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TO: Honorable Herbert E. Polson, Committee Chair
Members of the Public Services & Infrastructure Committee

THRU: Philip Lazzara, Zoning Official

FROM: Derek Kilborn, Rob Gerdes & Pam Lee, City Planners & Erica Smith, Assistant City Attorney

DATE: August 25, 2011

SUBJECT: Review of Sign Regulations

On June 23, 2011, staff presented a general overview of the current sign regulations to the Public Services and Infrastructure (PS&I) Committee. During the subsequent discussion, Committee Members highlighted several areas of the current regulations which the Committee would like to review in further detail. These areas included a comparison of the city's sign regulations to the regulations of the City of Clearwater, specifically the improvements in signage made along Gulf to Bay; regulations governing non-conforming signs; regulations governing specific types of signs, including: Neighborhood Association meeting signs, individuals holding signs and/or dressed as signs on private property and in the right-of-way, A-frame signs and electronic message centers (EMCs); and code enforcement related to signs. This memo and the attached material are intended to follow-up on these issues in a more detailed fashion. Lastly, staff will be asking the Committee for direction on moving forward with this review, including feedback on potential ideas for amendments to the current regulations.

St. Petersburg vs. Clearwater Sign Regulations

At the June 23, 2011 PS&I meeting, Councilman Danner commented on improvements to the aesthetic quality of the signage along Gulf to Bay in Clearwater and asked staff to research how these improvements were regulated. Provided below is a comparison between the regulations of St. Petersburg and Clearwater and a brief discussion of Clearwater's amortization of non-conforming signs program.

Staff met, and subsequently coordinated with, Clearwater's Planning and Development Department to build a comprehensive understanding of Clearwater's existing sign code. Staff was particularly interested in isolating and comparing specific sign regulations, permitting procedures and code enforcement mechanisms between the two (2) municipalities.

Specific details are provided throughout this report and included within the attachments. Based on previous comments and concerns highlighting specific aspects of sign regulation, staff is including the following comparisons for your review:

Handheld Signs

St. Petersburg:	Clearwater:
Exempt (from sign regulations)	Prohibited

Electronic Message Center (EMC) Signs

St. Petersburg:	Clearwater:
Generally: • Permitted in all zoning districts except for neighborhood and corridor residential districts; • Permitted only as integral component of a freestanding sign or a building sign; • No more than 50 percent of the overall sign area; • No more than 32 square feet in area; • Message duration no less than once per six seconds; • Text-only. The display of non-text graphics are prohibited; • Flashing, chasing and scintillating lighting or operations are prohibited. Arenas, theaters and other places of public assembly: • EMC signs at an arena, theater, or other place of public assembly on a site consisting of 15 acres or more with 1,900 or more fixed seats: • May be attached to a wall or to a free standing sign, or both; • Not subject to the size limitations set forth in this subsection; No more than 250 square feet per side; • May display non-text graphics. Large facilities: • Not subject to the size limitations of this section; • EMC signs within large facility signs shall not exceed 50 percent of the overall sign area; • May display non-text graphics	Prohibited

Free Standing Signs

St. Petersburg:	Clearwater:
Residential Corridors	
48 square feet - Maximum area 10 feet - Maximum height	64 square feet - Maximum area 14 feet - Maximum height
Commercial Corridors	
64 square feet - Maximum area 15 to 20 feet - Maximum height	64 square feet - Maximum area 14 feet - Maximum height
Centers	
150 square feet - Maximum area 20 feet - Maximum height	64 square feet - Maximum area 14 feet - Maximum height
Industrial	
69-150 - Maximum area 10-20 - Maximum height	64 square feet - Maximum area 14 feet - Maximum height
Downtown	
48 square feet - Maximum area 10 feet - Maximum height	(Monument sign only) 10 square feet per face – Maximum area 20 square feet cumulative – Maximum area 4 feet - Maximum height

Design Standards

St. Petersburg:	Clearwater:
The sign code includes a series of supplementary regulations for various types of signs. Also, the sign ordinance includes a series of design regulations for all types of signs. The combined effect of having both supplementary and design regulations for all sign applications guarantees a minimum design standard not required by the Clearwater sign ordinance.	The sign code has a limited number of supplementary and design regulations. The aesthetics typically required through St. Petersburg's base regulations are more likely achieved through Clearwater's Comprehensive Sign Program (see below) than they are through Clearwater's base regulations.

Comprehensive Sign Program

The Clearwater sign code includes a voluntary application process referred to as the *Comprehensive Sign Program*. The Program allows property and business owners the flexibility necessary to develop innovative signage in exchange for meeting design standards. Review criteria includes, but is not limited to, an evaluation of the sign's compatibility with the architectural theme of the subject property and its impact on the character and values of neighboring properties. Due to the flexible and subjective nature of the review process allowed under this program, it is sometimes difficult to comparatively evaluate the standards of the two sign codes.

Regarding Gulf-to-Bay Boulevard, there are a number of contributing factors resulting in its improved aesthetic. According to Clearwater staff, the corridor has benefitted significantly from the installation of landscape medians, which include Medjool Date

palm trees. The landscape medians are complimented on the exteriors by an increase in landscaped, green yards. The green yards, which were required as part of the many redevelopment projects that have occurred along the corridor, replaced a significant amount of impervious square footage that previously existed as parking spaces, vehicle access lanes or undefined space. Clearwater's sign code has also contributed to the reduction in visual clutter; however, a number of non-conforming signs still exist.

According to information provided by legal and planning staff at the City of Clearwater, the city approved an amortization of non-conforming on-premise and off-premise signs program in 1985. The amortization provided a seven (7) year time period for the removal of signs (off-premise and on-premise) that were non-conforming as to certain requirements, such as size, setback and landscaping. Prior to the expiration of the seven (7) year amortization period, legal action was taken against the city on behalf of off-premise sign owners. A settlement agreement was reached which provided for a longer amortization period. There are currently off-premise billboards within the city limits of Clearwater. The amortization process for on-premise, non-conforming signs moved forward and from 1992 to 2007 a number of on-premise, non-conforming signs were removed. In our discussion with Clearwater's staff regarding this removal process, some potential concerns about an amortization program in St. Petersburg became clear. Specifically, Clearwater had the following experiences which are concerning:

- A significant number of upset business owners when notices went out notifying them that their signs were non-conforming and would have to be removed;
- A significant number of variance requests to the amortization in order for business owners to maintain on-premise, non-conforming signs. Many of these variance requests were approved and many on-premise, non-conforming signs still exist in Clearwater today;
- The need to hire a large number of temporary employees to inventory every on-premise sign in the city to determine non-conforming status; and
- Changes to the sign regulations after the amortization process which allowed for signs of equivalent size to those which were earlier required to be removed under the amortization program.

Non-Conforming Signs

The St. Petersburg sign regulations (§ 16.40.120.3.5) include two (2) specific regulations regarding non-conforming signs: (i) Except as provided in the Sign Code and unless in conformity with the Sign Code, a sign shall not be erected, raised, moved, placed, reconstructed, extended, enlarged, or altered, unless in conformity with this Sign Code and (ii) Non-conforming signs may be maintained or repaired; however, if a non-conforming sign is relocated or replaced, or structurally altered by more than 25 percent of the replacement cost of the sign, the sign shall be made to conform to this Sign Code. The sign regulations (§ 16.40.120.3.4) also include two (2) other regulations which affect non-conforming signs: (i) If an existing building or structure is demolished for redevelopment, any existing freestanding on-premises signs shall be considered abandoned and shall be removed at the time of demolition unless the sign complies with the height, sign area, and placement requirements of the Sign Code. This shall not be

deemed to require the removal of a lawful off-premises sign and (ii) If a freestanding on-premise sign is abandoned for six (6) months or more, and such sign is non-conforming as to height, sign area, or placement, such sign shall be removed. No permit for a new freestanding sign shall be issued until the abandoned sign is removed. This shall not be deemed to require the removal of a lawful off-premises sign.

Staff has compared St. Petersburg's non-conforming sign regulations with those of other cities and counties (comparative spreadsheet attached). Significant and/or interesting differences between regulations are as follows (these items are highlighted on the attached spreadsheet):

1. Naples
    - Repair/maintenance value threshold at 50 percent
    - Includes damage threshold of 50 percent

2. Tampa
    - Prohibits repair to structurally improve sign
    - Prohibits introduction of EMCs
    - Prohibits increasing illumination
    - Permits non-conforming signs approved as part of site plan approval to be reconstructed
    - Ninety (90) day limitation for abandoned non-conforming signs
    - Permits structurally sound non-conforming signs to remain in redevelopment

3. Jacksonville
    - Requires non-conforming signs to be brought into compliance by date certain or date of change of title, whichever is later

4. Melbourne
    - Prohibits repair to structurally improve sign
    - Prohibits introduction of changeable message copy
    - Prohibits increasing illumination
    - Repair value threshold at 50 percent
    - One hundred and eighty (180) day limitation for abandoned non-conforming signs

5. Clearwater
    - Redevelopment requires compliance of signs
    - One hundred and eighty (180) day limitation for vacant use before non-conforming sign shall come into compliance
    - Copy not current or missing letters or words for thirty (30) days, the sign shall become unlawful

6. Pinellas County

- Repair value threshold 25 percent
- Improvements to building or site over 50 percent of the assessed value of existing building or site requires non-conforming sign to come into compliance

7. Hillsborough County
    - Requires non-conforming signs to come into compliance ten (10) years from date of ordinance which makes sign non-conforming
    - Prohibits repair to structurally improve sign
    - Prohibits introduction of changeable message copy
    - Prohibits increasing illumination
    - Repair value threshold at 50 percent
    - One hundred and eighty (180) day limitation for abandoned non-conforming signs

Possible Considerations to Amend St. Petersburg Non-Conforming Sign Regulations

In reviewing the city's non-conforming sign regulations in conjunction with those regulations of other jurisdictions, staff has created a list of possible amendments to the city's regulations for the PS&I Committee to review and on which to provide comment. Staff would like the Committee to reduce/expand this list of possible recommendations prior to engaging in an outreach project to potential stakeholders and interested parties. The list of possible amendments staff finds appropriate for future discussion are as follows (staff does not recommend an amortization program):

1. Make repair threshold cumulative for all repairs;
2. Prohibit EMCs and changeable copy from being added to non-conforming signs (policy currently in place prohibiting this activity);
3. Prohibit any increase in illumination;
4. Prohibit structural improvements;
5. Require sign compliance with improvements to building or site over 50 percent of assessed value; and
6. Reduce enforcement time on abandoned signs from six (6) months to three (3) months and add a definition for abandoned sign.

Specific Types of Signs

At the June 23, 2001 PS&I meeting, Committee members highlighted four (4) specific types of signs which the members considered problematic. The specific types of signs are: (i) Neighborhood Association meeting announcement signs in the right-of-way, (ii) individuals holding or dressed as signs on private property and in the right-of-way, (iii) A-Frame signs and (iv) electronic message center (ECMs) signs.

Neighborhood Association Meeting and Event Announcement Signs

Neighborhood association signs announcing upcoming meetings and events are prohibited under current City Code from being placed in the right-of-way. A portable sign temporarily placed in the right-of-way or on public property is a "snipe sign." Snipe signs are strictly prohibited under City Code § 16.40.120.3.3. St. Petersburg cannot

differentiate treatment of snipe signs based on the content of the sign; that is, the City cannot allow only snipe signs that advertise a neighborhood meeting or event while outlawing all other snipe signs. Therefore, unless Council desires to allow all snipe signs, it cannot allow neighborhood association meeting and event announcement signs in the right-of-way or on public property. That having been said, the Sign Code does allow one (1) free speech sign per residential lot provided such free speech sign is on private property, outside the visibility triangle, and no more than twelve (12) square feet and four (4) feet in height. If residents wish to utilize their own private property to advertise neighborhood association meetings and events, that is permissible provided the signs comply with the requirements regulating free speech signs.

Individuals Holding and/or Dressed as Signs

Currently "signs held by the hand of a person and not attached to any pole or other object affixed to the ground" are permitted signs that are exempt from permit requirements. This provision allows both noncommercial hand-held signs (ie. campaign signs, protest signs, opinion signs) and commercial hand-held signs (ie. signs advertising a business, product or sale). Council has expressed an interest in limiting or prohibiting *commercial* hand-held signs. Although not as stringently protected as non-commercial messages, commercial messages do have protections under the First Amendment and restrictions regulating commercial messages are subject to an intermediate level of scrutiny by the courts. If a commercial message is protected by the First Amendment (that is, if the commercial message is not illegal or misleading), then government regulation of the message will only be found to be constitutional if (1) the asserted governmental interest underlying the regulation is substantial; (2) the regulation directly advances the government interest involved; and (3) the regulation is no more extensive than necessary to serve the government interest (ie. the regulation is "narrowly drawn"). (*Central Hudson Gas & Electric Corp. v. Public Service Commission of New York*, U.S. Supreme Court, 1980).The government bears the burden of establishing the constitutionality of its regulatory scheme.

In the last several years, there has been an increase in individuals holding signs and/or dressed as signs with commercial messages both on private property and in the right-of-way. Unless these commercial messages are found to be illegal or misleading, they are protected by the First Amendment. Any regulations to limit or prohibit such speech must, therefore, meet the requirements of the *Central Hudson* test.

(1) **Asserted governmental interest underlying the regulation must be substantial.**
Staff believes that these signs present a safety issue and are aesthetically out of keeping with the purpose and intent of the sign regulations. Traffic safety and aesthetics have been held to be substantial government interests, so this element of the test should be met.

(2) **Regulation directly advances the government interest involved.**
This element is not satisfied by mere speculation or conjecture by the government that the commercial speech is harmful; there must be proof (beyond obviousness or common sense) of "a concrete, non-speculative harm." A "governmental body seeking to sustain a

restriction on commercial speech must demonstrate that the harms it recites are real and that its restriction will in fact alleviate them to a material degree." (*Edenfield v. Fane*, U.S. Supreme Court, 1993) The United States Supreme Court has invalidated a restriction where there were no studies and no anecdotal evidence from that jurisdiction or others that showed that the asserted harms were real. Assertions by staff that commercial handheld signs can potentially cause traffic safety problems or generally diminish aesthetics is probably not sufficient to meet this element of the *Central Hudson* test. If Council is interested in pursuing a restriction on handheld commercial signs, it would be advisable for staff to first accumulate evidence (studies, anecdotes, history, etc. from St. Petersburg or from other jurisdictions) that provides "some quantum of evidence, beyond [the government's] own belief in the necessity for regulation, that harms it seeks to remedy are concrete and that its regulatory regime advances the stated goals."

(3) **Regulation must be narrowly drawn.**
Although the regulation does not have to be the single best solution to correct the harm, there does at least need to be a reasonable fit between the government's ends and means. Regulations should be narrowly tailored to achieve the desired objective. To uphold a regulation limiting or prohibiting commercial speech, a court must be assured that the government has "carefully calculated the costs and benefits associated with the burden on speech" imposed by the regulation. If Council is interested in pursuing a restriction on handheld commercial signs, some careful thought and analysis need to be put into meeting this element.

This is not to say that handheld commercial signs cannot be regulated. The City of Clearwater's sign regulations include the following prohibition: "Signs carried, waved or otherwise displayed by persons either on public rights-of-way or in a 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." The City of Pinellas Park interprets its sign ordinance in a manner that prohibits handheld commercial signs and has allowed it to issue municipal ordinance violations to such offenders as Liberty Tax. **However, if Council wishes to pursue a limitation or prohibition on handheld commercial signs, Staff would recommend that the City can best position itself in any resulting litigation by (1) collecting evidence of the traffic safety problems and aesthetic harms that can result from handheld commercial signs to support such a regulation and (2) carefully drafting a regulation that is narrowly tailored to remedy those problems and harms.**

A-Frame Signs
Prior to the major 2007 revision to the Land Development Regulations, A-Frame signs were prohibited throughout the city. As a part of the 2007 revision, A-Frame signs were permitted, and are exempt from permit requirements, in the Corridor Commercial Traditional (CCT) and Downtown Center (DC) zoning districts. Specifically, the sign regulations state that A-Frame signs are permitted "when placed on sidewalks in front of businesses within CCT and DC zoning districts. A-Frame signs shall be allowed only for businesses that are situated in buildings that comply with the design criteria of the CCT

and DC zoning districts. No more than one (1) such sign shall be allowed for each customer entrance to a business from the sidewalk. An A-Frame sign may be displayed on the sidewalk only during hours of operation of the business. An A-Frame sign shall not exceed four (4) square feet and five (5) feet in height. Such signs are not allowed within four (4) feet of the curb of the street. A minimum sidewalk clearance of four (4) feet shall be required."

The CCT and DC zoning districts are traditional, pedestrian friendly districts which are consistent with A-Frame signage along the sidewalks. According to the Codes Compliance Assistance Department, there have been few issues with A-Frame signage downtown. There have been some enforcement issues along 4th Street North where the sidewalks are narrower than in Downtown and where the CCT zoning ends at 29th Avenue North. Some business north of 29th Avenue North, outside the CCT zoning district, have been using A-Frame sings and Code Compliance Assistance has had to enforce the regulations. Overall, staff finds that the 2007 modification to allow A-Frame signs has provided businesses more options in traditional, pedestrian friendly areas of the city. **Staff recommends no change to the current A-Frame regulations.**

Electronic Message Centers (EMCs)

In March 2005, City Council approved a City Code text amendment to allow EMCs in all commercial districts, except those districts which allow residential uses as a primary use. The text amendment also decreased the required message duration from fifteen (15) minutes (for electronic matrix displays) to six (6) seconds; provided for a maximum area of twenty-four (24) square feet for the EMC; required the EMC to be less than 50 percent of the overall sign area and established design criteria. In the 2007 LDR amendments, the maximum sign area for an EMC was changed from twenty-four (24) square feet to thirty-two (32) square feet. Staff has identified fifty-four (54) EMC's in the city (including time and temperature signs) which are listed in the attached EMC location and code compliance spreadsheet.

Staff has provided the PS&I Committee with an attached spreadsheet which identifies the City of St. Petersburg EMC regulations in comparison to regulations from other cities and counties. The comparative spreadsheet makes clear several findings of interest, including:

- St. Petersburg and Pinellas County are the only jurisdictions reviewed which limit the size of the EMC as less than the allowable sign area;
- New Smyrna Beach was the only jurisdiction reviewed which has a separation requirement (six hundred feet) and a measurable standard for brightness (.3 fc measured two hundred feet from sign face);
- Several jurisdictions reviewed limited EMCs to specific roadways or roadway types and New Smyrna Beach prohibits EMCs facing single-family or within two hundred (200) feet of a historic district;
- Several jurisdictions reviewed limited EMC locations by zoning or roadway;

- Of the jurisdictions reviewed which have a message duration regulation, St. Petersburg and Hillsborough County have the shortest message duration time at six (6) seconds (New Smyrna Beach appears to have no requirement so messages can constantly change). Other message duration times ranged from eight (8) seconds to five (5) minutes;
- All jurisdictions reviewed regulate the message complexity in some form; however, St. Petersburg is the only jurisdiction which requires text only;
- Few of the jurisdictions reviewed have design criteria specifically for EMCs; and
- Clearwater and Gainesville prohibit EMCs (Clearwater does allow time and temperature electronic signs and EMCs on public property such as Brighthouse Field and Ruth Eckerd Hall).

Compliance of EMCs with the city regulations has been an on-going issue for the Codes Compliance Assistance Department. In 2010, there were thirty-four (34) Code Compliance Assistance citations on EMCs. The attached EMC location and code compliance spreadsheet indicates that flashing, chasing and shortened message duration were the most common violations.

Possible Considerations to Amend St. Petersburg EMC Regulations

In reviewing the city's EMC sign regulations in conjunction with those regulations of other jurisdictions, staff has created a list of possible amendments to the city's regulations for the PS&I Committee to review and on which to provide comment. Staff would like the Committee to reduce/expand this list of possible recommendations prior to engaging in an outreach project to potential stakeholders and interested parties. The list of possible amendments staff finds appropriate for further discussion are as follows:

1. Prohibit EMC's city-wide, except for Large Facility and Performing Arts Venue uses;

If the PS&I Committee does not support a city-wide prohibition on EMC's, staff suggests the following ideas for consideration:

2. Prohibit in Traditional and Downtown zoning districts, except for Large Facility and Performing Arts Venue uses;
3. Reduce maximum size of EMC below thirty-two (32) square feet;
4. Introduce a measurable brightness standard;
5. Require a longer message duration;
6. Require that EMCs cannot face single-family;
7. Permit static images along with text;
8. Clearly prohibit EMCs from being added to existing non-conforming signs; and
9. Increase fines for EMC code violations (requires super-majority vote of City Council).

Code Enforcement

The City of St. Petersburg has two principal mechanisms for enforcement of the City Code: (1) municipal ordinance violations in county court or (2) Code Enforcement Board proceedings. The following discussion outlines each mechanism.

(1) **Municipal Ordinance Violation (MOV).** This is the most commonly used mechanism to enforce the provisions of the sign code. The process is as follows:

(a) City code enforcement officer observes a violation of the sign code.
  (1) Violation on private property (ie. sign without permit, window sign, portable sign) – violation notice/legal action warning is sent to property owner/occupant giving 7 days to cure the violation
  (2) Violation on right-of-way (snipe sign) – verbal warning and 24 hours to cure the particular violation (and any other snipe sign violations within the City)

(b) If violation still exists after the cure period, the code enforcement officer takes photos of the violation, removes sign (if a snipe sign) and prepares MOV

(c) Code Compliance Dept. sends MOV to City Attorney's Office; Assistant City Attorney reviews the citation and the evidence, decides whether a violation of the Code existed at the date, time and location indicated on the MOV

(d) City Attorney's Office sends MOV back to Code Compliance Dept.; if City Attorney's Office has approved MOV, it is served on alleged violator and sent to the Pinellas County Clerk's office

(e) Arraignment of alleged violator in county court (approximately 4-6 weeks after service); alleged violator can plead guilty or no contest and pay the fine or can plead not guilty and a trial date will be set approximately 4-6 weeks from arraignment
  (1) if alleged violator (individual) does not show up to arraignment, a bond is issued in the case and the individual is subject to arrest;
  (2) if alleged violator (corporation/business entity) does not show up to arraignment, a pre-trial date is set several weeks from arraignment

(f) Pre-trial, if any, in county court; typically this is when the court sets the trial date

(g) Trial in county court involving Assistant City Attorney and code enforcement officer

The time from start (observation of violation) to finish (trial) is approximately 2 ½ to 3 months. During that time, Codes can continue to repeatedly cite the alleged violator if the violations continue. The fine for the first violation (and any violations cited after the first MOV but before the first trial) is $143; the fine for the second violation is $268; the fine for the third violation and all violations thereafter is $500.

(2) **Code Enforcement Board proceedings**. These proceedings are not typically used for sign violations unless the violations are long-standing and cannot be cured rapidly or inexpensively (ie. billboard violations).

(a) **Code Enforcement Board**. By statute, St. Petersburg is required to have a seven-member code enforcement board. Florida Statutes provide that the membership of each enforcement board shall, whenever possible, include an architect, a businessperson, an engineer, a general contractor, a subcontractor, and a realtor.

(b) **Notification, time to cure, hearing scheduled.** If City code inspector observes a violation of the City Code (no previous violations), the code inspector must notify the violator and give him or her a reasonable time to correct the violation. Should the violation continue beyond the time specified for correction, the code inspector must notify the enforcement board and request a hearing. The code enforcement board, through its clerical staff, shall schedule a hearing, and written notice of such hearing shall be hand delivered or mailed to said violator. At the option of the code enforcement board, notice may additionally be served by publication or posting. If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the enforcement board even if the violation has been corrected prior to the board hearing, and the notice shall so state.

(c) **Notification, no time to cure, hearing scheduled.** If City code inspector observes a violation of the City Code and it is a repeat violation, the code inspector shall notify the violator but is not required to give the violator a reasonable time to correct the violation. Also, if a City code inspector observes a violation of the City Code and has reason to believe that the violation presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the code inspector must make a reasonable effort to notify the violator and may immediately notify the enforcement board and request a hearing (even if there have been no previous violations).

(d) **Hearing.** Code Enforcement Board takes testimony, under oath, from code inspector and alleged violator. At the conclusion of the hearing, the enforcement board issues findings of fact, based on evidence of record and conclusions of law, and issues an order affording the proper relief. The order may include a notice that it must be complied with by a specified date and that a fine may be imposed.

Some interesting information pertaining to code enforcement and sign violations:

(a) **The efforts of the Code Compliance Department have successfully decreased the number of sign violations occurring in the City.** According to information from the Code Compliance Department, there were 568 citations issued in FY 2009 for sign code violations. In FY 2010 there were 238 citations issued and in FY 2011 there have been 69 citations to date. According to the Code Compliance Department, the number of citations has decreased because there are now fewer sign code violations in the City. This is due to greater public education and awareness, the persistent efforts of the Code Compliance Department to continuously cite repeat offenders and particularly prolific offenders, and

the efforts of multiple City departments to decrease the number of snipe signs on public property.

(b) **The number of snipe signs in the City has markedly decreased**. Every Monday each code enforcement officer takes down any snipe signs found on the main corridors in his or her area. Other City Departments, such as Sanitation, also help in this effort by taking down snipe signs found on routes during the week. This has helped to greatly eliminate the clutter of snipe signs and, between the continuous efforts of the Code Compliance Department and the assistance of other City Departments, there has been a marked decrease in the number of snipe signs that code inspectors are finding on Mondays.

(c) **The Code Compliance Department has staff working randomly after hours and on weekends to cite for sign violations**.

Process Direction From Committee

Staff would like the PS&I Committee to provide guidance on moving forward with a review of the sign regulations. Staff would like to determine if the Committee would like to broaden the review to other sign regulations or limit the review to the items identified in this memorandum. Staff would like an opportunity to meet with interested parties, including the business community, sign industry and C.O.N.A representatives, during the process of moving forward to either another PS&I meeting or a City Council workshop.

Attachments: St. Petersburg vs. Clearwater Sign Regulations Spreadsheet
Non-Conforming Signs Comparative Spreadsheet
EMC Location and Code Compliance Spreadsheet
EMC Comparative Spreadsheet

City of Clearwater
and
City of St. Petersburg

CITY OF ST. PETERSBURG V. CITY OF CLEARWATER SIGN ORDINACE

Section 16.40.120 – City of St. Petersburg Sign Code

Section 16.40.120.1 - Purpose and Findings
Section 16.40.120.2 - Applicability
Section 16.40.120.3 - Generally
No Content Restrictions
Exempt Signs
Prohibited Signs
Abandoned Signs
Nonconforming Signs
Section 16.40.120.4 - Subdivision Entrances and Multi-Family Uses
Section 16.40.120.5 - Neighborhood and Mobile Home Districts
Section 16.40.120.6 - Corridor Residential Districts
Section 16.40.120.7 - Corridor Commercial Traditional Districts
Section 16.40.120.8 - Corridor Commercial Suburban Districts
Section 16.40.120.9 - Suburban Centers
Section 16.40.120.10 - Downtown Center
Section 16.40.120.11 - Industrial Suburban District
Section 16.40.120.12 - Industrial Traditional District
Section 16.40.120.13 - Planned Development District
Section 16.40.120.14 - Uniform Sign Plan Required
Section 16.40.120.15 - Supplementary Sign Regulations
Section 16.40.120.16 - Design Requirements
Section 16.40.120.17 - Number, Area, Height and Placement Regulations
Section 16.40.120.18 - Procedures
Section 16.40.120.19 - Definitions
Section 16.40.120.20 - Computation of Dimensions

Division 18 – City of Clearwater Sign Code

Section 3-1801 - General Principles
Section 3-1802 - Purpose
Section 3-1803 - Prohibited Signs
Section 3-1804 - General Standards
Section 3-1805 - Sign Permitted Without Permit
Section 3-1806 - Permitted Signs Requiring Development Review
Section 3-1307 - Comprehensive Sign Program

SECTION 16.40.120.1 - PURPOSE AND FINDINGS

SECTION 16.40.120.2 - APPLICABILITY

SECTION 16.40.120.3 - GENERALLY

NO CONTENT RESTRICTIONS

EXEMPT SIGNS

	City of St. Petersburg, Fl	City of Clearwater, Fl
Address Signs	• Number at least four inches in height; • Arabic numerals and of contrasting color to background; • Displayed on the front of the structure.	• One address sign; • No more than two square feet for residential uses; • No more than three square feet for commercial uses.
Artwork	• The artwork meets the definition of "artwork" in this Sign Code; • If on a designated historic landmark or within a designated historic district, COA approval is required.	Exempt
A-frame signs	When placed on sidewalks in front of businesses within Corridor Commercial Traditional (CCT) and Downtown Center (DC) zoning districts: • Buildings complies with the -design criteria of the zoning districts; • No more than one sign for each customer entrance; • Only during hours of operation; • No more than four square feet; • Not more than five feet in height; • Not allowed within four feet of the curb of the street; • Minimum sidewalk clearance of four feet shall be required.	Not identified as exempt.
Banners	At a museum in a nonresidential zoning district: • No more than one banner for every 50 feet of street frontage; • No more than a combined total of three banners per street frontage; • No more than 240 square feet. (Not included in the calculation of the total maximum area for wall or freestanding signs); • Both ends of a banner shall be attached to the building. City banners within R.O.W. shall be allowed as approved by the POD	Not identified as exempt.
Change in Copy/Message on permitted sign	Exempt	Exempt
Commemorative and Historic Signs	Exempt	Not identified as exempt.

Construction Signs	**Construction/contractor signs, downtown:** • Unlimited area may be attached to any fencing ; • No more than eight feet in height; • Only allowed when there is an open demolition/construction permit; • If no permit is required, the sign may be displayed only during the period that work is in progress. **Construction/Contractor signs, general contractor:** • No more than one sign; • No more than 32 square feet; • No more than ten feet in height; • Only allowed when there is an open demolition/construction permit; • If no permit is required, the sign may be displayed only during the period that work is in progress. **Construction/Contractor signs, subcontractor:** • No more than five construction/contractor signs; • No more than eight square feet per sign; • No more than five feet in height; • Only allowed when there is an open demolition/construction permit; • If no permit is required, the sign may be displayed only during the period that work is in progress. **Construction signs, project:** • No more than one construction sign; • No more than 32 square feet per 100 lineal feet of frontage; • No more than ten feet in height; • Only allowed when there is an open demolition/construction permit; • If no permit is required, the sign may be displayed only during the period that work is in progress.	**Construction signs, project:** • No more than one sign; • Only allowed when there is an open demolition/construction permit or one year, whichever is less; • No more than 16 square feet for residential; • No more than 24 square feet for multi-family and non-residential. **Construction signs, public projects:** Temporary sandwich board signs are permitted for properties abutting public construction projects that are scheduled to last 180 days or longer, in accordance with the following criteria: • No more than two sandwich board signs permitted per parcel adjacent to the public construction project; • No more than eight square feet in area; • No more than four feet in height; • Shall be constructed in a professional manner, copy displayed shall not be spray painted onto the sign(s); • Only allowed when there is an open demolition/construction permit; • Only during hours of operation; • Sidewalk and visibility triangle clearance required.
Employment Signs	• No more than one employment sign shall be allowed for each business; • No more than six square feet; • No more than four feet in height.	Not identified as exempt.
Flags	*Flags, where allowed; see Supplementary Sign Regulations*	• No more than one flag per detached, dwelling unit; • No more than three additional flags per parcel of land.
Free Speech Signs	• No more than one sign; • No more than 12 square feet; • No more than six feet in height.	Not identified as exempt.

Garage / Yard Sale Signs	• No more than one sign;
	• No more than four square feet.
		• No more than one sign;
		• No more than four square feet;
		• Directional signs:
		  ○ No more than two directional signs;
		  ○ No more than four square feet;
		  ○ Located on privately owned parcels of land;
		  ○ Only during hours of operation.

Government / Public Signs	• No more than nine square feet unless a larger size is required by law.	**Government affiliated special event:** • Sign type is for a special event; • Special event is for a limited time; • Special event is for a limited frequency; • Sign type shall meet the following: o Will not conceal or obstruct adjacent land uses or signs; o Will not conflict with the principal permitted use of the site or adjoining sites; o Will not interfere with, obstruct vision of or distract motorists, bicyclists or pedestrians; o Will be installed and maintained in a safe manner. **On publicly owned land or easements or inside street rights-of-way:** • Sign provides notice of a public meeting or other public event; • Sign is for a limited time • Sign type shall meet the following: o Will not conceal or obstruct adjacent land uses or signs; o Will not conflict with the principal permitted use of the site or adjoining sites; o Will not interfere with, obstruct vision of or distract motorists, bicyclists or pedestrians; o Will be installed and maintained in a safe manner. • For a city park or city recreation facility: o No more than one sign; o No more than ten square foot freestanding sign; o No more than five feet in height; o For the purposes of identifying a program provider or information concerning programs at such park or recreation facility.
Home Occupation Sign	• No more than one sign; • No more than four square feet; • Shall not be internally illuminated; • No text, numerals, etc. greater than eight inches in height.	Not identified as exempt.
Identification Signs	• No more than one sign per business; • Shall be attached; • No more than two square feet; • No text, numerals, etc. greater than eight inches in height.	Not identified as exempt.
Menu Signs	**Pedestal/sidewalk:** • No more than one sign per business is exempt if the sign complies with the requirements for A-frame signs. • Menu signs for drive-through establishments are not exempt; see Supplementary Sign Regulations **Wall-Mounted:** • No more than one sign per business; • No more than four square feet; • No text, numerals, etc. greater than eight inches in height.	**Entrance / Service Window:** • No more than four square feet; • Located at the entrance or service window of a restaurant. **Drive-Thru:** • No more than one freestanding sign; • No more than 16 square feet; • No more than six feet in height; • Located in the rear of the principal building.

On-site Directional Signs	• No more than four square feet; • No more than four feet in height; • Such signs shall be permanently installed; • Business names and logos shall not comprise more than 50 % of the sign area; • Identify entrances, exits, drive-through lanes and other operational areas; • On-site directional and directory signs for office/industrial parks, hospitals, colleges/universities, and regional shopping centers (more than 100,000 square feet) are not exempt - see Supplementary Sign Regulations.	• No more than four square feet; • Business names and logos shall not comprise more than 25 % of the sign area;
Neighborhood and Business Recognition Signs	• Allowed for properties that are part of a regular program pursuant to a plan (for e.g. neighborhood plan) which has been accepted by the City; • No more than six square feet; • No more than four feet in height.	Not identified as exempt.
Political Signs	**Generally:** • No more than one sign per candidate/issue per street frontage; • No more than six square feet, residential districts; • No more than 32 square feet, nonresidential districts; • No more than eight feet in height; • Shall be no less than six feet from curb, edge of pavement or private property side of public sidewalk; • Shall not be illuminated; • Removed no later than one week after election. If left more than one week, shall be interpreted as free-speech sign; **Polling Place on Election Day:** • No more than six square feet; • No more than two signs per street frontage per candidate; • Election Day between the hours of 4:00 a.m. and 7:00 p.m.,	**Temporary yard signs, political:** • No more than one sign per candidate/issue per street frontage; • No more than six square feet, residential districts; • No more than 32 square feet, nonresidential districts; • Posted no sooner than 60 days prior to the election; • Removed no later than one week after election; **Temporary yard signs, other:** • No more than one sign per street frontage; • No more than six square feet; • Displayed no more than three times per year; • Displayed for no more than a total of 90 days in one-year period.
Real Estate Signs	**Single-family residential uses:** • No more than one non-illuminated real estate sign; • No more than six square feet; • No more than six feet in height; **All other uses:** • No more than one non-illuminated real estate sign; • No more than 32 square feet; • No more than eight feet in height; **Open house:** • No more than four directional off-site real estate signs; • Day of open house only; • No more than four square feet; • No more than three feet in height • Waterfront parcels are allowed one additional sign on waterfront.	**Residential uses:** • No more than one real estate sign; • No more than six square feet; **Non-residential uses:** • No more than one real estate sign; • No more than 32 square feet; **Multi-tenant Buildings:** • Allowed one additional, attached sign per unit; • No more two square feet. **Waterfront parcels:** • Allowed one additional sign on waterfront; • No more four square feet.
Religious Emblems	• Religious emblems or logos that are not an integral component of sign;	Not identified as exempt.

Handheld signs	Shall be held by the hand of a person and not attached to any pole or other object affixed to the ground.	Not identified as exempt.
Umbrella Signs	Shall be printed on umbrellas; no signs shall be attached or suspended from umbrellas.	Not identified as exempt.
Undercanopy Identification Signs	One sign of up to four square feet for any business that is located at the street level and has a canopy. Signs shall have a minimum clearance of eight feet from the sidewalk to the lowest part of the sign.	Not identified as exempt.
Vehicle Signs	• Identifies a product or service of the owner or lessee of the vehicle, or an advertising device attached to and within the normal unaltered lines of a vehicle of a licensed transit carrier (i.e., bus, trolley or taxicab); • During the period of time said vehicle is regularly and customarily traversing or otherwise using a public right-of-way during the normal course of business • Shall be parked or stored at a location where commercial vehicles may be parked or stored, such as temporary parking for the convenience of the operator (i.e., restaurant, service station) but not overnight parking where commercial vehicles may not be parked or stored.	Not identified as exempt.
Vending Signs	Signs printed on vending deviceshall relate to the merchandise being sold and do not extend beyond the surface of the device.	Not identified as exempt.
Warning Signs	• No more than six square feet; • No more than six feet in height.	Not identified as exempt.
Non-illuminated Window Signs	• Maximum cumulative area of non-illuminated signs in a window shall be 50 percent of the total window pane area; • Illuminated window signs shall be included in the wall signage allowable for the site.	• Maximum cumulative area of all signs in a window shall be 25 percent of the total window pane area; • Maximum cumulative area of all signs in a window is 24 square feet; • No more than eight square feet for any individual sign.
Temporary Signs	Not identified as exempt.	**Temporary signs:** • No more than one grand opening sign; • No more than 30 days; • No more than 12 square feet o Except for a temporary covering over existing legal sign. In this case, sign may exceed 12 square feet but not exceed square footage of legal sign. **Temporary signs, special event or public purpose:** • Shall be approved by community development coordinator if sign meets following: • Signs are temporary signs for a limited time and frequency; • Signs are for a special event or a public purpose of a temporary nature; • Signs do not exceed the maximum height and size requirements for freestanding signs under the code.
Holiday Decorations	Not identified as exempt.	Exempt.
Valet Sign	Not identified as exempt.	• No more than one sign; • No more than four square feet; • Only during hours of operation.
Parking Space Signs	Not identified as exempt.	• Painted on the paved surface of each space; • No more than one-half square foot.

Marina Slip Signs	Not identified as exempt.	**Marina slips:** • Painted on the dock in front of each slip; or, • No more than one sign per marina slip not exceed one square feet **Vessel slips:** • No more than one sign per vessel slip; • Not to exceed four square feet. **Commercial marinas with licensed slips for commercial vessels:** • No more than one sign per commercial vessel slip; • No more than eight square feet; • Such sign shall be in addition to marina vessel signs.
Equipment Signs	Not identified as exempt.	No more than 20 percent of the exterior surface of such equipment, facilities or machinery.
Signs within a Stadium	Not identified as exempt.	Not visible from outside of a stadium.

PROHIBITED SIGNS

	City of St. Petersburg, Fl	City of Clearwater, Fl
Abandoned Signs	Prohibited.	• Determined to be nonconforming; • Shall be required to be removed within 30 days after receipt of notification, or refusal to accept delivery of notification by certified mail; • Alternatively, the sign panels within the abandoned sign structure may be removed and replaced with sign panels of neutral color and containing no message.
Inflatables	Prohibited, except as allowed for *Temporary Signs*.	Prohibited, except as allowed for *Government and Public Purpose Signs*.
Hazardous	• Threat to public health or safety because of their condition or location; • Emit sound, vapor, bubbles, smoke, odor, particles, or gaseous matter.	Emit sound, vapor, smoke, odor, particles, or gaseous matter.
Changeable Message Signs	Not identified as prohibited.	Changeable message signs, except menu and time and temperature signs, on which the message changes more rapidly than once every six hours.
Electronic Message Center (EMC)	(Allowed. See Supplementary Regulations.)	Prohibited.
Attached to Vegetation or Close to Waterways	• Attached to or painted on piers or seawalls; • In or upon any body of water; • Except official regulatory or warning signs.	• Attached to or placed on any tree or other vegetation; • Attached to or painted on piers or seawalls; • In or upon any body of water; • Except official regulatory or warning signs.
Benches/Public Transportation	• Bus shelter signs and bench signs; • Except when approved by a local government, pursuant to Florida Statutes; • Except when identifies the transit company or its route schedule.	• Bench signs; • Except when identifies the transit company or its route schedule.
Illuminated/ Moving	• Lighting devices that project light or laser beams to form text, graphics, logos, or artwork upon streets, walkways, fences, sign structures or exterior walls of buildings; o Except that text, graphics, logos or artwork may be projected on exterior wall if: (1) occupied area of the wall does not exceed the area of a permissible wall sign; and (2) does not exceed the number of wall signs allowed. • No threat to public health or safety; • Emit light or reflect glare of such intensity, brilliance or duration as to impair the vision of any motorist, cyclist, or pedestrian using or entering a travelway, or to constitute a nuisance; • Unshielded illuminating devices permitting a light bulb or other light source to be viewed with the naked eye from off the premises; • Blinking, flashing, or fluttering lights or other illumination devices which have a changing light intensity, brightness, color, or direction; • Move, revolve, twirl, rotate, or flash, including, but not limited to: animated signs, multiprism signs, and beacon lights;	• Have unshielded illuminating devices; • Reflect lighting onto R.O.W. thereby creating a potential traffic or pedestrian hazard; • Move, revolve, twirl, rotate, flash, including animated signs, multi-prism signs, floodlights and beacon lights; • Time and temperature signs in which the message changes more rapidly than once every 15 seconds; • Except when required by the Federal Aviation Agency or other governmental agency.

	• Except when required by the Federal Aviation Administration or other governmental agency; • Except tri-vision signs, which shall be permitted for large facility signs.	
Snipe Signs	Prohibited	Prohibited
In Public Rights-of-Way	• Located on or project over public rights-of-way, publicly-owned lands, or easements for the use of the public or public utility service providers, • Include, but are not limited to, handbills, posters, advertisements, or notices that are attached in any way to or upon lampposts, telephone poles, utility poles, bridges, sidewalks, or other public property or improvements; • Pavement markings, except official traffic control markings; • Simulate or contain a likeness of a traffic control device; • Obstruct, conceal, hide, or otherwise obscure from view any official traffic or government sign, signal, or device; • Except signs required or erected by permission of a governmental agency.	• Include, but are not limited to, handbills, posters, advertisements, or notices that are attached in any way to or upon lampposts, telephone poles, utility poles, bridges, sidewalks, or other public property or improvements; • Pavement markings, except official traffic-control markings and street addresses; • Obstruct, conceal, hide, or otherwise obscure from view any official traffic or government sign, signal, or device; • Signs carried, waved or otherwise displayed by persons either on public rights-of-way or in a 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; • Except sandwich board signs in Downtown District and signs on transit shelters regulated by separate sections.
Vehicle Signs	A vehicle sign which is parked on or otherwise utilizing a public right-of-way, public property or private property so as to be viewed from a public right-of-way for the purpose of attracting the attention of the traveling public to advertise a product or service or to direct people to the location of a business or activity.	Prohibited
Three Dimensional	Prohibited	Prohibited
Traffic Hazard	Prohibited	Prohibited
Roof	Roof signs, except for lawful integral roof signs in nonresidential districts.	Prohibited
Sandwich Board	Not identified as prohibited	Prohibited, except as allowed during public construction projects.
Portable	• Portable signs, including but not limited to inflatable and other gas- or air-filled devices. • Portable trailer signs.	Prohibited
Menu	Not identified as prohibited	Menu signs on which the message changes more rapidly than once every three hours.
Banners	Prohibited, unless exempt or a permit has been issued for such banner as a temporary sign	Not identified as prohibited
Damaged	Damaged signs that exist in a damaged state for more than 90 consecutive days.	Not identified as prohibited
Miscellaneous	• Pennants; • Streamers; • Any sign that is not specifically allowed by this Sign Code.	Any sign that is not specifically allowed by this Sign Code

ABANDONED SIGNS

	City of St. Petersburg, Fl	City of Clearwater, Fl
Abandoned Signs	On-premise sign that advertises a business or other activity that is not in operation shall be deemed an abandoned sign beginning 90 days after the business or other activity ceases: • Prior to the 90-day period, the owner shall take one of following actions: o Paint over the message on the sign that advertises business; o Remove the sign face and replace with blank; o Reverse the sign face and not illuminate from interior. • Sign may display "this space available" or similar so long as sign complies with all other requirements; • If building or structure is demolished for redevelopment, any existing free-standing signs shall be considered abandoned and shall be removed unless sign complies with height, area and placement requirements; • If a free-standing sign is abandoned for six months or more and such sign is non-conforming as to height, area and placement, sign shall be removed. No new sign permit shall be issued until old sign removed.	• Determined to be nonconforming; • Shall be required to be removed within 30 days after receipt of notification, or refusal to accept delivery of notification by certified mail; • Alternatively, the sign panels within the abandoned sign structure may be removed and replaced with sign panels of neutral color and containing no message.

NONCONFORMING SIGNS

	City of St. Petersburg, Fl	City of Clearwater, Fl
Nonconforming Signs	• Except as provided elsewhere in code, shall not be erected, raised, moved, placed, reconstructed, extended, enlarged or altered; • May be maintained and repaired; • IF relocated, replaced or structurally altered by more than 25 percent of replacement value then sign shall conform with Sign Code.	• Shall be required to be removed within 30 days after receipt of notification, or refusal to accept delivery of notification by certified mail; • Alternatively, the sign panels within the abandoned sign structure may be removed and replaced with sign panels of neutral color and containing no message.

SECTION 16.40.120.4 – SUBDIVISION ENTRANCES AND MULTI-FAMILY USES		
	City of St. Petersburg, FL	*City of Clearwater,FL*
Freestanding Signs	• No more than two single-faced signs per subdivision entrance; one on each side of the entrance if the subdivision is located on both sides of the entry; OR, • No more than one double-faced sign. • No more than 24 square feet per sign face: o For properties with 100 feet or more of roadway frontage, an additional 12 square feet per sign face shall be allowed up to a maximum sign area not to exceed 72 square feet. • No more than 10 feet in height.	**Freestanding Signs** • No more than one freestanding sign per entrance; Up to a maximum of two entrances; • No more than 24 square feet per sign; • No more than six feet in height.
Wall Signs	• No more than one wall sign shall be substituted for one, free-standing sign; • Allowable sign area shall be same as allowable free-standing sign area.	

SECTION 16.40.120.5 – NEIGHBORHOOD AND MOBILE HOME DISTRICTS (NT, NS, NSM, NMH)		
	City of St. Petersburg, FL	*City of Clearwater,FL*
Freestanding Signs	• No more than one sign; • No more than 48 square feet per sign face; • No more than 10 feet in height.	Freestanding Signs • No more than one freestanding sign per entrance; Up to a maximum of two entrances; • No more than 24 square feet per sign; • No more than six feet in height; • Shall include a landscape base at least 12 square feet in area; • Shall include the street address of the property.
Wall Signs	No more than 1.75 square feet per linear front foot up to maximum sign area no to exceed 48 square feet.	

SECTION 16.40.120.6 – CORRIDOR RESIDENTIAL DISTRICTS (CRS, CRT)

	City of St. Petersburg, FL	*City of Clearwater,FL*

Freestanding Signs	• No more than one sign;
	• No more than 48 square feet per sign face;
	  ○ For properties exceeding 10 acres and having an approved master site plan, the first freestanding sign per yard shall not exceed 60 square feet per sign face. All other freestanding stands shall not exceed 48 square feet per sign face.
	• No more than 10 feet in height.
		For all non-residential districts, excluding Tourist District and Downtown District:
		• No more than one sign;
		• No more than following sign area, whichever is less:
		  ○ One square foot per two linear feet of street frontage; OR,
		  ○ One square foot per 100 square feet of building front foot; OR,
		  ○ 64 square feet;
		  ○ Note: A minimum of 20 square feet is allowed, regardless of calculation;
		  ○ Note: No more than cumulative total of 128 square feet for entire site.
		• No more than the following sign height, whichever is less:
		  ○ One and one-half times the width of the sign; OR,
		  ○ 14 feet in height;
		  ○ Note: Where abutting elevated roadway, maximum height of 14 feet above the crown of the road as measured from the highest point of the road.

Wall Signs	No more than 1.75 square feet per linear front foot up to maximum sign area not to exceed 48 square feet.	• No more than one sign per business;
		• No more than following sign area, whichever is less:
		  ○ One square foot per 100 square feet of building façade facing the street; OR,
		  ○ 24 square feet;
		  ○ Note: A minimum of 20 square feet is allowed, regardless of calculation;

SECTION 16.40.120.7 – CORRIDOR COMMERCIAL TRADITIONAL DISTRICT (CCT)

	City of St. Petersburg, FL	*City of Clearwater,FL*

Freestanding Signs	• No more than one sign if greater than eight feet in height
	• No more than two signs if all freestanding are less than eight feet in height and situated on property with at least 100 feet if roadway frontage;
	• No more than 64 square feet per sign face;
	• No more than 15 feet in height.
		For all non-residential districts, excluding Tourist District and Downtown District:
		• No more than one sign;
		• No more than following sign area, whichever is less:
		  ○ One square foot per two linear feet of street frontage; OR,
		  ○ One square foot per 100 square feet of building front foot; OR,
		  ○ 64 square feet;
		  ○ Note: A minimum of 20 square feet is allowed, regardless of calculation;
		  ○ Note: No more than cumulative total of 128 square feet for entire site.
		• No more than the following sign height, whichever is less:
		  ○ One and one-half times the width of the sign; OR,
		  ○ 14 feet in height;
		  ○ Note: Where abutting elevated roadway, maximum height of 14 feet above the crown of the road as measured from the highest point of the road.

Wall Signs	• No more than 1.75 square feet per linear front foot up to maximum sign area not to exceed 150 square feet:
	  ○ For buildings of four or more stories in height, one additional sign shall be permitted for building identification at the top of the building. The allowable sign area shall be three square feet per linear foot of the building up to a maximum of 300 square feet.
		• No more than one sign per business;
		• No more than following sign area, whichever is less:
		  ○ One square foot per 100 square feet of building façade facing the street; OR,
		  ○ 24 square feet;
		  ○ Note: A minimum of 20 square feet is allowed, regardless of calculation;

SECTION 16.40.120.8 – CORRIDOR COMMERCIAL SUBURBAN DISTRICT (CCS)

	City of St. Petersburg, FL	*City of Clearwater,FL*
Freestanding Signs	• No more than one sign if greater than eight feet in height • No more than two signs if all freestanding are less than eight feet in height and situated on property with at least 100 feet of roadway frontage; • No more than 1.0 square feet per linear front foot up to a maximum of 64 square feet; • No more than 20 feet in height.	For all non-residential districts, excluding Tourist District and Downtown District: • No more than one sign; • No more than following sign area, whichever is less: o One square foot per two linear feet of street frontage; OR, o One square foot per 100 square feet of building front foot; OR, o 64 square feet; o Note: A minimum of 20 square feet is allowed, regardless of calculation; o Note: No more than cumulative total of 128 square feet for entire site. • No more than the following sign height, whichever is less: o One and one-half times the width of the sign; OR, o 14 feet in height; o Note: Where abutting elevated roadway, maximum height of 14 feet above the crown of the road as measured from the highest point of the road.
Wall Signs	• No more than 1.75 square feet per linear front foot up to maximum sign area not to exceed 150 square feet: o For buildings of four or more stories in height, one additional sign shall be permitted for building identification at the top of the building. The allowable sign area shall be three square feet per linear foot of the building up to a maximum of 300 square feet.	• No more than one sign per business; • No more than following sign area, whichever is less: o One square foot per 100 square feet of building façade facing the street; OR, o 24 square feet; o Note: A minimum of 20 square feet is allowed, regardless of calculation;

SECTION 16.40.120.9 – SUBURBAN CENTER DISTRICTS (RC, EC, IC)

	City of St. Petersburg, FL	*City of Clearwater,FL*
Freestanding Signs	• No more than one sign if greater than 10 feet in height; • No more than two signs if all freestanding are less than 10 feet in height and situated on property with at least 300 feet of roadway frontage; • No more than 1.0 square feet per linear front foot up to a maximum of 150 square feet; • No more than 20 feet in height.	For all non-residential districts, excluding Tourist District and Downtown District: • No more than one sign; • No more than following sign area, whichever is less: o One square foot per two linear feet of street frontage; OR, o One square foot per 100 square feet of building front foot; OR, o 64 square feet; o Note: A minimum of 20 square feet is allowed, regardless of calculation; o Note: No more than cumulative total of 128 square feet for entire site. • No more than the following sign height, whichever is less: o One and one-half times the width of the sign; OR, o 14 feet in height; o Note: Where abutting elevated roadway, maximum height of 14 feet above the crown of the road as measured from the highest point of the road.
Wall Signs	• No more than 1.75 square feet per linear front foot up to maximum sign area not to exceed 150 square feet: o For buildings of four or more stories in height, one additional sign shall be permitted for building identification at the top of the building. The allowable sign area shall be three square feet per linear foot of the building up to a maximum of 300 square feet.	• No more than one sign per business; • No more than following sign area, whichever is less: o One square foot per 100 square feet of building façade facing the street; OR, o 24 square feet; o Note: A minimum of 20 square feet is allowed, regardless of calculation;

SECTION 16.40.120.10 – DOWNTOWN CENTER DISTRICTS (DC)

	City of St. Petersburg, FL	*City of Clearwater,FL*
Freestanding Signs	• No more than one sign; • No more than 1.0 square feet per linear front foot up to a maximum of 48 square feet; • No more than 15 feet in height.	
Wall Signs	• No more than 1.75 square feet per linear front foot up to maximum sign area not to exceed 150 square feet: o For buildings of four or more stories in height, one additional sign shall be permitted for building identification at the top of the building. The allowable sign area shall be three square feet per linear foot of the building up to a maximum of 300 square feet.	

SECTION 16.40.120.11 – INDUSTRIAL SUBURBAN DISTRICT (IS)

	City of St. Petersburg, FL	*City of Clearwater,FL*
Freestanding Signs	• No more than one sign if greater than 10 feet in height; • No more than two signs if all freestanding are less than 10 feet in height and situated on property with at least 300 feet of roadway frontage; • No more than 1.0 square feet per linear front foot up to a maximum of 150 square feet; • No more than 20 feet in height.	For all non-residential districts, excluding Tourist District and Downtown District: • No more than one sign; • No more than following sign area, whichever is less: o One square foot per two linear feet of street frontage; OR, o One square foot per 100 square feet of building front foot; OR, o 64 square feet; o Note: A minimum of 20 square feet is allowed, regardless of calculation; o Note: No more than cumulative total of 128 square feet for entire site. • No more than the following sign height, whichever is less: o One and one-half times the width of the sign; OR, o 14 feet in height; o Note: Where abutting elevated roadway, maximum height of 14 feet above the crown of the road as measured from the highest point of the road.
Wall Signs	• No more than 1.75 square feet per linear front foot up to maximum sign area not to exceed 150 square feet: o For buildings of four or more stories in height, one additional sign shall be permitted for building identification at the top of the building. The allowable sign area shall be three square feet per linear foot of the building up to a maximum of 300 square feet.	• No more than one sign per business; • No more than following sign area, whichever is less: o One square foot per 100 square feet of building façade facing the street; OR, o 24 square feet in height; o Note: A minimum of 20 square feet is allowed, regardless of calculation;

SECTION 16.40.120.12 – INDUSTRIAL TRADITIONAL DISTRICT (IT)		
	City of St. Petersburg, FL	*City of Clearwater,FL*
Freestanding Signs	• No more than one sign; • No more than 1.0 square feet per linear front foot up to a maximum of 64 square feet; • No more than 10 feet in height.	For all non-residential districts, excluding Tourist District and Downtown District: • No more than one sign; • No more than following sign area, whichever is less: o One square foot per two linear feet of street frontage; OR, o One square foot per 100 square feet of building front foot; OR, o 64 square feet; o Note: A minimum of 20 square feet is allowed, regardless of calculation; o Note: No more than cumulative total of 128 square feet for entire site. • No more than the following sign height, whichever is less: o One and one-half times the width of the sign; OR, o 14 feet in height; o Note: Where abutting elevated roadway, maximum height of 14 feet above the crown of the road as measured from the highest point of the road.
Wall Signs	• No more than 1.75 square feet per linear front foot up to maximum sign area not to exceed 48 square feet: o For buildings of four or more stories in height, one additional sign shall be permitted for building identification at the top of the building. The allowable sign area shall be three square feet per linear foot of the building up to a maximum of 300 square feet.	• No more than one sign per business; • No more than following sign area, whichever is less: o One square foot per 100 square feet of building façade facing the street; OR, o 24 square feet; o Note: A minimum of 20 square feet is allowed, regardless of calculation;

SECTION 16.40.120.13 – PLANNED UNIT DISTRICTS (NPUD)		
	City of St. Petersburg, FL	*City of Clearwater,FL*
Freestanding Signs	See underlying zoning.	Not identified.
Wall Signs	See underlying zoning.	Not identified.

SECTION 16.40.120.15 – SUPPLEMENTARY SIGN REGULATIONS

	City of St. Petersburg, FL	*City of Clearwater,FL*
Adopt-a-Park Signs	Not identified.	• No more than four square feet; • No more than 18 inches in height; • Selected from approved catalog of city street signs.
Awning Signs	**Illuminated** The sign area shall include the entire area of awning, unless the background color matches the background color of other awnings on the site, if any, and is part of a uniform sign plan for a multi-tenant building, or the background color is not associated with a corporate logo or identity.	
Electronic Message Centers (EMCs)	**Generally:** • Permitted in all zoning districts except for neighborhood and corridor residential districts; • Permitted only as integral component of a freestanding sign or a building sign; • No more than 50 percent of the overall sign area; • No more than 32 square feet in area; • Message duration no less than once per six seconds; • Text-only. The display of non-text graphics are prohibited; • Flashing, chasing and scintillating lighting or operations are prohibited. **Arenas, theaters and other places of public assembly:** • EMC signs at an arena, theater, or other place of public assembly on a site consisting of 15 acres or more with 1,900 or more fixed seats: • May be attached to a wall or to a free standing sign, or both; • Not subject to the size limitations set forth in this subsection; No more than 250 square feet per side; • May display non-text graphics. **Large facilities:** • Not subject to the size limitations of this section; • EMC signs within large facility signs shall not exceed 50 percent of the overall sign area; • May display non-text graphics	
Flags	**Generally:** • No more than three flags; • No more than three flag poles; • Maximum vertical dimension of flag displayed shall be no more than 20 percent of the height of flag pole, or in absence of a flag pole, the distance from the top of the flag to the ground. **"Model" "Open" "Open House" or other phrase identifying property for sale:** • No more than eight feet in height; • No more than 15 square feet;	• A banner or flag may be used as a permitted freestanding or attached sign; • Area of the banner or flag shall be included in computation of allowable area for freestanding or attached signs.

	• No more than two flags at entrance of development; • No more than two flags at site of model home or property for sale.	
Gasoline Price Signs	Not identified.	• Gasoline price display signs shall be allowed in all non-residential districts except where specifically prohibited; • If attached to free standing sign, area shall count toward maximum allowable sign area. • Shall be placed in the vicinity of the pump islands; • Shall not extend above any pump island canopy or they shall be attached to the primary freestanding sign for the property.
Large Facility Signs	• May be freestanding or wall sign; • No more then one sign if no freestanding or wall signs have been utilized; • May include electronic message center, tri-vision not to exceed 35 percent, and internally illuminated or non-illuminated cabinets and letters; • At least 50 percent of the sign shall at all times provide information related to the primary use of the site or some other form of community, government or public information announcement; • Only permitted on site contiguous to interstate highways; • Shall not exceed the otherwise allowable freestanding and wall sign area; • Shall not exceed 1,700 square feet per sign face; • Bottom of sign shall be no higher than 20 feet above and the top of sign no higher than 60 above crown of abutting interstate highway; • Setback at least 10 feet, subject to greater distance required by FDOT.	
Drive-Thru Menu Signs	• No more than two signs per drive-through lane; • No more than 40 square feet; • No more than eight feet in height; • No speaker shall be oriented to face a single-family residence or a district that permits a residential use, unless buffering is provided.	
Name / Logo Street Signs	Not identified.	• May be located within rights-of-way within subdivision; • No more than three and one-half square feet; • Selected from approved catalog of city street signs.
Off-Premise Signs	• No more then one sign if no freestanding or wall signs have been utilized; • No more than 625 square feet per sign face; • No more than 25 feet in height (measured from the average elevation of the crown of abutting roadway surface; • Allowed in CCT, CCS, EC, RC, IC, IS and IT where abutting interstate highway or interstate feeders; • Shall not be located within 1,500 of another sign interstate designated roadway; • Shall not be located within 1,000 of another sign federal-aid-primary roadway; • Shall not be located within 500 feet of residentially zoned property; • Setbacks according to underlying zoning.	
On- Site Directional Signs	Directional and directory signs which are located on the site of office/industrial parks, hospitals, colleges/universities, and regional shopping centers (more than 100,000 square feet) shall be permanently installed, and shall require a permit.	
School and Park Identification Monument Signs	Not identified.	• No more than one sign per major entry; • No more than 20 square feet per sign face; • No more than five feet in height; • Shall include a landscape base at least 12 square feet in area; • Shall include the street address of the property.

Temporary Signs	**Banners** • No more than two banners per site or business; • Shall be attached to existing freestanding sign or other legally permitted structure or building; • No more than 48 square feet; • No more than 14 days per permit. **Cold-Air Inflatable** • No more than one per site within CCT, CCS, DC, EC, RC, IC; • Signs attached to inflatable device shall not exceed 150 square feet; • Inflatable device shall not exceed 25 feet in dimension • No more than 10 days per permit. **Freestanding** • No more than one per site • No more than eight feet in height; • No more than 48 square feet; • No more than 30 days per permit. **Frequency** No more than four times per calendar year.	
Time and Temperature	Not specifically identified. See electronic message center (EMC) signs.	• Time and temperature signs shall be allowed in all non-residential districts; • No more than 20 square feet; Area shall be included in sign total.
Transit Shelter Signs	• Allowed to identify the transit company or its route schedule.	• Advertising shall be on "downstream" end of wall meaning furthest away from approaching transit vehicles; • Interior illumination only; • The total number shall not exceed 50 within the Clearwater planning area; • No more than 24 square feet; • No dimension to exceed six feet in height and four feet in width.

SECTION 16.40.120.16 – DESIGN REQUIREMENTS

	City of St. Petersburg, FL	*City of Clearwater,FL*
Freestanding Signs	• Shall be designed to compliment the following elements of the main building: o Architectural design; o Construction materials; o Colors; o Finishes; o Details. • In addition to color, sign shall incorporate at least one additional element.	
Freestanding Monument Signs	• Shall be designed as monument sign when equal to or less than 10 feet • Shall be designed to compliment the following elements of the main building: o Architectural design; o Construction materials; o Colors; o Finishes; o Details. • In lieu of monument base, may use landscaping.	
Tenant Panels in Freestanding Signs	• Panels added to existing signs shall match existing panels with respect to: o Color; o Materials; o Illumination.	
Landscaping	• Shall be landscaped using foundation landscape requirements.	• Shall include a landscape base at least 12 square feet in area.
Street Address	Not identified.	• Shall include the street address of the property.
Wall Signs	• Shall not be installed over windows, doors or other types of fenestration so as to block or obscure the architectural design of the building,	
Wall Signs for Multi-Tenant Developments	• Where three or more tenant spaces, wall signs shall be consistent with uniform sign plan, which shall include: o Size; o Construction materials; o Method of illumination; o Method of attachment.	• Where individual business establishments with exterior entrances are located in same building, wall signs shall be designed according to a common theme including: o Size; o Construction materials; o Method of illumination; o Method of attachment.
Illumination / Lighting	**Signs Adjacent to Single-Family Uses** • Shall not be internally illuminated within 50 feet of single-family use or property zoned for single-family use.	**General** • Lighting shall be shielded from abutting rights-of-way and properties; • No blinking, flashing or fluttering lights or similar illumination devices; **Neon** • Exempt from signage regulation when utilized to emphasize architectural detailing or accentuate landscaping; • Shall count towards allowable sign face area when utilized as mural or design.

SECTION 16.40.120.17 – NUMBER, AREA, HEIGHT AND PLACEMENT REQUIREMENTS

	City of St. Petersburg, FL	*City of Clearwater,FL*
FREESTANDING SIGNS		
Number	• No more than one freestanding sign; • Where frontage is equal to or more than 500 feet, a second sign is allowed: o Freestanding signs shall be at least 300 feet apart.	
Height	• Shall be measured from finished grade of yard where sign is located to the top of the sign structure; • If abutting elevated road, maximum height measured from average crown of the road to the top of the sign structure.	
Area	See district regulations.	See district regulations.
Placement	**Visibility Triangle** Subject to visibility triangle requirements.	
	Yards Primary freestanding sign shall be installed within yard abutting roadway having highest classification or use, regardless of definition for front yard.	
	Setbacks • Zero (0) feet for signs that are equal to or less than six (6) feet in height; • Three (3) feet for signs that are greater than six (6) feet and equal to or less than 10 feet in height; • Five (5) feet for signs that are greater than 10 feet and equal to or less than 15 feet in height; • 10 feet for signs greater than 15 feet.	Setbacks At least five (5) feet from property line.
	Intersections Shall be no closer than 25 feet to street intersection	
	Conflicts POD may grant minor variances to address specific site conflicts resulting from existing trees, overhead power lines and utilities or other site conditions.	

Multiple-Street Frontages	Where more than one street frontage:
	• One additional free-standing sign per street frontage;
	• Subject to following sign face area and height as a percentage of the primary sign face area and height:
	  o Arterial Roadway – 100 percent
	  o Collector Roadway – 75 percent
	  o All Others – 50 percent
		Where more than one street frontage:
		• One additional free-standing sign per street frontage;
		• Sign face area shall not exceed maximum sign face area allowed for one street frontage:
		  o Measurement is based on road frontage that results in greatest square footage.

WALL SIGNS		
Number	• Number not restricted; • Shall not exceed maximum allowable area for wall signs	
Height	**One-Story Building** • Shall not exceed allowable height of building or the lowest part of roof, whichever is lower. **Two-Story or More Building** • Shall be permitted on same floor of fascia of business to be identified; • May be allowed on higher floors but only as allowed elsewhere in regulations.	
Area	The maximum allowable area shall be calculated using the front foot measurement along the building frontage. For multiple-street frontages, sign area calculations shall be allocated to each building façade facing an abutting roadway.	
Placement	Wall signs shall be allowed as follows: • Shall be located on primary building façade; • May be located on secondary facades facing secondary street frontages; • May be located on secondary facades containing main entrance; • May be located on secondary facades containing fully finished architectural treatments.	
Over Rights-of-Way	May project over rights-of-way within Traditional and Downtown Center zoning districts provided City provides minor easement for such encroachment.	

Multiple-Street Frontages	Where more than one street frontage:
	• One additional wall sign per street frontage;
	• Subject to following sign face area and height as a percentage of the primary sign face area and height:
	  ○ Arterial Roadway – 100 percent
	  ○ Collector Roadway – 75 percent
	  ○ All Others – 50 percent	

SECTION 3-1807 - CITY OF CLEARWATER COMPREHENSIVE SIGN PROGRAM		
	City of St. Petersburg, FL	*City of Clearwater,FL*
The intent of the comprehensive sign program is to provide private property owners and businesses with flexibility to develop innovative, creative and effective signage. The purpose is to provide an alternative to minimum standard signage subject to flexibility criteria.		
Architectural Theme	Not applicable	• Shall be designed as part of an architectural theme of the principal buildings; • Shall be constructed of materials and colors which reflect an integrated design vocabulary; • Design, character, location and materials shall be demonstrably more attractive than signs otherwise permitted by standard regulations.
Height	Not applicable	• Shall relate to the design of the sign; • No more than six feet in height in Tourist and Downtown Districts; • No more than 14 feet in all other districts.
Lighting	Not applicable	Automatically controlled so light is turned off at midnight or when business is closed, whichever is later.
Height, Area, Number and Location	Not applicable	Shall be determined by the Community Development Coordinator: • The maximum sign area for attached signs shall range from one percent to no more than six (6) percent of the building façade. • The maximum sign area for freestanding signs shall not exceed range of sign area permitted, whichever is less: o One square foot per two linear feet of street frontage; OR, o One square foot per 100 square feet of building front foot.
Community Character	Not applicable	Shall not have adverse impact on community character.
Property Values	Not applicable	Shall not have adverse impact on property values.
Elimination of Unattractive Signage	Not applicable	Shall eliminate existing unattractive signs, or where no signs exist, result in improvement to appearance of property.
Special Area or Scenic Corridor Plan	Not applicable	Shall be consistent with any special area or scenic corridor plan.

MUNICIPAL CODES

NON-CONFORMING SIGN REGULATIONS

FLORIDA CITIES

St. Petersburg

- Except as provided in this Sign Code, a sign shall not be erected, raised, moved, placed, reconstructed, extended, enlarged, or altered, unless in conformity with this Sign Code.
- Nonconforming signs may be maintained or repaired. However, if a nonconforming sign is relocated or replaced, or structurally altered by more than 25 percent of the replacement cost of the sign, the sign shall be made to conform to this Sign Code.
- If an existing building or structure is demolished for redevelopment, any existing freestanding on-premises signs shall be considered abandoned and shall be removed at the time of demolition unless the sign complies with the height, sign area, and placement requirements of this Sign Code. This shall not be deemed to require the removal of a lawful off-premises sign.
- If a freestanding on-premises sign is abandoned for six (6) months or more, and such sign is nonconforming as to height, sign area, or placement, such sign shall be removed. No permit for a new freestanding sign shall be issued until the abandoned sign is removed. This shall not be deemed to require the removal of a lawful off-premises sign.

Naples

- *Nonconforming signs.* Lawfully established nonconforming signs may be continued so long as they remain otherwise lawful, subject to the following additional conditions:

  (1) *Change of copy on nonconforming signs.* The change in copy on a lawfully established nonconforming sign is permitted and requires the issuance of a building permit. However, if the change includes a change in size, shape or function of the sign face or structure, it shall require the nonconforming sign to be removed or altered so as to conform to the regulations contained in this article. Any change in copy that is exempt from permit requirements, as listed in section 50-39, shall not require the nonconforming sign to be removed or conform.

  (2) *Repair or maintenance of nonconforming signs.* Any proposed change, repair or maintenance that exceeds 50 percent of the replacement value of a nonconforming sign shall require the sign to be replaced or altered so as to conform to the requirements of this article.

  (3) *Damaged or destroyed nonconforming signs.* Any sign that becomes nonconforming under this Land Development Code which is more than 50 percent destroyed or damaged shall be removed in its entirety, and no sign permit shall be issued for replacement unless such sign is permitted under this Land Development Code.

Tampa

- A nonconforming sign may not be enlarged or altered in a way which increases its degree of nonconformity, but any sign or portion thereof may be altered to decrease its degree of nonconformity, except as provided for herein.
- A nonconforming sign shall not be structurally altered to prolong the life of the sign. Reasonable repair and maintenance of nonconforming signs, including change of copy, is permitted, as provided for herein. Reasonable repair and maintenance means the work necessary to keep the sign, including the sign structure, in a good state of repair, but does not include replacement of materials in the sign structure. Reasonable repair does not include:

  Any modification that changes the structure, or type of structure, such as conversion of a wooden sign structure to a metal sign structure;

  Any modification, including the addition of embellishments, that changes the sign area or the height above ground level;

  Any modification that enhances the visibility of the sign's copy, or the period of time that the copy is visible;

  Any modification that adds changeable faces or electronic message signs; or

  Any modification that adds artificial lighting, or changes the existing lighting such that illumination is increased.
- Should a nonconforming sign become damaged, destroyed or deteriorated by any means to the extent that it requires more than reasonable repair and maintenance, as defined in subsection (4) above, then the sign shall not be reconstructed except in compliance with the sign code. In the event that a nonconforming sign was approved as part of a site plan zoning approval, then the nonconforming sign may be reconstructed in accordance with the site plan zoning approval.
- Should a nonconforming sign be moved for any reason, it shall thereafter conform to the regulations for the district in which it is located after it is moved.
- A nonconforming sign shall be considered an abandoned sign and shall be removed if either the sign or the sign structure has not been used, or if the parcel or parcels upon which the sign is located becomes vacant or unoccupied for a period of ninety (90) consecutive calendar days or more, unless the parcel or parcels upon which the sign is located undergo a major renovation, as provided for herein.
- If there is a major renovation on a parcel or parcels upon which the nonconforming sign is located, as defined in Chapter 27 of the Code, then any sign located upon the upon the parcel or parcels must comply with the current sign code unless it can be demonstrated the freestanding sign or signs comply with current wind-load standards as set forth in Chapter 5 of this Code of Ordinances.
- When the city acquires, or is in the process of acquiring property, pursuant to its power of eminent domain, and the acquisition would result in the creation of a nonconformity to the size or location of signs, the size and location of the sign shall not be considered nonconforming.

Jacksonville

- Any lawful nonconforming on-site sign not exceeding the allowable number of signs, as provided in Section 656.1303, may be continued so long as the sign does not exceed one and one-half times the allowable square footage in area specified in Section 656.1303 or 300 square feet in area, whichever is less, until altered, changed or modified in any form; provided that, the face of any lawful nonconforming on-site sign, existing as of March 11, 1987, may be changed pursuant to the requirements set forth herein.

  (i) Any nonconforming on-site sign which is located closer than ten feet from any street right-of-way, but which otherwise complies with all other provisions of the Ordinance Code, may remain in place after March 11, 1987, and may be:

  (A) Altered, modified, or changed to identify a new occupant or tenant on the property;

  (B) Altered, modified, or changed to repair or replace any portion of the sign which is damaged; or

  (C) Remodeled or otherwise changed if the sign is downsized to a size that is at least 15 percent smaller than the original sign area if the remodeled sign does not exceed 100 square feet, or to a size that is at least 25 percent smaller than the original sign area if the remodeled sign exceeds 100 square feet; provided, however, that if title to the property on which the nonconforming sign is located is transferred after March 11, 1987, the nonconforming sign must be brought into conformity with Section 656.1303 by March 12, 1992 or upon transfer of the title, whichever is later; and provided further that the sign and sign face of the nonconforming sign may not be enlarged in any way.

  (ii) Any nonconforming on-site sign which is located within 25 feet of any intersection of two or more street right-of-way lines but which otherwise complies with all other provisions of the Ordinance Code, may remain in place after March 11, 1987 and may be:

  (A) Altered, modified, or changed to identify a new occupant or tenant on the property;

  (B) Altered, modified, or changed to repair or replace any portion of the sign which is damaged; or

  (C) Remodeled or otherwise changed if it is located within or relocated to within the area between ten feet and 25 feet from the intersection of such street right-of-way lines; provided that such remodeled or changed sign meets a minimum height

	limit above grade of eight feet and a maximum height limit of 25 feet; and provided that the support structure is at least 17 feet away from the intersecting lines and no portion of the sign is closer than ten feet from any street right-of-way line; and provided further that the sign and sign face of the remodeled sign may not be enlarged in any way; provided, however, that if title to the property on which the nonconforming sign is located is, or has been, transferred after March 11, 1987, the nonconforming sign must be brought into conformity with Section 656.1303 by March 12, 1992 or upon transfer of the title, whichever is later.
Melbourne	• A nonconforming sign may not be enlarged or altered in a way which increases its degree of nonconformity, but any sign or portion thereof may be altered to decrease its degree of nonconformity. • A nonconforming sign shall not be structurally altered to prolong the life of the sign. Reasonable repair and maintenance of nonconforming signs, including change of copy, is permitted. Reasonable repair and maintenance means the work necessary to keep the sign, including the sign structure, in a good state of repair, but does not include replacement of materials in the sign structure. Reasonable repair does not include, among other things (i) any modification that changes the structure, or type of structure, such as conversion of a wooden sign structure to a metal sign structure, (ii) any modification, including the addition of embellishments, that changes the sign area or the height above ground level, (iii) any modification that enhances the visibility of the signs copy, or the period of time that the copy is visible, (iv) any modification that adds changeable faces, or (v) any modification that adds artificial lighting, or changes the existing lighting such that illumination is increased. • Should a nonconforming sign be damaged or destroyed by any means to an extent of more than fifty (50) per cent of its value at the time of damage or destruction, it shall not be reconstructed or restored except in conformance with the sign ordinance. The value of a sign damaged or destroyed within the contemplation of this paragraph shall be: **(i)** The value reflected on the personal property tax returns filed by the owner with the Brevard County Property Appraiser in the year immediately preceding the year in which the sign was damaged or destroyed, but if no such personal property tax return is on file with the Brevard County Property Appraiser then, **(ii)** The value reflected on the U.S. Income Tax return of the owner filed in the year immediately preceding the year of the damage or destruction, but if no such tax return was filed then, **(iii)** The value reflected on the tax rolls of the Brevard County Property Appraiser for the tax year immediately preceding the year of the damage or destruction, but if no such value is reflected on the property tax rolls of Brevard County then, **(iv)** Such value as is determined by agreement of the administrator and the owner, but if there is no agreement then, **(iv)** Such value as may be determined in the judicial or quasi judicial forum having jurisdiction of the dispute between the city and the owner. • Subject to the provisions of F.S. § 70.20, a nonconforming sign, which has not displayed an on-premises message for a period of ninety (90) consecutive calendar days shall be rebuttably presumed to be abandoned by its owner. Any such sign which has not been maintained and has not displayed an on-premises message for one hundred eighty (180) consecutive calendar days, shall be conclusively presumed to be abandoned by its owner.
Clearwater	• In the event a building permit is required for the redevelopment of a principal use/structure, or a principal use/structure is vacant for a period of 180 days, signs on the parcel proposed for development shall be brought into compliance by obtaining a level one approval in accordance with the provisions of Article 4, Division 3. • If the copy is not current or is missing letters or words on a nonconforming sign for a period of 30 days, the sign shall become unlawful.
FLORIDA COUNTIES	
Pinellas	• Except as provided in this chapter, no nonconforming sign shall be moved, reconstructed, extended, enlarged, or altered unless changed to conform with this chapter. • Nonconforming signs may be maintained, repaired, or the message of the sign may be changed. If, however, the nonconforming sign is relocated, replaced, or structurally altered at a cost of more than 25 percent of the replacement cost of the sign, the sign must be made to conform to this chapter. • A building or site which is improved or redeveloped at a cost in excess of 50 percent of the assessed value of the existing building or site shall require any nonconforming sign which is located on or is a part of such building or site to conform to this chapter.
Hills. Co.	• Unless otherwise subject to the provisions of §70.20 F.S., any sign made nonconforming by this Ordinance shall be considered a nonconforming sign and shall be removed or made to conform to these Sign Regulations within ten years from the effective date hereof. • A nonconforming sign may not be enlarged or altered in a way which increases its degree of nonconformity, but any sign or portion thereof may be altered to decrease its degree of nonconformity. • A nonconforming sign shall not be structurally altered to prolong the life of the sign. Reasonable repair and maintenance of nonconforming signs, including change of copy, is permitted. Reasonable repair and maintenance means the work necessary to keep the sign, including the sign structure, in a good state of repair, but does not include replacement of materials in the sign structure. Reasonable repair does not include (i) any modification that changes the structure, or type of structure, such as conversion of a wooden sign structure to a metal sign structure, (ii) any modification, including the addition of embellishments, that changes the sign area or the height above ground level, (iii) any modification that enhances the visibility of the signs copy, or the period of time that the copy is visible, (iv) any modification that adds changeable faces, or (v) any modification that adds artificial lighting, or changes the existing lighting such that illumination is increased. • Should a nonconforming sign be damaged or destroyed by any means to an extent of more than 50 percent of its value as assessed by the Hillsborough County Property Appraiser at the time of damage or destruction, it shall not be reconstructed except in compliance with these regulations. • Should a nonconforming sign be moved for any reason, it shall thereafter conform to the regulations for the district in which it is located after it is moved. • A nonconforming sign shall be considered an abandoned sign and shall be removed if it has not been used, or if the property on which it is located has become vacant or unoccupied, for a period of 180 consecutive calendar days or more.

ELECTRONIC MESSAGE CENTERS and LED DISPLAYS

	Parcel ID No.	Street Address	Sign Permit No.	Code Violation Cases		
				Case No.	Status	Notes
1	23/31/16/14680/000/0010	1st Avenue So. - 3200	01-06001435 - EMC	10-00003547	Closed	Flashing, chasing and displaying messages from 2 to 3 seconds apart..
2	19/31/17/74460/014/0050	2nd Avenue NE. - 111	07-12000350 - LED			
3	24/31/16/29718/025/0040	2nd Avenue So. – 1734	09-10000319 – LED			
4	18/31/17/20183/000/0010	4th Street No. – 845	08-09000261 – EMC			
5	18/31/17/27738/000/0030	4th Street No. - 1200	06-04001155 – LED 06-04001155 – LED	10-00003337	Closed	Flashing, chasing and displaying an American flag.
6	07/31/17/29269/001/0010	4th Street No. - 2280	11-04001025 - EMC			
7	07/31/17/62136/000/0050	4th Street No. - 2300	02-11000721 - EMC	10-00003585	Closed	Displaying messages from 1 to 2 seconds apart..
8	07/31/17/60664/001/0010	4th Street No. - 3637	07-05001132 - LED	10-00003490	Closed	Flashing, chasing and displaying messages from 1 to 3 seconds.
9	30/30/17/12582/001/0060	4th Street No. - 7043	08-11000200	10-00004031	Closed	Chasing and displaying messages from 1 to 3 seconds apart..
10	30/30/17/30060/000/0010	4th Street No. - 7610	05-09000799	10-00003316	Closed	Displaying messages from 2 to 5 seconds apart..
11	18/31/17/77805/001/0010	4th Street No. - 500	08-06000326 – LED			
12	17/31/16/23634/033/0010	5th Avenue No. - 6605	Exempt (School District)	10-00003426	Closed	Displaying messages from 2 to 3 seconds.
13	23/31/16/12367/001/0010	5th Avenue No. - 3100	09-0300524 - EMC	10-00002098	Closed	Flashing message is not 6 seconds apart.
14	27/31/16/00000/340/0300	22nd Avenue So. - 3901	Exempt (School District)	10-00003715	Closed	Displaying messages from 3 to 4 seconds apart.
15	18/31/16/19751/001/0020	22nd Avenue No. - 6730	02-06000344 - EMC	10-00003467	Closed	Chasing and displaying message more than every 6 seconds
16	14/31/16/79309/001/0010	22nd Avenue No. - 3100	02-09001214	10-00003487	Closed	Displaying messages 2 seconds apart.
17	10/31/16/52011/001/0010	34th Street No. - 3700	06-04001536 – LED			
18	10/31/16/00000/440/0200	34th Street No. - 2200	01-09000887	10-00003359	Closed	Displaying messages 4 seconds apart.
19	15/31/16/45648/002/0090	34th Street No. – 880	09-01000684 – LED			
20	15/31/16/45630/010/0060	34th Street No. - 710	Not Permitted	10-00003352	Closed	Flashing, chasing and displaying messages from 2 to 8 seconds apart.

21	35/31/16/49734/004/0010	34th Street So. - 3200	Not Structurally Connected	10-00003899	Closed	Flashing.
~~22~~	~~34/31/16/48996/000/0020~~	~~34th Street So. - 2319~~	~~Not Permitted~~	~~10-00003343~~	~~Closed~~	~~Flashing and chasing.~~ **(RECENTLY REMOVED)**
E	26/31/16/32724/006/0150	34th Street So. - 1446	06-12000565 - LED	10-00003379	Closed	Chasing.
24	27/31/16/13878/000/0030	34th Street So. - 1427	06-12000566 - EMC	10-00003382	Closed	Chasing and displaying message more than every 6 seconds..
25	06/31/16/93162/001/0020	34th Street So. - 901	Exempt (School District)	10-00003346	Closed	Flashing, chasing and displaying messages from 3 to 4 seconds apart.
26	08/31/16/81036/003/0011	37th Street No. - 3901	Exempt (School District)	10-00003367	Closed	Chasing and displaying message 3 seconds apart.
27	06/31/17/60663/000/0010	38th Avenue No. - 7701	07-05000310	10-00022463	Closed	Flashing, chasing and scintillating and changing more frequently than once per 6 seconds.
28	22/31/16/26919/000/0020	38th Avenue No. - 5800	04-01000123	10-00003420	Closed	Displaying messages 2 seconds apart.
29	06/31/17/60663/000/0010	38th Avenue No. - 203	*Unable to Locate*	10-00003304	Closed	Flashing, chasing and displaying messages from 2 to 6 seconds apart.
30	22/31/16/26919/000/0020	41st Street So. - 575	Exempt (School District)	10-00003732	Closed	Flashing, chasing and displaying messages from 2 to 3 seconds apart.
31	04/31/16/20592/001/0010	49th Street No. - 3801	06-06001257 – EMC, LED	10-00003370	Closed	Flashing, chasing and displaying messages 3 seconds apart.
32	17/31/16/00000/220/0200	66th Street No. - 2241	*Unable to Locate*	10-00003480	Closed	Flashing, chasing and displaying messages from 1 to 3 seconds apart.
33	19/30/17/90342/000/0100	94th Avenue No. - 875	07-12000659	10-00004582	Closed	Displaying messages ½ second to 2 seconds apart.
34	11/30/16/13461/007/0010	Carillon Pkwy. - 900	06-11000542 – LED			
35	19/31/16/67500/071/0040	Central Avenue - 7024	10-06000246	10-00003409	Closed	Chasing and displaying message 2 seconds apart.
36	19/31/16/00940/001/0010	Central Avenue - 6850	07-12000177	10-00003407	Closed	Chasing and displaying message 2 seconds apart.
37	19/31/16/96255/001/0030	Central Avenue - 6735	06-04001537 - LED			
38	19/31/16/67500/088/0010	Central Avenue - 6600	10-10000881	10-00003404	Closed	Displaying messages second to 2 seconds apart.
39	20/31/16/06048/000/0011	Central Avenue - 5999	05-11001239	10-00003401	Closed	Chasing and displaying message 3 seconds apart
40	20/31/16/20180/000/0010	Central Avenue - 5801	03-08000398	10-00003399	Closed	Flashing and displaying messages 5 second apart.
41	22/31/16/96192/001/0030	Central Avenue - 3462	08-02000475 - LED			
42	18/31/17/46840/001/0010	Dr. MLK Jr. St. No. - 875	06-05000089 - LED			
43	36/30/16/60696/012/0010	Dr. MLK Jr. St. No. - 5420	06-05001643 - LED	10-00003334	Closed	Displaying messages 4 seconds apart.

44	31/30/17/61434/000/0010	Dr. MLK Jr. St. No. - 6393	*1995*	10-00003333	Closed	Flashing, chasing and displaying an American flag
45	24/30/16/75740/000/0010	Dr. MLK Jr. St. No. - 10100	01-03000081	10-00003329	Closed	Displaying messages second to 4 seconds apart.
46	36/31/16/59592/000/0010	Dr. MLK Jr. St. So. - 2225	11-05000594 - EMC			
47	16/30/17/00000/320/0200	Gandy Blvd. No. - 12030	06-05001478 – LED			
48	19/31/16/67517/001/0010	Pasadena Ave. So. – 777	06-05001390 – LED			
49	02/30/10/00000/430/0300	Ulmerton Road - 2665	07-09000371 - LED			
50	17/31/16/30240/040/0110	66th St. No – 130	98-04000564			
51	19/31/17/74466/025/0010	1st Ave. No. – 200	(Janus Landing)			
52	18/31/17/35514/000/0130	4th St. No. – 1401	(Northeast Animal Hospital)			
53	26/31/16/79218/000/0010	34th St. So. – 850	Exempt (School District)			
54	19/31/17/74466/025/0010	1st Ave. No. – 220	10-03000854			
55	18/31/17/86581/001/0010	20th Ave. No. – 200	(Sunken Gardens)			

MUNICIPAL CODES – ELECTRONIC MESSAGE CENTERS

Entity	Max. Size	Brightness	Separation	Residential / Historic Separation	Zoning	Message Duration	Message Transition	Message Complexity	Design Criteria
FLORIDA CITIES									
St. Petersburg	• 32 sq. ft. • 50% of sign	No standard	No standard	No standard	Not permitted in residential or corridor residential districts	6 seconds	No standard	• Text only • Flashing, chasing and scintillating lighting prohibited	• Integral component • Compatible with design, width, depth and color
New Smyrna Beach	No standard (max sign area)	.3 fc measured 200' from sign	600' (may be waived by Director)	• Cannot face single-family • Prohibited within 200' of historic district	• Permitted in B3 and B5 districts • Prohibited east of U.S. 1	No Standard	No standard	No flashing messages	• Automatic dimmer • Good external appearance
Tampa	No standard (max sign area)	No standard	No standard	May replace part or all of allowable sign on arterial or collector roadway	May replace part or all of allowable sign on arterial or collector roadway	5 minutes	No Standard	No flashing, moving, changing intensity or scrolling	No standard
Jacksonville	No standard (max sign area)	No standard	No standard	May replace part or all of allowable sign	May replace part or all of allowable sign	8 seconds	1 second	No flashing or movement	Fixed boundaries
Melbourne	No standard (max sign area)	Dimmer required to adjust to ambient light	No standard	Only located on arterial roadway	Only located on arterial roadway	10 seconds	Instantaneous	Static message only	No standard
Gainesville	---------- *PROHIBITED* ----------								
Clearwater	---------- *PROHIBITED* ----------								
FLORIDA COUNTIES									
Pinellas	20 sq. ft.	No Standard	No Standard	No Standard	Commercial Districts	1 minute	Instantaneous	No Scrolling, flashing or blinking	No standard
Hills. Co.	No standard (max sign area)	No standard	No standard	May replace part or all of allowable sign	May replace part or all of allowable sign	6 seconds	No standard	No animation	No standard

Updated as of 07/20/2011