

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF KEY WEST,  
AMENDING CHAPTER 114 OF THE LAND  
DEVELOPMENT REGULATIONS ENTITLED SIGNS  
BY AMENDING SECTION 114-1 "DEFINITIONS"  
AND AMENDING DIVISION 3 "HISTORIC  
DISTRICT"; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR REPEAL OF INCONSISTENT  
PROVISIONS; PROVIDING FOR AN EFFECTIVE  
DATE

**WHEREAS**, the city commission created the historic district  
signage task force under Resolution Number 13-286; and

**WHEREAS**, the historic district signage task force was in  
charge of performing a comprehensive review of all city  
ordinances on signage regarding signage in the historic  
district; and

**WHEREAS**, the historic district signage task force  
recommendations for revisions to existing signage ordinance are  
incorporated in a new proposed ordinance, herein attached; and

**WHEREAS**, Section 90-517 of the Code of Ordinances allows  
the City Commission to amend the text of the land development  
regulations in accordance with certain procedures and criteria;  
and

**WHEREAS**, the historic architectural review commission held  
two public workshops, on June 4, 2015 and December 9, 2015 to

discuss the proposed changes to the existing signage ordinance;  
and

**WHEREAS**, the historic architectural review commission held a noticed public meeting on January 26, 2016, where the proposed changes to the signage ordinance were unanimously approved; and

**WHEREAS**, the planning board held a noticed public hearing on April 21, 2016, where based on the consideration of recommendations by the planning director, city attorney, building official and other information recommended approval of the proposed amendments; and

**WHEREAS**, the City determined that the proposed amendments: are consistent with the Comprehensive Plan; in conformance with all applicable requirements of the Code of Ordinances; are stimulated by changed conditions after the effective date of the existing regulation; will promote land use compatibility; will not result in additional demand on public facilities; will have no impact on the natural environment; will not negatively impact property values or the general welfare; will result in more orderly and compatible land use patterns; and are in the public interest.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF  
KEY WEST, FLORIDA, AS FOLLOWS:**

Section 1. Chapter 114- 1-Definitions and Chapter 114, Article II, Regulations, Division 3 Historic Districts, of the Land Development Regulations, is amended as follows\*:

**Sec. 114-1. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Banner sign* means any sign having the characters, letters, illustrations, or ornamentations applied to cloth, vinyl, paper, ~~or fabric of any kind~~ or the like with only such material for a backing. "Banner" shall include any animated rotating and or fluttering devices, fringe and pennant string streamer.

*Facade sign* means any sign erected parallel to the facade of a building and mounted on the outside wall thereof, or mounted between the posts, columns, or other similar structural component or the building's porch or portico.

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\*Coding: Added language is underlined, deleted language is ~~struck through~~. Added Language at 2<sup>nd</sup> reading is double underlined, deleted is ~~double strike through~~.

*Flat sign* means any sign erected parallel to and mounted on a wall, which wall is an integral part of the landscape design of the site, such as a wall screening off-street parking, bounding the site or lot, or serving as a principal landscape feature, and which wall is clearly not intended for the sole purpose of sign display.

*Historic marker* means any sign or placard approved by the historic architectural review commission that explains by word or symbol the historical significance of the building, site or structure to which it is affixed.

*Horizontal projecting sign* means any sign projecting at any angle from the outside wall of any building and which has its greatest dimension in a horizontal plane.

*Marquee sign* means any sign ~~placed flat along and on the edges of a marquee~~ that is intrinsic to a marquee and contains the business name, as well as advertisement of the business.

Marquee means a structure projecting from, and supported by, a building when such covered structure extends beyond the building line.

*Pole sign* means any sign erected on a pole and which is wholly or partially independent of any building for support.

*Roof sign* means any sign erected or constructed wholly upon or completely over the roof of any building and supported solely or partially on the roof structure.

*Sign* means any display of characters, letters, illustrations or any ornamentations or the complete structure on which any such characters, letters, illustrations or ornamentations are supported or applied, except that guys or their anchorages or the poles of pole signs will not be considered to be any part of a sign.

*Sign erector* means all individuals, firms, or corporations engaged in the construction or erection of any sign having a structural frame, using electric power or requiring a scaffold for its application.

*Sign writer* means any individual, firm or corporation engaged in the painting or application of signs on windows, doors, walls, awnings, etc., where no framework is required for the sign or scaffolding for its application.

*Vertical projecting sign* means any sign projecting at any angle from the outside wall of any building and which has a vertical dimension equal to or exceeding the horizontal dimension.

**Sec. 114-100. Purpose and legislative intent**

The purpose of this article is to develop sign regulations,

which encourages designs that reflect the historic character of the historic zoning districts. This article promotes sign designs that harmonize with the architectural scale, aesthetic quality, and predominantly pedestrian character found throughout the historic district.

The intended regulations promote signs that are subordinate to, and in aesthetic harmony with, their location on buildings and their surrounding environment and to eliminate the dangers of visual clutter along public streets and rights-of-way and to define requirements that fulfill the identification and advertisement of businesses on a high degree of design and appropriate scale quality and sensible to the historic character of the district.

Sec. 114-101. Definitions.

The definitions set forth in section 114-1 shall be applicable to this division. The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"A"-frame sign means a rigid portable sign in a form of an inverted "V".

Abandoned sign means any display or sign remaining in place ~~or not maintained for a period of thirty (30) days for two (2) years,~~ which no longer identifies an ongoing business, product, or service available on the premises where the display or sign is located or where the building, business, or establishment to which the display or sign is related has ceased operation. Signs that are ~~legal non-conforming or signs~~ recognized as historic or iconic will be exempted of this definition.

Alteration means any non-content base change to a sign, including, but not limited to dimensions, illumination, size or shape, and ~~adding, subtracting, or changing copy, logo, or color,~~ but excluding routine ordinary maintenance. ~~Removal of a sign is considered an alteration.~~

Animated sign means any sign or part of a sign that uses motion of any part by any means, or that displays flashing, oscillating, sequential, or intermittent lights, ~~other than time or temperature~~ or gives the appearance of movement or rotation, other than time or temperature. ~~An electronic message board shall be deemed an animated sign.~~ Any type of electronic or digital screen, including, but not limited to computer screens, ~~or~~ tablets, or electronic interactive devices shall also be deemed an animated sign. ATM machines are exempt from this definition.

Awning sign means any sign placed on an awning that is supported entirely from the exterior wall of a building and composed of a nonrigid material; the awning itself when it contains words or images of advertisement or information. painted on or sewn, or attached in any way, applied to a roof-like covering of canvas or the like designed to wholly or partially protect one from the elements.

Backlit sign means freestanding letters, logo, or box with a solid and opaque face and sides that incorporates a source of light within the sign. Also, refer as halo effect sign.

Billboard sign means an outdoor advertising sign erected and maintained by an advertising business or service or owner, upon which advertising may be displayed and which generally advertises firms and organizations that along with their goods and services, are not located on the same premises as the sign; and whose surface is sold, rented or leased for display of advertising material.

Booth means a stall, table, desk, carrel or stand, with or without a roof, used for the sale of retail, goods, services and or beverages. A booth is not permanently attached to the ground or to any floor or wall. Freestanding booths for the sole purpose of containing interactive and or electronic screens are excluded from this definition.

Brand sign means any device that contains letters, symbols



or a logo that identifies and differentiates a specific product or is made from other products.

*Bus bench sign* means any sign painted on or attached to a bench or to a shelter for persons awaiting public transportation.

*Business identification sign* means the main sign of a business that informs potential clients the name and or type of business, which may include the business logo.

*Carts-* means a small wheeled vehicle typically pushed by hand and used for the sale of retail, goods, services, food and or beverages.

*Chalk or marker board* means a board used to display daily menu specials only for restaurants and bars that are wall mounted, with no identification or other signage attached to or painted on, not exceeding 1 (one) per business and not more than two and a half (2.5) square feet per each sign and located on the same façade as the primary street frontage or entrance. A chalkboard will not be counted towards the allowed square footage of signs on a restaurant or bar.

*Changeable copy sign* means a sign on which message copy is changed manually in the field, through the utilization of attachable letters, numbers, symbols, paper, and other similar

characters or changeable or removable panels.

Channel letter sign means a sign comprising of individual letters, symbols, or logo that are hollow and can be independently mounted to a wall or other surface.

Clear sight triangle means a triangular shaped area at any corner where public streets intersects in which nothing taller than two (2) feet is allowed to be erected or placed in such a manner as to limit or obstruct the sights of motorists or pedestrians as adopted under section 108-452 of the Land Development Regulations.

Construction sign means temporary signs erected on the premises on which construction is taking place, during the time period of such construction, indicating the name of the architect, engineer, landscape architect, contractor, planner, or similar professionals involved in the project. (See also Section 114-42)

Copy means the text or graphic representations of a sign that depict the name of an establishment, products, services, or other messages, whether in permanent or removable form.

Digitally printed sign means any sign made of or in part with the printed output from a computer. Signs may be printed

over vinyl, paper, fabric, or plastics.

Directional sign means sign that contains any illustration or words that provide direction to pedestrian and vehicular traffic for an on premise feature, specific for an entrance to the building or for parking purposes on private property.

Directory sign means a sign listing two or more commercial or business establishments that share a common area provided for the comfort and use of all occupants, owners, tenants or users of one or more units or buildings, or that share common entrance and that are located in the same building but may not have exposure to the front façade of the building, like a storefront or a first floor window, or a regularly traveled street. Directory signs can include arrows that can provide direction to users.

Display sign means an object that is freestanding or attached to a building in any way that promotes the retail, goods, or services that an on-site business offers. These objects can be life size or a large-scale figure of any element that is sold or service that is offered in the establishment but the object itself is not for sale.

Door sign means any sign or device affixed to, painted to or in contact with a door, and which it is intended to be seen from the exterior.

Double-faced sign means a sign with two (2) faces, which are

usually, but not necessary, parallel.

Erect means, in context of signage, to build, construct, attach, hang, place, suspend, affix, or paint a sign.

Face of sign means the planes of a sign on which copy could be placed, including trim and background.

Flag sign means any sign constructed on fabric, canvas, or similar material bearing information relating to or identifying a business, that is intended to be mounted on a pole and to fly freely in the wind. When an establishment displays a flag that contains the name, logo or symbols related to the business the flag would be deemed a sign. Flags with "open", "welcome", or any similar wording are not allowed.

Flashing light means an intermittent or sequential flashing light source used primarily to attract attention.

~~Flat and facade signs. Flat and facade signs shall not be restricted as to area, except that in the historic zoning districts they shall be restricted to ten percent of front building facade area, but they shall in no case project more than four inches from the face of the building or wall, nor shall they extend above the top of the adjoining parapet wall on a building with a flat roof or above the adjoining eave line~~

~~on a building with a pitched roof. No portion of any such sign which extends over city property shall be less than eight feet above the sidewalk grade of any street or avenue or 15 feet above the crown grade where such sign is located parallel to and abutting on any alley.~~

Floor sign means any display of characters, letters, illustrations, or any ornamentations applied or written on a floor that attracts to or promotes the business to which it is displayed.

*Fluorescent light* means an electric-discharge lamp, usually tubular in shape, containing a metallic vapor, which becomes luminous on the passing of the current and energizes a layer of fluorescent material coating the tube.

Freestanding or ground sign means a sign supported by a sign structure secured in the ground and which is wholly independent of any building, fence, vehicle, or object other than the sign structure for support.

Frontage means the length of street surface that the building faces.

(1) Primary frontage means the street surface that the building's main entrance faces.

(2) Secondary frontage means any street surface that a building is adjacent to, other than primary frontage.

Frontage, business means the horizontal linear distance measured along the façade of an individual business. Also referred to as "business frontage".

Ghost sign means an old advertising signage that has been preserved on a building, either exposed or under non-original materials.

~~Halo effect signs means solid front and side surface letters or logos that will have a back light, either neon or LED, and projects towards the surface to which the letters or logos are attached to.~~

Hanging sign means a double or single-face sign that hangs from a bracket or support and projects from a building, pole, or awning. If a "hanging" sign is located over a city right-of-way the bottom part of it must have a clearance of at least eight (8) feet and cannot extend more than forty eight (48) inches from the face of the building. Signs proposed over city's right-of-way must obtain the necessary permission from the city.

Historic sign means a sign that is fifty (50) or more years old and is a significant addition to the Key West historic

district due to its design quality, its community memory value, and its outstanding craftsmanship, or artistry that represents its time, or a determination as historic sign has been made as set forth in the HARC Guidelines.

Iconic sign means a sign that is distinctive to its location due to its design and its significance to the community, or a determination as iconic sign has been made as set forth in the HARC Guidelines. An iconic sign does not necessarily need to be historic.

Illuminance means the amount of light falling upon a surface, commonly called "light level" or "illumination". Measured in foot-candles (lumens per square foot) in the English system.

Interior illuminated sign means any sign having translucent characters, letters, designs, logos, or outlines illuminated by electric lights located within the sign or having luminous tubes designed for that purpose. Halo effect and exposed neon or LED tube signs are not considered interior illuminated signs.

Informational or descriptive sign means a sign indicating by words, photos, drawings or symbols the type of services available at the location or events occurring thereon. Menu boxes are not consider informational signs. Electronic signs, including but not limited to tablets or monitors of any kind

are not considered informational signs.

Kiosk means a small structure, affixed to the ground or floor, with an affixed roof, in which one or more persons can stand or sit inside, with one or more openings used for the sale of retail, goods, services, food and or beverages. A kiosk may have electric conduits and/or plumbing affixed to it with a connection to public utilities. A kiosk may be a stand-alone structure or may be attached to an existing building or structure.

LED light means an electric light-emitting diode fixture that when a suitable voltage is applied the color of the light is determined by the energy band gap of the semiconductor. LED light fixtures can be individual or mounted on a string.

Legal-nonconforming sign means any sign that does not conform to the regulations of this article but complied fully with all applicable regulations and received all required approvals at the time of its installation, or a determination as legal non-conforming has been made as set forth in the HARC Guidelines.

~~Marquee means a covered structure projecting from, and supported by, a building when such covered structure extends beyond the building line.~~



Menu boxes means an auxiliary business sign display case containing a menu used for advertising menus and daily menu specials only for restaurants or bars, no larger than two and a half (2.5) square feet and located on the same façade as the primary street frontage or entrance. On cases where the building is recessed from the city's right-of-way, menu boxes may be attached to a pole installed for such purpose on private property.

*Miniature light* means a light or light-emitting device employing a bulb two inches or less in length and normally found strung together in multiples.

Monument sign means a freestanding sign, generally having a low profile that is detached from a building and having a support that is a solid-appearing base constructed of a permanent material, such as concrete block or brick. All other freestanding sign types not meeting the definition of a monument sign shall be either a pole sign or a pylon sign.

*Neon light* means a lamp, usually tubular in shape, employing the element neon (Ne) or other luminous gases.

*Neon sign* means an arrangement of luminous or gaseous tubes to form letters or numbers or an abstract or representational element or both, specifically including advertising logos, punctuation marks, emblems, and registered trademarks, or that

is installed inside of exposed channel letters, logos, designs, borders, or numbers.

Off-site sign means a sign identifying, advertising or directing the public to a business, merchandise, service, institution, entertainment or activity which is located, sold, rented, based, produced, manufactured, furnished or taking place at a location other than on the property on which the sign is located.

On-site development sign means a sign identifying the developer, architect, and / or contractors located on a property upon which there is active construction.

Open and hours of operation signs means any device or letters that are intended to communicate to the public that the business is open and the hours of operations. "Open", "Closed" and hours of operation signs cannot include any brand, logo, or business sign in order to qualify as an exempt sign from percentage signs on the premises.

Painted sign means a sign that is painted completely over a glass pane of a window or door or is painted on a surface that will be installed on a building or directly painted on a wall or any other surface of a building.

Pennant means a series of small flag-like pieces of cloth,

plastic or similar type of material attached and strung between two or more points.

Plastic sign means any sign that is made in part or completely with any plastic or synthetic material that has a polymeric structure such as PVC, vinyl, polyethylene, polyurethane, corflute and oilcloth, among others.

Pole sign means any sign erected on a pole one or several vertical elements, made of wood or metal, and which is wholly or partially independent of any building for support. A pole erected for a sign cannot be taller than six (6) feet.

Political sign means a sign erected by a political candidate, group, or agent thereof, for the purpose of advertising a candidate or stating a position regarding an issue upon which the voters of the city shall vote.

Portable sign means any sign not permanently attached to the ground or other permanent structure or any sign designed to be transported. Portable signs shall include but not be limited to signs designed to be transported by wheels; skid-mounted signs; chalkboard signs converted to "A"—~~or T~~-frame; menu and sandwich signs; and signs attached to or painted on vehicles parked for the purpose of providing advertising, close to or on the public right-of-way, unless such vehicle is used in the

ordinary day-to-day operations of the business. Portable signs also include signs with attached wheels or casters, search light stands and air, hot air or gas filled elements.

Premises means a lot, building site, lease of a building or lot, or other independent entity by one (1) business. Each of the multiple tenants in one building or lot constitutes a separate premise for the purpose of this article.

Projecting sign means any sign which is affixed to any building, wall or structure and extends beyond the building wall or structure. If a "projecting" sign is located over a City right-of-way the bottom, part of it must have a clearance of at least eight (8) feet from the right-of-way.

Real estate sign means any sign that are used to offer for sale lease or rent a property upon which the sign is placed.

Roof sign means any sign erected or constructed wholly upon or over the roof of any building and supported solely or partially on the roof structure.

Seasonal/holiday sign means a sign or other holiday decorations, used for emphasizing the celebration of a historic American holiday or other national holiday. As used herein the term "a historic American holiday" shall refer to any day made

a public holiday by laws of Florida, the laws of the United States or by resolution of the City Commission.

Seasonal or holiday lighting means a series of clear, white, or colored lights, either bare or shielded within an enclosure.

Sign means any device designated to inform or attract persons not on the premises. ~~including devices installed one (1) foot or less inside of a window, storefront, or store side.~~

Sign, area of, means the total surface of a sign, including the background, frame, and ornamentation, but not including structural supporting elements outside of its frame.

Sign face means the area or portion of a sign on which copy is intended to be placed.

Special event sign means a sign which carries a message regarding a special event or function which is of general interest to the community and which is of temporary nature.

Snipe sign means a sign that is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, walls, trash receptacles or fences or to other objects. Legal notices required by law are exempted.

~~Storefront means the portion of a single business premises owned or rented by a single licensed business and fronting a~~

~~street, normally characterized by display windows and a recessed entrance.~~

~~Storeside means the portion of a single business premises owned or rented by a single licensed business and perpendicular to a storefront.~~

Surface graphics means any sign painted directly on any exterior building wall or door surface, exclusive of window and door glass area.

Stylized letters means any letter that has decorative strokes or serif.

Three-dimensional sign means a sign that is carved and have low bas-relief or a sign that is composed of many layers of the same or different materials.

Time and temperature sign means any sign mechanically, electronically or electrically controlled to display time and temperature only.

Traffic sign means a sign that functions primarily to provide for the efficient, safe, and orderly flow of traffic and erected by city, state, or federal governments.

Vehicle sign means any sign on any type of vehicles, which are conspicuously parked on or near the proximity of the premises

of the use being advertised and used in such a way as to advertise, identify, or draw attention to such use of passing motorists, passengers, and pedestrians. For the purpose of this definition vehicle sign includes but is not limited to any decals, wraps, painted or attached signs to a vehicle.

Wall sign means any sign attached and parallel to the façade of a structure, which is attached and supported throughout its entire length by the façade and not extending above the building, ground floor, railings, windows, parapets, or the eave of the roof.

Window sign means any sign affixed to, painted to or in contact with a window, or located within one (1) foot of any window surface facing the outside and which it is intended to be seen from the exterior, but excluding window displays of merchandise and informational material incidental to the display of merchandise.

Window sign, temporary, means a window sign of a temporary nature used to direct attention to the sale of merchandise or a change in the status of a business, but excluding window displays of merchandise and informational material incidental to the display of merchandise.

Sec. 114-102 Restrictions. Adoption of Historic District Signage  
Corridors Overlay Map.

The Key West historic district contains diverse commercial corridors and mixed-use areas that contribute to its urban diversity. Due to its intensity in use and type of commercial enterprises, the city created the Historic District Signage Overlay map that reflects three specific commercial corridors; the Entertainment Corridor zone, the Traditional Commercial Corridor zone, and Peripheral Commercial- Residential Corridor zone. The Commercial Overlay Districts Map is hereby adopted by Ordinance 16-XX. A copy of the map shall be kept on file at the Clerk's office and in the Planning Department.

~~The following shall apply in the historic zoning districts only (HRO, HRCC-1, HRCC-2, HRCC-3, HRCC, HMDR, HNC-1, HNC-2, HNC-3, HCT, HPS, and HHDR as designated on the future land use map and zoning map):~~

- ~~(1) — *Fluorescent lights.* All fluorescent lights located within five feet of the plane of the exterior wall of a storefront or storeside must be baffled or otherwise shielded so that the direct source of light is not visible from the exterior or from a street, sidewalk, right-of-way, beach, or waterway owned by a public body. Furthermore, all such baffling or other shielding shall~~



~~direct the light emitted by the fluorescent light toward the interior of the structure and away from the storefront or storeside where the fluorescent light is located.~~

~~(2) Neon lights. Except as provided in subsection (4) of this section, no neon lights shall be placed, attached, hung, or affixed within five feet of the plane of the exterior wall of a storefront or storeside, except that one or more, but not to exceed two, neon signs with a total maximum area of ten square feet per storefront shall be allowed. Neon lights shall not be used to illuminate or outline building facades or window or door openings.~~

~~(3) Motion lights. Restrictions on motion lights are as follows:~~

~~a. No blinking or flashing lights, chaser or moving lights, revolving or rotating lights, or lights which are otherwise in motion located within five feet of the plane of the exterior wall of a storefront or storeside shall be allowed except as provided in subsection (3)c. of this section.~~

~~b. No lights typically associated with holiday use shall be allowed except as provided in subsection (3)c. of this section.~~

~~e. During the period from Thursday preceding Thanksgiving through January 10 of each year, residences and the storefronts and storesides of businesses may display lights typically associated with holiday use, whether or not blinking.~~

~~(4) *Miniature lights.* Miniature lights shall not be used to illuminate or outline commercial building facades, storefronts or storesides, or a window or door opening or as an element in a window display, but may be used as a landscaping element. Miniature lights shall not be used to illuminate residential building facades, or the front or side of a residence, or a window or door opening, or as an element in a window display, but may be used as a landscaping element.~~

~~(5) *Marquee signs.* Marquee signs which are historically significant, as evidenced by continuous presence at one business location for ten years or more, and existing on September 1, 1991, shall be exempt from subsection (2) of this section.~~

~~(6) *Enforcement.* Any light, sign, or display prohibited by subsection (1), (3) or (4) of this section which was lawful when placed, attached, hung or affixed shall be removed or made lawful within 180 days after the effective~~

~~date of the ordinance from which this section derives. Any light, sign, or display prohibited by subsection (2) of this section which was lawful when placed, attached, hung, or affixed shall be removed or made lawful within three years after the effective date of the ordinance from which this section derives, requiring compliance by September 3, 1994.~~

~~(7) Projecting signs in historic commercial zoning districts. In the HRCC-1, HRCC-2, HRCC-3, HNC-1, HNC-2, HNC-3, and HCT districts, only one projecting sign not exceeding five square feet in area shall be allowed per identifiable business property. No such projecting sign shall have internal illumination.~~

**Sec. 114-103. Prohibited signs.**

~~(a) The following signs are prohibited in the historic zoning districts (HRO, HRCC-1, HRCC-2, HRCC-3, HRCC-4, HMDR, HNC-1, HNC-2, HNC-3, HCT, HCL, HPS, HPS-1, HPRD and HHDR as designated on the future land use map and zoning map):~~

(a) The following signs are not appropriate to any building or site within the historic district, therefore their use is prohibited:

(1) Animated signs within one (1) foot of a building façade facing any right-of-way and including vacant lots or parking areas.

~~(2) Banners, including fringed and pennant string banners, except with the permission of the city commission.~~

~~(2)(3) Bus bench signs.~~

~~(4) Interior illuminated signs.~~

~~(3)(5) Plastic signs, with the exception of vinyl letters and logos applied to fabric awnings' valance, windows, and or doors. Temporary banner signs, approved by staff, can be made of vinyl or other plastic material. Digitally printed signs, with the exception of printed letters, symbols, or logos attached to high relief surfaces of three dimensional, carved, or sand blasted panels. The use of corrugated PVC and molded plastic is prohibited, with exception of matte finished painted plastic letters.~~

~~(4)(6) Portable signs, with the exception of "A" frame signs deemed appropriate by the historic architectural review commission.~~

~~(5)(7)~~ Roof signs.

~~(6)(8)~~ Signs painted directly on the exterior wall or directly on the roof surface of a building, unless deemed historically appropriate by the historic architectural review commission.

~~(7)(9)~~ Snipe signs.

~~(8)(10)~~ Temporary store window signs, including going out of business signs, when their ~~number~~ square footage cause a violation of section 114-104; provided, however, that menus and public notice signs are not included in this prohibition. A public notice sign means a sign advertising an arts event, a political event or candidate, a community event, or such other event open to the public.

~~(9)(11)~~ Posterboard signs.

(10) Billboards

(11) Animated rotating and or fluttering devices, fringe, and pennant string streamer.

(12) Off- premises signs.

(13) Signs that are placed on public sidewalks or public property, including but not limited to hydrant, utility pole, tree, or public fence.

(14) Interior illuminated signs.

(b) If a flag advertises or promotes the ~~availability of a~~ business or a product sold by that business, then it shall be deemed a sign and is subject to the ~~limit on signs in the~~ permitted square footage ~~historic district~~ pursuant to section 114-104 and the Historic Architectural Guidelines.

~~(c) This regulation, as set forth in Ordinance No. 05-03, shall be reviewed by the city commission six months after its effective date for a determination of whether a limit on flag display in the historic district should be restored. At no time shall a right to legal nonconformity accrue to a property owner for a number of flags.~~

~~Sec. 114-104. Restriction on number of signs permitted.~~

Calculation of permitted signage.

~~No business shall display more than two permitted signs at its location; provided, however, that a business located on a street corner may display up to three permitted signs upon approval of the historic architectural review commission. A business shall be determined by its business tax receipt. Each side of an awning on which words or images of advertising or information are displayed shall constitute one awning sign. Any sign displayed in a store window shall count toward the maximum number of allowed signs under this section. Where the rear or side of any sign permitted under division 2 of article II of~~

~~chapter 106 and this chapter is visible from any street or private property, the rear or side of the sign shall present a finished appearance.~~

Permitted signage will be based on the amount of a business frontage, as defined under section 114-101. Calculation of signage will be one and a quarter (1.25) square ~~foot~~ feet of signage per linear foot of the building frontage of a business. Where the expressed formula does not work due to any small linear frontage occupied by a business, a sign cannot be smaller than three (3) square feet. The maximum allowed square footage for a business frontage is eighty (80) square feet for each frontage but square footage cannot be combined. For purpose of this regulation, stories above the first floor will not count as business frontage.

**Sec. 114-105. Authority to adopt additional provisions.**

The historic architectural review commission shall have the authority to adopt in its design guidelines additional provisions related to permitted signs in the historic districts, so long as they do not conflict with ~~division 2 of article II of chapter 106 and this chapter~~ the land development regulations.

**Sec. 114-106. Amortization of illegal nonconforming signs.**

~~Except as provided in this division, any sign prohibited by section 114-103 but which lawfully existed in the historic district as of September 3, 1991, may be continued. Nonconforming banner signs, portable signs, and snipe signs shall be removed within 30 days of the effective date of the ordinance from which this section derives. Illegal signs shall be removed within the first year, 365 days, of the effective date of the ordinance and adopted guidelines from which this section derives. Legal nonconforming signs will be exempt of from this section if they existed as of 2005. Historic and iconic signs are exempt from this definition. Abandonment of a legal nonconforming sign shall immediately terminate its nonconforming status.~~

**Sec. 114-107. Abandonment of legal nonconforming signs.**

Abandonment of a legal nonconforming sign shall immediately terminate its nonconforming status.

**Sec. 114-108. Maintenance of all signs.**

All signs, together with their supports, braces, and anchors, shall be maintained in a secure and safe condition, pursuant to section 114-34. Signs shall be kept free of excessive rust, decay, peeling, and deterioration, and shall be maintained to be functional as its intended use.



Section 2: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 3: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 4: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission and approval by the State Department of Community Affairs pursuant to Chapter 380, Florida Statutes.

Read and passed on first reading at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Read and passed on final reading at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Authenticated by the presiding officer and Clerk of the Commission on \_\_\_ day of \_\_\_\_\_, 2016.

Filed with the Clerk \_\_\_\_\_, 2016.

Mayor Craig Cates \_\_\_\_\_  
Vice Mayor Clayton Lopez \_\_\_\_\_  
Commissioner Sam Kaufman \_\_\_\_\_  
Commissioner Richard Payne \_\_\_\_\_  
Commissioner Margaret Romero \_\_\_\_\_  
Commissioner Billy Wardlow \_\_\_\_\_  
Commissioner Jimmy Weekley \_\_\_\_\_

\_\_\_\_\_  
CRAIG CATES, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK