

**CITY OF SEBRING**

**AGENDA ITEM SUMMARY**

MEETING DATE: February 21, 2017                      PRESENTER: Jennifer Codo-Salisbury

AGENDA ITEM#: 10 D - Sign Ordinance

BACKGROUND: The City’s proposed sign ordinance was presented to Council at your August 16, 2016 meeting. Since that time, Central Florida Regional Planning Council staff have presented and received input from the following: Historic Preservation Board, Community Redevelopment Agency and Planning & Zoning Board.

Attached is the updated ordinance. Jennifer Codo-Salisbury is on your agenda to present the ordinance.

**STAFF RECOMMENDATION:** If Council is satisfied with the revised ordinance, instruct Central Florida Regional Planning Council staff and City Attorney to put the ordinance in final format and advertise for Public Hearings.

REQUESTED MOTION: Whatever Council deems appropriate.

COUNCIL ACTION:

\_\_\_\_\_ APPROVED                      Moved by: \_\_\_\_\_ ; Seconded by: \_\_\_\_\_  
\_\_\_\_\_ DENIED                      Lowrance \_\_\_ Stanley \_\_\_ Stewart \_\_\_ Whitlock \_\_\_ Carlisle \_\_\_  
\_\_\_\_\_ TABLED TO: \_\_\_\_\_  
\_\_\_\_\_ OTHER

# SEBRING CITY COUNCIL

## AMENDMENTS TO SEBRING SIGN CODE

### SEBRING CODE OF ORDINANCES PART II, CHAPTER 17 – SIGNS

AGENDA ITEM  
February 21, 2017

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**SUBJECT:** **City of Sebring Code of Ordinances, Part II, Chapter 17 – Signs**  
City-initiated text amendments to the City of Sebring Sign Regulations providing for updates to the Sign Code including new regulations to address the requirements of content neutrality as set forth in the U.S. Supreme Court Ruling of Reed v. Town of Gilbert.

#### **WORKSHOP AND MEETING DATES:**

June 21, 2016: City Council Discussion of Draft Sign Regulations

August 16, 2016: City Council Discussion Item

September 12, 2016: Joint Sebring Community Redevelopment Agency & Historic Preservation Commission Workshop

October 10, 2016: Community Redevelopment Agency Meeting – Discussion Item

November 10, 2016: Historic Preservation Commission Meeting – Discussion Item

December 13, 2016: Planning and Zoning Board – Discussion Item

**February 21, 2017: City Council – Discussion Item**

#### **ATTACHMENTS:**

- Staff Report
- Draft Amendments of overall Sign Regulations.

## STAFF REPORT

### BACKGROUND:

- The City has initiated updating the City's Sign Code to:
  - Provide an **organized framework** of regulations that is more user-friendly.
  - Update the sign regulations consistent with the **content neutrality provisions** as set forth in the U.S. Supreme Court Ruling of Reed vs. Town of Gilbert (2015).
- In the past, the Planning and Zoning Board (Working Group) worked with City staff on draft amendments to the Sign Regulations. Many of these amendments have been brought forward to these Sign Regulation updates.
- The City of Sebring City Council discussed the draft sign regulation amendments on June 21, 2016. On August 16, 2016, the City Council directed staff to conduct to discuss the proposed amendments to the sign regulations with the City's advisory boards.

### LANGUAGE/AMENDMENT TEXT:

- Because the existing Code has been completely restructured and significantly amended, a clean copy without underline and strikeout is provided for ease of review.
- A Cross Reference Matrix is provided at the end of this staff report indicating the changes by Section Number to the Sign Code.
- Prior drafts were color coded (for tracking purposes) based on input and changes recommended by each advisory board including the Community Redevelopment Agency, Historic Preservation Commission, and Planning and Zoning Board.
- This version incorporates all advisory board recommendations as well as City Staff changes.

### OVERVIEW:

Signs provide an important medium to convey a variety of commercial and non-commercial messages. Signs can assist a jurisdiction in creating or enhancing a community identity. Appropriate regulation is needed, however, to ensure that signs do not pose a threat to public safety as a traffic hazard, become a detriment to property values or detract from community aesthetics.

The goal of the proposed text amendments is to provide a clear and concise sign ordinance that City staff, business owners and citizens will find comprehensive, fair, easy to understand and usable. The following areas are emphasized through the proposed amendments:

**A. Constitutional:**

Exemptions and/or prohibitions of certain types of signs give rise to heightened scrutiny by the courts. Regulations must have a neutral effect (time, place, manner) on speech and should not define the content of a sign.

**B. Interpretation of the U.S. Supreme Court Ruling in Reed v. Town of Gilbert**  
*(Summarized by Boswell & Dunlap Memorandum dated August 18, 2015)*

As an interpretation aid for the U.S. Supreme Court Ruling in Reed v. Town of Gilbert, three justices provided a concurring opinion to provide “some rules” for sign codes that in their opinion “would not be content based.” They are:

1. *Rules regulating the size of signs.* – These rules may distinguish among signs based on any content-neutral criteria, including any relevant criteria listed below.
2. *Rules regulating the locations in which signs may be placed.* – These rules may distinguish between freestanding signs and those attached to buildings.
3. *Rules distinguishing between lighted and unlighted signs.*
4. *Rules distinguishing between signs with fixed messages and electronic signs with messages that change.*
5. *Rules that distinguish between the placement of signs on private and public property.*
6. *Rules distinguishing between the placement of signs on commercial and residential property.*
7. *Rules distinguishing between on-premise and off-premise signs.*
8. *Rules restricting the number of signs allowed per mile of roadway.*
9. *Rules imposing time restrictions on signs advertising a one-time event.* – Rules of this nature do not discriminate based on topic or subject and are akin to rules restricting the times within which oral speech or music is allowed.
10. In addition to regulating signs put up by private actors, government entities may also erect their own signs consistent with the principles that allow governmental speech. The may put up all manner of signs to promote safety, as well as directional signs and signs pointing out historic signs and scenic spots.

**C. Clarity**

The proposed amendments are drafted with the intent of providing straightforward language with accompanying illustrations to ensure a common understanding by all affected parties.

**PROPOSED AMENDMENTS:**

**TEMPORARY & PERMANENT SIGNS**

**Temporary sign (*defined*):** Any sign designed, constructed, and intended to be used on a limited-term basis, and which is not permanently installed. A permanent sign with periodic changes to the message shall not be considered a temporary sign. This definition shall include, but is not limited to, such signs as banner signs, yard signs, and sandwich board signs.

Terminology deleted regarding this type of signage includes the following. These references are removed due to ruling in Reed v. Town of Gilbert.

- Real Estate signs
- Political signs
- Garage Sale signs

**Examples of Temporary Signs**



### **Temporary Signs (Section 17.07.02)**

- Not allowed as permanent signage
  
- Dimensions
  - o Not included in total permanent signage allowance
  - o 32 SF aggregate of temporary signage allowed
  - o Multiple tenants (2 or more)
    - 64 SF of aggregate temporary signage
    - 6' tall in residential zoning districts
    - 8' tall in non-residential zoning districts
    - 5' setback from property line
  
- Duration:
  - o Must be removed 10 calendar days after end of scheduled occurrence.
  - o Off-premise temporary signs may be displayed up to 14 days per occurrence (permit required)

**Permanent sign (*defined*):** Signage affixed to a building or property and intended for the life of the project. A sign designed and constructed to be attached to a building or structure, or to the ground, in a manner that precludes ready removal or movement of the sign, and whose intended use appears to be indefinite.

### **PROHIBITED AND EXEMPT SIGNS**

#### **Prohibited Signs (Section 17.08.00)**

1. Any sign not specifically permitted by these sign regulations is prohibited.
2. Hazardous signs
3. Snipe signs
4. Vehicular signs
5. Signs in public right-of-way unless approved by government entity
6. Signs emitting audible sound, odor or visible matter such as smoke/steam
7. Signs with obscenity
8. Signs that imitate or make/resemble traffic/government signs, symbols and signals
9. Parasite signs

#### **Exempt Signs**

1. Tablet signs.
2. Signs inside a building (not window signs)
3. Window signs except in CRA and Historic Districts
4. Public purpose, service, and/or safety signs
5. Flags
6. Permanent signs up to 4 SF and up to 3' tall in non-residential zoning districts
7. Permanent signs up to 2 SF in residential zoning districts
8. Signs incorporated into machinery or equipment. Signs incorporated into machinery or equipment by a manufacturer or distributor.



- 9. Signs held by a person
- 10. School signs
- 11. Murals
- 13. Temporary on-premise signs up to 32 SF

**Table Indicating if Sign Permits are Required based on Sign Type**

| SIGN TYPE  | PERMIT REQUIRED |    | COMMENTS                    |
|--|-----------------|----|-----------------------------|
|  | YES*            | NO |                             |
| Permanent Sign – Nonresidential Zoning District<br>Up to 4 sq. ft., 3’ tall, & 2 per street frontage |                 | √  |                             |
| All Others   | √               |    |                             |
| Permanent Sign – Residential Zoning District<br>Up to 2 sq. ft.                                      |                 | √  |                             |
| All Others   | √               |    |                             |
| One Time Display/Event Signs   | √               |    |                             |
| Temporary Sign, On-Premises (up to 32 SF)  |                 | √  |                             |
| Temporary Sign, Off-Premise  | √               |    | Requires land owner consent |
| Window Sign in the CRA District  | √               |    |                             |
| Window Sign in the Historic District   | √               |    |                             |
| Window Sign <b>Outside</b> of CRA & Historic Districts   |                 | √  |                             |
| Tablet Sign  |                 | √  | Up to 6 sq. ft.             |
| Signs Inside a Building  |                 | √  |                             |
| Flags  |                 | √  | Up to 4 per parcel          |
| Signs Incorporated into Machinery or Equipment   |                 | √  |                             |
| Murals, Original Art   |                 | √  |                             |
| Signs <b>Not</b> Designed or Located from View of Street or Adjoining Property                       |                 | √  |                             |
| Public Purpose Sign  |                 | √  |                             |
| Signs Carried by a Person  |                 | √  |                             |
| Signs on or within Public or Semi-Public Athletic Fields   |                 | √  |                             |

*\*Please note that engineering drawings are not required for permits for Temporary Signs.*

**CHAPTER 17 - SIGNS  
CROSS REFERENCE MATRIX**

*Note: The City has undertaken a significant revision of the existing Sign Code to update the Code and address content neutrality. A draft Sign Code was prepared, reviewed, and subsequently amended based on comments received at meetings held by the City Council (6.12.16), the CRA (9.12.16 & 10.10.16), the Historic Preservation Commission (9.12.16 & 11.10.16), and the Planning and Zoning Board (12.13.16). The proposed 2.21.17 DRAFT Sign Code includes the above-mentioned meeting based amendments. A comparison of the existing Sign Code to the proposed 2.21.17 DRAFT Sign Code is presented in the Table below.*

**Note:** Sections 17-8 through 17-41, and 17-43 through 17-74 are reserved in the existing Code.

| EXISTING CITY CODE REFERENCE  |  | PROPOSED CODE REFERENCE |  | COMMENTS  |   |  |
|---|--|-------------------------|--|---|---|--|
| Section Number  | Title  | Section Number          | Title  | Comparison of Current Code to Proposed Code Draft   |   |  |
| NA  | NA   | 17.01.00                | Generally  | New.  |   |  |
| NA  | NA   | 17.02.00                | Purpose, Intent and Scope                                    | New.  |   |  |
| NA  | NA   | 17.02.01                | Substitution of Non-Commercial Speech for Commercial Speech. | New.  |   |  |
| 17-88   | Indecent or Immoral Signs  | 17.02.02                | Content Neutrality as to Sign Message (Viewpoint).           | New. "Indecent or Immoral Signs" information relocated under "Prohibited Signs".  |   |  |
| 17-1  | Definitions  | 17.03.00                | Definitions  | <table border="0"> <tr> <td style="vertical-align: top;"> <p><u>EXISTING TERMS</u></p> <p>A-Frame</p> <p>Banner</p> <p>Bench</p> <p>Directional</p> <p>Freestanding</p> <p>Garage, Yard</p> <p>Identification</p> <p>Lighted</p> <p>Off-Premises</p> <p>On-Premises</p> <p>Point of Sale</p> <p>Portable</p> <p>Projecting</p> <p>Real Estate</p> <p>Roof</p> <p>Sign</p> <p>Wall</p> </td> <td style="vertical-align: top;"> <p><u>PROPOSED CHANGES TO EXISTING TERMS</u></p> <p>Deleted "portable" and replaced with "temporary. Revised for clarity.</p> <p>Deleted "off-premise" (can be on and off-premise) Revised to simplify.</p> <p>Added text examples.</p> <p>Deleted. This is a temporary sign.</p> <p>Identification. Deleted for neutrality.</p> <p>Revised. Now "Illuminated Sign".</p> <p>Revised.</p> <p>Revised for neutrality.</p> <p>Deleted.</p> <p>Revised. Now "Portable Message Center Sign".</p> <p>Revised. Illustration provided.</p> <p>Deleted for neutrality. This is a temporary sign.</p> <p>Revised. Illustration provided.</p> <p>Revised.</p> <p>No change.</p> <p>All other terms are new.</p> </td> </tr> </table> | <p><u>EXISTING TERMS</u></p> <p>A-Frame</p> <p>Banner</p> <p>Bench</p> <p>Directional</p> <p>Freestanding</p> <p>Garage, Yard</p> <p>Identification</p> <p>Lighted</p> <p>Off-Premises</p> <p>On-Premises</p> <p>Point of Sale</p> <p>Portable</p> <p>Projecting</p> <p>Real Estate</p> <p>Roof</p> <p>Sign</p> <p>Wall</p> | <p><u>PROPOSED CHANGES TO EXISTING TERMS</u></p> <p>Deleted "portable" and replaced with "temporary. Revised for clarity.</p> <p>Deleted "off-premise" (can be on and off-premise) Revised to simplify.</p> <p>Added text examples.</p> <p>Deleted. This is a temporary sign.</p> <p>Identification. Deleted for neutrality.</p> <p>Revised. Now "Illuminated Sign".</p> <p>Revised.</p> <p>Revised for neutrality.</p> <p>Deleted.</p> <p>Revised. Now "Portable Message Center Sign".</p> <p>Revised. Illustration provided.</p> <p>Deleted for neutrality. This is a temporary sign.</p> <p>Revised. Illustration provided.</p> <p>Revised.</p> <p>No change.</p> <p>All other terms are new.</p> |
| <p><u>EXISTING TERMS</u></p> <p>A-Frame</p> <p>Banner</p> <p>Bench</p> <p>Directional</p> <p>Freestanding</p> <p>Garage, Yard</p> <p>Identification</p> <p>Lighted</p> <p>Off-Premises</p> <p>On-Premises</p> <p>Point of Sale</p> <p>Portable</p> <p>Projecting</p> <p>Real Estate</p> <p>Roof</p> <p>Sign</p> <p>Wall</p> | <p><u>PROPOSED CHANGES TO EXISTING TERMS</u></p> <p>Deleted "portable" and replaced with "temporary. Revised for clarity.</p> <p>Deleted "off-premise" (can be on and off-premise) Revised to simplify.</p> <p>Added text examples.</p> <p>Deleted. This is a temporary sign.</p> <p>Identification. Deleted for neutrality.</p> <p>Revised. Now "Illuminated Sign".</p> <p>Revised.</p> <p>Revised for neutrality.</p> <p>Deleted.</p> <p>Revised. Now "Portable Message Center Sign".</p> <p>Revised. Illustration provided.</p> <p>Deleted for neutrality. This is a temporary sign.</p> <p>Revised. Illustration provided.</p> <p>Revised.</p> <p>No change.</p> <p>All other terms are new.</p> |                         |  |   |   |  |
| 17-89   | Permits  | 17.04.00                | Sign Permits   | Revised; except for some content/speaker based temporary signs & political signs up to 32 sq. ft., current Code requires permit for all. Proposed requires permit for permanent signs, off-premise temporary signs, temporary signs greater than 32 sq. ft., unless otherwise provided.   |   |  |
| NA  | NA   | 17.04.01                | Application for a Permit                                     | New.  |   |  |
| NA  | NA   | 17.04.02                | Issuance of Permit   | New. Includes language for application review time & plan resubmission time frame allowance & provides clarity for the application & review process.  |   |  |
| 17-89   | Permits  | 17.04.03                | Permit Fees  | Now provided under its own heading. No change.  |   |  |
| NA  | NA   | 17.04.04                | Expiration of Permit   | New. Consistent with Building Permit requirements.  |   |  |



**CHAPTER 17 - SIGNS  
CROSS REFERENCE MATRIX**

| EXISTING CITY CODE REFERENCE             |  | PROPOSED CODE REFERENCE |   | COMMENTS   |
|--|--|-------------------------|---|--|
| Section Number                           | Title  | Section Number          | Title                                       | Comparison of Current Code to Proposed Code Draft  |
| 17-3<br>17-78<br>17-79                   | Exemptions<br>Directional Signs<br>Identification Signs                            | 17.05.00                | Exempt Signs                                | Revised/updated & expanded (existing Code is content and/or speaker based). Includes most of the list from the 2015 Working Group document. Directional signs and identification signs covered under letter F; revised from 2 signs per site to 2 per road frontage, retained sign square footage, and location restriction to non-res. districts.   |
| 17-87<br>17-86                           | Height and Clearance Restrictions<br>Lighted Signs                                 | 17.06.00                | Sign Measurement and Illumination Standards | New. Provide illustrations to demonstrate how sign area is calculated & illumination standards for lighted signs. Retained information from the 2015 Working Group document. Retained current Code sign height requirements of 25' & distance from power line requirement. Revised and expanded requirements for lighted signs to allow for mixed uses, in mixed use developments, & for residential support uses; retained requirement for electrical permit.   |
| NA                                       | NA   | 17.07.00                | Specific Signs                              | New Section heading.   |
| 26-126 & 26-222 Zoning Code              | Accessory Uses   | 17.07.01                | Permanent Signs as Accessory Uses           | Consistent with existing Zoning Code requirements for accessory uses, & allows for a distinction that this applies to "permanent" signs. Allows for existing off-premise signs under Section 17.11.01.   |
| 17-77<br>17-80<br>17-83<br>17-85<br>17-3 | A-Frame Signs<br>Real Estate Signs<br>Portable Signs<br>Banner Signs<br>Exemptions | 17.07.02                | Temporary Signs                             | Existing Code generally prohibits Portable Signs (Sec. 17-83). Definitions revised to address a distinction between temporary signs and portable signs (now referred to as Portable Message Center Signs). As proposed, temporary signs are allowed in all zoning districts. Existing Code revised to address content neutrality.<br>A. Generally; new. Cannot be permanent signage, off-premise requires express consent of property owner, 1 additional temporary sign allowed until permanent sign installed (with time frames and sq. footage limitations), on-premise signs less than 32 sq. ft. do not require a permit, readily movable signs must be to secure location upon weather.<br>B. A-Frame; retained (5') free travel space on the sidewalk to accommodate wheelchair and other pedestrian travel. New; must be located outside of bus. during bus. hours, increased sq. ft. from 24" wide to 36", must be properly anchored against wind.<br>C. Portable Message Center Signs; new. Allowed for limited time.<br>D. One-Time Display (Event) Signs; new.<br>E. Off-Premise Temporary Signs; new.<br>F. Dimensional Requirements; new.<br>G. Duration; Removal w/in 10 days is consistent with Sec. 17-3.<br>H. Maintenance; new. |
| NA                                       | NA   | 17.07.03                | Electronic Message Center Signs (EMC)       | New.   |
| NA                                       | NA   | 17.07.04                | Changeable Copy Signs, Manual               | New.   |
| 17-7                                     | Prohibited Locations   | 17.08.00                | Prohibited Signs                            | New. Existing Code only provides for prohibiting signs in R-O-W. Proposed Section lists specific prohibited signs.   |



**CHAPTER 17 - SIGNS  
CROSS REFERENCE MATRIX**

| EXISTING CITY CODE REFERENCE |   | PROPOSED CODE REFERENCE |  | COMMENT  |
|------------------------------|---|-------------------------|--|--|
| Section Number               | Title   | Section Number          | Title  | Comparison of Current Code to Proposed Code Draft  |
| 17-6                         | Duty to Maintain; Notice, Correction of Defects | 17.09.00                | Construction and Maintenance Standards       | Intent is the same, but requirements expanded. Time frame for corrections provided under 17.13.02.   |
| NA                           | NA  | 17.10.00                | On-Premises Permanent Signs                  | New Section heading.   |
| NA                           | NA  | 17.10.01                | Residential Zoned Districts                  | New. Requirements allow for dimensional requirements for freestanding and wall signs for mixed use development, mixed use zoning districts, and residential support uses.  |
| 17-75                        | Public Zoned Property                           | 17.10.02                | Non- Residential Zoned Districts             | <p><b>Freestanding Signs:</b></p> <p>A. <b>Revised;</b> maximum signage determined by number of street frontages (max. number of signs allowed) instead of per number of bldgs., deleted sign distance separation from residential property in "Public" zoning district.</p> <p>B. <b>Retained;</b> max. sign area allowed based on 1 sq. ft. per each bldg. lineal foot), not to exceed 300 sq. ft., restrict multi bldgs. on property to 1 sign.</p> <p>C. <b>New;</b> Allowance for shopping centers, menu boards.</p> <p><b>New Provisions for Other Sign Types:</b></p> <p>A. Wall &amp; Fascia Signs (<i>Includes single and multi-use bldgs., and shopping centers</i>) (<i>Consistent with 2015 Working Group document</i>)</p> <p>B. Awnings &amp; Similar Structures</p> <p>C. Under Canopy or Under Awning Signs.</p> <p><b>Projecting Signs:</b> Revised; min. clearance reduced from 10' to 8' consistent with 2015 Working Group document. Consistent with 17-82 where allowed. All other info. is new.</p> <p><b>Roof Signs:</b> Allowed in existing and proposed Code. All requirements are new.</p> |
| 17-76                        | Point of Sale Signs                             |                         |  |  |
| 17-82                        | Projecting Signs                                |                         |  |  |
| 17-81                        | Roof Signs                                      |                         |  |  |
| 17-84                        | Off Premises Signs                              | 17.11.00                | Permanent Off-Premises Signs and Bench Signs | Retitled. Added the term "permanent" so as not to confuse with temporary signs.  |
| 17-84                        | Off Premises Signs                              | 17.11.01                | Permanent Off-Premises Signs                 | Provided a subsection heading for this topic. Added the term "permanent" so as not to confuse with temporary signs. No changes to requirements.  |
| 17-84                        | Off Premises Signs                              | 17.11.02                | Bench Signs                                  | Provided a subsection heading for this topic. Exempt the CRA & Historic Districts from provisions as they are regulated under 17.14.00. Revised prohibition of locating within the ROW and refer to 17.08.00, B. 4., which includes a caveat "as may be approved by the appropriate govt. agency".   |
| 17-4                         | Nonconforming Signs                             | 17.12.00                | Non-Conforming Signs                         | Revised. <ul style="list-style-type: none"> <li>A. <b>Existing Code:</b> refers to signs in existence prior to August 7, 1979 and may be maintained and repaired but not further the nonconformity.</li> <li>B. <b>Proposed:</b> allows certain nonconforming signs existing prior to the adoption of this Chapter to continue until no longer used, or becomes hazardous, but not to encourage their nonconforming status.</li> </ul>   |
| 17-90                        | Removal of Non-Conforming Signs                 | 17.12.01                | Removal of Non-Conforming Signs              | Consistent with existing Code.   |
| 17-4                         | Nonconforming Signs                             | 17.12.02                | Continuance of Non-Conforming Sign           | Consistent with existing Code.   |

**CHAPTER 17 - SIGNS  
CROSS REFERENCE MATRIX**

| EXISTING CITY CODE REFERENCE |                                 | PROPOSED CODE REFERENCE |  | COMMENT   |
|------------------------------|---------------------------------|-------------------------|--|---|
| Section Number               | Title                           | Section Number          | Title  | Comparison of Current Code to Proposed Code Draft   |
| NA                           | NA                              | 17.12.03                | Repairs, Maintenance & Improvements                          | New.  |
| 17-4                         | Nonconforming Signs             | 17.12.04                | Reconstruction after Catastrophe                             | Expanded text, but consistent with existing Code.   |
| NA                           | NA                              | 17.12.05                | Casual, Temporary or Illegal Use                             | New.  |
| NA                           | NA                              | 17.13.00                | Sign Removal   | New.  |
| 17-90                        | Removal of Non-Conforming Signs | 17.13.01                | Removal of Prohibited Signs                                  | Letter A., is consistent with existing Code language "city or agent may remove sign."   |
| NA                           | NA                              | 17.13.02                | Removal of Unsafe and/or Abandoned Signs                     | New.  |
| NA                           | NA                              | 17.13.03                | Removal of Illegally Erected Signs                           | New.  |
| NA                           | NA                              | 17.14.00                | Community Redevelopment Agency (CRA) and Historic District   | New.  |
| NA                           | NA                              | 17.14.01                | Community Redevelopment Agency (CRA) and Historic District   | Consistent with City maps.  |
| NA                           | NA                              | 17.14.02                | General Design Guidelines for the CRA and Historic Districts | <p><b>Revisions to Adopted 2004 CRA Plan:</b></p> <p>A. Revised area of ground &amp; pole signs to be consistent with 17.10.02.</p> <p>B. Clarified projecting sign height &amp; deleted provisions for when extending into ROW.</p> <p>C. Added provision that window signs may be located on a glass door pane.</p> <p>D. Increased window coverage from 25% to 50%.</p> <p>E. Added window signs for allowable types of neon signs.</p> <p><b>New Provisions:</b></p> <p>A. This Section to be applicable to both CRA &amp; Historic districts</p> <p>B. Added EMC provisions to ground &amp; pole signs.</p> <p>C. Sign compatibility of multiple signs on site.</p> <p>D. Allowance for signs in ROW consistent with 17.08.00. B., 4, and for A-frame, marquee, awning, projecting, and under canopy signs.</p> <p>E. Bench signs to be located on private property.</p> |
| NA                           | NA                              | 17.14.03                | CRA Design Review and Appeals                                | Consistent with existing City Code, Chapter 8.  |



**CHAPTER 17 - SIGNS  
CROSS REFERENCE MATRIX**

| EXISTING CITY CODE REFERENCE |   | PROPOSED CODE REFERENCE |  | COMMENT  |
|------------------------------|---|-------------------------|--|--|
| Section                      | Title                                     | Section                 | Title                                    | Comparison of Current Code to Proposed Code Draft  |
| NA                           | NA  | 17.14.04                | Historic District                        | <p><b>New:</b></p> <p>A. Applicants must provide documentation demonstrating appropriateness of signage to the historic period and character of the building and/or area. Book reference provided for guidance</p> <p>B. <b>General Design Guidelines provided for:</b> size and shape of signs, color, materials, illumination, typefaces, projecting signs separation, under canopy signs (from 2004 adopted CRA plan), display boards, and sign placement.</p> <p>C. Criteria for Certificate of Appropriateness, Specific Criteria for Signs for Certificate of Appropriateness.</p> <p><b>From existing City Code, Chapter 11:</b></p> <p>A. Certificate of Appropriateness Review Authority.</p> <p>B. Variances.</p> <p>C. Appeals.</p> |
| 17-2                         | Penalties                                 | 17.15.00                | Penalties for Violations of this Chapter | Revised; reference State law. Proposed Section provides for enforcement and prosecutorial info.  |
| 17-42                        | Variances                                 | 17.16.00                | Variances and Appeals                    | No change to variances. Proposed includes new information for appeals.   |
| 17-91                        | Severability                              | 17.17.00                | Severability                             | No change.   |
| 17-5                         | Application to Certain R-6 Zoned Property | NA                      | NA                                       | Deleted, consistent with 2015 Working Group document.  |



PROPOSED AMENDMENTS

**SEBRING SIGN CODE**

## CHAPTER 17.

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## CHAPTER 17.

### SIGNS

#### **Section 17.01.00. Generally.**

These sign regulations are intended to complement the requirements of the Building and Electrical Code adopted by the City. Wherever there is inconsistency between these regulations and the Building or Electrical Code, the more stringent requirements shall apply.

#### **Section 17.02.00. Purpose, Intent, and Scope.**

The Purpose of the Sign Regulations is to make known that signs provide an important medium through which businesses and individuals may convey a variety of commercial and noncommercial messages. But, when left unregulated, signs can become a threat to public safety as a traffic hazard, and a detriment to property values and the City's overall public welfare as an aesthetic nuisance. Therefore, the intent of these Sign Regulations is to:

- A. Preserve the right of free speech and expression in the display of signs;
- B. Further the objectives of the City of Sebring's Comprehensive Plan;
- C. Protect the public health, safety and welfare of the city's citizens;
- D. Reduce traffic and pedestrian hazards;
- E. Protect property values by minimizing signs' possible adverse effects;
- F. Promote economic development; and
- G. Ensure the fair and consistent enforcement thereof.

#### **Section 17.02.01. Substitution of Non-Commercial Speech for Commercial Speech.**

Notwithstanding anything contained in this Chapter or Code to the contrary, any sign erected pursuant to the provisions of this Chapter or Code may, at the option of the owner, contain a non-commercial message in lieu of a commercial message and the non-commercial copy may be substituted at any time in place of the commercial copy. The non-commercial message (copy) may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to non-commercial messages, or from one non-commercial message to another non-commercial message, as frequently as desired by the owner of the sign, provided that the size, height, setback and other dimensional criteria contained in this Chapter and other applicable requirements have been satisfied.

#### **Section 17.02.02. Content Neutrality as to Sign Message (Viewpoint).**

Notwithstanding anything in this Chapter or Code to the contrary, no sign or sign structure shall be subject to any limitation based upon the content (viewpoint) of the message contained on such sign or displayed on such sign structure.

#### **Section 17.03.00. Definitions.**

The illustrations provided in this Section serve as visual examples to generally represent a defined term for general reference purposes only. As general illustrations, they may not be all inclusive, and unless otherwise indicated, they do not contain or represent exact or specific requirements.

The word "shall" is mandatory and the word "may" is permissive.



**A-FRAME SIGN:** A temporary double-faced sign attached at the top and with the bottom spread apart to form a stable base (also known as a Sandwich Board Sign). *See Sandwich Board Sign for example.*

**ABANDONED SIGN:** A sign shall be considered abandoned when the business activity or firm, which such sign advertises, is no longer in operation for a period of at least ninety (90) days, or does not have a current business tax certificate in effect. In the alternative, a sign which is non-commercial in nature and its purpose has elapsed or expired in the preceding sixty (60) days.

**ACCESSORY USE:** Any subordinate use customarily incidental to and located upon the same parcel of land with the principal use.

**AGGREGATE SIGN AREA:** The total calculated sign area.

**ANIMATED SIGN:** A sign depicting action, motion, light, or color changes through electrical or mechanical means. Although the technology is similar to flashing signs, the animated sign emphasizes graphics and artistic display.

**AWNING:** Any structure made of cloth or metal, which is supported by an open metal framework, and which is temporarily or permanently attached to, and extends from, an exterior wall or any other exterior portion of a building.

**BACKLIT SIGN:** A sign where the light source is typically placed behind, and faces towards, the sign graphic.



**Example Backlit Sign**

**BANNER:** Any temporary strip of cloth, plastic or other flexible, lightweight, material on which a sign is printed, painted, or otherwise displayed and which is intended to be hung or mounted to a structure by cord, rope, cable, or similar method. "Banner" does not include blade signs.



**Example Banner**

**BENCH SIGN:** A sign permanently affixed to a park bench.

**BLADE SIGN (aka feather sign, teardrop sign):** A temporary sign that is constructed of cloth, canvas, plastic fabric or similar lightweight, non-rigid material and that is supported by a single vertical pole mounted into the ground or on a temporary, readily movable, structure.



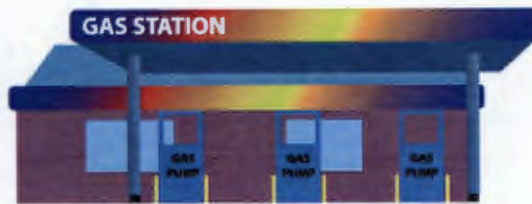
**Example Blade Signs**

**BUILDING SIGN:** An on-premises sign displayed upon or attached to any part of the exterior of a building, including walls/fascia, windows, doors, canopies, awnings, marquees and roofs.



**Example Building Signs**

**CANOPY SIGN:** A sign attached to any roof-like structure that is open on at least three (3) sides, utilized as protection from the rain or sun, such as over gasoline pumps, and may be either of a rigid or non-rigid material, collapsible, removable, or of permanent rigid construction. Canopy signs may be located on any side of the canopy.



**Example Canopy Sign**

**CHANGEABLE COPY SIGN, MANUAL:** Any sign with copy that can be manually changed, rearranged, or altered without changing the face of the sign.



**Example Changeable Copy Sign, Manual**

**CHANGEABLE COPY SIGN, ELECTRONIC:** See *Electronic Message Center Sign*.

**DIRECTIONAL SIGN:** Any sign whose sole purpose is to provide direction for pedestrian and vehicular traffic.

**DISPLAY BOARD:** A vertical surface on which information can be displayed to public view.

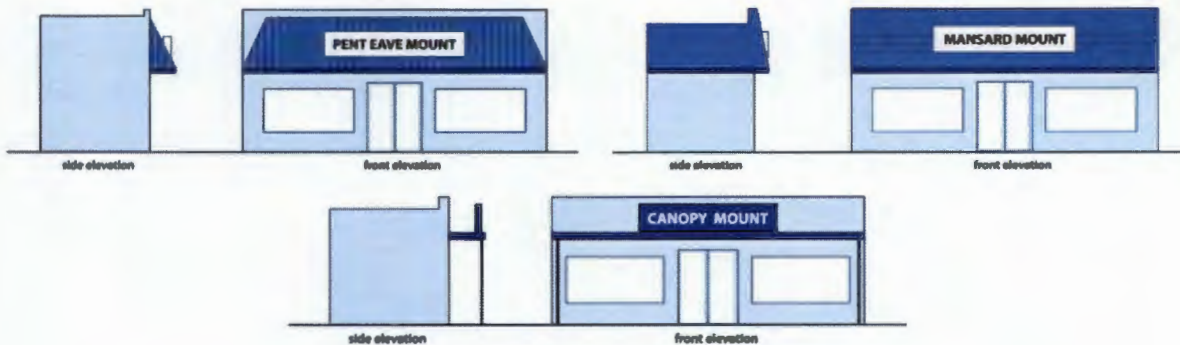
**DISSOLVE:** A mode of message transition on an Electronic Message Center Sign accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

**DOUBLE-FACED SIGN:** A sign with back-to-back faces provided the faces are joined on the same support.

**ELECTRONIC MESSAGE CENTER SIGN (EMC):** A variable-message sign that changes at regular intervals via a computer-controlled interface or some other electronic means of changing copy.

**FADE:** A mode of message transition on an Electronic Message Center Sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

**FASCIA SIGN:** A building mounted sign. (The example fascia signs, as shown below, are located on roof like structures; however, these are *not* roof signs).



**EXAMPLE FASCIA SIGNS**

**FLAG:** A sign, usually square or rectangular shaped, made of plastic or fabric of any kind and intended to be hung from a flagpole by being tethered along one side.

**FLAGPOLE:** A freestanding ground mounted structure, or a structure mounted to a building or wall and used for the sole purpose of displaying a flag.

**FLASHING:** A pattern of changing light illumination which alternates suddenly between fully illuminated and fully non-illuminated for the purpose of drawing attention to the sign.



**FOOT CANDLE:** A unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot, and originally defined with reference to a standardized candle burning at one (1) foot from a given surface. Foot candle can be measured by means of an illuminance meter.

**FREESTANDING SIGN:** A permanent sign that is supported by one or more columns, uprights, or braces, and set firmly in or upon the ground surface, not attached to or forming part of any building or other structure. Freestanding signs include ground-mounted, monument, wide-base, and pole signs.

**FREESTANDING, WIDE-BASE SIGN:** Any permanent, freestanding sign in which the uprights or braces are clad in a permanent material such that the entire base has a monolithic or columnar line that maintains essentially the same contour. Wide-base signs shall be allowed where ground, monument, and pole signs are allowed.



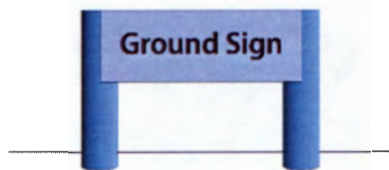
**Example Wide-Base Sign**

**FRONT FOOT OF THE PARCEL OR PREMISES:** Each foot or major portion thereof, measured along the public right-of-way where the subject property abuts said right-of-way.

**FRONT FOOT OF THE BUILDING FRONTAGE:** Each foot or major portion thereof, measured along the main entry side of a building.

**GRADE ELEVATION:** The final elevation of the ground surface after development excluding berms or landscape treatment specifically designed to raise the height of the sign.

**GROUND SIGN:** A freestanding sign permanently attached to or supported by the ground by a continuous base or two (2) or more support posts at the outside edge, not attached to any structure. Ground signs shall be allowed where wide-base, monument, and pole signs are allowed.



**Example Ground Sign**

**HEIGHT OF SIGN:** The vertical distance measured between the top of a sign structure and the finished grade elevation, or the average elevation of the abutting roadway, nearest the base of the sign to the highest point on the sign.

**ILLUMINATED SIGN:** A sign that uses artificial light, either internal or external to the sign faces, to draw attention to the sign or otherwise increase its visibility.



**LUMEN:** A measurement of the total amount of visible light emitted by a source.

**MARQUEE SIGN:** A sign attached to a structure projected from and supported by a building, which extends beyond the building line and usually fully or partially covers a sidewalk, porch, public entrance or other pedestrian way. *See Building Sign definition for example illustration.*

**MONUMENT SIGN:** A permanent, freestanding sign, with a solid base, designed with a continuous structural element of approximately the same dimension from the ground to the top of the sign. Monument signs shall be allowed where ground, wide-base, and pole signs are allowed.



**Example Monument Sign**

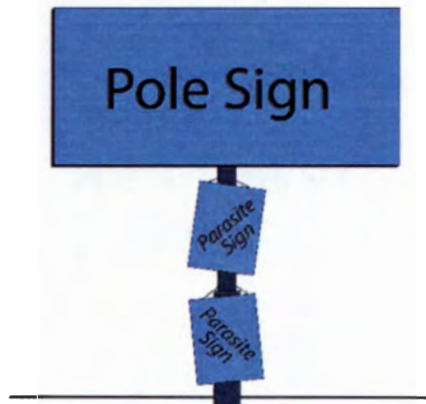
**NEON SIGN:** A sign with tubing that is internally illuminated by neon or other electrically charged gas.

**NON-CONFORMING SIGN:** A sign legally erected or installed in the City before the adoption of this Chapter, which was in compliance with all of the provisions of the City then in effect, but which does not presently conform to the requirements of this Chapter.

**OFF-PREMISES SIGN:** A sign relating to an activity or place not on the premises on which the sign is located. A sign bearing a non-commercial message is deemed to be on-premises.

**ON-PREMISES SIGN:** Any sign relating to an activity or place on the same premises on which the sign is located.

**PARASITE SIGN:** Any sign not exempted by this Chapter, for which no permit has been issued, and which is attached to another sign.



**Example Parasite Signs**

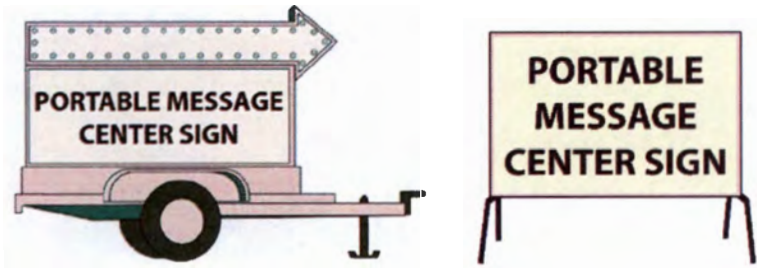
**PERMANENT SIGN:** Signage affixed to a building or property and intended for the life of the project.

**POLE SIGN:** A permanent, freestanding sign, other than a ground, wide-base, or monument sign, which is mounted on a freestanding pole embedded in the ground.



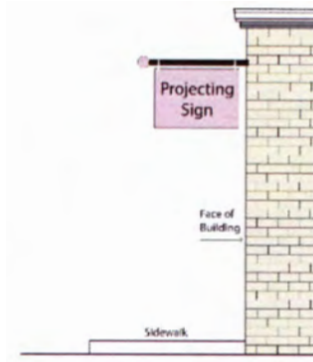
**Example Freestanding Pole Sign**

**PORTABLE MESSAGE CENTER SIGN:** Any sign which is designed to be transported by a vehicle, trailer, or on its own wheels, including any such electronic, digital, or manual changeable copy sign where the wheels may be removed and the remaining chassis or support structure may be attached temporarily or permanently to the ground. This definition shall not include banner signs, blade signs, yard signs, or sandwich and A-frame signs as provided in this Chapter.



**Example Portable Message Center Signs**

**PROJECTING SIGN:** A sign attached to a building or other structure extending beyond the surface of the building or structure to which it is attached.



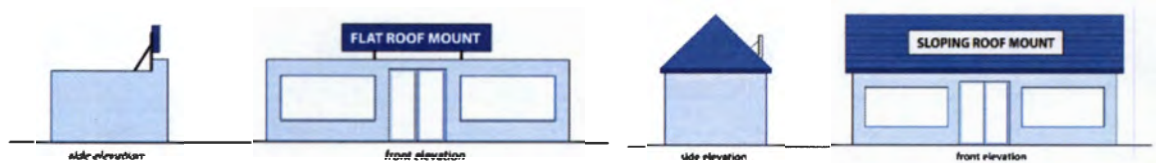
**Example Projecting Sign**

**PUBLIC LANDS OR PROPERTY:** Lands and/or property that are owned, leased, or operated by a public body, such as City, County, State, or Federal government.

**PUBLIC RIGHT-OF-WAY:** The area of land occupied by a street, crosswalk, curb, sidewalk, etc., whether established by prescription, easement, dedication, gift, purchase, eminent domain, or any other legal means, which is maintained by a public body.

**RESIDENTIAL SUPPORT USES:** The use of land, buildings or structures for uses which include but are not limited to child care centers, schools, and religious institutions.

**ROOF SIGN:** A sign painted on or affixed to the roof of a building and primarily supported by that roof structure.



**Example Roof Signs**

**SANDWICH BOARD:** An unsecured double or single faced temporary sign, most often forming the cross-sectional shape of the letter "A" when viewed from the side, and which may be readily moved from place to place (also known as an A-Frame Sign).



**Example A-Frame/Sandwich Board Sign**

**SCROLL:** A mode of message transition on an Electronic Message Center Sign where the message appears to move vertically or horizontally across the display surface.

**SETBACK:** The setbacks for signs specified in this Chapter shall be measured horizontally from the vertical place of the property line or right-of-way line to the closest point of the sign.

**SIGN:** Any letters, numbers, symbols, graphic, pictures, or figures or combination thereof which are erected, constructed, placed, painted, tethered or attached to a structure or the ground, which identify, advertise or direct attention to a product, business, institution, place, person or event. When not modified by the terms "structure" or "face", the term "sign" shall include all parts of the sign and its supporting structure.

**SIGN AREA:** The area of any geometric figures which contains the entire sign face upon which copy may be placed.

**SIGN COPY:** The letters, numerals, figures, symbols, logos, and graphic elements comprising the content or message of a sign exclusive of the street name and numerals identifying a street address only.

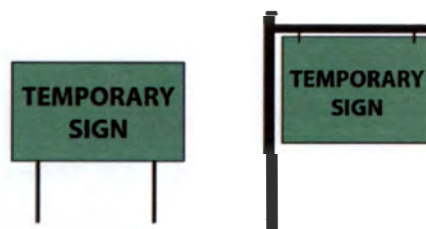
**SIGN FACE:** The surface upon, against, or through which the sign copy is displayed or illustrated.

**SIGN STRUCTURE:** The uprights, supports, braces and framework supporting a sign.

**SNIFE SIGN:** Any sign of any size, made of any material, including paper, cardboard, wood and metal, when such sign is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, fences or other objects.

**TABLET SIGN:** A sign located on the permanent part of a building which is cut into any masonry surface, or when constructed of bronze or other durable material and attached to the surface of a building.

**TEMPORARY SIGN:** Any sign designed, constructed, and intended to be used on a limited-term basis, and which is not permanently installed. A permanent sign with periodic changes to the message shall not be considered a temporary sign. This definition shall include, but is not limited to, such signs as banner signs, blade signs, yard signs, portable message center signs, and sandwich board signs. "Temporary Sign" does not include vehicular signs.



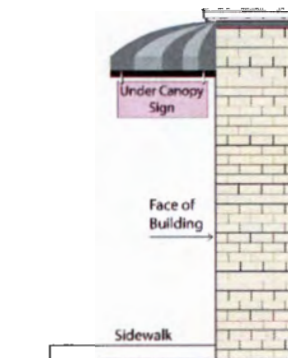
**Example Temporary Yard Signs**

**TRANSITION:** A visual effect used on an Electronic Message Center Sign to change from one message to another.

**TRAVEL:** A mode of message transition on an Electronic Message Center Sign where the message appears to move horizontally across the display surface.

**TYPEFACE:** A set of one or more fonts, in one or more sizes, designed with a coordinated, consistent, stylistic visual unity, appearance or style. A typeface usually comprises an alphabet of letters, numerals, and punctuation marks; it may also include symbols, or consist entirely of them.

**UNDER-CANOPY SIGN:** A sign painted on or attached to the underside of a canopy, awning or marquee.



**Example Under-Canopy Sign**

**V-STYLE SIGN:** A double-faced sign where the width between the faces does not exceed more than 4 feet apart when measured at the widest point, and erected back-to-back at a 45° angle to form a "V".

**VEHICULAR SIGN:** Vehicular sign means a sign attached or affixed to a parked vehicle or trailer in such a manner that the sign is not incidental to the vehicle, but is the primary use of that vehicle, providing a base for such sign, or constituting the sign itself. This definition shall not include the use of business logos, identification, or advertising on vehicles primarily and actively used for transportation or vehicles properly parked in a marked parking space.

**WALL SIGN:** Any sign affixed to the wall of any building that does not extend more than twelve inches (12") from the wall.

**WINDOW SIGN:** A sign which is painted on, attached to, or suspended directly behind or in front of a window or the glass portion of a door. The display of merchandise is not a window sign.

**Section 17.04.00. Sign Permits.**

It shall be unlawful for any person to erect, construct, enlarge, or relocate any permanent sign (unless specified in Section 17.05.00 – Exempt Signs), any off-premise temporary sign, or any temporary sign greater than thirty-two (32) square feet, within the incorporated areas of the City of Sebring, Florida, without having first obtained a permit, except as provided for in this Chapter. No additional sign permits shall be required when changes are made to existing permitted signs if the location, sign area, and other dimensional elements of the existing sign remain the same. However, signs with electronic and/or lighting components may be subject to electrical permits, as required by this Sign Code.



#### **Section 17.04.01. Application for a Permit.**

All applications for permits under this Section shall be filed by either a general contractor, a sign contractor or a building contractor licensed by the State of Florida to erect signs in Highlands County, or the owner of the property where the sign is to be located, or his or her authorized agent. Sign permit applications for permanent signs not listed in Section 17.05.00 Exempt Signs, shall be submitted with a sealed set of drawings and calculations by an engineer licensed in Florida. If a sign application is submitted concurrent with building plans, the sign shall be included in the building permit as long as the application for a sign permit meets the requirements herein. A sign application may include more than one sign, as applicable. Sign applications shall include the following:

- A. Name, address, telephone number of owner(s) of property;
- B. Name, address and telephone number of licensed sign contractor erecting the sign;
- C. The street address and/or legal description of the property upon which the proposed sign is to be located;
- D. Notarized signature of the owner of the property, or authorized agent, indicating permission to erect the proposed sign;
- E. A plan, sketch, blueprint, or similar presentation drawn to scale, showing the sign and all pertinent structural details, including the sign height, dimensions and sign area for each individual sign, the exact location of the proposed sign in relation to setbacks, streets, and buildings located on the site, wind pressure requirements, and materials in accordance with the requirements of the Florida Building Code adopted by the City of Sebring;
- F. Brightness level of proposed lighted signs.

#### **Section 17.04.02. Issuance of Permit.**

Upon receipt of an application for a sign permit, the City Administrator, or designee, shall review the plans, specifications and other data relating to such sign, and if considered necessary, inspect the premises upon which the sign is proposed to be erected. Plan review shall be completed within ten (10) working days of receipt of a complete application and application fee, and a sign permit shall be issued if the sign is found in compliance with this Chapter and all other applicable State and City laws.

- A. If a permit is denied, the City Building Official, or designee, shall inform the applicant of the reasons for denying the sign permit application.
- B. The applicant shall have 30 calendar days to revise and resubmit the sign permit application at no additional cost for review by the city.

#### **Section 17.04.03. Permit Fees.**

Permit fees under this Chapter shall be established, and may be modified from time to time, by resolution of the City Council.

#### **Section 17.04.04. Expiration of Permit.**

Any permit issued under this Sign Code shall expire one hundred eighty (180) days after the date of issuance unless a permit extension is granted by the City Administrator, or designee.

Sign permits submitted simultaneous with a building permit application for new building construction shall run concurrently with the expiration date of the new construction building permit.

**Section 17.05.00. Exempt Signs.**

The following signs are exempt from the permitting requirements of this Sign Code, but must still meet applicable construction standards and obtain electrical permits if required by the City Electrical Code.

- A. One tablet sign per building, not exceeding six (6) square feet in area, when cut into any masonry surface, or when constructed of bronze or other durable material and attached to the surface of a building. No tablet sign shall be mounted at a height greater than six (6) feet from the ground or sidewalk to the bottom of the sign.
- B. Signs inside a building, which are not window signs.
- C. Window signs, except as provided for the CRA and Historic Districts.
- D. Any public purpose sign, including regulatory signs and any notice or warning signs required by Local, State, or Federal Government law, ordinance, regulation or resolution.
- E. Flags where the aggregate sign area of such flags shall not count as chargeable square footage, provided that:
  - 1. No more than four (4) flags may be displayed per parcel; and
  - 2. Each flag must be flown from a flagpole.
- F. Permanent signs in non-residential districts, which do not exceed four (4) square feet in area and three (3) feet in height (if freestanding), with no more than two (2) signs per street frontage.
- G. Signs incorporated into machinery or equipment by a manufacturer or distributor.
- H. Signs carried by a person.
- I. Murals consisting of original, painted, artwork on walls or similar building areas.
- J. Signs located on or within public or semi-public athletic fields affixed to scoreboards, buildings, or structures facing the field.
- K. Each residential property may display a permanent sign, not to exceed two (2) square feet in sign area, that is visible from the public right-of-way.
- L. On-premises temporary signs less than thirty-two (32) square feet.
- M. Signs that are not designed or located so as to be visible from any street or adjoining property.
- N. On-premise temporary signs up to 32 square feet.

**Section 17.06.00. Sign Measurement and Illumination Standards.**

Unless otherwise provided in this Chapter, the following requirements apply to all signs in the City of Sebring:

**A. Sign Area Calculations.**

The area of the geometric figures, or the sum of the combination of geometric figures, which comprise the sign face shall comprise the sign area.

Architectural features that are either part of the building or part of a freestanding structure, and not an integral part of a freestanding sign, shall not be included in the sign area. A pole or other structural support of a freestanding sign shall not be included in the sign area unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device, or a part of a display device up to a maximum of 75% of the total size of the maximum allowed sign area. Any area of the structural support or cladding greater than 75% of the sign area shall count as part of the sign.

The following standards shall apply:

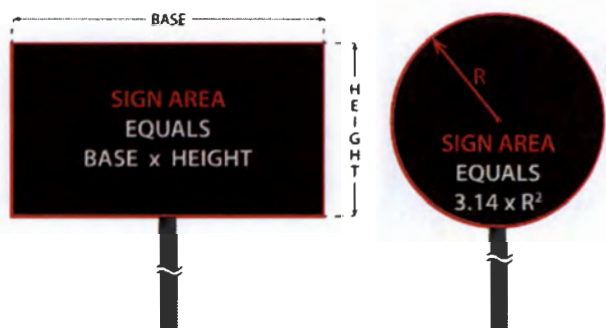
***Determining Sign Area:***

The illustrations below portray how sign area is calculated. In Figures S2-S8, the illustration to the left represents an example sign while the corresponding illustration to the right, shown in black and red, identifies the portion of that same sign that is to be included in sign area calculations.

**1. Figure S-1: Freestanding Sign with Pole or Narrow Base, Projecting Signs, Under Canopy Signs, and Roof Signs.**

Calculate sign area by the actual rectangular panel surrounding copy. The area of a sphere shall be computed as the area of a circle.

**Figure S-1**



**2. Figure S-2: Freestanding Sign with Wide Base.**

Calculate sign area by the actual rectangular panel surrounding copy. Do not calculate embellishment or support cladding.

**Figure S-2**



**3. Figure S-3: Freestanding Sign with Multi-Panels.**

Calculate sign area by the sum of actual oval panels surrounding copy. Do not calculate support cladding.

**Figure S-3**



**4. Figure S-4: Monument Sign.**

Calculate sign area by the actual panel surrounding copy. The base of a monument sign shall not be counted as part of the sign area.

**Figure S-4**



**5. Figure S-5: Canopy Sign.**

Calculate sign area by an imaginary panel drawn around copy. Do not calculate decorative graphics. Calculation is the same for attached canopy, awning and/or marquee. The area of a canopy sign shall be included in the calculation for wall/fascia signs.

**Figure S-5**





**6. Figures S-6A and S-6B: Wall/Fascia Signs.**

**Figure S-6A**



"Sign Area" is also the Sign Face.

**Figure S-6B**



When measuring wall/fascia signs with various significant geometric shapes, the multiple geometric shapes should be used, rather than one rectangle. This is to assure that "air space" or "the background wall" is not included as part of the sign area.

**7. Multi-Faced Signs.**

- a. Double-faced signs of equal size. When two (2) identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and are part of the same sign structure, the sign area shall be computed as the measurement of one of the two (2) faces.
- b. Double-faced signs not of equal size. Where two (2) sides of a sign are not of equal size, the larger of the two (2) sides shall be used in determining sign area.
- c. Multiple faced signs. The area of multiple faced signs in which the interior angle formed by the faces is greater than ninety-one degrees (91°) shall be expressed as the sum of the areas of all the faces, except for multiple faced signs containing faces that are configured back to back, in which case the area of the faces configured back to back shall be calculated according to the rule for double-faced signs.

**8. Figures S-8A and S-8B: Window Signs.**

**A. Signs with Integral Background Areas or Fixed Boundaries.**

The sign area for signs having a background area or fixed boundaries, frames or edges, shall be calculated based on the area contained within such fixed boundaries, frames, or edges.

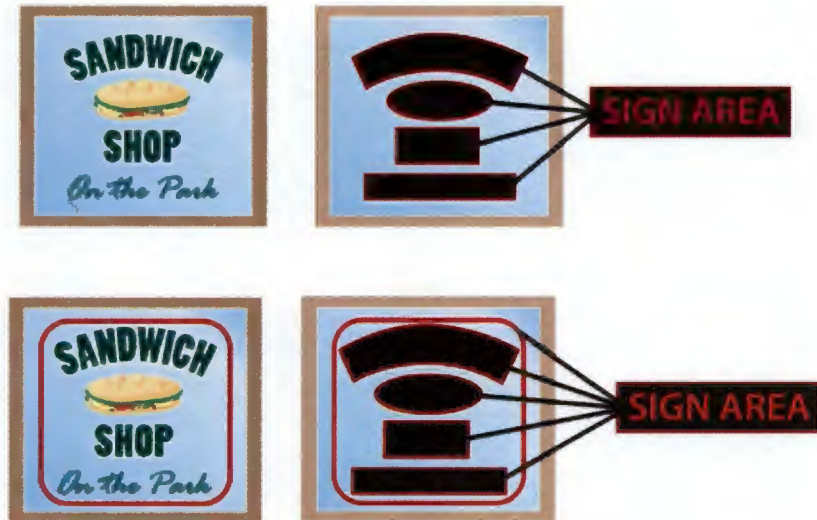
**Figure S-8A**



**B. Signs without Integral Background Areas or Fixed Boundaries.**

The sign area for signs having no background area or fixed boundaries, frames or edges, such as separate/individual lettering placed or painted upon window glass, shall be computed on the basis of the sum of the smallest regular geometric shape, such as a triangle, rectangle, square or circle, encompassing the outermost exterior of the letters, words or numbers on a line-by-line basis. Border trim shall be individually calculated and included in the sum sign area computation.

**Figure S-8B**



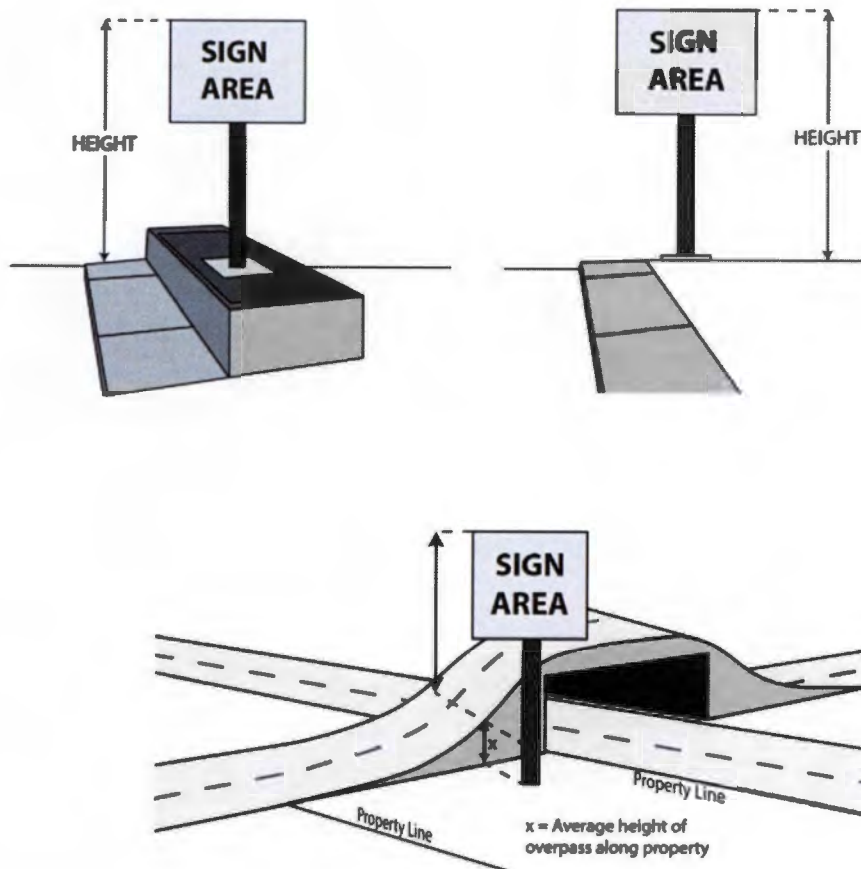
*How To Calculate Border Trim Area as Shown in Second Illustration:*

- Square or Rectangular Border Trim = Length × Width  
(Length of Border Trim Line × Width/Thickness of Border Trim Line)
- Circular Border Trim = Circumference of Circle × Width  
(Circumference of Circle = 3.14 × Diameter of Circle)  
(Width = Width/Thickness of Border Trim Line)

**B. Sign Height and Clearance Calculations.**

1. Sign height shall be measured as the vertical distance between the top of a sign structure and the finished grade elevation, or the average elevation of the abutting roadway, nearest the base of the sign to the highest point on the sign.

**Determining Sign Height:**



2. No permanent, freestanding, sign shall project more than twenty-five feet (25') above the crown of the road the sign is designed to serve, or above the ground on which the sign is erected, whichever is higher.
3. No sign shall be placed or constructed within eight feet (8') of a power line, in any direction.

**C. Illumination Standards.**

1. All lighted signs shall conform to all applicable electrical codes, and installation shall be done only after obtaining an electrical permit.
2. Sign lighting shall not be designed or located to cause confusion with traffic lights.
3. Illumination by floodlights, spotlights, or unshielded bulbs is permissible so long as none of the light emitted shines directly onto an adjoining property or into the eyes of motorists or pedestrians using or entering public streets. This standard applies to sign illumination originating inside of business windows or sign illumination originating on signs which are outside.
4. Lights used for external sign illumination shall be so designed as to concentrate the illumination upon the sign, with steady, stationary, light, and such lights shall not glare upon the street or upon adjacent property.
5. Unshielded illuminated devices that produce glare or are a hazard or a nuisance to motorists or occupants of adjacent properties are prohibited.
6. Unless otherwise provided in this sign code, various types of sign illumination, including neon, incandescent, LED, and similar, compatible, or comparable lighting technologies, are permitted consistent with all applicable requirements of this sign code.
7. Internally lit signs shall only be allowed in non-residential zoning districts, mixed use developments, and for residential support uses in residential districts, consistent with all applicable requirements of this Sign Code.
8. Internally illuminated signs in mixed use developments and in residential districts where residential support uses are located shall not be illuminated between the hours of 11 p.m. and 7 a.m.

**Section 17.07.00. Specific Signs.**

The following provisions shall apply to the indicated type of sign.

**Section 17.07.01. Permanent Signs as Accessory Use Only.**

Unless otherwise provided in this Sign Code, permanent signs are to be accessory to a main, principal, or primary land use that is permitted in the district on the same parcel; the signs themselves are not to be a primary or principal use on any parcel.



## **Section 17.07.02. Temporary Signs.**

Temporary signs shall be allowed in all zoning districts and shall comply with the following requirements:

### **A. Generally.**

1. Temporary signs may be ground or building signs but shall not be allowed as permanent signage.
2. Signs may be on-premises or off-premises; however, off-premises signs shall require express consent of the property owner.
3. One additional temporary sign, not to exceed the square footage requirements provided in paragraph D. below, is allowed for a parcel that has no permanent sign, provided that such sign is not displayed for a period of more than 60 days or until installation of the permanent sign, whichever occurs first.
4. On-premises temporary signs less than thirty-two (32) square feet require no sign permit.
5. All temporary signs that may be readily moved from place to place shall be moved to a secure location upon a warning of high winds or hurricane by the National Weather Service.

### **B. A-Frame Signs.**

A-frame signs shall only be located in commercially zoned districts in front of the establishment being advertised, with only one sign per establishment.

1. A-frame signs may be located on city sidewalks so long as they provide at least five feet (5') of free travel space on the sidewalk to accommodate wheelchair and other pedestrian travel.
2. A-frame signs may be temporarily placed outside in front of a business or establishment only during the hours the business or establishment is open.
3. A-frame signs shall be no larger than 36 inches wide and 48 inches high.
4. A-frame signs shall be properly anchored or weighted against the wind.

### **C. Portable Message Center Signs.**

1. Portable message center signs shall only be allowed with special-event permitting.
2. Only one sign shall be allowed on an individual property at any one time.
3. Portable message center signs shall be allowed for a maximum of 14 consecutive calendar days per occurrence.

D. One-Time Display (Event) Signs.

All non-residential uses may display one-time display (event) signs once during the lifetime of the non-residential use for a period of up to thirty (30) consecutive calendar days. Signs may include banners, blade signs, and other allowable temporary signs, and the aggregate sign area of such signs shall not exceed two hundred (200) square feet. A permit is required for one-time special event signs.

E. Off-Premise Temporary Signs.

Off-premises temporary signs shall require express consent of the property owner and an annual sign permit and the permit number shall be printed or affixed to the sign. Such signs are allowed in:

1. Non-residential districts;
2. Residential districts on property with  $\geq 5$  acres and  $\geq 500$  feet of public street frontage or  $\geq 10,000$  square feet of floor area; and
3. Residential districts on parcels where residential support uses are permitted.

F. Dimensional Requirements.

1. The square footage of a temporary sign shall not be included in the calculation of the total permanent sign area allowance for a parcel.
2. A parcel may display temporary signs with an aggregate sign area of up to thirty-two (32) square feet.
3. Parcels of more than one acre and multiple tenants (e.g., strip shopping centers or strip malls) shall be permitted temporary signs not to exceed sixty-four (64) square feet of aggregate sign area. The owner of the strip shopping center or mall shall be responsible for any penalties accrued for non-compliance by the tenants.
4. Temporary signs shall not exceed six feet (6') in height in residential districts, or eight feet (8') in height in non-residential districts and in residential districts on parcels where residential support uses are permitted.
5. Temporary signs shall have a minimum five foot (5') setback from the property line. Due to the unique development characteristics of the Historic District, this shall not apply to properties located in said District; however, signs in the Historic District shall require approval from the Historic Preservation Commission.

G. Duration.

1. Temporary signs shall be removed within ten (10) calendar days after the end of the scheduled occurrence or purpose to which it relates.
2. Off-premise temporary signs may be displayed a maximum of 14 days per occurrence.

H. Maintenance.

Temporary signs are subject to the standards provided in Section 17.09.00, Construction and Maintenance Standards.

**Section 17.07.03. Electronic Message Center Signs (EMC).**

A. Electronic message center signs shall be allowed subject to compliance with all applicable requirements contained in this Chapter and the following standards:

1. If such signs are located within fifty feet (50') of, any residential property line, as measured from the property line to the sign, such signs shall display static images only. This requirement shall not apply to properties located within the CRA and Historic Districts.
  - a. **Duration:** Such static images shall be displayed for at least three (3) seconds before instantaneously transitioning to another static image.
  - b. **Orientation:** When located within fifty feet (50') of an existing residentially-used lot in a residential zone (the residential use exists prior to issuance of a sign permit), any part of the sign, when possible, shall be oriented so that no portion of the sign face is visible from an existing or permitted principal structure on that lot.
2. Except as otherwise provided in this sign code, all types of electronic message centers and signs shall be permitted in areas designated for non-residential activities.
3. Electronic message center signs located on properties along state and county highways may be subject to state and county sign and permitting requirements.

B. Electronic message center signs shall comply with the following standards:

1. All electronic message center signs shall come equipped with automatic shut-off technology so that the display will go dark during sign malfunction.
2. All electronic message center signs shall comply with the Building and Electrical Codes.
3. All electronic message center signs shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness based on ambient light conditions.
4. Electronic message center signs shall not be placed or illuminated so as to obscure or interfere with traffic control devices.
5. No electronic message center sign shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle (Lux) meter at a preset distance depending on sign area, measured as follows:

**Table 17.07.03**

**Electronic Message Center Sign Brightness Level Standards**

| Area of Sign<br>(Sq. Ft.) | Distance Measurement<br>(Feet) |
|---------------------------|--------------------------------|
| 10                        | 32                             |
| 15                        | 39                             |
| 20                        | 45                             |
| 25                        | 50                             |
| 30                        | 55                             |
| 35                        | 59                             |
| 40                        | 63                             |
| 45                        | 67                             |
| 50                        | 71                             |
| 55                        | 74                             |
| 60                        | 77                             |
| 65                        | 81                             |
| 70                        | 84                             |
| 75                        | 87                             |
| 80                        | 89                             |
| 85                        | 92                             |
| 90                        | 95                             |
| 95                        | 97                             |
| 100                       | 100                            |

*For signs with an area in square feet other than those specifically listed in the table (e.g., 12 sq. ft., 400 sq. ft., etc.) the measurement distance may be calculated with the following formula: Measurement Distance =  $\sqrt{(\text{Area of Sign Sq. Ft.} \times 100)}$*

**Section 17.07.04. Changeable Copy Signs, Manual.**

- A. Changeable copy signs shall be allowed, providing the copy is included within an allowed sign, and all applicable requirements of the Sign Code are met.
- B. Changeable copy signs are allowed in non-residential districts and on parcels within residential districts where residential support uses are permitted, consistent with all applicable requirements of this Sign Code.

**Section 17.08.00. Prohibited Signs.**

- A. Prohibited Signs; Generally.

Any sign not specifically permitted by these sign regulations is prohibited.



B. Prohibited Signs; Specifically.

Unless otherwise permitted, the following signs are prohibited and no variance shall be granted which would authorize same.

1. Any sign which constitutes a traffic hazard or a detriment to traffic safety as determined by the City Administrator, or designee, by reason of the sign's size, location, movement, coloring or intensity of illumination. Any sign which obstructs the vision between pedestrians and vehicles using the public right-of-way, including, but not restricted to, those not meeting the City's clear visibility standard requirements.
2. Snipe signs.
3. Vehicular signs.
4. Unless otherwise provided in this Sign Code, no sign, shall be placed on or over the public right-of-way or on any public property except that placed by, or approved by, the appropriate government entity.
5. Signs that interfere with any fire escape, emergency exit, standpipe, or any window to the extent that light or ventilation is reduced to a point below that required by any provision of this Section or other applicable regulation.
6. Signs that emit audible sound, odor, or visible matter such as smoke or steam.
7. Signs containing any statement, word, character or illustration of an obscene, indecent or immoral nature that are not protected by the First Amendment of the United States and Chapter I §4 of the Constitution of the State of Florida.
8. Signs that imitate or are made to resemble official traffic or government signs, symbols, and signals.
9. Parasite signs.

**Section 17.09.00. Construction and Maintenance Standards.**

All permitted signs shall be constructed and maintained in accordance with the following standards, and no Certificate of Occupancy shall be issued for a building unless signs have conformed to these standards.

- A. All permanent signs shall be constructed and maintained in accordance with the provisions and requirements of the Florida Building Code, as adopted by the City of Sebring, the National Electrical Code, or the currently prevailing Electrical Code, and all other applicable codes, ordinances or requirements. Where inconsistency exists between these sign regulations and applicable codes, the more restrictive requirement shall apply.
- B. With the exception of signs consisting of a chalkboard surface or dry erase marker board (whiteboard), or a comparable surface, all copy shall be commercially produced or consist of professionally lettered typeface. All copy shall be maintained and legible.
- C. All signs shall be maintained and it shall be the responsibility of the sign owner for sign maintenance.

- D. Damaged faces or structural members shall be repaired, replaced, or removed consistent with the requirements provided in Section 17.13.02 of this Chapter.
- E. Electrical systems, fasteners, and the sign and structure as a whole shall be maintained at all times in a safe condition.

**Section 17.10.00. On-Premises Permanent Signs.**

On-premises permanent signs shall conform to the requirements of these sign regulations unless specifically permitted, exempted, or prohibited herein.

**Section 17.10.01. Residential Zoned Districts.**

For a Single or Multi-Family Residential Complex, a Mixed Use Development and/or Mixed Use zoning district, or a Residential Support Use, one (1) ground, monument, wide-base, or wall sign shall be permitted for each main entrance on a public right-of-way. The following standards shall apply:

A. Freestanding Signs.

One (1) ground, monument, wide-base, or wall sign shall be permitted for each main entrance on a public right-of-way as follows:

1. The maximum sign face area shall be thirty-two (32) square feet, and the total sign area, including mounting and support structures shall not exceed fifty (50) square feet.
2. The maximum sign height of a permanent, free standing, sign shall be eight (8) feet.
3. The minimum setback of a permanent, freestanding sign, from a property line shall be ten (10) feet, except signs located within fifty (50) feet of a driveway or right-of-way street intersection, in which case the setback shall then be twenty (20) feet.

B. Wall Signs.

1. A wall sign shall be proportionate to the wall on which it is located, but shall not exceed thirty-two (32) square feet and the height of said sign shall not exceed the maximum height of the zoning district where the sign is located.
2. Wall signs for developments with more than 50 units may be increased by 200% when the building is setback at least 200 feet from the public right-of-way.

**Section 17.10.02. Non-Residential Zoned Districts.**

A. Freestanding Signs.

1. One (1) permanent, freestanding, sign shall be allowed for each road frontage.
2. Where a single business, building or facility is located at an intersection of two (2) or more streets, two (2) freestanding signs shall be allowed, providing that each sign is clearly designed to be read from a different street.

3. Where multiple businesses share a single building or facility, only one permanent, freestanding, sign shall be allowed for the building or facility.
4. Permanent, freestanding, signs shall not exceed one (1) square foot of area for each lineal front foot of the premises, measured upon the street, with no sign to exceed three (300) square feet of area.
5. A maximum of two (2), permanent, freestanding, menu board signs of no more than thirty-six (36) square feet each and six (6) feet in total height shall be allowed for drive-thru facilities. Such signs shall be located adjacent to, or oriented toward, the drive-thru area. The square footage of such signs shall not be counted toward the maximum square footage allowed per site for permanent, freestanding, signage.
6. Any permanent, freestanding, sign may display a single, double, or multi-face.
7. A sign shall be allowed on properties zoned Public, when said properties are adjacent to parcels zoned either commercial or public. The sign shall not exceed one square foot of area for each lineal front foot of the parcel, measured upon the street, up to a maximum of 32 square feet in area.

B. Wall and Fascia Signs.

1. Single Use Buildings.

- a. One (1) fascia or wall sign per business shall be allowed provided that business has frontage on a public street and the wall/fascia is visible from a street, or where each sign is clearly designed to be read and can be read from the street.
- b. One sign per business shall be allowed for each street the building faces when the building is located at an intersection of two (2) or more streets.
- c. Wall/fascia signs shall not exceed one (1) square foot of area for each lineal front foot of the premises, measured upon the street, with the total of all wall/fascia signs not to exceed 300 square feet of area.
- d. Wall/fascia signs shall not extend above the roof line or beyond the exterior wall to which it is attached.

2. Shopping Centers and Multi-Use Buildings.

- a. Shopping centers and multi-use buildings of five (5) or more tenants, having greater than two (2) acres, and where the uses have access in the front of the building that faces the street, may have one (1) wall sign per use or business.
- b. Shopping centers and multi-use buildings with more than two (2) acres are allowed one and one-half (1½) square foot of sign area for each lineal front foot of the building frontage that faces the street that serves the shopping center or multi-use building. In the case of a shopping center or a group of stores or other business uses on a lot, the provisions of this section relating to the total area of wall signs permitted shall apply with

respect to each building, separate store, separate storefront, or separate use. Only wall signs shall be permitted for individual establishments in a shopping center or on a property with more than one use, entity or business (multi-use or multi-tenant).

- c. A use or store with more than 40,000 square feet in a shopping center or multi-use building with more than five (5) users and having greater than two (2) acres: Wall signage for anchor stores or uses with more than 40,000 square feet in shopping centers or multi-use buildings with more than five (5) users and having greater than two (2) acres with frontage on an arterial or collector may be increased by 200% when the building is setback at least 200 feet from the public right-of-way.

### 3. Rear Wall Sign.

- a. In all commercial and industrial districts, one (1) wall sign may be placed on the rear wall which abuts either a street (other than that providing primary public access), or an alley.
- b. Rear wall signs shall not exceed one (1) square foot of area for each lineal front foot of the premises, measured upon the street, with the total of all wall signs not to exceed 32 square feet in area.
- c. Rear wall signs shall not be illuminated when the property displaying such sign abuts a non-arterial street or alley and lies directly across that street from a residential zoning district.
- d. Where an establishment abuts two parallel, or nearly parallel streets, the City Administrator, or his or her designee, shall determine which provides primary access.

### C. Awnings and Similar Structures.

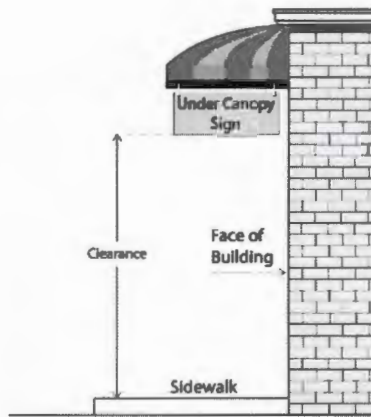
A property owner may erect or repair awnings or similar structures over public property provided that such awnings meet all existing building code requirements for construction, are at least eight (8) feet in height above the existing sidewalk, and do not exceed or extend beyond a vertical line extending upward from a point thirty-six (36) inches inside the existing curb line.

### D. Under Canopy or Under Awning Signs.

One (1) under canopy or under awning sign per tenant shall be permitted as follows:

- 1. Maximum Sign Area: The maximum sign area shall be six (6) square feet.
- 2. Maximum Sign Height: A sign must have an eight (8) foot clearance for pedestrians; however, a seven (7) foot clearance shall be allowed if the sign is comprised of pliable material.

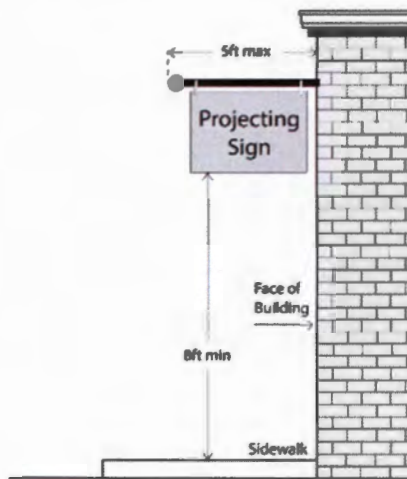




#### E. Projecting Signs.

Projecting signs are allowed only in commercial zoning districts. .

1. A projecting sign must have eight (8) feet of head clearance from the sidewalk and project no more than five (5) feet from the building.
2. Only one (1) projecting sign is permitted for each individual business, unless the business fronts on two (2) streets, in which case one (1) sign for each street frontage would then be allowed.
3. No projecting sign shall contain more than fifteen (15) square feet and shall not extend beyond the roof line.
4. A projecting sign shall not be used within twenty (20) feet of another projecting sign, except in the Downtown Mixed Use District where said distance separation shall be fifteen feet (15').
5. A projecting sign must project at a ninety (90) degree angle from the point of attachment.



F. Roof Signs.

1. Roof signs shall be permitted only in commercially zoned districts.
2. Roof signs shall be no more than thirty percent (30%) of the road front roof face upon which it is situated.

**Section 17.11.00. Permanent Off-Premises Signs and Bench Signs.**

**Section 17.11.01. Permanent Off-Premises Signs.**

- A. *Quantity of Certain Permanent Off-Premises Signs.* This Section shall not apply to bench or directional signs. The total number of permanent off-premises signs shall be limited to:
1. The number of off-premises signs in existence as of June 7, 1994; and
  2. The number of off-premises signs in existence on the date of annexation in areas annexed by the City.
- B. *Transferability of Permanent Off-Premises Signs.* The owner of any existing permanent off-premises sign may:
1. Remove such existing sign and reconstruct it to the specifications required by this Chapter in the same place or at any other location that complies with this Chapter; or
  2. Convey the sign to another party, who then will have the right to reconstruct or relocate it to any other location that complies with this Chapter.
- C. *Location.* Off-premises signs in excess of 160 square feet in area and not exceeding 500 square feet in area shall be located only in commercially and industrially zoned districts of the city facing U.S. Highway 27, except that no such signs shall be allowed on the lake side of U.S. Highway 27 between the intersections of Southeast Lakeview Drive with the highway and Howey Road with the highway. Off-premises Signs of 160 square feet or less in area may be located in commercially and industrial zoned districts of the city; except that no signs off-premises shall be located in the CRA, or on property upon which there is an existing freestanding sign on-premises, other than directional signs, and off-premises signs located on property zoned 'Public' when that sign is for the principal purpose of providing public information and is approved by the Community Redevelopment Agency.
- D. *Area; Frequency; Setback.* Off-premises signs on U.S. Highway 27 shall be located no less than 1,000 feet from any other off-premises sign on U.S. Highway 27, and shall be set back at least 15 feet from any right-of-way and at least 200 feet from any single-family residentially zoned district. Off-premises signs in other commercially and industrially zoned districts shall not be located within 1,000 feet from any other off-premises sign on the same side or the other side of the street and shall be set back at least 15 feet from any right-of-way and at least 500 feet from any residentially zoned property.
- E. *V-Style Signs.* V-style double-faced freestanding signs shall be permitted only where the angle at the apex does not exceed 45 degrees and where the width between supporting members of the apex does not exceed four (4) feet.
- F. *Grandfathered Off-Premises Signs.* Existing non-conforming off-premises signs located on:

1. Lakeview Drive between Kenilworth Boulevard and U.S. Highway 27;
2. Kenilworth Boulevard between Lakeview Drive and Highlands Avenue;
3. The lake side of U.S. Highway 27 (as set forth in subsection C above);
4. Commerce Avenue at its intersection with the railroad tracks and Highlands Avenue, and;
5. State Road 17 north of its intersection with North Ridgewood Drive

may continue to exist in those locations until such signs are destroyed or damaged to the extent of 50% or more of their replacement value. In the event of such damage or demolition, except where intentionally damaged or demolished by vandalism, the signs shall not be repaired or rebuilt larger than 160 square feet or they may be relocated to any other location that complies with this Chapter. Any such damaged or destroyed sign that is not removed or rebuilt within 60 days after such damage, or within 30 days after written notice from the City to do so, may be removed by the City, at the owner's expense. Should the City annex property which has nonconforming signs, such signs shall be legally nonconforming under the same terms of this Section.

#### **Section 17.11.02. Bench Signs.**

Bench signs shall be permitted only in commercial and industrial zoned areas of the city, with the exception of properties located in the Community Redevelopment Area (CRA) and Historic Districts where such signs are regulated under Section 17.14.02. Bench signs shall:

- A. Not be located on public right-of-way or other public property, except as provided in Section 17.08.00., B.,4.
- B. Be kept in good repair;
- C. Be located no less than 1,000 feet from any such other bench sign;
- D. Be removed within ninety (90) days of cancellation of the permit by City Council, for any reason.

#### **Section 17.12.00. Non-Conforming Signs.**

It is the intent of this Section to allow certain non-conforming permitted signs before the adoption of this Chapter to continue until they are no longer used, or become hazardous, but not to encourage their non-conforming status. Such signs are hereby declared to be incompatible with the overall intent of this Chapter.

#### **Section 17.12.01. Removal of Non-Conforming Signs.**

All non-conforming and non-permitted signs, except as provided in Section 17.11.00, shall be removed within thirty (30) days after the date upon which a violation notice is issued. If the sign is not removed or the violation, if correctable, is not corrected within the prescribed period, the City may remove the sign without further notice and may enter upon private property without incurring any liability for so entering. The cost of removing a non-conforming

sign shall be assessed against the owner of the sign, by the City, and shall be enforceable consistent with Section 17.15.00 of this Chapter.

**Section 17.12.02. Continuance of Non-Conforming Signs.**

A non-conforming sign use may be continued, subject to the following provisions:

- A. A non-conforming sign shall not be enlarged or increased in any way from its existing size at the time of the adoption of this Sign Code.
- B. Non-conforming signs or sign structures that are defined as abandoned signs under this Sign Code shall not be permitted for reuse.
- C. There may be a change of tenancy or ownership of a non-conforming sign without the loss of non-conforming status, if the property sign is not abandoned as defined in this Chapter.

**Section 17.12.03. Repairs, Maintenance and Improvements.**

Normal repairs, maintenance and improvements may be made however, the cost of such improvements made during a two (2) year period shall not exceed fifty percent (50%) of the replacement cost of the sign at the end of the two (2) year period.

**Section 17.12.04. Reconstruction after Catastrophe.**

If any non-conforming sign is damaged by fire, flood, explosion, collapse, wind, war, or other catastrophe to such an extent that the cost of repair and reconstruction will exceed fifty percent (50%) of the replacement cost at the time of damage, it shall not be used or reconstructed except in full conformity with the provisions of this Chapter.

**Section 17.12.05. Casual, Temporary or Illegal Use.**

The casual, temporary or illegal use of any sign shall not be sufficient to establish the existence of a non-conforming use or to create any rights in the continuance of such use.

**Section 17.13.00. Sign Removal.**

**Section 17.13.01. Removal of Prohibited Signs.**

- A. Prohibited signs on public property or rights-of-way shall be removed immediately and may, without notice, be removed by the City or its agent.
- B. Illegal or prohibited temporary signs or parasite signs shall be removed within forty-eight (48) hours after receipt of written notification of the city Code Enforcement Officer or Building Official.
- C. Other signs prohibited in Section 17.08.00. shall be removed by the owner, agent or person in charge of the premises, within forty-eight (48) hours after receipt of written notification by the Code Enforcement Officer or Building Official. If the sign is not removed within this time frame, the City may remove it at the owner's expense and/or the Code Enforcement Officer may refer the violation to the City of Sebring Code Enforcement Board and/or Special Magistrate.



**Section 17.13.02. Removal of Unsafe and/or Abandoned Signs.**

Should any sign become insecure or in danger of falling, in disrepair or deteriorated, or otherwise unsafe in the opinion of the Code Enforcement Officer or the Building Official, the owner thereof, or person or firm maintaining it, upon receipt of written notification from the Building Official or Code Enforcement Officer, shall:

- A. In the case of imminent danger.
  - 1. Immediately secure the sign or cause it to be placed in good repair (in a manner approved by the Building official); or
  - 2. Immediately remove the sign.
- B. All other instances.
  - 1. Secure the sign or cause it to be placed in good repair (in a manner approved by the Building official) within ninety (90) days after the date upon which a violation notice is issued; or
  - 2. Remove the sign within ninety (90) days after the date upon which a violation notice is issued.

In no case shall a sign box be left with a broken or missing sign panel. Such signs are subject to either A. or B., above, whichever is applicable.

- C. When a business leaves a location.

When a business leaves a location, the signs pertinent to that business shall be removed by either the tenant or the landlord. If a new business will be moving in immediately, a box-type sign cabinet may be re-used by the new business operator by inserting a new "face" in the sign.

If a new business is not moving in within ninety (90) days of the former leaving, then one of the following shall be required until a new business rents the space:

- 1. A blank panel may be inserted to replace the sign face of the prior business;
- 2. The existing sign face may be reversed so that the blank side of the panel is showing;
- 3. A sock or boot may be used to cover the sign.

In cases where totally new signs or awnings are being installed for a business, the old signs they replace shall be completely removed upon installation of said new signs.

**Section 17.13.03. Removal of Illegally Erected Signs.**

Where this Chapter requires sign painting or installation by a licensed contractor and such work is not performed by a licensed contractor, the owner or lessee of the property where such illegally erected sign is located shall either:

- A. Have the sign immediately removed;

- B. Have a licensed contractor secure a permit for such sign, subject to all applicable City inspections; or

If none of the above actions are completed within ten (10) days after notification by the Building Official or Code Enforcement Officer the violation may be referred to the City of Sebring Code Enforcement Board and/or Special Magistrate.

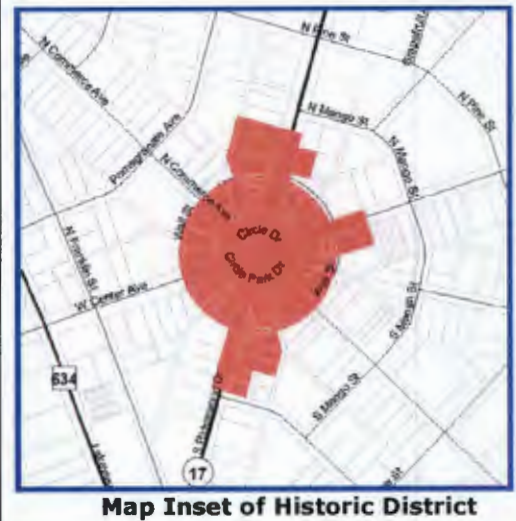
**Section 17.14.00. Community Redevelopment Agency (CRA) District and Historic District.**

This Section is applicable to those properties located within the Community Redevelopment Agency (CRA) and Historic Districts and is intended to prevent visual disruption of the architectural character of these districts. The City of Sebring encourages distinctive and creative signage that is also harmonious with the District in which the signage is located. These standards and guidelines not only apply to signs located on structures, but also the public right-of-way.

Unlike signs in areas located outside these districts, the establishment of signs within the CRA and Historic Districts may require review and approval by the Community Redevelopment Agency and/or Historic Preservation Commission. Where the terms "should", "appropriate", "encourage", "desirable", "preferred" and "discouraged" are used, the CRA and/or Historic Preservation Commission may require conformance with the provision to the extent that it is applicable, practical, and reasonable in a given situation. The CRA and the Historic Preservation Commission may also impose various or additional design requirements, size limitations, height restrictions, or other features that are consistent with the intent of district or the historical identification and scale of the surrounding area.

Unless otherwise provided herein specific to the CRA and Historic Districts, all requirements of the sign code shall be applicable. In the event of a conflict between these guidelines and other requirements of the sign code, these guidelines shall supersede.

**Section 17.14.01. Community Redevelopment Agency (CRA) District and Historic District Boundaries.**



Those portions of the Community Redevelopment District that do not lie within the Historic District and are not a designated historic property are referred to as the "design review area".

The following guidelines and standards for the CRA and Historic Districts shall respect the provisions contained in Chapter 8, Community Redevelopment Agency and Chapter 11, Historic Preservation, City Code of Ordinances.

**Section 17.14.02. General Design Guidelines for the CRA and Historic Districts.**

Unless otherwise provided, the requirements in Section 17.14.02 shall apply to both the CRA and Historic Districts.

A. Ground Signs and Pole Signs. Ground signs and pole signs are permitted within commercial areas.

1. The sign shall not exceed one (1) square foot of area for each lineal front foot of the premises, measured upon the street, and shall be proportionately sized to the building and/or property where it is located; however, no sign shall exceed three (300) square feet of area.
2. The maximum sign height shall be eighteen feet (18') with a minimum eight feet (8') clearance between grade and the bottom of the sign face.
3. It is preferred these signs be located near the entrances to parking areas.
4. It is preferred these signs serve to identify a building.
5. Electronic message center ground and pole signs may be allowed in the CRA District. Any electronic message center signs located within the Historic District shall require approval by the Historic Preservation Commission consistent with applicable illumination standards and Section 17.14.04., A., 4.

B. Multiple Signs on One Site.

Multiple signs used on one site should be compatible with one another and should be designed and placed to avoid a sense of visual clutter.

C. Wall Signs and Projecting Signs.

1. Signs should be compatible with and complement the style of the building on which the sign is located.
2. Signs are encouraged to identify a business.
3. Wall signs may extend the entire length of a façade but shall have a total vertical dimension of no more than two (2) feet six (6) inches.



4. Wall signs should be affixed to the building, parallel to the building with one face showing.
5. Projecting signs shall be mounted no lower than eight (8) feet above the elevation of the first (1<sup>st</sup>) or ground level floor and no higher than the elevation of the second (2<sup>nd</sup>) floor.
6. Projecting signs shall only project four feet (4') from a building and only eighteen inches (18") within a right-of-way.
7. Projecting signs should be placed perpendicular to the building and should have two (2) faces.

D. Window Signs.

1. A window sign may be painted on, attached to, or suspended directly behind or in front of a window or glass door pane.
2. A business may have more than one window sign.
3. The sign display area shall not exceed fifty percent (50%) of any, or all, window surface areas.



Signs With Integral Background Areas



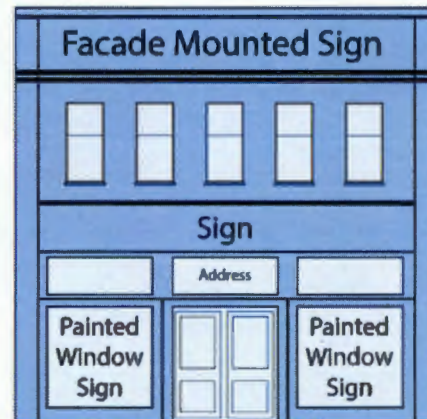
Signs Without Integral Background Areas



Combination of Signs With and Without Integral Background Areas

**E. Building Mounted Sign Locations.**

1. Sign placement for building mounted signs, including wall signs, projecting signs, awning signs, and under canopy signs should respect the architectural scale and style of the façade.
2. Signs attached to structures should not hide architectural detail or features of the building.
3. Signs should be placed on open walls and/or fit entirely within horizontal and vertical elements or bands, without crossing or obscuring such elements.



**F. Illumination.**

Electronic or digital signs shall, at a minimum, comply with the standards provided in Section 17.07.03. Unless otherwise provided, all other illuminated signs shall comply with Section 17.06.00., C., Illumination Standards.

**1. CRA District.**

- a. Appropriately designed lighted signs are acceptable, including signs lighted from a concealed exterior source and backlit signs.
- b. Neon signs may be allowed for wall signs and window signs.

**2. Historic District.**

Illumination standards specific to the Historic District are provided in Section 17.14.04.

**G. A-Frame Signs.**

1. A-Frame signs shall be allowed in the CRA and Historic Districts consistent with Section 17.07.02, B.

2. A-Frame signs located in the Historic District require approval from the Historic Preservation Commission.

H. Signs within the Right-Of-Way.

1. No sign shall be placed on or over the public right-of-way or on any public property except that placed by, or approved by, a government entity, and A-frame signs, signs on marquees and awnings, projecting signs, and under canopy signs which overhang that portion of the public right-of-way that includes a pedestrian pathway.
2. Signs shall respect the applicable provisions within this Sign Code and the design guidelines and/or other applicable criteria for the respective District in which said signs are to be located.

I. Bench Signs.

1. Bench signs shall be located on private property in the CRA and Historic Districts and shall require approval by the respective district body.
2. Bench signs shall be consistent with design guidelines and/or other applicable criteria for the respective District in which the sign is to be located.

**Section 17.14.03. CRA Design Review and Appeals.**

- A. Design Review. Anyone developing property in the "design review area" shall first apply to the Agency, which shall review the proposed design and determine whether it complies with CRA design guidelines and criteria. The Agency must approve the design for a sign permit to be issued.
- B. Appeals. If an application is denied, the applicant may appeal the Agency decision to the City Council consistent with Chapter 8 of the City Code of Ordinances.

**Section 17.14.04. Historic District.**

The architectural, cultural, and aesthetic resources in the Historic District are among the city's most valued and important assets. Signs within the Historic District should be pedestrian-oriented, restrained in character, and harmonious with the sensitive nature of the district and correspond to the character of the building with which it is associated in terms of form, design, scale, and proportion. Applicants must provide documentation demonstrating how signage is appropriate to the historic period and historic character of the building and/or area where the sign is to be located. Applicants may reference the book **Sebring, City on the Circle: A guide to the City's Historic Architecture (The Heritage Guide Series)** for guidance.

A. General Design Guidelines.

1. Size and Shape.

- a. Signs should be proportionately sized to the scale of the building, the storefront, and the street.
- b. Signs should be scaled and oriented to relate to pedestrians, as well as passing motorists.

2. Color.

- a. Colors should be chosen to complement the color of the building.
- b. In general, it is best to use no more than three (3) colors on a sign: one for the background, one for the lettering, and a third color for accents such as borders, motifs, logos, or shading. A fourth color might be used for illustrations.

3. Materials.

- a. Materials shall be chosen to complement the materials comprising the building.
- b. Signs mounted to a building façade should be attached in a manner which minimizes damage to historic materials.

4. Illumination.

- a. The use of illuminated signs in the Historic District shall require review and approval by the Historic Preservation Commission. In making its determination, the Commission shall require documentation and photographic evidence to support the proposed sign's appropriateness to the historic period and historic character of the building and/or area where the sign is to be located.
- b. Illuminated signs must respect the pedestrian oriented environment of the Historic District.

5. Typefaces.

Typefaces should be carefully selected to complement the building and the nature of the business.

6. Projecting Signs.



A projecting sign shall not be located within fifteen feet (15') of another projecting sign.

7. Under Canopy Signs.

Under canopy signs shall not exceed six (6) square feet per store front.

8. Display Boards.

a. One display board per establishment may be attached to the exterior of a building.

b. Outdoor display boards attached to the exterior of a building shall not exceed four (4) square feet per sign face.

9. Sign Placement.

Signs should be placed where they respect an existing sign line established by the sign on adjacent establishments.

B. Certificate of Appropriateness Review Authority.

1. Within specific guidelines established by the Historic Preservation Commission, staff may issue Certificates of Appropriateness without Commission review, consistent with Chapter 11 of the City Code of Ordinances. Should an application be denied by staff, it shall be referred to the Commission for further consideration as if it were a new application.

2. The Commission shall review all applications which are not subject to staff review.

3. The Commission shall review all applications which are not approved by staff.

C. Criteria for Certificate of Appropriateness.

All signs in the Historic District require a Certificate of Appropriateness. In determining the appropriateness or location of signs within the boundaries of the Historic District, the criteria specified for a Certificates of Appropriateness, as provided in Chapter 11, Historic Preservation, City Code of Ordinances, shall apply.

D. Specific Criteria for Signs for Certificate of Appropriateness.

In addition to criteria specified generally for Certificates of Appropriateness in Chapter 11, Historic Preservation, City Code of Ordinances, the following criteria shall be considered, as specifically applicable to signs.

1. The size, scale and design of the sign shall be compatible with the size, scale and design of the property, building, or site upon which it is to be located.
2. The sign's material shall be compatible with the period and style of the property, building or site.
3. The sign's installation shall not irreparably damage any cornice, ornament or similar architectural detail and shall be the least damaging method feasible for the property, building, or site.

E. Variances.

Where by reason of unusual circumstances the strict application of any provision of this Chapter would result in exceptional practical difficulty or undue economic hardship upon any owner of a property, the Historic Preservation Commission may vary or modify strict adherence to such provision so as to relieve the difficulty or undue economic hardship, providing such variance does not detract from the general purpose and intent of this Chapter and Chapter 11, and so long as the architectural or historical integrity or character of the property shall be conserved. In granting such variance, the Commission may impose reasonable and additional conditions, in its judgment, which best fulfills the purpose and intent of these standards, the Historic District, and Chapter 11 of the City Code. An undue economic hardship or exceptional practical difficulty must be unique to a specific property and shall not have been created by an owner or occupant of the property. The granting of the variance must not create a conflict with any other city ordinance.

F. Appeals.

Any person adversely affected by any decision of the Commission may appeal such decision to the City Council. Appeals from any decision of the City Council may be taken to the circuit court in the manner provided by law.

**Section 17.15.00. Penalties for Violations of this Chapter.**

- A. Any violation of this Chapter may be enforced by the Code Enforcement Board or by Special Magistrate and violators may be ordered to pay a civil fine up to the maximum permitted by state law. Violators may also be prosecuted criminally consistent with Florida State law.
- B. No Defense to Nuisance Action.

Compliance with the requirements of this Chapter shall not constitute a defense to an action brought to abate a nuisance under common law under Florida Statutes.

**Section 17.16.00. Variances and Appeals.**

Unless otherwise provided in this Chapter, and consistent with Chapter 16 of the City Code of Ordinances, the following shall apply to variances and appeals.

A. Variances.

The City Planning and Zoning Board is authorized to hear and decide variances to this Chapter when owing to special conditions, a literal enforcement of the provisions will, in an individual case, result in unnecessary hardship.

B. Appeals.

1. The City Planning and Zoning Board is authorized to hear and decide appeals where it is alleged there is an error in any order, requirements, decision or determination made by any City Official in the enforcement and interpretations of this Chapter.
2. The decision of the Planning and Zoning Board shall be final unless an aggrieved party requests a review of a Planning and Zoning Board decision, in which case the City Council shall consider the appeal.

**Section 17.17.00. Severability.**

- A. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Chapter is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Chapter.

B. Severability Where Less Speech Results.

Without diminishing or limiting in any way the declaration of severability set forth above in subsection A. above, or elsewhere in this Chapter, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Chapter is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Chapter, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.

C. Severability of Provisions Pertaining to Prohibited Signs.

Without diminishing or limiting in any way the declaration of severability set forth above in subsections A. or B. above, or elsewhere in this Chapter, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Chapter or any other law is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Chapter that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed under Section 17.08.00 of this Chapter. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Chapter 17 is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Chapter 17.

D. Severability of Prohibition of Billboards.

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of the Chapter and/or any other Code provisions and/or laws are declared invalid or

unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the prohibition of billboard signs as contained in the Chapter or Code.