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SIGN REGULATIONS**

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## ARTICLE VI

### SIGN REGULATIONS

#### SECTION 21-60 – GENERAL PROVISIONS

##### 21-60.01 - Purpose

The purpose of sign regulations is to protect, preserve and improve the character and appearance of the City and to provide opportunity to advertise in commercial and industrial areas. It is further the intent to limit signs in residential and agricultural areas to essential signs, primarily for the purpose of identification and information. These regulations shall be the minimum requirements necessary to accomplish these purposes and to protect the public health, safety and general welfare.

In addition to City-wide sign regulations contained in this Article, the City of Edgewater has adopted the Indian River Boulevard-S.R. 442 Corridor Design Regulations and the Ridgewood Avenue Corridor Design Regulations which are incorporated as Article XVIII and Article XX respectively in this Land Development Code. Requirements contained in Article XVIII, Indian River Boulevard Corridor-S.R. 442 Design Regulations and Article XX, Ridgewood Avenue Corridor Design Regulations, shall supersede and compliment the requirements set forth in this Article. Properties located within the Indian River Boulevard Corridor-S.R. 442 Overlay and/or the Ridgewood Avenue Corridor Overlay must adhere to the sign design regulations contained in the Indian River Boulevard Corridor Design Regulations and the Ridgewood Avenue Corridor Design Regulations. A copy of these regulations and illustrations for design are available for purchase at City Hall. It is the Developer's responsibility to obtain a copy of the regulations for the Overlays prior to conceptual design layout.

##### 21-60.02 - General Provisions

The following general provisions shall apply to every sign erected in the City.

- a. The name and address of the company or person installing any sign and the name and address of the company or person maintaining any sign, the date of erection and the voltage of any electrical apparatus shall be permanently affixed on a weather resistant label.
- b. Any light from any illuminated sign shall be shaded, shielded or directed so that the light intensity or brightness shall not affect adversely the safe vision of operations of vehicles in any public or private road, highway, driveway or parking area. Such light shall not shine directly on or into any residential structure.
- c. All signs shall be designed and constructed to withstand a wind load pressure of not less than twenty-five (25) pounds per square foot of area or as required by any applicable code or ordinance, whichever is more restrictive.
- d. Vegetation shall be kept cut around the base of any ground sign for a distance of fifteen feet

(15') from any portion of such sign touching the ground and the area around ground sign shall be kept free of any material that might constitute a fire or health hazard.

- e. The numeric street address of the property upon which the sign is located shall be identified on the side and front of the sign. The street address numbers shall be between six (6) to twelve (12) inches in height.
- f. All signs shall be maintained in good condition and repair. Signs shall be deemed as non-maintained if any part thereof is broken, tattered, torn, faded, letters or graphics are completely or partially missing, or otherwise in disrepair.

### **21-60.03 - Permits**

- a. No person shall operate, maintain, erect, alter, repair or relocate any signs until the Development Services Director and Building Official has determined that the proposed sign substantially complies with the requirements of this Article.
- b. Application for a sign permit shall be on forms provided by the City Building Official and shall, at a minimum, contain the following information:
  - 1. The name, address and telephone number of the applicant, the owner of the sign and the owner of the property on which the sign is to be located; and
  - 2. The address, if any, and legal description of the premises on which the sign is to be located; and
  - 3. A drawing to scale, in duplicate, showing the size, height, location, structural details and dimensions of the sign and sign structure; and
  - 4. Two drawings to scale showing the position of the sign and any other existing advertising structures in relation to the buildings or structures on the premises and to the boundaries of the property; and
  - 5. The signatures of the applicant and the owner of the property or in the event the owner is not available, written evidence of the owner's permission for the erection of the sign; and
  - 6. Such other information as may be necessary to demonstrate compliance with this Article including, but not limited to, engineers' drawings.
- c. All signs shall be erected, altered, operated and maintained in compliance with the Standard Building Code and the National Electrical Code. Signs 32 square feet, or less, in area shall be deemed to comply with the wind load requirements of the Florida Building Code by submission of plans and specifications to the Building Official.
- d. The Development Services Director and Building Official shall conduct a timely review of

the sign permit application and shall either issue the permit or provide the applicant with a written statement of the reasons for denial.

- e. Appeals of Building Official decisions regarding construction issues shall be made to the Construction Board of Adjustment and Appeals. Appeals of other sign related issues shall be made in accordance with Article I.

#### **21-60.04 - Prohibited Signs**

The following signs are prohibited in the City:

- a. No person shall erect a sign on or over any public property or public right-of-way, except in accordance with a banner sign or franchise agreement approved by the City Council. Any sign(s) installed on public property shall be forfeited to the public and subject to confiscation at the owners' cost.
- b. The operation or placement of any vehicle for the sole purpose of advertising is prohibited within the City of Edgewater.
- c. Unless otherwise noted, roof signs, billboards, inflatable signs, snipe signs, banners, pennants, wind operated devices, sandwich signs, moving signs, freestanding signs, flashing signs, beacon light signs with moving or alternating or traveling lights are prohibited, except as limited elsewhere in this Article. Time and temperature signs and lighted moving message boards less than 35 square feet in area shall not be subject to this prohibition.
- d. Projecting signs within an area bounded by the intersection of two rights-of-way and points fifty feet (50') from such intersections measured along the rights-of-way except as permitted elsewhere in this Article.
- e. Pursuant to Chapter 316.077, F.S., no sign shall be permitted which is an imitation of or resembles an official traffic control device.
- f. Commercial Mascots, as defined in Article II.

#### **21-60.05 - Exemptions**

The following signs shall be exempt from the permitting requirements of this Article.

- a. Signs less than six (6) square feet in area, used only to identify the residential property address and resident(s) name and shall not include any advertising.
- b. Legal notices posted by authorized persons of a governmental body.
- c. Any informational sign directing vehicular traffic, parking or pedestrian traffic on private property, provided that such sign shall contain no advertising material and shall not exceed 4 square feet in total area. The letters shall not exceed eight inches (8") in height. If the sign

includes any advertising or logo, a sign permit shall be required.

- d. Identification signs, information signs or traffic control devices erected by any governmental body. In addition, emergency warning signs erected by a government agency, private utility company or a contractor doing authorized or permitted work within a public right-of-way.
- e. Wall graphics/murals may be an integral decoration of a building, but shall not include letters, trademarks, moving parts or moving lights and shall not cover more than thirty percent (30%) of any single wall surface area per building. Works of art, such as murals approved by the Development Services Director, that do not include a commercial message, comply with the additional sign wind and sight visibility code and do not violate any design overlay standards as contained in the City Land Development Code.
- f. On-site signs five (5) square feet or less in area that offers a specific property for sale, lease or rent by the owner or his authorized agent. One on-site open house flag for said specific property shall be permitted shall be placed not more than one (1) hour prior to the open house and removed not more than one (1) hour after the open house.
- g. The flag of the United States shall be displayed in accordance with the United States of America Flag Code (P.L. 94-344).
- h. Holiday lights and decorations with no commercial messages between November 1<sup>st</sup> and February 1<sup>st</sup>.
- i. Two open house flags, not exceeding fifteen (15) square feet each in area, displayed during times model homes are open to be viewed by the general public for residential subdivisions or planned residential developments. Maximum height shall be eight (8) feet and may be displayed at the main entrance to a residential subdivision or planned residential development.
- j. Two off-site open house signs five (5) square feet or less in area that offers a specific property for sale, lease or rent by the owner or his authorized agent. All off-site open house signs shall only be placed with the property owner's permission on private residential property and located within one (1) mile of the authorized sale location. Signs may not be displayed more than one (1) hour prior to the open house and shall be removed within one (1) hour after the conclusion of the open house.
- k. Off-site open house signs placed in the right-of-way or signs found in violation of this Section shall be considered abandoned snipe signs and shall be removed.

### **21-60.06 - Variances**

Variances to the requirements of this Article may be granted by the Planning and Zoning Board in conformance with the requirements of Article IX.

## **SECTION 21-61 - ON-SITE SIGNS**

### **21-61.01 - Construction Signs**

- a. One construction sign, including the names of persons or firms furnishing labor, services or materials to the construction site, shall be allowed for each project where an active building permit has been obtained for the project.
- b. Such sign shall be removed no later than the date of issuance of a certificate of occupancy and/or final inspection of the construction project.
- c. No such sign shall exceed thirty-two (32) square feet in area.

### **21-61.02 - Development Signs**

- a. One sign, not to exceed sixty-four (64) square feet in area for nonresidential projects or forty-eight (48) square feet in area for residential projects, may be permitted on each site for which a site plan, or subdivision plat, has been approved.
- b. A development sign permit may be issued for no longer than one (1) year. However, the Building Official may renew the permit if it is determined that promotion of the site is still active.

### **21-61.03 - Pole Signs**

- a. Pole signs shall be limited to two (2) square feet of signage per one (1) linear foot of addressed building frontage and shall not exceed 60 square feet, except as provided in Section 21-61.07.
- b. Pole signs shall be a maximum of twenty feet (20') high with a minimum nine foot (9') clearance above the ground or sidewalk. No pole sign shall be located closer than fifty feet (50') from any existing pole sign.
- c. Except for shopping centers as described in Section 21-61.07, there shall be only one (1) pole-sign per parcel.
- d. The sign area shall be calculated to include the outside edge of the sign cabinet or frame.
- e. Except as provided in Section 21-62, a pole sign shall only be used to advertise a business on the same site.

### **21-61.04 - Ground Signs**

- a. Ground signs shall be limited to two (2) square feet of signage per one (1) linear foot of addressed building frontage and shall not exceed sixty (60) square feet, except as provided in Section 21-61.07.

- b. Ground signs shall be a maximum of ten feet (10') high and shall be located in an approved landscaped buffer area. Ground signs shall not impede traffic visibility as outlined in Article III, "Site Triangle Requirements".
- c. The height of a ground sign shall be measured from the crown of the adjacent roadway.
- d. Except for shopping centers as described in Section 21-61.07, there shall be only one (1) ground sign per parcel. No ground sign shall be located closer than fifty feet (50') from any existing ground sign.
- e. The sign area shall be calculated to include the outside edge of the sign cabinet or frame.
- f. Ground signs shall only be used to advertise a business on the same site.

#### **21-61.05 - Projecting Signs**

- a. A projecting sign shall not extend more than four feet (4') beyond the surface of the building to which it is attached.
- b. The surface area of a projecting sign shall not exceed twenty-four (24) square feet per building.
- c. There shall be a minimum of nine feet (9') clearance between the bottom of a projecting sign and the ground surface or sidewalk.

#### **21-61.06 - Real Estate Signs**

- a. A non-illuminated sign advertising the sale or lease of a business or parcel on which the sign is located shall be permitted in any zoning district.
- b. The maximum sign size shall be thirty-two (32) square feet.
- c. Model home signs shall not exceed sixteen (16) square feet.

#### **21-61.07 - Shopping Center Signs**

- a. Ground or pole signs for shopping centers may be constructed subject to compliance with the criteria described below. No other signage shall be permitted for these uses, except wall signs.



<b>Sign Criteria</b>	<b>Parcel Width Less Than 150 Ft.</b>	<b>Parcel Width Greater Than 150 Ft.</b>
Number of Signs per Parcel	One	Two
Maximum Allowable Area of All Signage On the Site	100 sq. ft. per side 200 sq. ft. total	Anchor Structure Sign 100 sq. ft. per side 200 sq. ft. total  Tenants Sign 100 sq. ft. per side 200 sq. ft. total
Maximum Height Above Ground	Poles - 20 feet Ground - 10 feet	Poles - 20 feet Ground - 10 feet
Minimum Clearance From Ground	Poles - 9 feet	Poles - 9 feet
Area Allowed For Center Name	20 percent maximum	20 percent maximum
Area Allowed For Tenants Name	80 percent minimum	80 percent minimum

**21-61.08 - Wall Signs**

- a. The total amount of wall signs allowed shall be two (2) square feet of signage per one (1) linear foot of addressed business frontage, not to exceed sixty-four (64) square feet.
- b. The area of a wall sign shall be calculated by summing the area of each letter and the corporate logo in the sign.

**21-61.09 - Window Signs**

The window area and the glass door area between four feet (4') and seven feet (7') above the adjacent ground shall not be covered by opaque signage.

**21-61.10 - Subdivision Signs**

A maximum one hundred (100) square feet in area ground sign identifying a subdivision may be located at each subdivision entrance provided the site triangle requirements of Article III are met.

**21-61.11 – Electronic Message Centers/Signage**

- a. Electronic message center signs are permitted only along U.S. 1, Park Avenue and S.R. 442/Indian River Boulevard. No more than one electronic message center sign is permitted for each property frontage located on the above-referenced roadways.
- b. Signs must be set back a minimum of ten feet (10') from the right-of-way to the closest edge

of the sign.

- c. Signs must be constructed as ground sign.
- d. The maximum electronic panel area shall not exceed 50% of the sign size.
- e. A sign with a sign face on two sides and no more than 4.5' feet of separation between faces shall be considered a single sign.
- f. Sign copy may change only at intervals of not less than five (5) seconds. Continuous scrolling, animation, or flashing of lights is prohibited.
- g. Obscene, immoral and/or lewd graphics and/or language shall not be displayed at anytime on the display screen area.
- h. The display screen area shall provide a high-resolution picture quality with pixel spacing of 16 millimeters or less.
- i. Maximum brightness is 5,000 nits during the day and 500 nits from dusk to dawn.
- j. A malfunctioning sign must be turned off or display a blank screen.
- k. Electronic message center signs shall not be added to any nonconforming sign.
- l. All power to the sign shall be supplied via underground carrier, inside an improved conduit and installed to City requirements.
- m. The signage shall be maintained in a good operating condition and external appearance.
- n. Government electronic message center signs shall provide necessary public information, including but not limited to directions, schedules or information regarding public facilities or places of interest. The City Council may waive the standards in this section for a government sign provided that the deviation promotes the public health, safety and welfare.
- o. Any electronic message center/signage in existence prior to adoption of the standards set forth in this Section and are not in conformance with said Section shall be deemed non-conforming pursuant to Article VII.

## **SECTION 21-62 - OFF-SITE SIGNS**

Off-site signs that advertise products or businesses located at a site other than the location of the business are deemed by this Article to constitute a separate use. The control and regulation of the display of such advertising deemed to be appropriate to the character and surrounding development shall be considered. It is intended that such advertising be confined to certain commercial and industrial properties.

### **21-62.01 - General Requirements**

All off-site signs, with the exception of special activity/event signs advertising special activities/events authorized by the City, shall require approval by the City Council upon a recommendation

from the Development Services Director.

- a. Off-site signs shall not be located closer than one thousand feet (1,000') to another off-site sign.
- b. All off-site signs shall conform to the Standard Building Code construction requirements.

### **21-62.02 - City Franchise Signs**

The City Council may approve off-site signs for certain franchise agreements. The criteria for approval of off-site selection shall be consistent with the conditions contained in the Sign Franchise Agreement and shall be subject to City Council approval. Minimum standards include:

- a. A leading edge of a franchise sign shall not be closer than ten feet (10') to a paved surface of a public right-of-way, unless approved by the City Manager.
- b. Signs bearing public information, as designated by the City Manager, may be placed in any zoning district.
- c. A franchise sign shall have a minimum clearance of nine feet (9') above the ground and a maximum height of sixteen feet (16') except those placed on public transportation benches and shelters as approved through a competitive selection process pursuant to City standard procedures.

### **21-62.03 - Public Information Signs**

Public information signs containing no commercial message and installed by the City, may be located anywhere in the City.

### **21-62.04 - Off-Site Wall Signs**

City Council may approve off-site wall signs subject to the following:

- a. The business/development has no other off-site signs.
- b. Signs shall not exceed thirty-two (32) square feet each.
- c. No more than one (1) wall sign per each side of the building with a maximum of two (2) signs per building.
- d. The total square footage allowed for all wall signs per building shall not exceed the requirements contained in Section 21-61.08.
- e. Off-site wall signs are temporary and will be permitted for six (6) months.

## **SECTION 21-63 - TEMPORARY SIGNS**

### **21-63.01 - Portable Signs**

- a. The Building Official may issue a portable sign permit to a business for a maximum of thirty (30) days per year to announce special events or grand openings.
- b. The maximum size of a sign shall be thirty-two (32) square feet.
- c. Only one (1) sign shall be permitted on a parcel at any one time.
- d. A sign shall not occupy any required parking space nor restrict on-site traffic flow.
- e. A portable sign shall not be located closer than ten feet (10') to the paved portion of a public right-of-way.
- f. Portable signs shall not have flashing or moving lights and shall not be affixed to another sign or structure or mounted for the purpose of making it a permanent sign.

### **21-63.02 - Banner Signs**

- a. The Building Official may issue only one (1) banner sign per street frontage at a time on a given parcel, for a special event such as grand openings.
- b. Banner signs shall not be permitted in residential zoning districts and the B-4 district.
- c. The maximum sign area shall be thirty-two (32) square feet.
- d. Banners may display business or product logos and generic messages, but not specific sales information.
- e. Banners may be erected up to seven (7) days prior to the event, shall be removed within two (2) days after the event and shall be limited to ten (10) days per event two (2) times per year.
- f. The City Council may approve banners that do not comply with these requirements for citywide functions.

### **21-63.03 - Political Campaign Signs.**

- a. Political campaign signs shall be permitted as temporary signs and, as such, shall be removed within ten (10) days after the advertised candidate has been finally elected or defeated. A sign may remain through any primary or run-off election as to any candidate who is subject thereto.
- b. An applicant for a political campaign sign shall be issued one sign permit for an unlimited number of signs. The fee shall be as established by resolution.

- c. Signs shall not be placed in any public right-of-way, on any public property, attached to any utility pole nor attached to any tree. Signs located on private property shall have the written authorization of the property owner.
- d. Signs placed on private property shall be securely erected to prevent displacement by heavy winds and so placed as to not interfere with traffic visibility.
- e. Political campaign signs shall not exceed eight (8) square feet in area.
- f. Upon determination of the Code Compliance Officer, illegal signs shall be removed within twenty-four (24) hours after notification to the applicant.
- g. The City shall retain removed illegal political campaign signs for five (5) working days after notification before their destruction. An applicant may retrieve the signs during this period.

#### **21-63.04 - Special Activity/Event Signs**

- a. The maximum height of special activity/event signs shall be ten (10) feet.
- b. Special activity/event signs shall not exceed thirty-two (32) square feet in area and there shall be a maximum of ninety-six (96) square feet on-site signage per special event.
- c. No special activity/event sign may be used for the purpose of off-site advertising without the authorization of the property owner/occupant. No special activity/event sign shall be placed on lots or parcels of any vacant property without written authorization of the property owner.
- d. No sign prohibited in this Article shall be authorized under this section as a special activity/event sign.
- e. No special activity/event sign shall be placed so as to obscure visibility of any permanent freestanding sign, unless such placement has been approved by the property owner whose freestanding sign is obscured.
- f. No special activity/event sign shall be placed so as to obscure vehicular sight visibility.
- g. Special activity/event signs shall be erected not more than twenty-one (21) days prior to the special activity/event. All special activity/event signs shall be removed within two (2) days after the approved special activity/event for which the sign was advertising.
- h. The erection and removal of all special activity/event signs shall be the responsibility of the person sponsoring the special activity/event. Failure or refusal to remove said signs within two (2) days after the special activity/event shall authorize the City to remove such signs and dispose thereof.

- i. No special activity/event signs shall be placed on City properties unless it is authorized and installed by the City in accordance with the Special Activity/Event Sign Policy.

## **SECTION 21-64 - NON-CONFORMING SIGNS**

Any existing sign that is in violation of this Article at the effective date of this Chapter shall be deemed a legal non-conforming sign. Such signs may be continued subject to the conditions described below.

### **21-64.01 - Amortization**

- a. No non-conforming sign shall be altered, moved or repaired in any way except in full compliance with the terms of this Article. This provision shall not apply to the changing of temporary copy of changeable copy signs or to repairs necessary to maintain the structural integrity or safety of a sign so long as such repairs do not exceed fifty-one percent (51%) of the replacement cost of such sign.
- b. All non-conforming signs shall be maintained in good repair, subject to the conditions above.
- c. Failure to remove non-conforming signs may subject the sign owner to the code enforcement provisions of Chapter 10, City of Edgewater Code of Ordinances. In this regard, a sign owner may enter into a sign agreement as described in Section 21-65.

### **21-64.02 - Removal**

- a. An obsolete or deteriorated sign shall be removed by the owner, agent or person having beneficial use of the premises on which sign is located and shall be removed within thirty (30) days of written notification by the Code Enforcement Department.
- b. Upon failure to comply with such notice, the Code Enforcement Department shall cause the sign to be removed at the owner's expense, including any interest that may have accrued.
- c. Failure to pay such costs within thirty (30) days of the written notification of the removal costs shall create a lien against the sign owner in favor of the City.

## **SECTION 21-65 - SIGN AGREEMENTS**

The purpose of this Section is to provide a process and criteria by which the City can bring illegal and/or non-conforming signs into compliance without adjudication by the Code Enforcement Board or the court system.

### **21-65.01 - Agreement Process**

- a. An applicant shall provide a sign agreement that includes the criteria described in Section 21-65.02.

- b. The applicant shall submit the required sign agreement not less than forty-five (45) days prior to the Planning and Zoning Board (P&Z) meeting at which the applicant wishes consideration.
- c. The P&Z shall conduct a public hearing after providing the following public notice:
  - 1. Direct mail notice to all property owners of record within one hundred fifty feet (150') of the proposed sign location.
  - 2. Post the proposed site no less than ten (10) days prior to the subject P&Z meeting.
- d. Upon completion of the P&Z deliberations, the agreement shall be scheduled for the next available City Council meeting.
- e. The City Council shall hold a public hearing regarding the proposed agreement after public notice in the same manner as provided above.
- f. The City Council shall take final action regarding the agreement within thirty (30) days, unless the applicant agrees to additional time.

**21-65.02 - Agreement Criteria**

At a minimum, the sign agreement shall include:

- a. The name, address and phone number of the applicant.
- b. The name, address and phone number of the existing sign site property owner.
- c. Any appropriate site drawings and plans.
- d. A timetable for removal of the existing sign.
- e. Any proposed site mitigation activities.
- f. The signature of the applicant.
- g. The signature of the site property owner.
- h. The signature of the appropriate City official.

**Sections 21-66 through 21-69 reserved for future use.**