### **ORDINANCE NO. 2017-**

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA AMENDING THE CODE OF ORDINANCES, CHAPTER 30, "LAND DEVELOPMENT REGULATIONS", ARTICLE 7 "SIGNS", DIVISION 7.16 "SIGN STANDARDS AND REQUIREMENTS", PARAGRAPH 9. "WALL SIGN" TO PERMIT A WALL SIGN ON TWO WALLS OF A BUILDING WHEN NECESSARY TO PROVIDE SIGN VISIBILITY FROM BOTH LANES OF AN ADJOINING MAJOR ARTERIAL ROADWAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, as provided in section 2(b), Article VIII of the Constitution of the State of Florida, and Section 166.021(1), Florida Statutes, the Village of Pinecrest, Florida (the "Village"), a municipal corporation, enjoys all governmental, corporate, and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except as expressly prohibited by law; and

WHEREAS, Article VIII, Section 2 of the Florida Constitution, and Chapter 166, Florida Statutes, provide municipalities the authority to exercise any power for municipal purposes, except where prohibited by law, and to adopt ordinances in furtherance of such authority; and

WHEREAS, the Village Council of the Village of Pinecrest ("Village Council") finds it periodically necessary to amend its Code of Ordinances in order to update regulations and procedures to implement municipal goals and objectives; and

WHEREAS, the Village Charter empowers the Village Council to adopt, amend or repeal its ordinances and resolutions as may be required for the benefit of the residents of the Village of Pinecrest; and

WHEREAS, after reviewing the recommendations of Village staff, and comments from the public, the Village Council finds that the proposed amendments to its Code of Ordinances are in compliance and consistent with Florida law and its adopted Comprehensive Development Master Plan; and

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31 32 33	WHEREAS, the Village Council further finds it to be in the best interest of the public health, safety and welfare of the citizens to adopt the ordinance amending the Village's Code of Ordinances;
34 35 36	NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PINECREST, FLORIDA:
37	Section 1. Recitals.
38	The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being
39	true, correct and reflective of the legislative intent underlying this Ordinance and are
40	hereby made a specific part of this Ordinance.
41	Section 2. Amendment and Adoption.
42	That the Village of Pinecrest Code of Ordinances, Chapter 15, Nuisances, Article
43	II, Noises, Unnecessary and Excessive Prohibited, is hereby amended as follows:
44	Chapter 30. Land Development Regulations
45	Article 7. Signs
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48	Div. 7.16. Sign Standards and Requirements
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50	9. Wall Sign
51	<u>Wall Sign</u>
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Zoning District or Location Permitted	Size	Number	Setback and Spacing	Illumination	Maximum Height	Special Conditions  Not permitted.
RU-5	12 square feet	1	N/A	Permitted	N/A	Sign shall be mounted on wall.
BU	Total permitted sign area is limited to 10 percent of the area of the wall on which the sign(s) will be placed for a building, which includes the wall and glass area from grade to top of roof.	As determined by tenant (see special conditions)	N/A	Permitted	N/A	1. 10 percent of the wall area may be used for one wall sign, or one wall and one or more glass signs for a total not to exceed the maximum of 10 percent of wall area.  2. Wall sign(s) may be placed on an architectural feature (e.g., a tower) as provided below:  (a) Signs identifying the shopping center or tenant(s) in the same building as the feature may be placed on the feature.  (b) A tenant located adjacent to an architectural feature may have both a wall sign on their tenant space and a wall sign on the architectural feature provided that the total sign area does not

#### Note:

			exceed 10 percent of the
			combined exposed and
			unobstructed area of the
			wall and feature on
			which the sign(s) is
			placed.
			(c) If the only sign(s) is
			located on the feature,
			then the area of the
			sign(s) must not exceed
			10 percent of the area of
			the façade of the feature
			on which the sign is
			placed.
			3. Sign(s) may be placed
			only on one wall of a
			building (or one building
			wall and one
			architectural feature wall
			as provided for in 2
			above) except as follows:
			a) Tenant spaces located
			at an end of a building
			and having two facades
			each facing a different
			major arterial roadway
			may have signs on both
			facades <u>;</u>
			b. Tenant spaces located
			at an end of a building
			and having two facades
			each facing the same
			major arterial roadway
			may have a sign on each
			façade when either of
			the facades is obstructed
			from view from either
			lane of the adjoining

Note:

						major arterial roadway due to an off-set building orientation. 4. Signs placed on architectural features shall not be placed at a height greater than 28 feet above grade.
PS	Total permitted sign area is limited to 36 square feet. Maximum area of any sign is limited to 24 square feet	Maximum number of signs permitted = 2	15' from r.o.w.	Permitted	20'	

Section 3. Inclusion in the Code of Ordinances.

It is the intention of the Village Council and it is hereby ordained that the amendments to the Code of Ordinances and Land Development Regulations made by this Ordinance shall become part of the Code of Ordinances, and that the sections of this Ordinance may be renumbered and relettered as necessary, and that the word "Ordinance" may be changed to "Section", "Article" or other appropriate word.

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# Section 4. Conflicts.

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85 86 All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with the provisions of this Ordinance are hereby repealed.

## Section 5. Severability.

If any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

## Section 6. Effective Date

This Ordinance shall be effective immediately upon passage by the Village Council on second reading.

PASSED on first reading this 12th day of September, 2017.

PASSED AND ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_, 2017.

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79		Joseph M. Corradino, Mayor
80	ATTEST:	
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83	Guido H. Inguanzo, Jr., CMC	
84	Village Clerk	

Nlat

87	APPROVED AS TO FORM AND LEGAL SUFFICIENCY:
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91	Mitchell Bierman
92	Village Attorney
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94	Motion on Second Reading by:
95	Second on Second Reading by:
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97	Vote:

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