



AGENDA ITEM REPORT

TOWN OF HILLIARD, FLORIDA

TO: Town Council Public Hearing & Regular Meeting

Meeting Date: June 5, 2025

FROM: ***Lee Anne Wollitz – Land Use Administrator***

SUBJECT: Planning & Zoning Board recommendation to the Town Council for approval of Ordinance 2025-04, to Amend Chapter 62, Land Development Regulations, Article VII Signs.

BACKGROUND:

Documents included for Review:
Agenda Item Report
Ordinance 2025-04

Land Use Administrator, Lee Anne Wollitz shared with the Town Council information regarding difficulties that local businesses were having meeting the Florida Building Code engineering requirements for sign permits within the town. In an effort to protect the safety of our citizens and at the same time to not over burden our local businesses, the Council assigned Lee Anne with reviewing the Code of several other municipalities and researching what would be needed to make changes for improvement to our Code. Lee Anne used the information gathered to present a solution to the council and was asked to work with the town's legal counsel to present an updated version of this section of the Code.

During Christian's review he realized that we needed to expand freedoms with regard to artistic expression for our citizens and political signs, so these elements were added.

These updates were reviewed at the Joint Workshop 12.12.2024.

Ordinance 2025-04 is the product of months of work, research and review.

5.6.2025 the Planning & Zoning Board held a public hearing concerning the changes and with a 5-0 Vote , recommend adoption of Ordinance 2025-04.

FINANCIAL IMPACT:

TBD

RECOMMENDATION:

Planning & Zoning Board recommendation to the Town Council for approval of Ordinance 2025-04, to Amend Chapter 62, Land Development Regulations, Article VII Signs.

ORDINANCE NO. 2025-04

AN ORDINANCE AMENDING CHAPTER 62 ZONING AND LAND DEVELOPMENT REGULATIONS OF THE HILLIARD TOWN CODE; AMENDING ARTICLE VII SIGNS.; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 62 of the Town Code is outdated because of changes in the Town; and

WHEREAS, the Town of Hilliard has found the need to update the language and requirements for placing a sign within the town limits; and

WHEREAS, the Town of Hilliard has found it necessary to enact the following amendment to Chapter 62, Zoning and Land Development Regulations.

NOW, THEREFORE THE TOWN OF HILLIARD HEREBY ORDAINS, the following Article of the Hilliard Town Code, Chapter 62, Zoning and Land Development Regulations shall be amended as follows:

ARTICLE VII. SIGNS

Sec. 62-411. Definitions.

Sign means any structure, painting, printed material, or device which is erected, constructed or maintained outside of enclosed buildings, or structures for the purpose of display, information, advertisement, or attraction of the attention of persons, and includes among others, posters, pictures, pictorial or reading matter, and any letter, word, model, device or representation used in the nature of any advertisement, announcement, attraction or direction.

(Ord. No. 2023-14, § 1(Att. A), 12-7-2023)

Sec. 62-412. Scope and intent.

The provisions of this article shall govern the number, sizes, locations, character, and maintenance of signs which may be permitted for any ~~as a main or accessory~~ use. Increased numbers and sizes of signs as well as certain types of lighting can be distracting to the motoring public and create potential traffic hazards. Haphazard location, construction and maintenance of signs seriously detracts from the natural beauty of the town and, in turn, injuriously affects the economic well-being of the citizenry. ~~It is the~~ The town intent intends to authorize the size and location of signs which carry out their purpose without unduly interfering with motorists, causing unsafe conditions, and without injuriously affecting the value of property. ~~Flashing signs are prohibited.~~

(Ord. No. 2023-14, § 1(Att. A), 12-7-2023)

Sec. 62-413. Measurement of sign area.

The surface area of a sign shall be computed as including the entire area within a regular, geometric form or combinations of regular geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not being advertising matter shall not be included in computations of surface area.

(Ord. No. 2023-14, § 1(Att. A), 12-7-2023)

Sec. 62-414. Governmental signs excluded.

For the purposes of these regulations, the term "sign" does not include signs erected and maintained pursuant to and in discharge of any governmental function, or required by any law, ordinance or governmental regulations, or otherwise protected by law.

(Ord. No. 2023-14, § 1(Att. A), 12-7-2023)

Sec. 62-415. Nonconforming signs.

Signs which are nonconforming but otherwise safe shall be removed or made to conform by December 31, 2028

(Ord. No. 2023-14, § 1(Att. A), 12-7-2023)

Sec. 62-416. Removal of signs.

- (a) *Grounds for removal.* All signs permitted may be removed for reasons of safety of persons or property, faulty construction, lack of maintenance or unsightly appearance.
- (b) *Repair/removal of unsafe signs.* A citation shall be issued for any unsafe sign or a sign in disrepair. Any sign for which a citation has been issued or which is in violation of this Article must be repaired or removed within 30 days after receiving due notice. ~~In case~~ If the objectionable sign is not brought into compliance or removed, the town shall then have the right to enter upon the property, remove the sign, and assess ~~such~~ related costs against the property.
- (c) *Abandoned signs.* Any abandoned sign shall be removed within 30 days from the date of its abandonment. Any such sign not removed within the required period shall constitute a nuisance and shall be subject to removal by the town.

(Ord. No. 2023-14, § 1(Att. A), 12-7-2023)

Sec. 62-417. Construction requirements.

All signs or similar advertising matter shall be governed in their construction, ~~or~~ erection, or ~~and~~ maintenance by the town Code and the Florida Building Code. These

sign regulations are intended to complement the requirements of the Florida Building Codes adopted by the Florida Legislature. Wherever there is inconsistency between these regulations, the Florida Building Codes as adopted from time to time shall apply.

- (1) All applications for permits shall be filed by either a licensed contractor or the property owner (or his authorized agent).
- (2) Work which may be performed by a property owner, sign contractor, general contractor, or building contractor licensed with the Town to perform such work.
- (3) Permit exemptions: Signs attached to and parallel with a wall, including signs printed or painted on walls, where the applicant is the owner and the proposed sign is not illuminated and does not exceed 32 square feet, shall be exempt from the engineering requirements of a building permit but are still required a zoning review.

(Ord. No. 2023-14, § 1(Att. A), 12-7-2023)

Sec. 62-418. General requirements for all signs and districts.

The following shall apply to all signs and all use districts:

- (1) Any illuminated sign or lighting device shall employ only a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating or moving light or lights. In no event shall an illuminated sign or lighting device be placed or directed or beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises, so as to cause glare or reflection that may constitute a traffic hazard or nuisance.
- (2) No sign shall employ any parts or elements which revolve, rotate, whirl, or spin.
- (3) All wiring, fittings and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the Florida Building Code.
- (4) No sign shall ~~be erected or maintained~~ project from the front or face of a building of more than two feet, including those projecting from the face of any theater, hotel or motel marquee.
- (5) No sign shall be placed on the roof of any building.
- (6) No temporary sign shall be placed on the front or face of a building or on any premises except as permitted by 62-421.
- (7) No sign erected or maintained in the window of a building, visible from any public or private street or highway, shall occupy more than 20 percent of the window surface.
- (8) No sign of any classification shall ~~be installed, erected or attached in any form, shape or manner against a building, which would~~ prevent ingress and egress

through any door or window required or designed for access to any building, nor shall any sign or over street graphic obstruct a fire escape or any door or window giving access to any fire escape.

- (9) ~~Should any sign be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the sign shall, upon receipt of written notice from the town, proceed at once to put such sign in a safe and secure condition or remove the sign. No sign shall bear or contain statements, words or pictures of an obscene pornographic or immoral character, or which contain advertising matter which is untruthful.~~
- (10) ~~No sign shall be placed in any public right-of-way, No sign shall overhang or infringe upon the public right-of-way of any street, road or public way, except publicly-owned signs, such as traffic control signs and directional signs. Signs directing and guiding traffic and parking or indicating private property, but bearing no advertising matter, shall be permitted on any property. No sign shall overhang or infringe upon the right-of-way of any street, road or public way.~~
- (11) No sign or other street graphic may use the words "stop," "look," "drive-in," "danger" or similar word, phrase, symbol or character, nor simulate a traffic control device, nor may lights colored red, amber or green ~~lights~~ be used, within ten feet of a public right-of-way or 200 feet of a traffic control device.
- (12) No sign shall be attached to a tree or any vegetation.
- (13) Flashing signs are prohibited.

(Ord. No. 2023-14, § 1(Att. A), 12-7-2023)

Sec. 62-419. Signs permitted in all districts.

The following signs shall be permitted in all districts without a permit and without a zoning review, provided they are not placed or constructed to create a hazard of any kind:

- (1) Not more than one sign advertising the sale, lease or rental of the premises upon which the sign is located, not exceeding six square feet in area in residential districts and not exceeding 32 square feet in area in other districts. ~~except in all residential districts the area of the sign shall not be more than six square feet.~~
- (2) Professional nameplates not exceeding two square feet in area.
- (3) Signs denoting the name and address of the occupants of the premises, not exceeding two square feet in area.
- (4) Non-advertising directional signs or symbols (entrance, exit, slow) located on and pertaining to a parcel of private property, not to exceed two square feet in area.
- (5) Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs or societies located on the premises of such institution, not to exceed 15 square feet in area.

- (6) Subdivision entrance or identifying signs ~~shall~~ not exceeding 40 square feet in area.
- (7) Murals appropriate within the character of the area, not exceeding 60 percent of the area of a non-residential facade and not exceeding 20 percent of a residential facade. Murals must be allowed under First Amendment protections to express ideology, beliefs, opinions and/or other societal images; however, these protections do not extend to the following elements that are grounds for permit denial - explicit nudity or sexually explicit conduct, obscenities, defamation, symbols denoting gang affiliations, any expression that could be deemed to be hate speech or displays so shocking that it likely would create a public safety issue by impeding the safe flow of traffic.
- (8) Any commercial or noncommercial constitutionally protected copy or image placed on any sign display area, which is allowed under this section may be substituted with any constitutionally protected commercial or noncommercial copy without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of content. This provision shall take precedence over any more specific provision to the contrary. Substitution of message applies to the whole or any part of any legally existing sign display area. The substitution right shall apply to the sign owner and to any other message sponsor displaying copy or an image on the sign display area with the owner's consent.
- (9) Art and murals provided such signs do not contain any commercial messaging or advertising.
- (10) Personal expression signs of any sign type, including flags, provided that they do not exceed three square feet in area per side, are non-commercial in nature, and not illuminated.
- (11) Security and warning signs. These limitations shall not apply to the posting of conventional "no trespassing" signs in accordance with state law. (a) Residential districts. Signs not to exceed two sq. ft. in area. (b) Non-residential districts. Maximum of one large sign per property, not to exceed five sq. ft. in area. All other posted security and warning signs may not exceed two sq. ft. in area.
- (12) Signs required by federal or state statute or regulation, or local ordinance or regulation.

(Ord. No. 2023-14, § 1(Att. A), 12-7-2023)

Sec. 62-420. Signs permitted in commercial and industrial districts; wall mounted and marquee signs.

In a commercial or industrial district, each business shall be permitted no more than one on-site freestanding sign and one attached, street-facing sign. Permanent on-site signs for any single-business enterprise may have an area equivalent to one and one-half square feet of sign area for each lineal foot of building width or part of a building occupied by such enterprise but shall not exceed a maximum area of 100 square feet. The height of signs shall not exceed 12 feet ~~in height~~.

(Ord. No. 2023-14, § 1(Att. A), 12-7-2023)

Sec. 62-421. Temporary signs.

Temporary stationary signs, not exceeding 50 square feet in area, announcing special public or institutional events, the erection of a building or its, ~~the~~ architect, ~~the~~ builders, or contractors may be erected for a period of 60 days plus the construction period. Such temporary signs shall be nonilluminated and shall conform to the general requirements of 62-418 and setback.

(Ord. No. 2023-14, § 1(Att. A), 12-7-2023)

Sec. 62-422. Signs on public property.

No sign, other than official signs shall be posted on any public property.

(Ord. No. 2023-14, § 1(Att. A), 12-7-2023)

Sec. 62-423. Sign setback requirements.

- (a~~1~~) On-site signs shall be set back from the established right-of-way line at least ten feet. A setback of less than ten feet setback may be allowed where a building is less than ten feet from the right-of-way provided it does not obstruct visibility ~~and or~~ cause a traffic safety hazard.
- (b~~2~~) For every square foot by which any on-site sign exceeds 50 square feet, the setback shall be increased by one-half foot, but need not exceed 100 feet.
- (c~~3~~) All types of signs and bulletin boards for a church, school or any other public, religious or educational institution may be erected not less than ten feet from the established right-of-way line of any street or highway, provided such sign or bulletin board complies with the clear sight triangle as necessary to provide a clear line of sight at intersections.
- (d~~4~~) On-site signs shall be erected or placed in conformity with the side and rear yard requirements of the district in which they are located, except that in any residential district, on-site signs shall not be erected or placed within 12 feet of a side or rear lot line. ~~If the requirement for a single side yard in the appropriate zoning district is more than 12 feet, the latter shall apply.~~

(Ord. No. 2023-14, § 1(Att. A), 12-7-2023)

Secs. 62-424—62-450. Reserved.

Effective Date.

This Ordinance shall take effect immediately upon its passage and adoption by the Town Council.

ADOPTED this _____ day of _____, 2025 by the Hilliard Town Council, Hilliard, Florida.

Kenneth A. Sims, Sr.
Council President

ATTEST:

Lisa Purvis
Town Clerk

APPROVED:

John P. Beasley
Mayor

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| Planning & Zoning Board Publication: | April 16, 2025 |
| Planning & Zoning Board Public Hearing: | May 6, 2025 |
| Town Council First Publication: | April 16, 2025 |
| Town Council First Public Hearing: | June 5, 2025 |
| Town Council First Reading: | June 5, 2025 |
| Town Council Second Publication: | June 11, 2025 |
| Town Council Second Public Hearing: | July 3, 2025 |
| Town Council Second & Final Reading: | July 3, 2025 |