

Land Development Regulations
Chapter 3-9. Zoning
Article III. Special Regulations

Sec. 3-9-85. Signs

Sec. 3-9-85. - Signs-

1.1.1. Purpose.

The purpose of this article is to permit such signs that will not, by their reason, size, location, construction or manner of display, endanger the public safety by distracting, confusing, misleading or obstructing the vision necessary for pedestrian or vehicular traffic safety, or detract from the community appearance as part of the county's concerted effort to enhance the aesthetic qualities of the county.

1.1.2. Definitions.

- A. Additional signs or signage (as defined herein) means signs that are not permanently attached to the ground, a building or other structure. Such signs are temporary in nature ~~in so much as they do not require an individual sign permit,~~ and may be removed easily in the event of an approaching tropical storm or hurricane. Generally, these signs include, but are not limited to, banners, pennants, streamers, wind powered signs, window signs, wind socks, flags and yard signs.
- B. Building frontage means the length of the building that directly faces a right-of-way, as measured by the distance between the outermost points of the building parallel to the right-of-way.
- C. Nonconforming sign (as defined herein) means any sign lawfully in existence on the effective date of the ordinance from which the particular provisions of this article rendering that sign no longer in conformity with this article is derived.
- D. Primary sign (as defined herein) means any permanent freestanding or building signage, which, due to its nature or design, requires a building permit in order to ensure conformity with applicable building codes. Examples include signs that require the laying of a foundation, signs which are electrified, and signs which must meet applicable wind-load requirements.
- E. Right-of-way means any Legal public vehicular thoroughway, such as a street or internal road intended to be used by the traveling public ~~twenty four (24)~~ hours a day. For purposes of this article, the definition does not include alleys, limited access easements, loading zones, or unimproved rights-of-way.
- F. Sign means any outdoor advertising display comprehensible from a right-of-way using letters, words, figures, symbols, pictures, designs or a combination thereof to advertise, attract attention, indicate direction, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.
- G. Sign allocation means the total amount of square footage available for any unit of land, encompassing both the primary and additional signage permissible for nonresidential properties.
- H. Sight triangle means an area formed by the edge of the pavement of intersecting roads or driveway cuts, or both, as extended and a straight line connecting points of such lines at a distance of ~~forty (40)~~ feet from the point of intersection. Such connecting lines will extend to the curb lines, from which point there can be no obstruction to vision between the heights of three ~~(3)~~ and eight ~~(8)~~ feet.
- I. Street frontage means the length of the unit that directly faces a right-of-way.
- J. Unit means any subdivided or otherwise legally created and definable tract of land, including individual storefront units in nonresidential multitenant structures, which is able to be legally developed in conformity with the provisions of this Code.
- K. Vehicle signs (as defined herein) means any sign that is attached, painted, or placed onto or inside a parked vehicle that is used for advertising.
- L. Window sign (as defined herein) means any sign attached to or visible through any window.
- M. Yard sign (as defined herein) means any freestanding sign placed along a property frontage.

1.1.3. General provisions.

The following regulations apply to all signs authorized under this article:

- A. Florida building code. The adopted county building code shall control the construction, inspection, maintenance, and removal of signs. Prior to the erection of any sign the building department of the county should be consulted to determine if a building permit shall be required.
- B. Signs on public property.
1. No private sign shall be erected, altered or maintained over or upon any publicly owned property or right-of-way.
 2. ~~Any sign placed on public property or upon any public right-of-way must conform to the requirements of this article.~~
 3. ~~Violators of paragraph 1. of this subsection shall be guilty of a misdemeanor of the second degree punishable by a fine not to exceed five hundred dollars (\$500.00) per violation or term of sixty (60) days imprisonment per violation, or both. A second conviction may result in penalties of one thousand dollars (\$1,000.00) per violation or up to one (1) year imprisonment, or both.~~
 43. Existence of unauthorized signage on public property shall not alone be sufficient evidence of a violation of paragraph 1. for the criminal penalties of paragraph 3. to attach without an eyewitness to the placement of the unauthorized signage.
 54. The county may remove any such sign, which shall then be held for a minimum period of five (5) days. At any time during the five-day holding period the owner of the sign may reclaim the sign after having paid a removal and storage fee of ~~twenty dollars (\$20.00)~~. Signs not reclaimed by the owner during this period shall be discarded.
- C. Sign permit required.
1. A sign permit is required prior to erection, construction, installation or alteration of any primary sign.
 2. ~~An annual permit shall be required for all additional signs.~~
 - a. Time.
 - i. On October 1, 2017, no more than two display periods in a calendar year shall be permitted. Each display period shall not exceed a maximum of 180 days.
 - ii. On October 1, 2018, no more than two display periods in a calendar year shall be permitted. Each display period shall not exceed a maximum of 45 days.
 - b. Size. The maximum size of the total display shall be 32 square feet.
 - c. Window signs shall require an annual permit.
 3. Normal maintenance, as defined by the adopted county building code, of existing permitted signs such as painting, or repairs to existing signs which do not alter the size or height of the sign shall not require a permit or inspection. Removal and reinstallation of a sign face shall not be considered normal maintenance, and a sign permit shall be required.
- D. Other provisions.
1. No sign of any type or classification, including exempt signs, shall be erected, altered or maintained in such location or position as to present any unfinished side toward adjacent property.
 2. Other than primary building signs, no sign shall have a total height at any point greater than ~~twenty (20)~~ feet above the crown of the adjoining right-of-way on which the parcel fronts. Where the parcel abuts more than one ~~(1)~~-right-of-way, the highest shall control.

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3. All nonprimary signs must be removed or otherwise prevented from becoming a potential projectile in the event that a tropical storm or hurricane warning has been issued in the county.
4. Individual handheld signs are permitted, provided it is done only on private property or, if on a public right-of-way, either on or beyond, when viewed from the road, designated pedestrian sidewalks and pathways.
5. All signs, except for vacant lots as provided for in this article, are considered accessory structures to a principle use and structure.
6. All signs must be maintained in good repair, acceptable appearance and substantially similar to their original condition.

E. Sign area calculation.

1. The sign area shall be calculated as the area within the smallest regular geometric shape or combination of shapes which encompasses all the display elements (letters, numbers, figures, characters, corporate logos, etc.) of the sign, including blank areas between display elements. The area of the sign shall include all changing copy features such as letterboards or light boards.
2. Murals and other artwork will not be calculated towards allowable sign area to the extent it does not contain text, registered corporate logos, or other symbols that advertise the particular use, business, product or service rendered on the premises.
3. For irregularly shaped signs, the sign area shall be calculated as ~~eighty (80)~~ percent of the area within the smallest regular geometric shape or combination of shapes which encompasses all the display elements (letters, numbers, figures, characters, corporate logos, etc.) of the sign, including blank areas between display elements, but not including structural elements.
4. In the case of two-sided or multisided signs with the same face on each side, only one ~~(1)~~ face shall count toward the total aggregate area so long as:
 - a. With respect to multisided signs the angle of separation from the connection point cannot exceed ~~ninety (90)~~ degrees.
 - b. With respect to a double-faced (back-to-back) sign, there can be no separation between the backs of each face of the sign other than the structural supports to which each sign face is attached.

1.1.4. Nonresidential signage.

A. General provisions.

1. Any unit containing a Legal nonresidential use is entitled to a sign allocation as provided in this article. Such allocation may be divided by the unit's owner between primary and additional signage in any manner they see fit. However, in no case shall the signage of a unit exceed its allocation.
2. In the event that one ~~(1)~~ or more contiguous units are engaged in a single commercial enterprise, the individual units will be treated as a single unified unit under the terms of this article. For the purposes of this article, separate commercial enterprises are those which maintain separate financial records, capital, property, and personnel.
3. No illuminated sign may exceed ten ~~(10)~~ candlepower per square foot, as measured ten ~~(10)~~ feet from the sign, and must shield lights from direct view.
4. Each unit is permitted one ~~(1)~~ freestanding primary sign per right-of-way frontage not to exceed ~~one hundred fifty (150)~~ square feet. Where the size and shape of the unit would

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permit additional freestanding primary signs along other right-of-way frontages, such signs may not be located within ~~one hundred (100)~~ feet of another on the same unit.

- ~~5. Additional primary signs, utilized for directional and wayfinding purposes only, such as "drive-thru" signs, are permissible, provided they do not exceed four (4) square feet.~~
- ~~65.~~ Except for directional signs, all freestanding primary signs are required to display the street number of the unit, with the numbers being not less than eight ~~(8)~~ inches in height.
- ~~76.~~ There are no setback requirements for signs, provided no portion of any sign shall extend beyond a private property line or into a sight triangle.
- ~~87.~~ Each unit is permitted an unlimited number of primary building signs within the unit's sign allocation, provided that no individual building sign may exceed ~~three hundred (300)~~ square feet.
- ~~98.~~ Primary building signs shall not be located above the upper line of the parapet or the peak of the pitched roof. For purposes of this article, height shall be measured on a vertical line from the sign to the parapet or peak from each point along the top of the sign. Roof ornaments (such as domes, cupolas, steeples, and roof decks and rails) shall not be used in the calculation of sign heights.
- ~~109.~~ No portion of any sign over a walkway or driveway, including frames or supporting structures, shall be less than eight ~~(8)~~ feet above the surface of such walkway or driveway.
- ~~110.~~ No single item of additional signage, excluding window signage, may exceed ~~thirty-two (32)~~ square feet.
- ~~121.~~ Primary signs may have either digital or mechanical changeable copy, provided the message is not animated and that the message remains static for a minimum of ~~fifteen (15)~~ seconds between cycles.
- ~~1312.~~ Vacant units are limited to three additional signs, provided their aggregate square footage does not exceed ~~thirty-two (32)~~ square feet.
- ~~1413.~~ In multitenant commercial properties each individual storefront unit shall be treated similar to any unit as defined herein, provided that multitenant parcels shall not be entitled to more than one (1) freestanding primary sign per right-of-way.
14. Signs for businesses within residential districts are permitted provided they do not exceed 40 square feet and are monument signs. A sign which exceeds 40 square feet or is not a monument sign may be approved by the Special Exception process.

B. Calculation of sign allocation.

1. Each unit is entitled to an allocation of signage based on the greater of the unit's right-of-way or building frontage, calculated at a rate of three ~~(3)~~ square feet per linear foot of frontage.
2. Each unit shall be entitled to a minimum of ~~two hundred (200)~~ square feet of signage and no unit may exceed ~~seven hundred fifty (750)~~ square feet of signage.
3. For multitenant structures, each individual unit as defined herein is entitled to its own allocation separate and apart from any allocation for commonly owned property.

C. Noncommercial messages permitted in substitution.

1. No sign shall be subject to any limitation based upon the content of the message contained on such sign or displayed on such sign structure.

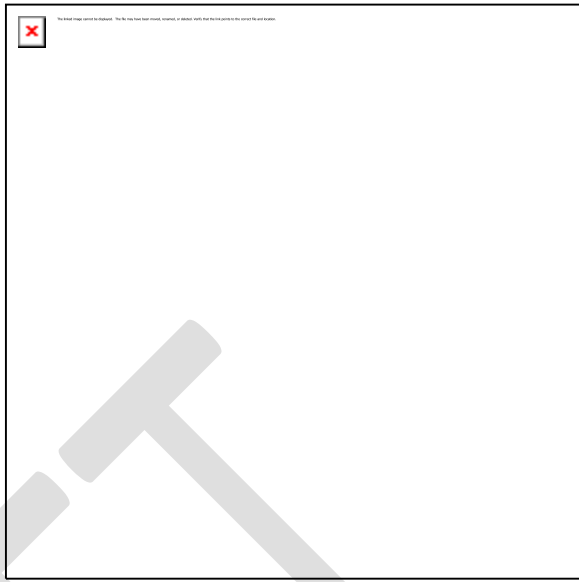
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2. Whenever this article permits the erection of signs for commercial purposes or for the identification of the property on which the sign is located, the sign owner may substitute a noncommercial message in lieu of the message otherwise permitted.
3. The right to substitute the noncommercial message does not waive any other requirement imposed by the county as to number, size, construction, location, lighting, obscenity, safety or any other regulated attribute.
4. The right created by this subsection is one (1) of substitution and not one (1) of addition and may be performed as frequently as desired by the owner of the sign provided all other requirements of this article are met.

D. Sign classes.

<p>Primary—Freestanding Signs that are not attached to another building or structure. Generally, these signs include pole signs, pylon signs, or monument signs.</p>	 
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<p>Primary—Building</p> <p>Signs that are attached to another building or structure. Generally, these signs include wall signs, canopy signs, awning signs, marquee signs, projecting signs, and other types of signs which are not freestanding.</p>	
<p>Additional signage.</p> <p>Signs that are temporary in nature, do not require a building permit, nonelectrified, and can be removed in the event of a hurricane. Generally, these signs include window signs, flags, banners, streamers, and yard signs.</p>	

1.1.5. Residential and agricultural signage.

1.1.5.1. Residential signage.

- A. Every single-family residential parcel is permitted two ~~(2)~~ freestanding yard signs, provided they are located on private property and do not exceed four ~~(4)~~ square feet in area individually or one ~~(1)~~ sign up to six ~~(6)~~ square feet. Such yard signs must be temporary in nature and shall be removed ~~fifteen (15)~~ days after their purpose has been fulfilled. Examples include, but are not limited to, signs advertising the particular parcel for sale or lease, denoting the building contractor or architect of a structure on the parcel, advertising garage sales, free expression, and special event signs.
- B. Every residential parcel is entitled to three ~~(3)~~ freestanding flags, not to exceed ~~twenty-four (24)~~ square feet individually.
- C. Multifamily residential parcels shall be treated as a single unit under this article; however, individual residential dwelling units in a multifamily complex, are entitled to two ~~(2)~~ temporary window signs each not to exceed four ~~(4)~~ square feet in area individually which shall be removed ~~fifteen (15)~~ days after their purpose has been fulfilled.
- D. Community signs, such as those at the entrance to a subdivision or multifamily complex, are permitted provided they do not exceed ~~forty (40)~~ square feet and are monument signs.
- E. No residential signage is permitted to be internally illuminated or backlit.
- F. Vacant properties zoned multifamily are limited to three ~~(3)~~ additional signs, as defined in this article, provided their aggregate square footage does not exceed ~~thirty-two (32)~~ square feet.

1.1.5.2. Agricultural signage.

- A. Signs for businesses within agricultural district are permitted provided they do not exceed 40 square feet and are monument signs. A sign which exceeds 40 square feet or is not a monument sign may be approved by the Special Exception process.

1.1.6. Special sign districts.

The following special sign districts include their own specific sign provisions:

Special District.

Charlotte Harbor CRA.

U.S. 41 Overlay District.

Manasota Key Overlay District.

Babcock Ranch Overlay District.

1.1.7. Variances.

Variances may be granted by the board of zoning appeals to exceed the size and height limitations or to exceed the number of signs permitted within this article, provided that all of the following conditions are found to exist:

- A. That the characteristics unique to the parcel of land on which the sign(s) are to be located would render the visibility of the sign on that parcel significantly less than that enjoyed by similarly situated parcels.
- B. That the request would not create a visibility hazard to adjoining parcels or the traveling public.
- C. The height of the sign(s) would not exceed ~~forty~~ (40) feet.

1.1.8. Nonconforming signs.

- A. Nonconforming signs shall be required to comply with the provisions of this article upon the occurrence of any of the following.
 1. The sign is removed, dismantled, or relocated.
 2. The sign permit has expired.
 3. The sign has deteriorated or been damaged to an extent which reduces its value to less than ~~fifty~~ (50) percent of its structural replacement value.
 4. The site is redeveloped more than 50% of the value of the existing structures per the County's property appraiser records.
- B. For nonresidential nonconforming signs, the sign area of any existing nonconforming sign shall reduce the unit's sign allocation by a factor of one and a half (~~1½~~)-square feet per square foot of the nonconforming sign.
- C. Except for prohibited signs, any sign which existed and was maintained on February 22, 2005, may remain, although such sign does not conform to all of the provisions of this article; ~~provided that all such signs, structural and electrical components, shall be completely removed from the premises or brought into conformance with this article not later than February 22, 2015.~~

1.1.9. Prohibited signs.

It shall be unlawful for any person to construct, maintain or permit the following signs:

- A. Any sign prohibited by state or federal law.
- B. Any sign creating a traffic hazard by obstructing vision in any sight triangle.

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- C. Any sign preventing free ingress or egress from any door, window, fire escape or other entrance or exit to any building, or any sign attached to a standpipe or fire escape.
- D. Any sign that is obscene, such as a sign depicting nudity or sexual conduct.
- E. Any sign that constitutes a public nuisance, such as signs that produce a hazardous amount of glare, advertise an illegal activity, convey false information, or lead the public into errors of conduct, thought or judgment, especially by intentionally deceiving.
- F. Any sign that emits a sound, smell or smoke.
- G. Any sign that has been abandoned, including primary signs, unless the sign panel within the abandoned sign structure has been removed and replaced with a sign panel of neutral color containing no message.
- H. Any sign designed with mechanized or electric changeable copy to display more than one (1) image on an ongoing basis where any information flashes, fades, dissolves, or scrolls or signs that move or create the illusion of movement, or signs that are or appear to be animated or projected.
- I. Any sign affixed to a tree or utility pole.
- J. Portable signs which are manifestly designed to be transported as a trailer is transported, on its own wheels even where the wheels may be removed and the remaining chassis may be permanently attached to the ground.

1.1.10. Signs exempt from permits.

The following signs shall be exempt from the permit requirements and also from any permit or inspection fees. All other provisions of this article shall apply.

- A. Signs required by law (Legal notices, traffic control signage, warning signs, etc.).
- B. Holiday decorations on residential properties.
- C. Signage authorized under a temporary event permit, provided that such signage does not exceed ~~forty (40)~~ square feet. Any signage over ~~forty (40)~~ square feet must be available under the unit's sign allocation.
- D. Temporary signage used for elections, provided said signs are subject to the following restrictions. For the purpose of this article, election signs mean signs related to candidates for public office or measures on election ballots.
 - 1. Said signs shall be erected not earlier than ~~forty-five (45)~~ days prior to the primary election day and shall be removed within ~~fifteen (15)~~ days after the earliest of the following events:
 - a. Withdrawal of the candidate or measure.
 - b. The candidate or measure having been eliminated as a candidate or measure.
 - c. The date of the general election.
 - 2. Only one (1) sign per candidate or measure is permitted on any one (1) lot, parcel or tract of land. No election sign shall exceed ~~thirty-two (32)~~ square feet in area or six (6) feet in height. Said sign shall not be erected in such a manner as to constitute a roof sign.
 - 3. Pursuant to F.S. § 106.1435(3), no such sign shall be erected, posted, painted, tacked, nailed or otherwise displayed, placed or located within, on or above any state or county right-of-way. Upon a determination by the county that a violation of this restriction exists at one (1) or more locations, the signs may be immediately removed or be caused to be removed by the county.
 - 4. Upon a determination by the county of any violation of this exemption, other than addressed above in 3., the affected candidate or sign owner, if determinable, will be contacted and

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advised of the violation. The candidate or sign owner will have no more than ~~twenty-four (24)~~ hours to remove the sign or cause the sign to comply with the requirements of this article.

5. The affected candidate or sign owner, if determinable, will then be notified of said removal. Any election signs removed by the county shall be stored for five ~~(5)~~ business days and will be returned upon payment of a removal and storage fee of ~~twenty dollars (\$20.00)~~ per sign. Election signs not picked up within this period shall be discarded.
- E. Vehicle signs located on a truck, bus, trailer, taxi or other vehicle which is being operated or parked on-site while in the course of business, provided:
1. That the primary use of the vehicle is not for the purpose of advertisement, such as a delivery vehicle.
 2. The vehicles must have a current license plate and be in operable condition, and shall only be parked in designated parking areas as defined by this code.
 3. The vehicle's signs must be painted on, attached by magnet, graphic wrap, window tinting, or by some other means incorporated into the vehicle in an aesthetic and safe manner.
 4. Hanging banners, placing placards or signs inside the windows of vehicles, painting the windows of, or otherwise attaching signs to a vehicle in a manner which would endanger the driver's safety is prohibited, except where the vehicle itself is advertised for sale and the vehicle is not being driven regularly as a result.
 5. In no case shall such vehicles be parked in rights-of-way or on publicly owned land unless in the course of business and only for the duration of the actual business transaction which necessitated the temporary placement of the vehicle at that location.
- F. Additional primary signs, utilized for directional and wayfinding purposes only, such as "drive-thru" signs, are permissible, provided they do not exceed four (4) square feet.
- G. Replacement of vinyl sign covering or vinyl lettering with no structural alternation to such sign.