

ORDINANCE NO. 2017-001

AN ORDINANCE OF SARASOTA COUNTY, FLORIDA, (ZONING ORDINANCE AMENDMENT NO. 121) AMENDING SARASOTA COUNTY ORDINANCE NO. 2003-052 (AS AMENDED FROM TIME TO TIME) CODIFIED AS APPENDIX A OF THE SARASOTA COUNTY CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF SARASOTA COUNTY; PROVIDING FOR FINDINGS; AMENDING SECTION 7.4, RELATING TO SIGNS; PROVIDING FOR EFFECT ON OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODING OF AMENDMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA:

Section 1. Findings. The Board of County Commissioners, hereinafter referred to as the “Board” hereby makes the following findings:

A. The Board has held public hearings on the proposed amendments described herein in accordance with the requirements of the Sarasota County Zoning Ordinance and has considered the information received at said public hearings.

B. The Board has received and considered the report of the Sarasota County Planning Commission and has reviewed the proposed amendments provided herein.

C. The Board, sitting as the Sarasota County Land Development Regulation Commission, has reviewed the proposed amendments provided herein and has found that the amendments are consistent with the Sarasota County Comprehensive Plan.

Section 2. Amendment to Section 7.4 of Ordinance No. 2003-052, as amended, relating to Signs.

Subsection 7.4.2. of Sarasota County Zoning Ordinance No. 2003-052, as amended is hereby amended as follows:

7.4.2. Prohibited Signs.

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b. Animated, Changeable Copy, and Electronic Message Center Signs.

1. Animated signs, defined as signs with moving parts or messages, or so

operating as to give a viewer the illusion of moving parts, images, or messages including revolving or whirling signs and wind signs are prohibited except as expressly authorized below.

2. Changeable copy signs that are changed manually through the placement of letters or symbols on a panel mounted in or on a track system shall be permitted in accordance with the standards set forth in Article 7.4.
3. Electronic Message Center signs are prohibited except as expressly authorized below.
4. Traffic control devices on public and private road rights-of-way that are authorized by the authorities controlling that right-of-way and that are consistent with the current version of the Manual on Uniform Traffic Control Devices adopted by the State of Florida may use Electronic Message Centers.
5. Sign faces that are not visible from a public right-of-way, from any body of water other than a lake within a single parcel, or from another lot that is located in a residential or open use district, may use of animation or Electronic Message Centers, so long as they remain in compliance with this paragraph.
6. An Electronic Message Center is allowed as part of an on-site Ground sign otherwise permitted under Section 7.4.5, subject to the conditions below:
 - (a) The entire property must be brought into compliance with this Section 7.4. The permit application shall clearly indicate on the face of the application that the application is for an Electronic Message Center Sign. The applicant must submit a sign plan for the entire property showing every existing and proposed sign and their types and dimensions, and must remove every unlawful and lawful nonconforming sign from the property. Thereafter, the property must remain in full compliance with this Section.
 - (b) Only one Electronic Message Center sign is permitted per lot. The changeable copy area shall not exceed 50 percent of the allowable area of the ground sign.
 - (c) The message or copy shall not change or move more often than every 8 seconds. It shall change instantaneously, without rolling, fading, or the illusion of movement, and shall not flash or vary in brightness except to change at sunrise or sunset.

- (d) Electronic Message Center signs shall be constructed with a photocell to compensate for all conditions, day or nighttime hours, and shall adjust the display's brightness to a level that is not in excess of 0.3 foot candles above ambient light levels.

At least 30 minutes past sunset, and with the electronic display either turned off, showing all black copy, or blocked, a foot candle meter will be used to record the area ambient light level. An ambient reading will be taken with the meter aimed directly at the electronic display at a distance of 100 feet. To establish the illumination level, the electronic display will be turned on to show all white copy and a second reading taken.

The sign owner shall provide upon installation written certification from the sign manufacturer that the light intensity has been factory preset not to exceed the levels specified above, and the intensity level is protected from end-user manipulation by password protected software.

- (e) Electronic Message Center signs shall be allowed only along and oriented to roadways that are classified as collector or arterial roadways: 1) on properties within the Commercial General (CG), Commercial Intensive (CI), Commercial Highway Interchange (CHI), Office, Professional and Institutional (OPI), Commercial Neighborhood (CN), and Industrial Light Warehouse (ILW) zoning districts, and 2) on properties containing lawful Nonresidential Uses in Open Use and Residential Districts as set forth in Section 7.4.8.
- (f) Off-site signs may not use Electronic Message Centers.
- (g) All Electronic Message Center Signs shall be constructed and operated so that the message center defaults to a dark screen when not displaying a message.
- (h) To protect the special character, beauty, and ambiance of the waterfront areas and the barrier islands, Electronic Message Centers are prohibited: 1) within 100 feet of any shoreline to which a Waterfront yard requirement would apply under Chapter 6, and 2) anywhere on the Barrier Islands as designated in the Comprehensive Plan.

- (i) The Electronic Message Center portion shall be limited in height to eight feet as measured from grade.
- (j) Paragraphs (a) through (e) above do not apply to Internal Exempt or Internal Permitted signs so long as they do not cause illumination of waters, rights-of-way, or other properties.

Section 3. Effect on Other Ordinances. The provisions of this Ordinance shall prevail in the event of conflict with the provisions of any existing ordinance.

Section 4. Severability. It is declared to be the intent of the Board of County Commissioners that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

Section 5. Coding of Amendments. In this Ordinance, language added to an existing Ordinance is underscored and language deleted is typed in ~~strike through~~ type.

Section 6. Effective Date. This Ordinance shall take effect immediately upon filing with the Office of the Secretary of the State of Florida.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA this _____ day of _____ 20__.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

By: _____
Chairman

ATTEST:
KAREN E. RUSHING, Clerk of
the Circuit Court and
Ex-Officio Clerk of the Board
of County Commissioners of
Sarasota County, Florida

By: _____
Deputy Clerk