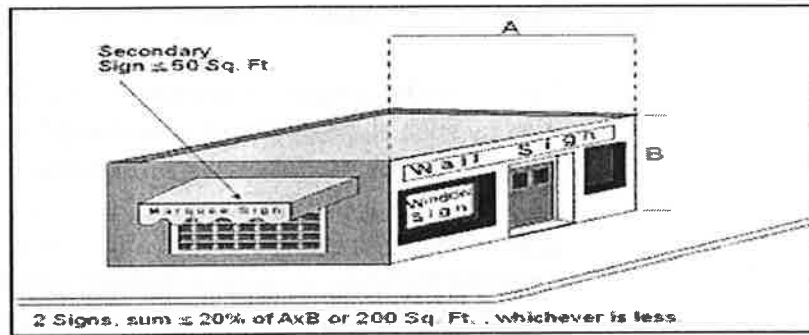


Figure 6

b.2. *Multiple-occupancy development.*

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

2.ii. The signs shall ~~be have~~ a total size which is no greater than ~~twenty (20)~~ percent of the surface area of such building side or ~~two hundred (200)~~ square feet, whichever is the smaller.

3.iii. Where a multiple-occupancy development consists of only one ~~(1)~~ principal building, one ~~(1)~~ additional sign (a secondary sign) may be allowed if a second public street abuts the multiple-occupancy development.

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

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

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

1 7.vii. No secondary sign shall be allowed to be located on any
 2 face of a building or any roof which would be directly opposing
 3 any property having a single-family land use designation on the
 4 ~~1991-2001~~ Future Land Use Map or zoned for single-family use.
 5 This provision shall not apply to single-family land uses designated
 6 on arterial roadways (shown in the ~~1991-2001~~ City of Gainesville
 7 Comprehensive Plan, Data and Analysis Report).
 8

9 c.3. *Signs for occupants of a multiple-occupancy development.*

10
 11 1.i. Each occupant of a multiple-occupancy complex may
 12 display such signs on the principal building in which such occupant
 13 is located, with the following limitations.
 14

15 2.ii. The sign may be placed only on the exterior surface of the
 16 principal building, or portion thereof, which is included as part of
 17 the occupant's individually leased or owned premises in accordance
 18 with the following:
 19

20 i.(a) On the side which is the primary entrance/exit to the
 21 occupancy, the occupant may display in the leased or
 22 owned area as many as ~~two (2)~~ signs.
 23

24 ii.(b) Only one ~~(1)~~ building side will be considered as
 25 being any occupant's primary entrance/exit.
 26

27 iii.(c) The ~~two (2)~~ signs may have a combined maximum
 28 size of ~~ten (10)~~ percent of the surface area of the exterior
 29 wall included in such occupant's individually leased or
 30 owned premises or 100 square feet, whichever is the less.
 31

32 ~~(d) The maximum allowable sign area for each such~~
 33 ~~occupant is the area described in subsection (3)a.3.ii(c) of~~
 34 ~~this section or one hundred (100) square feet, whichever is~~
 35 ~~the less.~~
 36

37 iv.(e) If the occupant has an entrance/exit on a corner or
 38 on more than one ~~(1)~~ side, the occupant may choose which
 39 building side shall count as having the primary
 40 entrance/exit.
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42 v.(f) One ~~(1)~~ additional sign may be placed on the non-
 43 entrance/exit side of the occupant's leased or owned area.
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~~vi.(g)~~ The maximum size of a sign on a non-entrance/exit side of an occupancy shall be ~~twenty-four (24)~~ square feet. Such sign shall be allowed if the property adjacent or opposite to the non-entrance/exit side is zoned nonresidential.

3.iii. Each occupant, the individually owned or leased premises of which do not include part of an exterior wall of a principal building, may nevertheless display one (1) such sign of up to ~~six (6)~~ square feet of sign area on one (~~1~~) side of the principal building in which such occupant is located.

4.iv. A common or jointly owned area shall not be included as part of the exterior surface of any one (1) occupancy. The allowable sign area of two (2) or more occupants may be placed on a common or jointly owned area providing:

i.(a) The common area is an integral part of all occupants which will be included in the sign.

ii.(b) Only one (~~1~~) sign, common to all occupants of the common area, may be displayed.

iii.(e) The common area may not be used to display a sign for any one (~~1~~) single occupant, regardless of whether the other occupants agree to placement of the sign.

iv.(d) The sign may display the names, products or service of all participating occupants.

(2)b. *General restrictions.* All signs permitted pursuant to subsection (~~c3~~) of this section shall comply with the following general restrictions:

a.1. The maximum height for wall-mounted signs is the roofline or eaves, whichever is lower.

b.2. Roof signs shall not project above the roofline. (See section 30-23, Definitions) (See Figure 7)

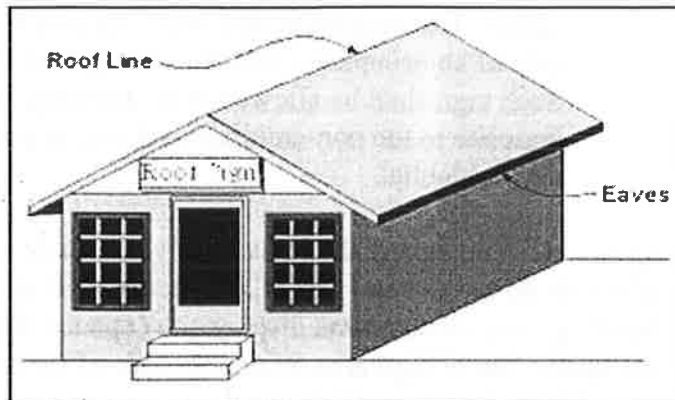


Figure 7

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c.3. Marquee and projecting signs shall not project above the roofline or ~~eighteen~~(18) feet, whichever is the lower. (See section 30-23, Definitions)

d.4. The height of a marquee or projecting sign shall be measured vertically from the established average grade directly below the sign to the highest point of the sign.

e. 5. Where a wall supporting a wall sign is less than ~~twelve~~(12) inches back from a right-of-way line, the wall sign may project over the right-of-way, provided it does not project more than ~~twelve~~(12) inches from the wall.

f.6. Marquee or projecting signs under which a pedestrian walkway passes must have at least a 9 ~~nine~~-foot vertical clearance.

g.7. ~~Projection over a right-of-way is prohibited for all projecting signs.~~ Projecting signs may project no more than ~~four~~(4) feet horizontally from the wall. (See Figure 8)

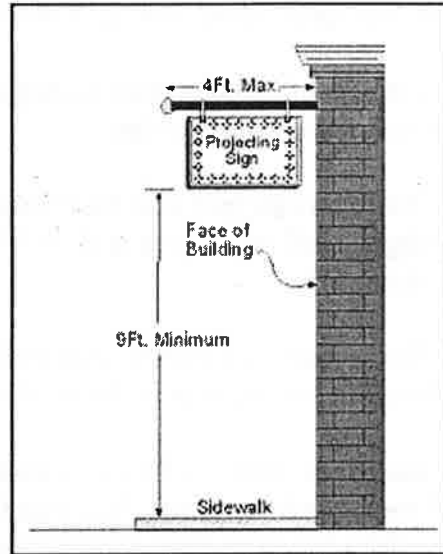


Figure 8

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5 h.8. Marquee signs are permitted only on marquees, canopies or
6 awnings otherwise lawfully permitted or in existence. Marquee signs shall
7 not extend horizontally beyond the edges of the canopy, marquee or
8 awning to which they are attached or from which they are suspended.

9
10 i. Signs on service station canopies are not permitted unless the
11 canopy is connected to the principal building, in which case the face of the
12 canopy is considered a part of the face of the principal building. Signage
13 will be regulated in accordance with subsection (c)(1).

14
15 j.9. All roof and projecting signs may have a border of up to 6 six
16 inches in width surrounding the permitted sign area.

17
18 k.10. No sign permitted by this subsection (3) shall contain any
19 advertising message concerning any business, goods, products, services or
20 facilities which are not manufactured, produced, sold, provided or located
21 on the premises upon which the sign is erected or maintained.

22
23 (d)(4) Permanent development identification signs and structures for subdivisions and
24 neighborhoods.

25
26 (1)a. Generally. Any platted subdivision or neighborhood may display one sign
27 identifying the name of the subdivision or neighborhood. ~~Where such subdivision~~
28 ~~has frontage on more than one street, one additional sign may be permitted along~~
29 ~~each such street frontage. Such subdivision or neighborhood may be permitted~~
30 one additional sign at a secondary entrance.

a.1. *Freestanding signs for residential subdivisions or neighborhoods.*

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

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

3.iii. The secondary entrance sign shall be no more than 16 square feet. Such signs may be double-faced.

4.iv. ~~Such signs may not be located closer than ten feet from any right-of-way.~~ Such signs may be located in the public right-of-way provided there is compliance with the restrictions delineated in subsection 30-188(g), as applicable.

5.v. The maximum height of the sign shall not exceed 8 eight feet measured from average grade; and

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



Figure 9

b.2. *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 6 ~~six~~ square feet per lot, not to exceed a maximum size

1 of 96 square feet or 115 square feet for a monument sign. However, any
2 subdivision or minor subdivision may have a minimum of 18 square feet.
3 The maximum height of the sign shall not exceed 8 ~~eight~~ feet measured
4 from average grade.

5
6 1.i. Such signs may be illuminated with a steady light, but not
7 animated.

8
9 2.ii. Such signs may be located in the public right-of-way
10 provided there is compliance with the restrictions delineated in
11 subsection 30-188(g).

12
13 3.iii. Such signs may have tenant panels, listing the tenants of the
14 subdivision, provided that only those businesses located within the
15 subdivision are identified, and all tenant panels are the same size.

16
17 (2)b. *Multiple-family residential developments, community residential homes*
18 *with more than fourteen residents, mobile home parks and other allowable uses in*
19 *multi-family districts for which signage is not otherwise regulated.* Signs of a
20 permanent nature, designed only to identify the development and indicate
21 availability of dwelling units or mobile home sites and including structural
22 features may be erected in accordance with the following regulations:

23
24 a.1. Permanent identification signs and structures shall be permitted
25 only for a total development as originally or subsequently approved as
26 shown on the latest approved development plan for developments that
27 require development plan approval. Such signs and structures shall be
28 erected entirely on private property in accordance with the requirements of
29 subsections (d)(2)b. and c. ~~(4)2.b. and e.~~ of this section.

30
31 b.2. Such signs and structures shall be permitted on one entrance into
32 such development from an abutting street. Any sign structures for such
33 permitted signs shall not exceed 16 square feet in size, excluding structural
34 elements and decorative features. Multi-family developments consisting of
35 6 ~~six~~ or more units shall be allowed a sign up to 24 square feet in size,
36 excluding structural elements and decorative features. Such signs may be
37 wall- or ground-mounted and may be a single sign unit with two faces or a
38 single-faced sign mounted on each side of such entranceway. Where more
39 than one entranceway is approved, one additional sign, designed for
40 identification only, on a structure not exceeding 4 ~~four~~ square feet in size,
41 shall be permitted at each entranceway.

42
43 c.3. Such signs may be illuminated with a steady light but shall not be
44 animated.

d.4. The maximum height of the freestanding sign shall not exceed eight feet.

(e5) Permanent identification signs and structures for places of religious assembly and associated private schools and day care centers.

(1)a. In all non-residential zoning districts as listed in section 30-41, the sign provisions of section 30-318(a1), (b2), (c3) and (f6) shall apply to places of religious assembly and associated private schools and day care centers.

(2)b. In all residential zoning districts as listed in section 30-41, places of religious assembly shall be allowed one ground-mounted sign and one wall-mounted sign. If the place of religious assembly has an associated private school or day care center housed in a separate building or buildings from the place of religious assembly, one additional wall-mounted sign is allowed on the private school or day care center building. The sign areas shall not be combined to form a single sign area larger than that permissible for each sign type as follows:

a.1. The maximum sign area for the ground-mounted sign shall be 24 square feet, except the maximum sign area for the ground-mounted sign for a place of religious assembly having frontage on a ~~four~~-lane road shall be 32 square feet provided the sign fronts the ~~four~~-lane road. The maximum height of the ground-mounted sign shall be ~~eight~~ feet. The sign may be externally or internally illuminated. The light sources shall be shielded from all adjacent residential buildings and shall not shine on or increase the light in adjacent residential districts or properties.

b.2. The maximum sign area for the wall-mounted sign on the place of religious assembly shall be 24 square feet. The sign shall not be internally illuminated. The light sources for external illumination of the wall-mounted sign shall not shine on or increase the light in adjacent residential districts or properties.

c.3. The maximum sign area for the wall-mounted sign on a private school or day care building associated with a place of religious assembly shall be 18 square feet. The sign shall not be internally illuminated. The light sources for external illumination of the wall-mounted sign shall not shine on or increase the light in adjacent residential districts or properties.

(f6) Pedestrian-oriented signs. Pedestrian-oriented signs shall be allowed for businesses to attract pedestrian traffic. A pedestrian-oriented sign may be used to advertise changing specials such as food items, menus or other promotions; and shall only be used to advertise products or services available or for sale at the site where the sign is located. The allowable sign area for pedestrian-oriented signs

1 shall not be counted against the total allowable sign area for a development or
2 business. A permit must be obtained for pedestrian-oriented signs.

3
4 (1)a. *Permitted number of signs.*

5
6 a.1. Each single-occupancy development and each occupant of a
7 multiple-occupancy development may display one under-canopy sign.

8
9 b.2. Each single-occupancy development and each occupant of a
10 multiple-occupancy development may display either one message-board
11 sign or one pedestal-type sign.

12
13 (2)b. *Under-canopy signs.*

14
15 a.1. The maximum area of an under-canopy sign is 4~~four~~ square feet.

16
17 b.2. A minimum 9~~nine~~ foot vertical clearance must be maintained when
18 an under-canopy sign is above a pedestrian-walkway.

19
20 c.3. Under-canopy signs shall not be internally illuminated.

21
22 d.4. An under-canopy sign shall contain only the business name and
23 logo.

24
25 (3)e. *Pedestal-type signs.* Figures 10~~a~~ and 10~~b~~ illustrate samples of pedestal-
26 type signs.

27
28 a.1. The maximum height of a pedestal-type sign is 5~~five~~ feet.

29
30 b.2. Pedestal-type signs shall be permanently mounted in the ground,
31 and shall not be placed in the public right-of-way or any pedestrian
32 walkway.

33
34 c.3. Pedestal-type signs shall have a maximum sign length and width of
35 18 inches, for a maximum sign area of 2.25 square feet.

36
37 d.4. Pedestal-type signs may be internally illuminated.

38
39 (4)d. *Message-board signs, including chalk boards and bulletin boards.* Figure
40 11~~2~~ illustrates a sample message-board sign.

41
42 a.1. The maximum area of a message-board sign is 6~~six~~ square feet.

43
44 b.2. Message-board signs must be mounted on a wall, door, or window
45 of a business.

c.3- Message-board signs may be mounted in a protective frame with a covering of up to ~~6six~~ inches deep; and may project into the public right-of-way by ~~6six~~ inches.

d.4- Message-board signs may be internally illuminated.

(g7) *Determination of sign area, size of sign structure and distance between signs.*

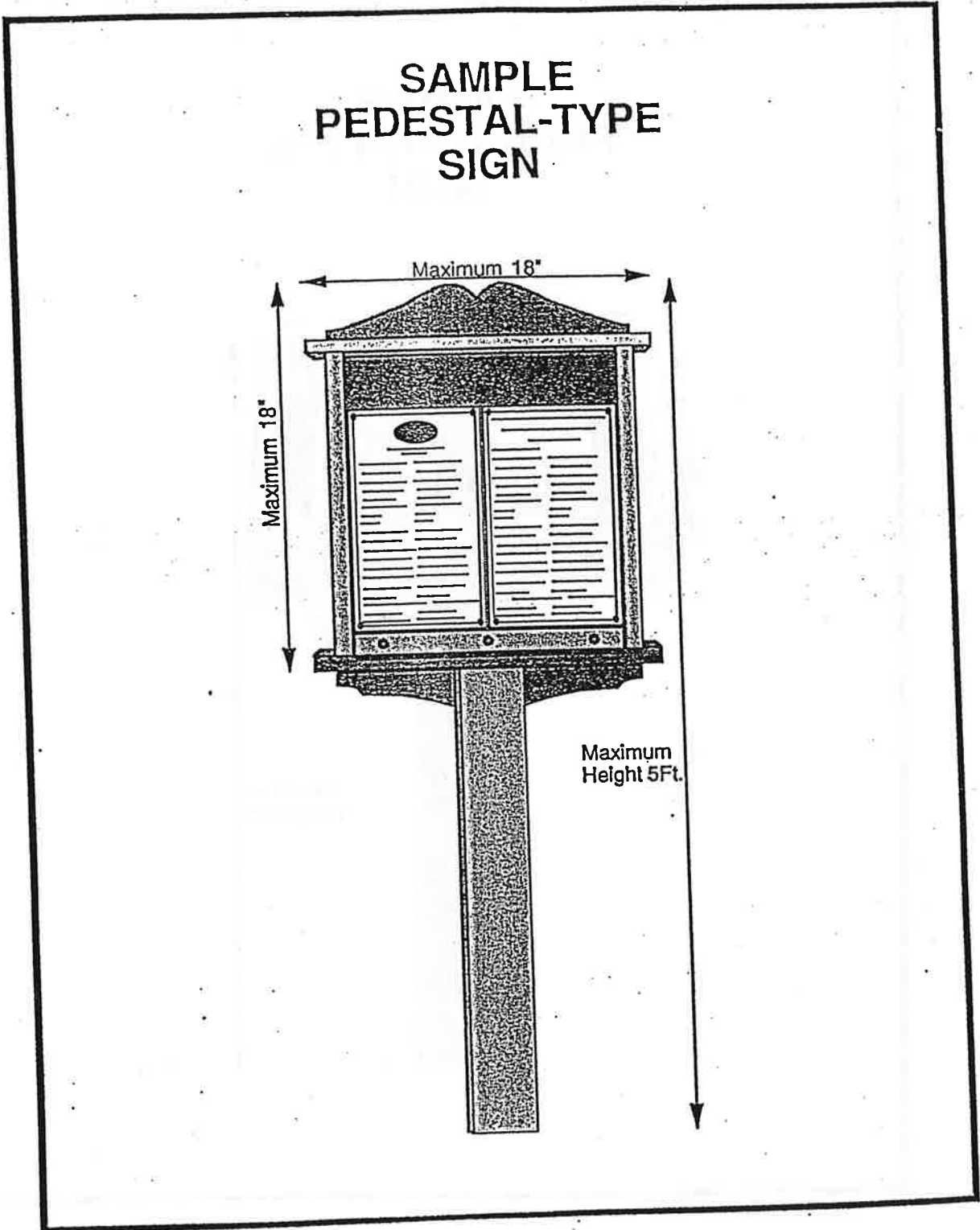
(1)a- *Distance between signs.* The minimum required distance between signs shall be measured from the closest parts of any ~~2two~~ sign areas.

(2)b- *Sign area.* The sign area of any sign shall be determined by considering all adjoining or contiguous surfaces upon which any part of such sign appears as being one continuous surface. Signs contained on noncontiguous surfaces shall be considered as separate signs. Signs contained on different parts of a contiguous surface, except for the surface of a sign structure, may be considered as separate signs, and the intervening surface area not counted as part of the sign area, if more than one sign is permitted and if the distance between the signs is sufficient. The sign area of an irregularly shaped surface shall be determined by using an imaginary surface with the shape of a common geometric figure approximating the actual surface as closely as possible. (See Figure 12) For all signs except wall-mounted signs, roof signs which are applied to the roof surface, ground-mounted signs applied to the surface of a fence or accessory building and marquee signs which are applied to the surface of the marquee, canopy or awning, the sign area shall be determined by the largest surface area viewable at one time from any one direction parallel to the ground; and any sign which appears on the remaining surface area shall not count against the sign areas permitted hereunder. The base of a monument sign shall count towards the sign area unless the base area is landscaped sufficiently to screen it from view. This applies to up to 3 feet of the height of the base. A landscape plan is required with the permit application in order to use this provision. (See Figure 13)

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

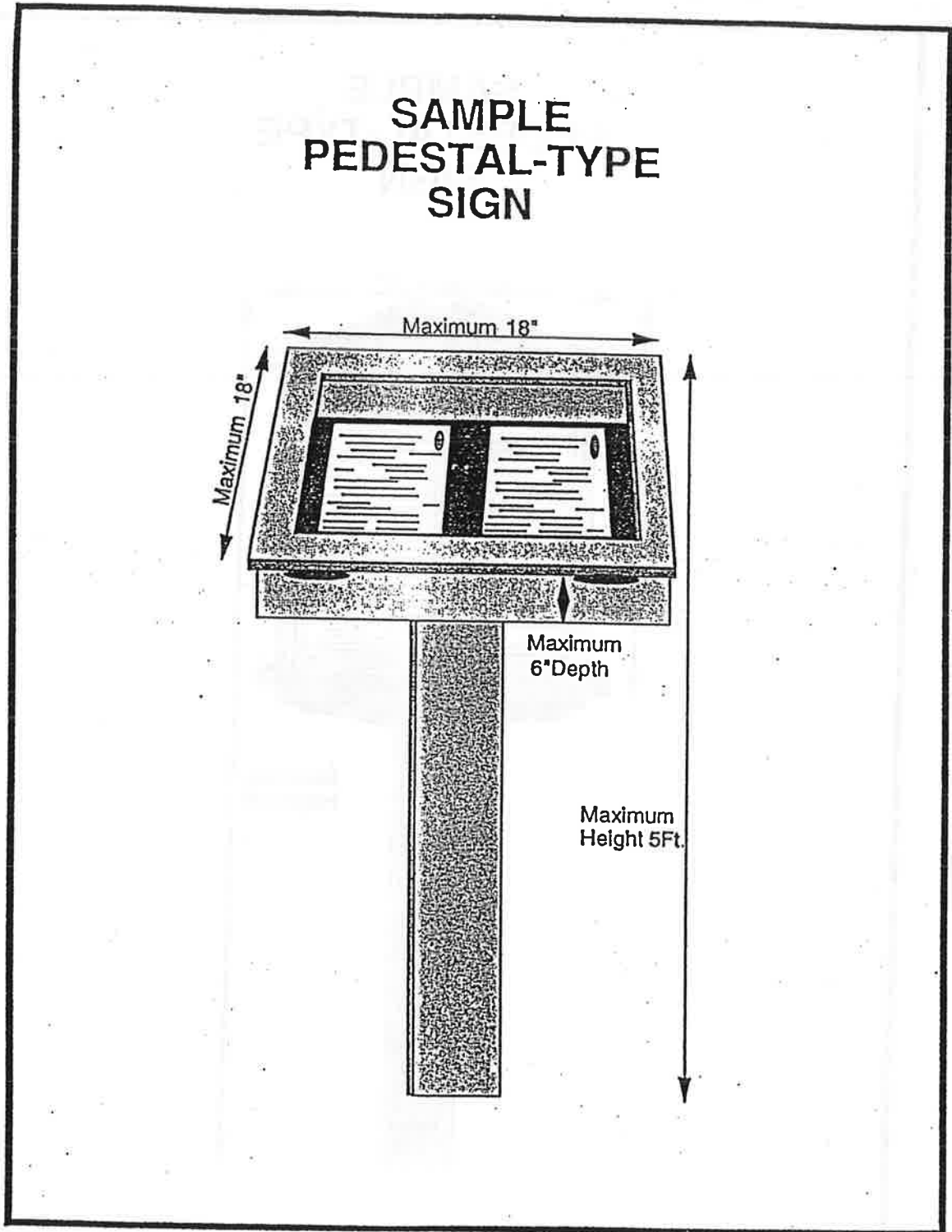
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Figure 10a



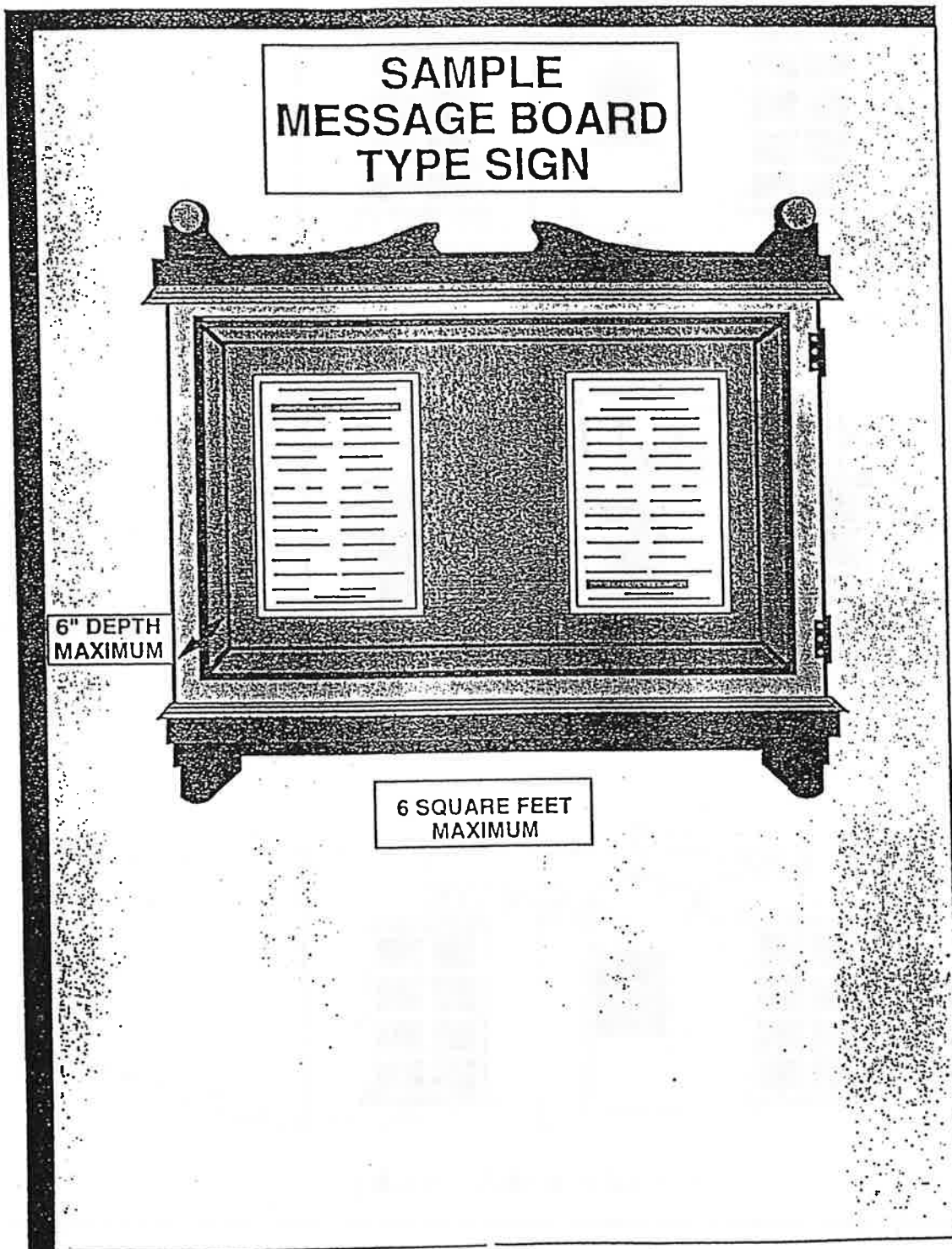
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Figure 10b



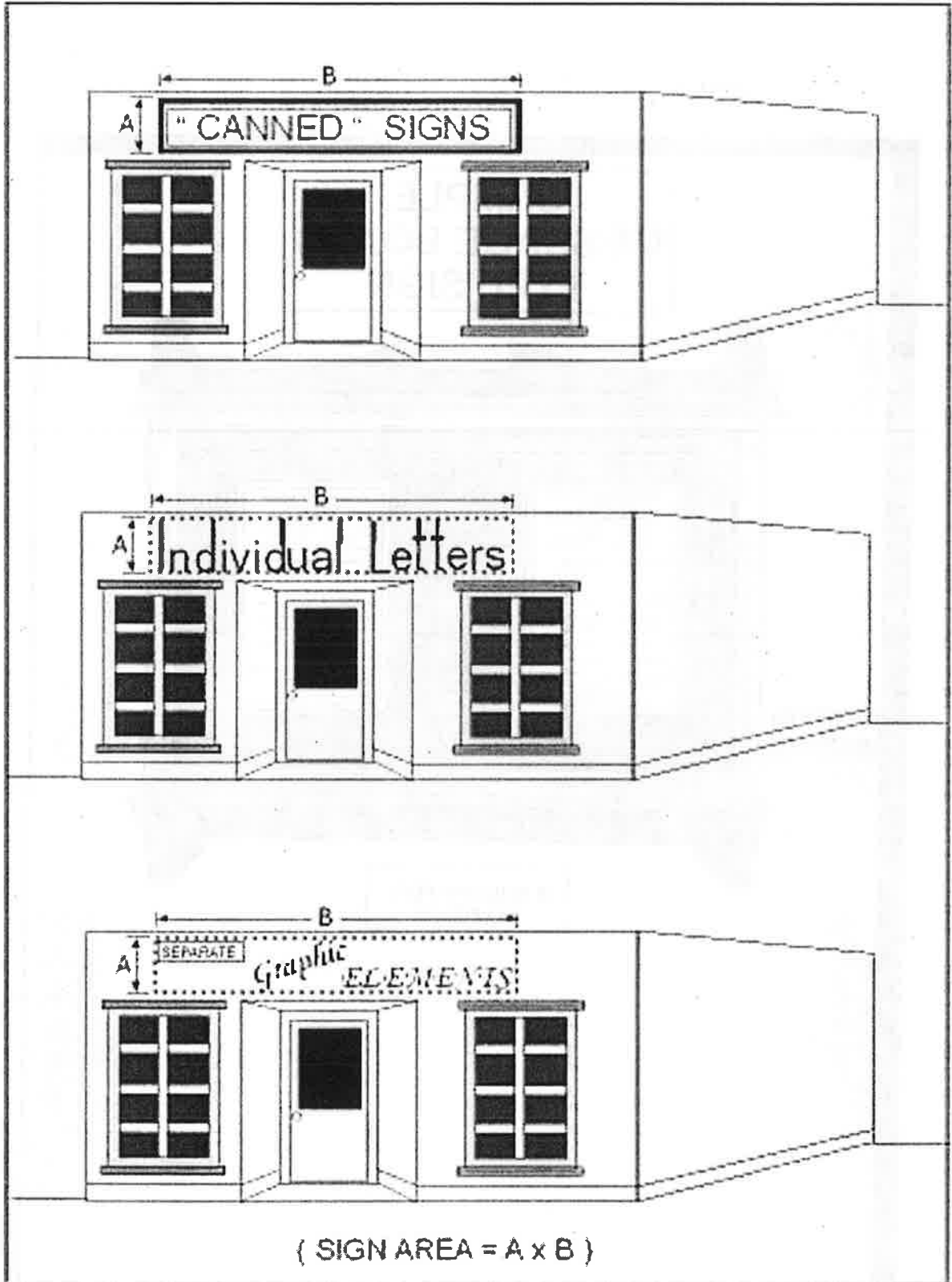
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Figure 11



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Figure 12



1 Section 6. Section 30-319, Land Development Code of the City of Gainesville, is
2 amended to read as follows:

3 Sec. 30-319. *Political signs.*

4
5 (a) *Generally.* In residential districts, as defined in subsection 30-318(a1), including
6 residential portions of planned development, ~~one~~ nonilluminated political signs
7 not exceeding ~~six~~ six square feet in sign area and four feet in height ~~are~~ is permitted
8 ~~per lot or parcel of land. Such signs are subject to the general restrictions stated in~~
9 ~~section 30-316 and do not require a permit as delineated in section 30-322.~~ In all
10 other districts, political signs ~~are permitted~~ not exceeding 32 square feet in sign
11 area and 8 feet in height are permitted. ~~under the same regulations and restrictions~~
12 ~~as other signs. Political signs do not require a permit as delineated in section 30-~~
13 ~~322. Political signs shall not be placed in public rights-of-way and shall be set~~
14 ~~back at least 15 feet from street intersections to avoid creating a visual obstruction~~
15 ~~for pedestrians and motorists. No sign shall be attached to a building or placed in~~
16 ~~such a manner as to prevent ingress and egress through any door or window~~
17 ~~required or designed for access to any building, nor shall any sign obstruct or be~~
18 ~~attached to a fire escape.~~

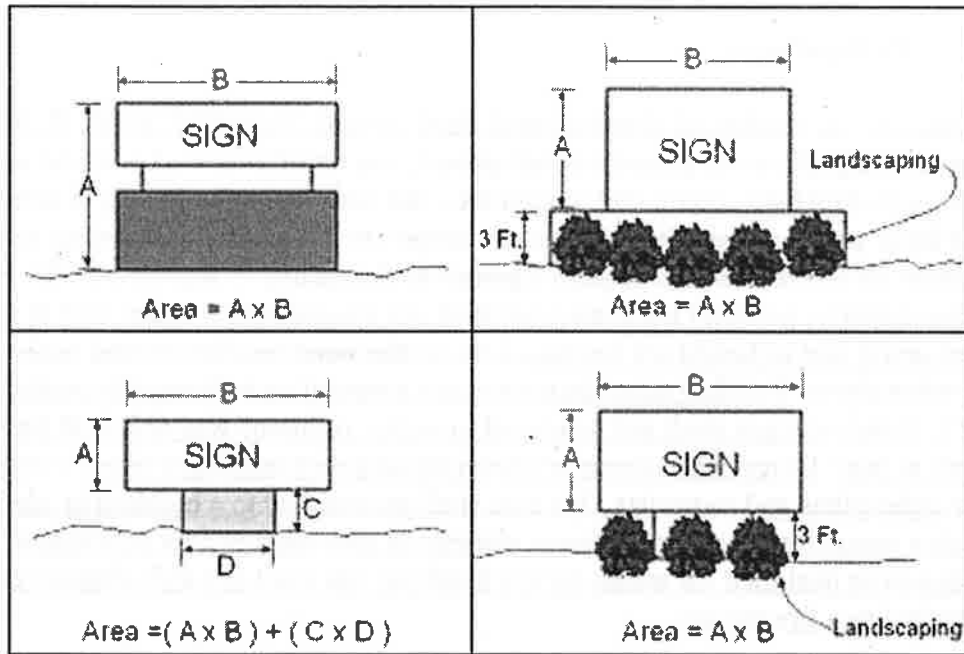
19
20 (b) *Removal of political campaign signs.* Candidates or their representatives shall
21 remove all political signs within ~~7~~ seven days following the election or referendum.

22 Failure to do so shall constitute a violation of this Code.

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Figure 13



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Section 7. Section 30-322, Land Development Code of the City of Gainesville, is

8 amended to read as follows:

9 Sec. 30-322. *Permit required; inspection; fees.*

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(a) *Permit required.* It shall be unlawful to erect, cause to be erected, maintain, cause to be maintained, alter or extend any new or existing sign without first obtaining a permit indicating compliance with the provisions and regulations of this article, except as ~~hereinafter provided~~ noted below. No permit shall be required for the following signs, provided that such signs are in compliance with the terms and provisions of this article, and provided further that such signs have no electrical parts or usage:

- (1) Signs exempt from the provisions of this article;
- (2) Temporary real estate signs;
- (3) Political signs;

(43) Signs which are a permanent architectural feature of the building or structure, 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;

(54) Signs with a sign area of six square feet or less, at a height of four feet or less;

(65) Panels or letters incorporated in larger signs identifying the tenants or occupants of premises which are identified by the larger signs, provided a permit has been issued for the larger signs; and

(76) Any change in the advertising content of a sign, provided a permit has been issued for the sign and the advertising content does not violate any provisions of this article.

(b) *Inspection.* It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained any sign which has not been inspected at the time of initial installation.

(c) *Fees.* Applications for a permit to erect, construct, alter or extend a sign shall be accompanied by a fee in the amount established by the building code as set out in Appendix A.

(d) *Expiration of permit.* Any permit issued pursuant to this section shall expire six (6) months after its date of issuance unless the permitted sign is erected or unless its erection is substantially underway.

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

Section 8. Section 30-323, Land Development Code of the City of Gainesville, is

amended to read as follows:

Sec. 30-323. Applications for permits.

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

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

- 1
- 2 (2) The actual cost of the sign.
- 3
- 4 (3) The street address of the property upon which the sign is to be located and
- 5 the proposed location ~~thereof~~ of the sign on the property. In the absence of a street
- 6 address, a method of location acceptable to the city manager or designee shall be
- 7 used.
- 8
- 9 (4) The height, shape and dimensions of the sign structure, if any, and the
- 10 dimensions and shape of the sign area.
- 11
- 12 (5) The name and address of the owner or other person in control or
- 13 possession of the real property upon which the sign is to be located.
- 14
- 15 (6) Written consent of such owner, his/her lessee, or his/her agent, granting
- 16 permission for the construction, operation, maintenance or display of the sign.
- 17
- 18 (7) A plan, sketch, blueprint, blue line print or similar presentation drawn to
- 19 scale, showing all pertinent structural details, wind pressure requirements, and
- 20 display materials in accordance with the requirements of the Standard Building
- 21 Code.
- 22
- 23 (8) A map showing the location of the proposed sign and all trees having a
- 24 diameter of ~~twelve~~ (12) inches or more at a height of ~~four and one half~~ (4 1/2) feet
- 25 above the ground that will be removed for the construction and display of the sign.
- 26
- 27 (9) The name of the sign contractor, if any.
- 28
- 29 (10) Any other information reasonably required by the city manager or designee
- 30 to determine whether such sign is in compliance with the requirements of this
- 31 article.
- 32

33 **Section 9.** Section 30-324, Land Development Code of the City of Gainesville, is

34 amended to read as follows:

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

- 36
- 37 (a) *Nonconforming signs.* Any sign not allowed by this article, but for which a permit
- 38 has previously been issued by the city, shall automatically become a lawful
- 39 nonconforming sign. The owner of any other sign not allowed by this article, or
- 40 the owner of any property upon which such sign is located, shall have a period of
- 41 ~~six~~ (6) months from the effective date of this article to establish to the satisfaction
- 42 of the building official that such sign was in compliance with the laws and
- 43 ordinances of the city when it was constructed. The building official shall

maintain the list of such signs, which shall continue to be lawful nonconforming signs. At the expiration of the six-month period, all other signs which are not in compliance with the terms of this article shall immediately be removed or brought into compliance with this article.

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

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

(2) All nonconforming signs shall be removed or made to conform when the sign is substantially demolished. Substantially demolished shall be determined by the city manager or designee on the basis of the extent of the physical damage of the sign.

(3) Neither the overall size nor the sign area of a nonconforming sign may be increased, nor may the height be increased, nor may the location be changed, nor may the use of the property on which it is located be changed, unless the sign is made to conform to the requirements of this article.

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

~~(5) A sign, or at least any advertising message of a sign, now or hereafter existing, which no longer advertises a bona fide business conducted, or a product sold, on the premises shall be taken down and removed by the owner, agent or person having beneficial use of the building, structure or land upon which such sign shall be found, within thirty (30) days after written notice by the enforcing official.~~ A sign which on March 16, 1981, became nonconforming as an off-premises sign shall be removed or made to conform to the requirements of this article within five (5) years from March 16, 1981.

~~(67)~~ For purposes of this section, a channel/block letter wall-mounted sign means any wall-mounted sign where the letters of the sign are mounted directly to the face of a principal building wall. A lawful nonconforming channel/block letter wall-mounted sign may be replaced with another nonconforming channel/block letter wall-mounted sign under the following terms and conditions:

a. Existing electrical components of the existing nonconforming sign are used;

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b. The size of the nonconforming sign's area shall be measured in accordance with subsection 30-318(b)(5); and

c. Either a permit for the replacement sign must be applied for before the existing sign is removed, or sufficient existing information must be provided so that a determination of the size of the existing nonconforming sign can be made by the city manager or designee. If the city manager or designee cannot determine the size of the sign due to insufficient information, then scaled drawings of the building and the previously existing sign shall be provided to the city manager or designee.

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

Section 10. Section 30-325, Land Development Code of the City of Gainesville,

is amended to read as follows:

Sec. 30-325. Maintenance.

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

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

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

Section 11. Section 30-326, Land Development Code of the City of Gainesville,

is amended to read as follows:

Sec. 30-326. Enforcement.

(a) *Duties of enforcing official.* The city manager or designee shall be the enforcing official. The enforcing official is charged with the duty of administering the

1 provisions of this article and securing compliance ~~therewith~~with it. In furtherance
2 of this responsibility, the enforcing official shall:

3
4 (1) Make such inspections as may be necessary to ~~effectuate~~bring about the
5 purposes and intent of this article and initiate appropriate action to bring about
6 compliance with this article if such inspection discloses any instance of
7 noncompliance.

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

11
12 (3) Order in writing as set out below the remedy of all conditions or all
13 violations of the article found to exist in or on any premises.

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

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

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

26
27 (c) *Contents of notice of violation.* Whenever the enforcing official determines that a
28 violation of this article exists, the official is authorized to issue a citation pursuant
29 to section 2-337 of the Code. Time for compliance shall be as follows:

30
31 1. *Nonpermanent signs.* For all portable signs as defined in section
32 30-23, unlawful and prohibited signs as specified in subsections 30-316(a)
33 and (b), temporary signs as defined in section 30-317 and all other signs of
34 a nonpermanent nature, the time may not be less than one hour nor more
35 than 24 hours from the time of such written notice; provided, however,
36 that any condition found to exist in violation of this article which
37 constitutes a hazard to the public safety shall be required to be abated
38 immediately.

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

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Section 12. Section 30-327, Land Development Code of the City of Gainesville,

is amended to read as follows:

Sec. 30-327. Appeals.

(a) There is hereby established an appeals board for violations of this article. The board of adjustment shall serve and perform the duties of such appeals board under the provisions set forth herein. Appeals may be heard and decided by the board of adjustment when it is alleged that there is an error in any notice, order, requirement, decision or determination made by the enforcing official or any other administrative official of the city in the enforcement of this article, except for notices of violations regarding unlawful and prohibited signs as specified in subsections 30-316(a) and (b). Such appeals must be filed with the board of adjustment within 20 ~~ten~~ days of the date of the notice, order, requirement, decision or determination sought to be reviewed. The authority of the board of adjustment shall be limited to:

(1) Upholding or reversing the enforcing official or other administrative officer in such official's determination of facts and interpretation of the provisions of this article; or

(2) In the case of a notice of violation, modifying such notice if the actions required by such notice to be done to correct the violation are not the minimum necessary to comply with the requirements of this article.

(b) It shall be unlawful for any person to erect, cause to be erected, maintain or cause to be maintained any sign without full compliance with the restrictions, requirements and provisions of this article, or to otherwise violate any provisions of this article. Each day a

1 violation occurs or continues, regardless of whether such violation is ultimately corrected,
2 shall constitute a separate offense. Any person convicted of violating any provision of this
3 article shall be punished as provided in section 1-9.

4
5 **Section 13.** It is the intention of the City Commission that the provisions of
6 Sections 1 through 12 of this ordinance shall become and be made a part of the Code of
7 Ordinances of the City of Gainesville, Florida, and that the Sections and Paragraphs of
8 this ordinance may be renumbered or relettered in order to accomplish such intentions.

9 **Section 14.** If any section, sentence, clause or phrase of this ordinance is held to
10 be invalid or unconstitutional by any court of competent jurisdiction, then said holding
11 shall in no way affect the validity of the remaining portions of this ordinance.

12 **Section 15.** All ordinances, or parts of ordinances, in conflict herewith are to the
13 extent of such conflict hereby repealed.

14
15 **Section 16.** This ordinance shall become effective immediately upon final
16 adoption.

17 **PASSED AND ADOPTED** this ____ day of _____, 2002.

18
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21
22

THOMAS D. BUSSING, MAYOR

23 ATTEST:

Approved as to form and legality

24
25
26
27

KURT M. LANNON
CLERK OF THE COMMISSION

MARION J. RADSON
CITY ATTORNEY

28 This Ordinance passed on first reading this ____ day of _____, 2002.

29 This Ordinance passed on second reading this ____ day of _____, 2002.

