

ORDINANCE NO. 297

COPY

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA, PERTAINING TO SIGNAGE WITHIN THE CITY, IDENTIFYING PROHIBITED SIGNS; ESTABLISHING GENERAL STANDARDS FOR ALLOWED SIGNS; IDENTIFYING SIGNS ALLOWED WITHOUT A PERMIT; IDENTIFYING ALLOWED SIGNS REQUIRING REVIEW; ESTABLISHING A COMPREHENSIVE SIGN PROGRAM; ESTABLISHING PROCEDURES FOR REVIEW AND APPROVAL OF SIGNAGE; ASSIGNING RESPONSIBILITY FOR SIGNAGE REVIEW AND APPROVAL TO THE PORT ST. JOE DOWNTOWN REDEVELOPMENT AGENCY; PROVIDING FOR REPEAL OF §6.00 THROUGH 6.08, CODE OF ORDINANCES OF PORT ST. JOE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORT ST. JOE, FLORIDA:

SECTION 1. General principles.

The City of Port St. Joe is a community on the Gulf Coast of the State of Florida. This city has an economic basis which increasingly relies on tourism. In order to preserve the city as a desirable community in which to live, vacation and do business, a pleasing, visually attractive urban environment is of importance. The regulation of signs within the city is a highly contributive means by which to achieve this desired end. These sign regulations are prepared with the intent of enhancing the urban environment and promoting the continued well-being of the city.

SECTION 2. Purpose.

The purpose of the regulation of signage is to promote the public health, safety and general welfare through a comprehensive system of reasonable, consistent and nondiscriminatory sign standards and requirements. These sign regulations are intended to:

- A. Enable the identification of places of residence and business.
- B. Allow for the communication of information necessary for the conduct of commerce.
- C. Lessen hazardous situations, confusion and visual clutter caused by proliferation, improper placement, illumination, animation and excessive height, area and bulk of signs which compete for the attention of pedestrian and vehicular traffic.
- D. Enhance the attractiveness and economic well-being of the city as a place to live, vacation

- E. Protect the public from the dangers of unsafe signs.
- F. Permit signs that are compatible with their surroundings and aid orientation, and preclude placement of signs in a manner that conceals or obstructs adjacent land uses or signs.
- G. Encourage signs that are appropriate to the zoning district in which they are located and consistent with the category of use to which they pertain.
- H. Curtail the size and number of signs and sign messages to the minimum reasonably necessary to identify a residential or business location and the nature of any such business.
- I. Establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains.
- J. Preclude signs from conflicting with the principal permitted use of the site or adjoining sites.
- K. Regulate signs in a manner so as to not interfere with, obstruct vision of or distract motorist, bicyclists or pedestrians.
- L. Require signs to be constructed, installed and maintained in a safe and satisfactory manner.
- M. Preserve and enhance the natural and scenic characteristics of this waterfront resort community.

SECTION 3. Prohibited signs.

The following types of signs are prohibited:

- A. *Abandoned signs.* Abandoned signs and/or sign structures which are determined to be nonconforming with the provisions of this ordinance shall be required to be removed by the property owner within 30 days after receipt of notification, or refusal to accept delivery of notification by certified mail, that such removal is required. Alternatively, the sign panels within the abandoned sign structure may be removed and replaced with sign panels of neutral color and containing no message.
- B. *Balloons, cold air inflatables, streamers, and pennants,* except where allowed as governmental and public purpose signs for special events of limited time and frequency, as approved by the Port St. Joe Downtown Redevelopment Agency or the City Commission of the City of Port St. Joe.

- C. *Bench signs.*
- D. *Billboards.*
- E. *Advertising signs on any type of water, aerial or other tower.*
- F. *Wall murals as advertising*
- G. *Off premise signs (signs located on other properties)*
- H. *Changeable message signs, except menu and time and temperature signs, on which the message changes more rapidly than once every six hours.*
- I. *Menu signs in which the message changes more rapidly than once every three hours.*
- J. *Pavement markings, except official traffic control markings and street addresses unless specifically authorized by this ordinance.*
- K. *Portable signs.*
- L. *Roof and above roof signs.*
- M. *Sandwich board signs.*
- N. *Signs attached to or painted on piers or sea walls, other than official regulatory or warning signs.*
- O. *Signs in or upon any river, bay, lake, or other body of water.*
- P. *Signs located on publicly owned land or easements or inside street rights-of-way, except signs required or erected by permission of the Port St. Joe Downtown Redevelopment Agency or the City Commission. Prohibited signs shall include but shall not be limited to handbills, posters, advertisements, or notices that are attached in any way upon lampposts, telephone poles, utility poles, bridges, and sidewalks.*
- Q. *Signs that emit sound, vapor, smoke, odor, particles, or gaseous matter.*
- R. *Signs that have unshielded illuminating devices or which reflect lighting onto public right-of-way thereby creating a potential traffic or pedestrian hazard.*
- S. *Signs that move, revolve, twirl, rotate, flash, including animated signs, multi-prism signs, floodlights and beacon lights, except when required by the Federal Aviation Agency or other governmental agency.*

T. Signs that obstruct, conceal, hide, or otherwise obscure from view any official traffic or government sign, signal, or device.

U. Signs that present a potential traffic or pedestrian hazard, including signs which obstruct visibility.

V. Signs attached to or placed on any tree or other vegetation.

W. Signs carried, waved, or otherwise displayed by persons either on public rights-of-way or in manner visible from public rights-of-way. This provision is directed toward such displays intended to draw attention for a commercial purpose, and is not intended to limit the display of placards, banners, flags or other signage by persons participating in demonstrations, political rallies and similar events that have been properly permitted.

X. Neon signs and Neon sign Lighting.

Y. Temporary window signs in residential districts.

Z. Three-dimensional objects that are used as signs.

AA. Time and temperature signs in which the message changes more rapidly than once every 15 seconds.

BB. Vehicle signs and portable trailer signs.

CC. Any sign that is not specifically described or enumerated as permitted within the zoning district classifications in the development code.

DD. Flags and banners may not be used as signage. Nothing herein prohibits the display of the U. S. Flag or State Flags.

EE. Freestanding signs except as approved by the Port St. Joe Downtown Redevelopment Agency.

*FF. Pole Signs, unless specifically allowed in Section 5, or approved as per Section 7, no sign erected upon or supported by any type of pole or poles, whether wooden, metal, or any other type material, shall be allowed **except** traffic directional signs no more than two feet (2') in height marking entrance and exit. Only two (2) such directional pole signs shall be allowed per designated entrance/exit.*

SECTION 4. General standards for allowed signs.

A. All signs erected, placed, reconstructed, expanded or relocated on any property within the

city shall conform to the provisions of this article. It is the responsibility of the owner/developer to repair and maintain the signs. Existing non-conforming signs shall not be expanded, but normal maintenance may be allowed. Signs not repaired or maintained are hereby declared abandoned and will be removed.

B. No sign shall be located, erected, placed, constructed, reconstructed, expanded, altered or relocated except as provided in Section 5 of this ordinance without securing a permit from the City of Port St. Joe.

C. *Illuminated signs.*

1. The light from any illuminated sign shall be shaded, shielded, or directed away from adjoining street rights-of-way and properties.
2. No sign shall have blinking, flashing, or fluttering lights or other illumination devices which have a changing light intensity, brightness, color, or direction.
3. No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices.
4. Neither the direct nor the reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public thoroughfares.
5. The light which illuminates a sign shall be shaded, shielded, or directed so that no structure, including sign supports or awnings, are illuminated by such lighting.

D. *Gasoline price signs.* All gasoline price display signs must be approved by the Port St. Joe Downtown Redevelopment Agency, and may be allowed in all non-residential districts except where specifically prohibited. Gasoline price display signs shall be placed in the vicinity of the pump islands.

E. *Time and temperature.* Time and temperature signs shall be allowed in non-residential districts. The maximum area for the time and temperature portion only shall be 20 square feet. The area of a time and temperature sign, whether attached shall be included in a determining the cumulative area of signs on a property.

F. *Building and electrical code compliance.* All signs shall comply with applicable building and electrical code requirements.

G. Notwithstanding any other provision of this Code, no sign shall be subject to any limitation based on the content of the message contained on such sign.

SECTION 5. Signs allowed without a permit.

the building sign may be developed without the necessity for a permit:

- A. One address sign of no more than two square feet of total sign face area for each parcel of land used for residential purposes, and no more than three square feet of total sign face for each parcel of land used for commercial purposes.
- B. Temporary signs.
 - 1. One temporary grand opening sign shall be permitted for 30 days after the issuance of an occupational license for any new business, or business name change. Such sign shall not exceed 12 square feet in total sign face or such sign may be a temporary covering, such as a toaster cover, sign boot, or sign sock, which covers an existing permitted, attached or freestanding sign.
 - 2. Other temporary special event and/or public purpose signs of a temporary nature may be approved by the city clerk on a case by case basis. The type sign, size, design and length of display shall be determined by the Port St. Joe Downtown Redevelopment Agency.
- C. Holiday decorations may be displayed no sooner than 30 days prior to the holiday, nor longer than 10 days following the holiday. The city of Port St. Joe is exempt from this provision.
- D. One construction sign located on a parcel proposed for development during the period a building permit is in force, or one year, whichever is less, which sign shall not exceed:
 - 1. Sixteen square feet of total sign face area for parcels of land used or proposed to be used for residential purposes;
 - 2. Twenty-four square feet of total sign face area for parcels of land used or proposed to be used for multifamily or non-residential purposes.
- E. One garage and yard sale sign of no more than four square feet of total sign face area located on the parcel of land where the garage or yard sale is to be conducted; and displayed only on the dates on which the yard sale is conducted. In addition, no more than two directional signs (of no more than four square feet of total sign area per sign) related to a garage or yard sale which are located on privately owned parcels of land other than the parcel of land where the garage or yard sale is to be conducted may be displayed only on the date or dates on which the yard sale is conducted.
- F. Signs which are integral and incidental to equipment or machinery and cover no more than 20 percent of the exterior surface of such equipment, facilities or machinery.

G. Attached menu signs of no more than four square feet of sign face area located at the entrance or service window of a restaurant. One freestanding drive-through sign no more than 16 square feet in area and six feet in height located in the rear of the principle building of the restaurant.

H. Onsite directional and traffic control signs of no more than four square feet of sign face area, provided that business logos or other non-traffic control symbols do not exceed 25 percent of the sign face area.

I. Signs identifying parking space numbers, provided that such signs are painted on the paved surface of each space or do not exceed one-half square foot of sign face area per sign.

J. Signs identifying marina slip numbers, provided that such signs are painted on the dock in front of each slip or do not exceed one square foot of sign face area per sign.

K. Temporary yard signs.

1. One temporary yard sign shall be allowed for each political candidate or issue for each frontage per parcel of land. Such signs shall be erected no sooner than 60 days prior to the election for which they are intended, and shall be removed within seven days after the election for which they are intended. The total sign face area of each sign shall not exceed six square feet in area on parcels of land designated or used for residential purposes, and 32 square feet of total sign face area on parcels of land designated or used for non-residential purposes.

2. One other temporary yard sign shall be permitted only on parcels of land designated or used for residential purposes on each road frontage per parcel of land, provided that such signs are displayed no more than three times a year for a total of 90 days during a one year period, and provided that the total sign face area of each sign does not exceed six square feet.

L. One freestanding real estate sign per parcel of land indicating that a parcel of land or a building located on the parcel of land or part thereof is for sale, for lease or otherwise available for conveyance, provided that such sign does not exceed:

1. Six square feet of total sign face area on parcels of land designated or used for residential purposes, and
2. Thirty-two square feet of total sign face area on parcels of land designated or used for non-residential purposes.

In the event that more than one dwelling unit or non-residential space on a single

parcel of land is for sale, for lease or otherwise available, one attached sign per dwelling or space of no more than two square feet in total sign face area in addition to the permitted freestanding signage. In addition, one freestanding waterfront sign of no more than four square feet of total sign area for each waterfront parcel of land.

- M. Signs located within a stadium which are not visible from outside of a stadium.
- N. Windows signs up to eight square feet in area may be located on any window area provided such sign does not exceed 25 percent of the total area of the window where the sign is located. In no case shall the cumulative area of all window signs erected exceed 24 square feet in area. This provision does not apply to adult entertainment businesses as regulated by ordinance No. 283.
- O. Safety or warning signs which do not exceed four square feet of sign face area per sign.
- P. A change in a sign message on a previously approved, lawful sign.
- Q. One sign identifying each individual vessel slip at a marina, provided such sign does not exceed four square feet in area and is placed in the vicinity of the slip. For commercial marinas having separately licensed slips for commercial vessels, each licensed slip shall be permitted one sign containing no more than eight square feet in area placed in the vicinity of the slip to identify the vessel, rate/embarking schedules or other information. Such signs shall be in addition to marina vessel signs.
- R. Memorial signs or tablets, names of buildings and the dates of erections, when cut into any masonry surface or when constructed of bronze or other non-combustible materials so long as the memorial sign or tablet does not exceed four square feet of area.

SECTION 6. Allowed signs requiring review.

- A. *Residential.* The following signs shall be allowed in all residential zoning districts:
 - 1. *Monument subdivision development entry signs.*
 - a. One monument entry sign for each entrance into a platted subdivision of no more than 24 square feet of total sign face per sign.
 - b. The height of a monument sign shall not exceed six feet.
 - 2. *Monument multifamily entry signs.*
 - a. One monument identity sign per entrance into a multifamily development of no more than 12 square feet of total sign face per sign.

- b. The height of a sign shall not exceed six feet.
- c. An identity sign shall include the address of the property on which the sign is to be located.

3. *School and park identification monument signs.*

- a. One monument entry sign for each major entry into a school or a park of no more than 20 square feet of total sign face area per sign.
- b. The height of a monument sign shall not exceed five feet.
- c. All monument signs shall be installed in a landscape area of not less than 12 square feet and shall include the address of the property on which the sign is to be located.

B. *Non-residential.*

1. *Monument signs.* Monument signs shall be permitted in the commercial and industrial zones as follows:

- a. One monument sign per parcel proposed for development with no more than two sign faces. A parcel located at a corner may be permitted two signs, one on each street frontage, provided that the maximum area of the sign faces of the two signs shall not exceed the total maximum allowable area.
- b. All monument signs shall be setback at least five feet from the property lines.
- c. The area of a monument sign face shall not exceed the lesser of:
 - i. One square foot per two linear feet of street frontage;
 - ii. One square foot per 100 square feet of building facade facing street frontage; or
 - iii. Twenty square feet;

However, a minimum of ten square feet per parcel proposed for development shall be allowed.

- d. The total area of all sign faces on a monument sign shall not exceed 40 square feet per parcel proposed for development.

e. The height of a monument sign shall not exceed four feet.

f. All monument sign structures shall be installed in a landscaped area of not less than 12 square feet.

2. *Attached signs.* The following signs shall be permitted in all non-residential districts:

a. One attached sign per business establishment provided no free standing sign has been erected. The area of an attached sign face shall not exceed the lesser of:

i. One square foot per 100 square feet of building facade facing the street frontage; or

ii. Twenty-four square feet;

However, a minimum of ten square feet per business establishment with a principle exterior entrance shall be allowed.

b. Where individuals building establishments are located in a single building or in multiple buildings which are attached, attached signs shall be designated according to a common theme but be sufficiently different in style, color, materials or other characteristic to avoid a sense of uniformity or sameness.

SECTION 7. Comprehensive sign program.

A. General principles.

1. The intent of the comprehensive sign program is to provide private property owners and businesses with flexibility to develop innovative, creative and effective signage and to improve the aesthetics of the City of Port St. Joe.

2. The minimum sign standards established in this division ensure that signage will not have an adverse impact on the aesthetics, community character and quality of life of the City of Port St. Joe. The city recognizes, however, that in many circumstances, there are innovation and creative alternatives to minimum standard signage which are desirable and attractive and will enhance community character and individual property values.

3. The purpose of the comprehensive sign program is to provide an alternative to minimum standard signage subject to flexibility criteria which ensures that alternative signage will not have an adverse impact on the aesthetics, community character and quality of life of the City of Port St. Joe.

B. *Permitted signage.* Signage which is proposed as a part of a comprehensive sign program may deviate from the minimum sign standards in terms of numbers of signs per business or parcel of land, maximum area of a sign face per parcel of land and the total area of sign faces per business or parcel of land, subject to review and approval by the Port St. Joe Downtown Redevelopment Agency.

C. *Flexibility criteria.*

1. *Architectural theme.*

a. The signs proposed in a comprehensive sign program shall be designed as a part of the architectural theme of the principle buildings proposed or developed on the parcel proposed for development and shall be constructed of materials and colors which reflect an integrated vocabulary for the parcel proposed for development; or

b. The design, character, location and/or materials of the signs proposed in a comprehensive sign program shall be demonstrated more attractively than signs otherwise permitted on the parcel proposed for development under the minimum sign standards.

2. *Height.* The maximum height of all signs proposed in a comprehensive sign program is 14 feet, provided however, that a single attached sign with a sign face of no more than 12 square feet may be erected up to the height of the principle building.

3. *Lighting.* The maximum lighting proposed as a part of a comprehensive sign program is automatically controlled so that the lighting is turned off at midnight or when the business is closed.

4. *Total area of sign faces.* The signage proposed in a comprehensive sign program shall not have an adverse impact on the community character of the City of Port St. Joe.

5. *Property values.* The signage proposed in a comprehensive sign program will not have an adverse impact on the value of property in the immediate vicinity of the parcel proposed for development.

6. *Elimination of unattractive signage.* The signage proposed in a comprehensive program will result in the elimination of existing unattractive signage or will result in an improvement to the appearance of the parcel proposed for development in comparison to signs otherwise permitted under the minimum sign standards.

7. *Special area or scenic corridor plan.* The signage proposed in a comprehensive

sign program is consistent with any special area or scenic corridor plan which the City of Port St. Joe has prepared and adopted for the area in which the parcel is located.

SECTION 8. Procedures for review and approval.

It is the purpose of this section to establish procedures for review and approval signs requiring review per Section 6, and for signs proposed under the comprehensive sign program. The Port St. Joe Downtown Redevelopment Agency is designated as the agency to review all applications for signage.

A. No building permit within any commercial district shall be issued without an approved sign permit issued by the Port St. Joe Downtown Redevelopment Agency.

B. No occupational license will be issued for any new business until all signs at the business location is determined by the Port St. Joe Downtown Redevelopment Agency to be in conformity with the provisions of this ordinance.

B. No sign, except for signs listed in Section 5 shall be located, placed, erected, constructed, altered or extended without first obtaining approval;

C. An application for sign review and approval, accompanied by an application fee of \$150.00, shall be submitted to the City Clerk. The application shall be accompanied by plans and specifications drawn to scale and including the following information:

1. Legal description of the property where the sign is proposed to be located;
2. Name, address and telephone number of the lessor of the property or building upon which the sign is proposed to be located, if applicable, and a notarized statement of authorization signed by the lessor consenting to the sign placement and a copy of the executed lease;
3. Name, address and telephone number of the sign erector;
4. Type of sign proposed;
5. Surface area of the sign proposed;
6. Value of sign proposed;
7. Location of the sign in relation to property lines, public rights-of-way, easements, buildings and other signs of property;
8. Dimensions and elevations, including the message of the sign;

9. Lot frontage on all street rights-of-way;
10. Maximum and minimum height of the sign;
11. Dimensions of the sign's supporting structures;
12. For illuminated signs, the type, placement, intensity and hours of illumination;
13. Construction and electrical specifications, to allow a determination that the sign meets all the applicable structural and electrical requirements of the building code;
14. Number, type, location and surface area of all existing signs on the same property and or building on which the sign is to be located;
15. Landscaping design plans for area required for free-standing signs.

SECTION 9. Procedures.

An application for approval of a sign shall be reviewed by the Port St. Joe Downtown Redevelopment Agency. Upon approval of the sign being in conformity with this code, the chairperson shall so notify the applicant and the building official that approval has been granted. The applicant must then secure a building permit. In the event an application is not approved, this fact shall be communicated to the applicant with the reasons for the disapproval. Appeal may be taken to the City Commission, but any request for appeal must be filed within fourteen (14) days of notification of disapproval by the Port St. Joe Downtown Redevelopment Agency.

SECTION 10. Expiration.

Signage approval shall be valid for a maximum of 180 days after the issuance. Failure to erect the sign within 180 days shall void the approval and necessitate replication.

SECTION 11. Identification.

All signs requiring a permit shall have the permit number permanently marked on the sign in a visible location.

SECTION 12. Inspections.

The chairperson of the Port St. Joe Downtown Redevelopment Agency, or his/her designee, and the building official shall, as each may determine necessary, inspect the property to ascertain that the sign erected is in accord with all provisions of the approved application and the building code, and in accordance with all the terms upon which the sign approval and permit may have been conditioned.

Section 6.00 through Section 6.08, Code of Ordinances of Port St. Joe, is specifically repealed. All other ordinances or parts of ordinances in conflict herewith are hereby repealed, except Section 7 of Ordinance 283.

SECTION 14. Effective date.

This ordinance shall become effective upon adoption as provided by law.

THIS ORDINANCE ADOPTED this 5th day of November, 2002.

**BOARD OF CITY COMMISSIONERS
PORT ST. JOE, FLORIDA**

ATTEST: *Pauline Pedersen* *Franklin A.*
City Clerk Mayor-Commissioner

The following commissioners voted yea: All
Nay: None