

City of Palm Coast, Florida Agenda Item

Agenda Date: April 15, 2026

Agenda Item: C.2

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Org/Account #
Subject: PRESENTATION ON PROPOSED AMENDMENTS TO CHAPTER 12 – SIGNS AND ADVERTISING - OF THE LAND DEVELOPMENT CODE, INCLUDING INTRODUCTION OF REGULATIONS TO ALLOW DIGITAL SIGNAGE		
Presenter: Estelle Lens, A.I.C.P, Senior Planner		
Attachments: 1. Summary of Changes 2. Chapter 12 - Signs and Advertising - redline		
Background: Background: An amendment to the sign code was adopted by City Council April 2, 2024. This amendment was primarily to comply with the Supreme Court Decision in the case of Reed v. Gilbert (Arizona) June 18, 2015. The 2050 Comprehensive Plan as adopted in May 2025 does not require any changes to the sign code for compliance. However, some minor amendments are being proposed to revise and clarify the code as adopted in 2024 and make it more business friendly. Additionally, Section 12.05.03 has been added to regulate digital (electronic) signs which are currently prohibited. A redlined version of Chapter 12 is included in the agenda packet as well as summary of the proposed changes. The proposed changes to Chapter 12, including the introduction of regulations to allow digital signage was presented to City Council during the March 10, 2026 Workshop. Comments and concerns by City Council included: • Digital Signs: Concern regarding the potential frequency of digital display signs. Ie. Signs on outparcels at multitenant developments. - To address this concern, staff is proposing changes to LDC Sections 12.05.02.B.2.4. and 12.05.03.A.5 which limit digital display to the main development sign. Digital display shall be		

prohibited on outparcels.

- Digital Signs: Concern regarding the 150-foot proposed setback from residentially zoned property. Council suggested 300 feet.
 - Staff reviewed this and concluded that changing the setback to 300 feet would not allow a digital display sign to be installed at the Belle Terre Boulevard and Central Avenue location. Old Kings Road north was also looked at regarding this concern. Changing the distance to 300' would limit or prohibit the businesses and organizations along this roadway from digital display signage.
- Window Signs – LDC Section 12.05.02.C.6.b: Concern was that the proposed wording would prohibit a business from having a neon sign in the window stating the business is open. Wording has been revised.
- Chapter 14- Glossary - Definitions for, “Sign, Banner” and “Flag”. The definition of Banners stated that they are not flags and caused some confusion.
 - Staff reviewed the definitions and concluded that the definition for “Sign, Banner” is not necessary and is proposing to strike this definition. The 2024 sign code amendment removed the categories for temporary signs which included Banners, Political Signs, Real Estate signs, etc. Now they are all “Temporary Signs”. The definition for Flag shall remain as it refers to flags on flagpoles as regulated by section 12.04.08.

Recommended Action:

STAFF IS SEEKING COMMENTS ON THE PROPOSED AMENDMENTS AS WELL AS SUGGESTIONS FOR ADDITIONAL AMENDMENTS.

Land Development Code Chapter 12 – Signs and Advertising – 2026 Amendment

Planning and Land Development Regulation Board Workshop – April 15, 2026

Summary of Proposed Changes

Following is a summary of the proposed changes which are included in a strike-thru and underline format of Chapter 12, and portion of Chapter 14 (Glossary), as an attachment to this package:

Chapter 12 – Signs and Advertising:

- 12.03.02 *Prohibited signs*. The following changes to the Prohibited sign section are proposed to allow digital signs:
 - Revised 12.03.02.C
 - Added 12.03.02.D
 - Added 12.03.02.E
 - Added 12.03.02.F
 - Strike 12.03.02.AA
 - Strike 12.03.02.BB
- Subsection 12.04.01.A. *Calculating sign area* – deleted first line regarding geometry formulas to clarify the measurements used to calculate sign area and to match the graphics that follow.
- 12.04.01.C. Clarified how to calculate sign area of freestanding signs with architectural features.
- 12.05.02.A.4. Increased maximum height from 7 to 10 feet. (for nonresidential signs)
- 12.05.02.B.1.3. Increased maximum height from 7 to 10 feet. (for nonresidential signs)
- 12.05.02.B.2.3. Increase maximum height from 7 to 10 feet. (for multitenant developments)
- 12.05.02.B.2.4. Multitenant developments. Add: Digital display signage shall be permitted on the main development sign only. Digital display shall be prohibited on Outparcel signage.
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- 12.05.02.C.6.b. Window Signs. Added - Lighting or illumination(s) that flash, blink, have strobe effects, or have video, animation or full-motion graphics or similar effects are prohibited. Neon signs that are stationary or have minimal movement are permitted. I.e. Signs that state “Open”.
- 12.05.02.H. – Signs facing drive-through lanes
 - Added 12.05.02.H.2 to address drive through lanes that are not at a restaurant. (I.e. Banks, Oil Change facilities, drive through car wash facilities)
- Subsection 12.05.03. Digital Signs – Added entire section
- Subsection 12.06 - *Temporary Signs*
 - A. Non-Residentially Zoned Properties

- Commercial Signs – (This would include things such as temporary banners announcing grand opening/closing, etc.) Propose to change maximum sign area to be based on the building frontage (with same criteria allowed for permanent signage 12.05.02.C. Table 12-1) rather than the acreage of the property. This addresses multi-tenant facilities.
- Commercial Signs - Extend time allowed from 30 to 60 days
- Commercial Signs – Adding a row for Commercial Signs at outdoor recreational facilities. Regulating only that they must be located at the active sports area and not be visible from the right of way. (Size and number of temporary signage as allowed by the property owner.)
- Adding a row for Signs on property hosting Special Event- Special Event signage is regulated by permit.

B. Residentially Zoned Properties

- Signs for parcels with active site/building permits. Strike “certificate of completion” and add “certificate of occupancy” to “Time to remove” row. (3 days after issuance of CO.)

Chapter 14 – Glossary - subsection 14.02 – add:

- Strike definition *Sign, banner*: A sign either enclosed or not enclosed in a ridged frame and secured or mounted to allow movement caused by atmosphere. Banners are temporary signs. Flags are not banners.
- *Sign, Commercial*: (Added) A sign intended to promote the commercial or economic interests of the owner or the products/services offered on the site.
- *Sign, Digital*: (Added) Any sign which has the capability of changing message content through the use of an electronically controlled device
- *Sign, non-commercial*: (Added) Signs which display opinions, points of view, or contain political, civic, public service, religious, or ideological messages.
- *Sign, freestanding*: (Revised) A monument sign supported by a sign structure in the ground and that is wholly independent of any building, fence, vehicle, or object other than the sign structure for support. The width of the base must be less than the width of the display area but must be a minimum of 40% of the width of the sign face.
- *Sign, monument*: (Revised) A durable ground level, self-supporting sign with a solid foundation or base that is at least as wide as the sign’s display area.

Chapter 12 - SIGNS AND ADVERTISING

Sec. 12.01. - Generally.

12.01.01. *Purpose and intent.*

- (1) It is the purpose of this chapter to promote the public health, safety and general welfare through reasonable, consistent and non-discriminatory sign standards. The sign regulations in this chapter are also designed and intended to meet the statutory requirement that this municipality adopt land development regulations that regulate signage, a requirement set forth in F.S.

§ [163.3202](#)(f). The sign regulations in this chapter are not intended to censor speech or to regulate viewpoints, but instead are intended to regulate the adverse secondary effects of signs. The sign regulations are especially intended to address the secondary effects that may adversely impact aesthetics and safety. The sign regulations are designed to serve substantial governmental interests and, in some cases, compelling governmental interests such as traffic safety and warning signs of threats to bodily injury or death. The City specifically finds that these sign regulations are narrowly tailored to achieve the compelling and substantial governmental interests of traffic safety and aesthetics, and that there is no other way for the City to further these interests.

This chapter regulates signs, as defined in this Unified Land Development Code, which are placed on private property. This chapter is not intended to extend its regulatory regime to objects that are not traditionally considered signs for purpose of government regulation.

The City boundary is depicted on the official zoning map. In order to preserve and promote the City as a desirable community in which to live, recreate and do business, a pleasing, visually attractive environment is of foremost importance. The regulation of signs within the City is a highly contributive means by which to achieve this desired end.

This chapter is intended to serve the following purposes:

- A. Maintain the established suburban character of the City by regulating all exterior signage in a manner which promotes low profile signage of high quality design and enhances the City's ability to attract sources of economic development and growth;
- B. Protect and maintain the visual integrity of roadway corridors within the City by establishing a maximum amount of signage on any site to avoid visual clutter;
- C. Protect motorists from visual distractions, obstructions, and hazards by regulating the location of signs;
- D. Enhance the appearance of the physical environment by requiring that signage be designed to complement the architecture of the structure which the signage is intended to identify, and sited in a manner which is sensitive to the existing natural environment;
- E. Allow signage that satisfies the visibility, identification, and communication needs of the local business community;
- F. Foster civic pride and community spirit by maximizing the positive impact of development;
- G. Establish procedures and regulations for the construction and maintenance of signs, removal of nonconforming signs, variances, and enforcement of these regulations;
- H. Improve pedestrian and traffic safety;
- I. Minimize the possible adverse effect of signs on nearby public and private property;

- J. Lessen the visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height, and excessive size (area) of signs which compete for the attention of pedestrian and vehicular traffic;
 - K. Preclude signs from conflicting with the principal permitted use of the site and adjoining sites;
 - L. Except to the extent expressly preempted by state or federal law, ensure that signs are constructed, installed, and maintained in a safe and satisfactory manner, and protect the public from unsafe signs;
 - M. Protect property values by precluding to the maximum extent possible sign-types that create a nuisance to the occupancy or use of other properties as a result of their size, height, illumination, brightness, or movement;
 - N. Regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the City and that complements the natural surroundings in recognition of this City's reliance on its natural surroundings and beautification efforts in retaining economic advantage for its master planned community, as well as for its major subdivisions, shopping centers, and industrial parks;
 - O. Allow for traffic control devices and government signs without regulation, consistent with state and national standards, because they promote highway safety and efficiency by providing for the orderly movement of road users on streets and highways, and by notifying road users of regulations and providing state and nationally consistent warning and guidance needed for the safe, uniform and efficient operation of all elements of the traffic stream and modes of travel, while regulating private signs to ensure that their size, location and other attributes do not impair the effectiveness of such traffic control devices;
 - P. Enable the fair and consistent enforcement of these sign regulations;
 - Q. Promote the use of signs that positively contribute to the aesthetics of the community, are appropriate in scale to the surrounding buildings and landscape, and advance the City's goals of quality development;
 - R. Provide standards regarding the non-communicative aspects of signs, which are consistent with city, county, state and federal law;
 - S. Ensure that the benefits derived from the expenditure of public funds for the improvement and beautification of streets, sidewalks, public parks, public rights-of-way, and other public places and spaces, are protected by exercising reasonable controls over the physical characteristics and structural design of signs;
 - T. Ensure that the constitutional guaranteed right of free speech is protected. Applications will be reviewed only with respect to sign structure or placement, excluding any reference to message, category, subject, topic or viewpoint;
 - U. Reduce the Impact of Sign Clutter. Excessive signage and sign clutter impair legibility and undermine the effectiveness of governmental signs, Traffic Control Devices and other required signs (such as building, unit or house number signs, street identification signs, and building identity signs) that are essential to identifying locations for the delivery of emergency services, mail and package delivery, and other compelling governmental purposes. The intent of these sign regulations is to enhance the visual environment of the City, ensure that City residents and visitors can safely navigate through the City to their intended destinations, and promote the continued well-being of the City. It is therefore the purpose of this Chapter to promote aesthetics and the public health, safety and general welfare, and assure the adequate provision of light and air within the City through reasonable, consistent and nondiscriminatory standards for the posting, displaying, erection, use, and maintenance of signs and sign structures that are no more restrictive than necessary to achieve these governmental interests; and
 - V. Except to the extent expressly preempted by state or federal law, ensure that signs are constructed, installed and maintained in a safe and satisfactory manner, and protect the public from unsafe signs.
- (2) Where there is conflict between this chapter and other sections of this Code, the most restrictive regulations shall apply.

(3) This chapter does not regulate government signs on government property.

12.01.02. *Applicability.* These regulations apply to signs within residential and nonresidential areas. Signs shall be erected, placed, established, painted, created, and maintained in the City only in conformance with the regulations, procedures, exemptions, and other requirements of this chapter and pursuant to City standards and the Florida Building Code.

12.01.03. *Effect.* The effect of this chapter is to prohibit all signs not expressly allowed in this Code, except as approved through the variance process established herein and in [Chapter 2](#).

12.01.04. *Definitions.* Words and phrases used in this chapter are defined in Chapter 14 (Glossary).

(Ord. No. 2009-26, § 59, 12-15-09; [Ord. No. 2024-11](#), § 3, 4-2-24)

Sec. 12.02. - Sign Permits.

12.02.01. *Permit required.*

- A. It is prohibited and unlawful for any person to erect, construct, alter, or relocate within the corporate City, any sign without first obtaining a sign permit, except as otherwise specified in this chapter. Applications shall be filed in accordance with City standards.
- B. When considering the placement of freestanding signs, the Land Use Administrator shall consider the location of public utilities, sidewalks, and future street widening.
- C. The sign permit application shall be reviewed for a determination of whether the proposed sign meets the applicable requirements of this section and any applicable zoning law. The review of a completed sign permit application shall be completed within ten calendar days.

(Ord. No. 2009-26, §§ 60, 61, 12-15-09; [Ord. No. 2024-11](#), § 3, 4-2-24)

Sec. 12.03. - Exempt and Prohibited Signs.

12.03.01. *Exemption from permitting.* The following signs are exempt from sign permit requirements; however they shall meet all other code requirements, including applicable construction regulations, and electrical permits as determined by the adopted electrical code:

- A. Temporary Signs.
- B. Signs required by federal or state law;
- C. A sign (except a window sign which shall be subject to the provisions of this section) located entirely inside the premises of a building or enclosed space;
- D. A motor vehicle sign, other than a prohibited vehicle sign or signs, as set forth in Subsection 12.03.02;
- E. The change of copy on permitted manually changeable copy signs;
- F. For 911 emergency response systems and public safety purposes, street address signs and residential mailboxes;
- G. For 911 and emergency response systems, signs which identify the occupant;
- H. Machinery and equipment signs. Machinery and equipment signs shall be allowed in all districts;
- I. Where a federal, state or local law requires a property owner to post a sign on the owner's property to warn of a danger or to prohibit access to the property either generally or specifically, the owner must comply with the federal, state or local law to exercise that authority by posting a sign on the property;
- J. Signs protected by state statutes; and

- K. Signs regulated by state statute. Sign applicants claiming an element of their proposed sign is regulated by F.S. § [553.79\(22\)](#), as may be amended from time to time, must include all supporting documentation with their application and a clear and concise statement of regulatory applicability for review.

12.03.02. *Prohibited signs.* Except as required by state law or otherwise permitted by this Article, any sign installed or placed on public property shall be deemed illegal and shall be forfeited to the public and subject to confiscation. In addition to other remedies, the City shall have the right to recover damages from the owner or person placing such sign. It is prohibited and unlawful to erect or maintain any sign not specifically authorized by this chapter, including:

- A. Signs that are in violation of the building code or electrical code adopted by the City;
- B. Any sign that constitutes a traffic hazard or a detriment to traffic safety, as determined by accepted engineering standards, by reason of its size, location, movement, content, coloring, or intensity of illumination;
- ~~C.~~ Signs using lights or illuminations that flash, move, rotate, blink, flicker, ~~scroll like~~ ~~or vary in intensity or color and~~ stock tickers or have strobe effects, except when required by the Federal Aviation Authority;
- ~~D.~~ Signs that have video, animation or full-motion graphics;
- ~~E.~~ Signs that have audible components or sound;
- ~~G.F.~~ Digital signs on vehicles or trailers
- ~~D.G.~~ Signs using exposed incandescent or LED bulbs in excess of 11 watts;
- ~~E.H.~~ Signs that are of such intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist, or pedestrian using or entering a public way or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics;
- ~~F.I.~~ Pursuant to state law, signs using words and traffic control symbols which interfere with, mislead, or confuse traffic, such as "stop", "look", "caution", "danger", "slow", or which violate with the Manual on Uniform Traffic Control Devices (MUTCD);
- ~~G.J.~~ Signs that resemble any official sign or marker erected by any governmental agency or that by reason of position, shape, or color, would conflict with the proper functioning of any traffic sign or signal, or be of a size, location, movement, color, or illumination that may be reasonably confused with or construed as, or conceal, a traffic control device;
- ~~H.K.~~ Signs within ten feet of public rights-of-way or 100 feet of traffic control lights that contain red or green lights that might be confused with traffic control lights;
- ~~I.L.~~ Signs attached to traffic control devices or utility poles;
- ~~J.M.~~ Signs attached to trees;
- ~~K.N.~~ Signs made of combustible materials that are attached to or located within 20 feet of fire escapes or firefighting equipment;
- ~~L.O.~~ Signs that obstruct a fire escape, window, door, or other opening used as a means of ventilation, ingress, or egress;
- ~~M.P.~~ Any type of balloon signage;
- ~~N.Q.~~ Signs that incorporate projected images;
- O. Signs that involve the use of live animals;
- P. Signs that emit audible sound, odor, or visible matter such as smoke or steam;
- Q. Signs that contain any lighting or control mechanism that causes unreasonable interference with radio, television, or other communication signals;
- R. Signs that are painted, pasted, or printed on buildings or any curbstone, flagstone, pavement, or any portion of any sidewalk or street, except house numbers and traffic control signs required by law;
- S. Off-site signs;
- T. Banners or signs placed across any public street, park, or property;
- U. Private signs erected within any navigable waterway within the City;
- V. Portable signs, except as provided in this Chapter;
- W. Roof, marquee, and pole/pylon signs;

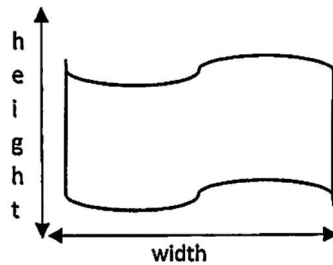
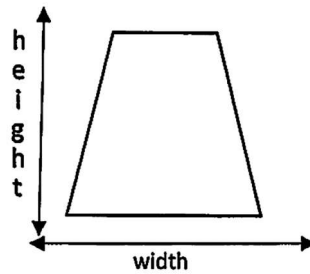
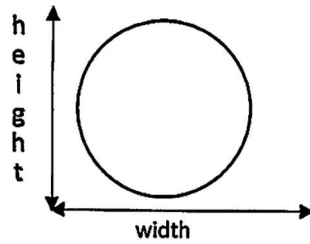
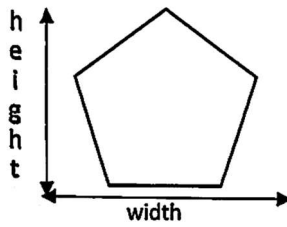
- X. Abandoned signs;
- Y. Paper, cardboard, chalk, or white-board signs, except as allowed in this chapter;
- Z. Exposed neon or LED signs;
- ~~AA. Animated signs, including, flashing, undulating, swinging, rotating, or otherwise moving or scrolling signs.~~
- ~~BB. Electronic display type signs, including time and/or temperature signs, or any sign displaying any type of screen using animated or scrolling displays, such as a LED (light-emitting diode) screen or any other type of video display, even if the message is stationary; or signs displaying alternating or intermittent lights or lights of changing degrees of intensity or changes. Signs that have multiple views and objects that digitally or electronically produce color and/or black and white images similar to a television screen are prohibited. In addition, signs may not be multi-vision signs or display devices capable of presenting two or more separate images or ad copy sequentially by rotating multi-sided cylinders;~~
- ~~CC.AA.~~ Any sign or illumination that causes any direct glare into or upon any building, other than the building to which the sign may be related;
- ~~DD.BB.~~ A-frame signs, except as provided in this Chapter;
- ~~EE.CC.~~ Any sign located within a right-of-way, except as may be allowed by this chapter;
- ~~FF.DD.~~ Signs as a principal use in any zoning district;
- ~~GG.EE.~~ Snipe signs;
- ~~HH.FF.~~ Signs mounted to fences except as permitted in this chapter;
- II. Parasite signs;
- JJ. Motor vehicle signs or any signs attached thereto or placed thereon subject to the following exceptions:
 - 1. Any vehicle appropriately parked on private property so long as the vehicle is used regularly, is only parked while not in use, and is not intentionally parked on the private property for the sole purpose of displaying the sign on the vehicle.
 - 2. Any vehicle appropriately parked in a non-residential area upon which is placed a sign, if such vehicle is one that is operated during the normal course of business; provided, however, that no such vehicle shall be routinely parked in a location for the purpose of serving as, or constituting, additional signage.
 - 3. Buses, taxicabs, and similar common carrier vehicles that are licensed or certified by the City of Palm Coast, Flagler County, other governmental entities, and/or Florida Public Service Commission
- KK. Permanent commercial signs on lots without a principal use; and
- LL. Pole signs.

(Ord. No. 2009-26, §§ 62-71, 12-15-09; [Ord. No. 2024-11](#), § 3, 4-2-24)

Sec. 12.04. - Sign Provisions for Permanent Signs.

12.04.01. Calculating sign area.

- A. In computing sign area, ~~standard geometry formulas for common shapes shall be used. Common shapes shall include squares, rectangles, trapezoids, circles, and triangles. In the case of irregular shapes,~~ the total sign area will be the area of the smallest widest and tallest common shape that encompasses the various components of the sign (see graphic below).

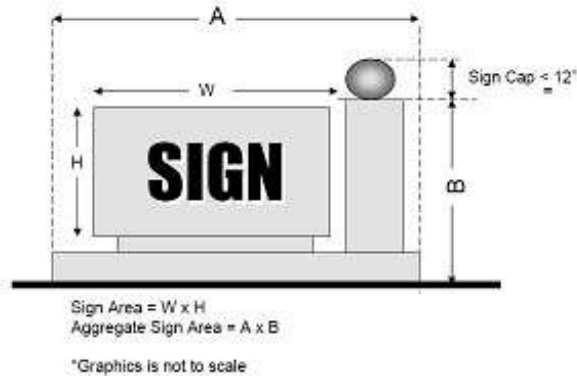


- B. All words and components of a sign, including the support base of freestanding signs, shall be deemed to be part of a single sign. Individual words or components may be considered separate signs only if they are obviously disassociated from other components. When signs are enclosed in a border or highlighted by background graphics, the perimeter of such border or background will be used to compute sign area. Double face signs that meet the definition contained in this chapter shall be considered one sign.

C. The architectural features of freestanding signs shall not be greater than double the sign area. To calculate, take the The aggregate sign area and subtract the sign area.

~~This shall not be greater than the sign area times two. of freestanding signs shall not be more than double of the proposed sign area, exclusive of the sign area, only to include architectural features.~~

G. _____ See graphics below.



- D. The allowable size of some freestanding signs is determined based on lot frontage (i.e., the width of a site along a public street). The allowable size of some wall signs is calculated based on the building frontage (i.e., width of the building where the public entrance is located).

12.04.02. *Measuring sign height/clearance.*

- A. Freestanding sign height shall be measured from the ground elevation at the base of the sign to the highest point of the sign structure. The maximum height of permanent freestanding signs shall be seven feet, unless otherwise specified in this code. Decorative column caps may extend up to 12 inches above the maximum height permitted.
- B. The clearance of a projecting sign shall be measured from the bottom of the area to the ground below.
- C. The height of a wall sign shall be measured from the grade level of the base of the building below the sign to the top of the sign. The top of the area shall be no higher than the roof eave line.

12.04.03. *Construction and maintenance requirements.*

- A. Except for temporary signs and window signs conforming in all respects with the requirements of this Code, all signs shall be constructed of durable materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.
- B. All signs and their supports, braces, guys, and anchors; electrical parts and lighting fixtures; and all painted and display areas shall be maintained in good structural condition, in compliance with all building and electrical codes and in conformance with this Code at all times. Damaged faces or structural members shall be promptly removed or replaced.
- C. Vegetation around, in front of, behind, and at the base of any sign shall be installed and maintained and neatly trimmed to conform to City landscape maintenance standards.
- D. All signs shall maintain a minimum clearance from electric power lines of ten feet horizontally and 15 feet vertically or as otherwise directed by the utility provider.
- E. No sign structure or framework may be exposed to public view due to removal of sign faces or advertising copy for a period in excess of 15 days.

12.04.04. *Existing signs.*

- A. *Modifications to signs.* Modifications to signs shall not result in a sign that violates the requirements of this Code. The modification of sign height or size requires sign permit approval.

- B. *Permits not required for change of sign copy* No permit or permit fee shall be required for changing the copy of a sign, as long as no changes are made to the sign's height, size, location, or structure. This exemption shall also apply to any change of copy on a changeable copy sign. However, a color change to the base of a sign must be aesthetically compatible with the associated primary structure.
- C. *Nonconforming signs.* Signs lawfully existing prior to the effective date of this Code may be continued although their size, location, or other physical attributes do not conform to this chapter.
- D. *Loss of legal nonconforming status of a sign.* A sign loses its legal nonconforming status and shall be considered in violation of this Code if one or more of the following occurs:
 - 1. The sign is structurally altered in any way, including increasing its height, weight, width, depth, or enlarging it in any manner, except for normal maintenance or repair, which tends to or makes the sign less in compliance with the requirements of this chapter than it was before the alteration.
 - 2. The sign is destroyed to such an extent that more than 60 percent of the upright supports of a sign structure are physically damaged such that normal repair practices of the industry would call for, in the case of wooden sign structures, replacement of the broken supports and, in the case of a metal sign structure, replacement of at least 25 percent of the length above ground of each broken, bent, or twisted support. A sign will not be considered "destroyed" within the meaning of this section where the destruction is caused by vandalism or other criminal or tortious act.
 - 3. Signs determined to be abandoned under the provisions of Subsection 12.04.04.E of this section.
- E. *Abandonment.* All nonconforming signs and sign messages shall be removed by the owner or lessee of the premises upon which an on-site sign is located when the business it advertises is no longer conducted. Conforming signs shall have the copy area face removed and replaced with a blank face. Said signs on vacant or unoccupied property must be removed after 30 days. Any sign face which advertises a service no longer conducted or product no longer sold upon the property must be removed after 30 days. If the owner or lessee fails to remove the sign or sign message, the sign or sign message shall be deemed in violation of this Code.
- F. *Signs subject to immediate removal.* Any sign erected without a required building permit is unlawful and must be removed by the owner thereof.
- G. *Off-site signs.* Existing off-site signs may not be converted to electronic display type signs.

12.04.05. *Sign design.* Freestanding signs shall be aesthetically compatible with the principal structure, shopping center or subdivision.

12.04.06. *Lighting of signs.*

- A. Any lighting used to illuminate signs shall be shielded such that the light source cannot be seen from abutting roads or properties.
- B. No unshielded light source may be visible from the edge of the public right-of-way at a height of three feet.
- C. Sign lighting shall not be designed or located to cause confusion with traffic lights.
- D. Illumination by floodlights or spotlights is permissible if none of the light emitted shines directly onto an adjoining property or into the eyes of the motorist using or entering public streets.
- E. Illuminated signs shall have luminance no greater than 300-foot candles.
- F. Illuminated signs shall not have lighting mechanisms that project more than 18 inches perpendicularly from any surface of the sign over public space.
- G. Backlit awnings are prohibited.

12.04.07. *Sign location criteria.* The following location standards shall apply to all signs, unless stated otherwise in this chapter.

- A. Freestanding signs.
 - 1. Freestanding signs shall only be allowed on sites with a frontage of 50 feet or more.

2. Unless specifically noted in this chapter, signs shall be located wholly within the premises, and shall maintain a minimum setback of ten feet from all property lines. Signs may be allowed within an easement unless it is in conflict with the purpose of the easement.
3. No freestanding sign shall be located closer than 15 feet from any other freestanding sign, on or off the premises. On corner lots, the freestanding signs on each frontage shall be at least 100 feet apart, measured along the rights-of-way. This requirement does not apply to temporary signs.
4. Freestanding signs shall include landscaping around the base of the sign as required in [Chapter 11](#). The plant material shall be selected to complement and enhance the sign.
5. Signs in nonresidential districts shall not be located closer than 50 feet from a residential zoning district except signs on property where the principal use is allowed outright or by special exception in that residential district.

B. Other signs.

1. Wall signs shall not exceed 75 percent of the width of the wall where they are placed, except if business is occupying more than one unit and no other wall signs will be placed on the adjoining unit(s); or if there are architectural elements separating facades where signs would be located on single use or multi-tenant buildings.
2. Wall signs shall not cover windows and shall preserve the architectural integrity of the building.
3. No wall sign shall extend above the roofline except where an exterior parapet wall projects above the roofline, in which case such sign may not extend above the top edge of the parapet.
4. Wall signs on multistory buildings are allowed above the first floor.
5. Wall signs shall not be allowed within 50 feet of a residential district, if facing a residential zoning district, unless it is a mixed-use district.
6. A projecting sign shall be erected only on a wall of a building and shall not project out more than four feet. Projecting signs over a parking space, travel lane, or a driveway shall have a minimum clearance from finished grade of 14 feet to the bottom of the sign.
7. Projecting signs that extend over a sidewalk or walkway shall provide a clearance of eight feet between the finished grade and the bottom of the sign.
8. Awning lettering shall be placed on the awning valance and not on the vertical arc or diagonal portion of the awning. The awning material may include a design pattern.
9. Directory signs, for emergency and traffic circulation purposes, may be attached to a wall or be freestanding, but shall not be located within 10 feet of any public right-of-way line.

12.04.08. *Flagpoles.* Flagpoles are allowed subject to the following conditions:

- A. Two flagpoles are allowed on each parcel/lot having less than 100' of road frontage. Three flagpoles are permitted on lots having 100' or greater of road frontage in the City.
- B. Maximum pole height shall be 30 feet in nonresidential districts, and 25 feet in residential districts.
- C. All poles shall be ground mounted.
- D. All flagpoles shall have a minimum

five-foot setback from the property lines.

Sec. 12.05. - Permitted Permanent Signs.

This section establishes the type, location, and size of signs allowed within residential and nonresidential zoned districts.

12.05.01. *Residential zoning districts.*

- A. *Monument signs at entrances.* Residential subdivisions and residential multifamily

developments may erect signs meeting the following requirements at the entrance to the subdivision or multi-tenant development:

1. *Number of signs.* One double-sided freestanding sign or two identical single-sided signs, one on each side of the entrance, are allowed at each entrance to the development (excluding emergency access entrances).
2. *Maximum sign area.* The total sign area for each entrance sign shall not exceed 32 square feet.
 1. Signs that are combined with a minimum of two architectural embellishments, such as decorative walls, artificial rock formations, waterfalls, lake/pond mounted signs, signs located on grandiose entrance roads or other similar aesthetic features may qualify for an increase of signage square footage up to 64 square feet, and increase in height up to 14 feet, as approved by the land use administrator.
3. *Sign location.* Entrance signs for subdivisions shall be located on a tract or parcel or easement designated for signage purposes. Such tract or parcel shall be owned and maintained by a common property association and shall be located at the entrance of the subdivision.
4. *Maximum height.* Maximum sign height shall be seven feet. See section 12.05.01.A.2.a for possible increase in height.
5. Entry features associated with monument signs at entrances to subdivisions.
 1. Accessory structures associated with subdivision entrance signs shall not exceed 28 feet in height from the grade of the road.
 2. Fences and walls associated with subdivision entrance features shall comply with section 4.01.02.C.

B. *Signs for nonresidential uses.* Except for those signs and sign-types allowed in residential and residentially zoned districts in accordance with Subsection 12.05.01.A, no additional permanent signs or sign-types shall be allowed for permitted nonresidential uses in residential or residentially zoned districts, except for the following sign-types:

1. Freestanding sign. One double-sided freestanding sign meeting the following:
 1. The total sign area shall not exceed 24 square feet.
 2. Signs shall not exceed seven feet in height.
2. Wall sign. Nonresidential uses permitted in residential districts pursuant to Table 3-2 of the LDC are allowed one wall sign per business. Such sign shall be included in the sign area calculation noted in Subsection 12.05.01.B.1. No other signs are permitted on the building, except signs to identify the number and address of the property, for 911 and emergency response systems and public safety purposes.

C. *Directional signs.* Directional signs are allowed in residential districts subject to the following requirements:

1. Signs to assist onsite traffic must be low-profile signs not to exceed three feet in height above grade and four-square feet of surface area, so that public safety personnel can easily identify addresses and to ensure proper traffic flow.
2. All such signs shall be of consistent size, font, and color.

12.05.02. *Nonresidential zoning districts.* The following regulations shall apply to signs within nonresidential zoning districts.

A. *Monument signs at entrances.*

1. *Number of signs.* One double-sided freestanding sign or two identical single-sided freestanding signs, one on each side of the entrance, are allowed at each entrance to the development (excluding emergency access entrances).
2. *Maximum sign area.* The sign shall not exceed a sign area of 32 square feet per sign.
3. *Sign location.* Entrance signs for subdivisions shall be located on a tract or parcel or easement designated for signage purposes. Such tract or parcel shall be owned and maintained by a common property association and shall be located at the entrance of the subdivision.
4. *Maximum height.* Maximum sign height shall be ~~seven-ten~~ feet. A maximum of 12 inches cap on a column is allowed in addition to the maximum sign height.

B. *Freestanding sign.* Freestanding signs are allowed provided they are monument signs that meet the following requirements:

1. *Single use developments.*

1. Number of signs. One freestanding sign is allowed per lot frontage facing a street.
2. Maximum sign area. Thirty-two square feet for the first 100 feet of lot frontage, plus one square foot for each four lineal feet thereafter, to a maximum size of 96 square feet for each sign.
3. Maximum height. Maximum sign height is ~~seven-ten~~ feet.

2. *Multitenant development.* Multitenant developments such as shopping centers, mixed use developments, retail centers, and office parks shall comply with the following standards:

1. Number of signs. The main development/center and each outparcel may have one freestanding sign per frontage on a public street. One additional freestanding sign may be allowed on parcels within a shopping center development containing a Mid-Scale Retailer or a Large-Scale Retailer and an approved Signage program.
2. Maximum sign area. The maximum sign area permitted for freestanding signs for the main development shall be calculated based on the street frontage for the entire development site (including outparcels), using the formula noted above for single use signs. Developments that do not have outparcels or outparcels that are not part of the development order sign criteria shall calculate the maximum sign area using the formula noted above as a single use sign.

3. Maximum height. Maximum sign height shall be ~~seven-ten~~ feet.

4. Digital display signage shall be permitted on the main development sign only.

Digital display shall be prohibited on Outparcel signage.

3.

C. *Wall signs.* Wall signs are allowed provided they meet the requirements of Subsection 12.04.07 (Sign Location Criteria) and the following requirements:

1. Maximum sign area. Each individual business having a separate building entrance shall be permitted one wall sign per street frontage including awning and projecting signs. If the business has a customer entrance on a separate building elevation not facing a street, an additional wall sign meeting the maximum sign area requirements may be permitted for that elevation. Signs shall be subject to the following maximum square footages:

Table 12-1: Permitted Maximum Wall Sign Area in a Nonresidential District

Business Frontage (Linear Feet)	Area (Square Feet)
25 or less	32
26—50	50
51—100	75

101—150	90
151—200	110
201 or more	150

2. *Buildings with shared space and one entrance.* A building with a common entrance for multiple tenants may share wall signage with all tenants if the owner submits a master signage plan that complies with Table 12-1. The owner may share the allocation allotted under Table 12-1 among three separate signs so long as the total square footage does not exceed Table 12-1 and meets the requirements of 12.04.07. If the allocation is used for multiple signs, all signs must be consistent with the approved signage plan. Signs must be of same style, size, font and color.
 3. *Large-scale retailers.* Large-scale retailers, as defined in [Chapter 14](#), may have one major wall sign and four minor wall signs. The major wall sign shall not exceed the maximum square footage depicted in Table 12-1. The minor wall signs shall not exceed 24 square feet each.
 4. *Mid-Scale Retailers.* Mid-Scale Retailers that are part of a shopping center will be allowed a major wall sign and 2 minor wall signs. The major wall sign shall not exceed the maximum square footage depicted in Table 12-1. The minor wall signs shall not exceed 24 square feet each.
 5. *Canopies.* No additional sign area is permitted for canopies over fuel operations. However, permitted wall sign area for the principal structure or building may be transferred to the canopy, as long as the canopy signage is only situated on the sides of the canopy facing a right-of-way. This does not apply to required signage pertaining to safety or hazardous situations.
 6. *Window signage.*
 - a. Window signage, including temporary window signs, shall not exceed 35 percent of the total glass surface area of any one building elevation.
 - b. Lighting or illumination(s) that flash, blink, have strobe effects, or have video, animation or full-motion graphics or similar effects are prohibited. Neon signs that are stationary or have minimal movement are permitted. I.e. Signs that state "Open".
- D. *Directory Signage:* Permanent directory signs designed to assist 911 and emergency response systems, pedestrian circulation and traffic circulation shall comply with the following requirements:
1. Sign area for each sign cannot exceed a maximum size of 24 square feet and not more than two signs per building.
 2. Maximum sign area of 24 square feet applies to both freestanding and wall signs.
 3. If freestanding signs are used, the sign height shall be limited to six feet.
 4. All signs shall be consistent with building aesthetics.
- E. *Under-canopy sign.* Each tenant within a multitenant development shall be allowed one under-canopy sign. The under-canopy sign area shall not be counted toward the maximum wall sign area allowed.

1. The sign shall be no larger than six square feet.
 2. The sign shall be rigidly supported by a decorative chain or bracket and the bottom of the sign shall have minimum clearance of eight feet above the sidewalk.
 3. The sign shall be designed aesthetically compatible with the principal structure.
- F. *Directional signage for Emergency Services Purposes.* In addition to the other types of signs allowed on a site, directional signs designed to assist 911 and emergency response systems and traffic circulation are allowed subject to the following requirements:
1. Directional signs to assist onsite vehicular traffic flow shall be low-profile signs not to exceed three feet in height above grade and four-square feet of surface area.
 2. All directional signs shall be of consistent size, font, and color.
- G. *Flags.* Refer to Subsection 12.04.08.
- H. *Signs facing drive-through lanes.*
- ~~H. 1.~~ Drive-through restaurants are allowed to display drive-through lane signs subject to the following provisions:
- ~~1.~~ a. Each restaurant may display up to two freestanding compatible signs per drive-through, which shall be adjacent to and oriented toward the drive-through area.
 - b. The sign area may be a maximum of 30 square feet in total, with a maximum height of six feet.
 - ~~2.~~ c. If two signs are located side by side, the total sign area may be shared and increased to 45 square feet if the Land Use Administrator determines it to be preferable from a safety perspective.
 - d. Supporting ancillary equipment is allowed, such as speakers and order confirmation devices. These devices, when combined with a cabinet, must not exceed the maximum height requirements of the signs.
2. Drive-through facilities other than restaurants may display drive-through lane signs subject to the following provisions.
- a. One sign per drive through lane
 - ~~3.~~ b. Signs not to exceed 16 square feet.
- I. *Signage program.*
1. At master site plan application, developments shall include a conceptual signage program showing consistency between architectural elements, designs, and themes for freestanding, wall, and all other signs throughout the planned development. The conceptual signage program shall contain sufficient detail to address sign pattern, style, color, and locations(s). To encourage flexibility in the overall design of the master site plan project, up to 20 percent of total wall sign allowance on the street front facade can be transferred to the freestanding sign provided the request is depicted in a signage program, the total size of the freestanding sign does not exceed 115 square feet, and is included in the development order. All other signs shall be in compliance with [Chapter 12](#) of the LDC.
 2. At site plan application, multitenant developments shall include a signage program for all freestanding, wall, and other signs throughout the development that identifies sign style and locations consistent with the architectural theme and architectural integrity of the proposed building(s). The signage program shall be compatible with other sites within a master site plan development. The signage program shall be part of the site plan development order with approved elevation plans and site plan showing the sign locations to include visual details of sign patterns, style, and landscaping. Signs shall be in compliance with [Chapter 12](#) of the LDC.
 1. Wall signs. Wall signs with similar style sign casings and/or framings or architectural designated locations and illuminations are encouraged. Wall signs may have minor adjustments in location and size due to unit resizing or unit combining, but the overall architectural integrity of the building(s) and theme of the sign plan shall be maintained.

2. Freestanding signs. Freestanding signs are to be compatible with the proposed architectural design and landscaping.

12.05.03. Digital signs

A. Permitted locations

1. Principal Arterial, Minor Arterial, and some Major Collector roadways (See 12.05.03.B.2)
2. Digital Signs are permitted in the following zoning districts:
 - a. COM-1, COM-2 & COM-3 (Neighborhood, General and High Intensity Commercial)
 - b. OFC-1, OFC-2 (Limited and General Office)
 - c. IND-1 & IND-2 (Light and Heavy Industrial)
 - d. PSP (Public/Semi Public)
 - e. MPD (Master Planned Development) – Nonresidential portions of a MPD if specifically approved in the development agreement.
3. Digital signs are prohibited in all residential zoning districts.
4. Signs with digital/electronic display must be set back a minimum 150 feet from residentially zoned property.
5. Multitenant developments such as shopping centers: Digital display signage shall be permitted on the main development sign only. Digital display shall be prohibited on Outparcel signage.

B. Size, Height and Area

1. Signs with digital displays must meet the criteria for Nonresidential zoning district signs LDC Sec. 12.05.02,A. and 12.05.02.B. which regulates the number of signs, the maximum sign area and the maximum height.
2. The maximum size of the digital area of the sign face permitted as follows:
 - a. Principal Arterial roadways (US-1, Matanzas Woods Pkwy, Palm Coast Pkwy, SR 100)
Digital sign area may occupy up to 75% of the total sign face.
 - b. Minor Arterial roadways (Belle Terre Pkwy, Belle Terre Blvd, Old Kings Road-north of SR 100)
Digital sign area may occupy up to 50% of total sign face.
 - c. Major Collector roadways (Cypress Point Pkwy, Seminole Woods Blvd, Colbert Ln, Old Kings Road-south of SR 100, Palm Harbor Pkwy, Pine Lakes Pkwy, Florida Park Drive. Digital signs prohibited on Royal Palms Pkwy, White View Pkwy, Rymfire Dr., Easthampton Blvd.)
Digital Sign area may occupy up to 50% of the total sign face.

C. Display Duration and Transitions

1. Minimum static display time: 8 seconds.
2. The display screen area shall provide a high-resolution with pixel spacing of ten (10) millimeters or less.
3. Transitions must be instantaneous or fade in/out, dissolve. A fade in/out or dissolve transition is permitted provided the outgoing and incoming messages blend smoothly without creating the appearance of flashing or motion.
4. Other types of transitions, including scrolling, traveling or animated are prohibited.

D. Brightness and Dimming

1. Maximum brightness. The intensity of the light source for a digital sign shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety, or welfare.
2. All Digital Signs must include automatic dimming based on ambient light. The applicant shall provide written certification from the sign manufacturer that the light intensity has been factory preset not to exceed 0.3 foot-candles above ambient light measured by the method and distance as provided in the International Sign Association - Night-time Brightness Level Recommended for On-Premise Electronic Message Centers.

E. Permitting and Compliance

1. A sign permit is required for all Digital Sign installations or modifications.
2. The conversion of any portion of an existing permitted sign to digital sign shall require a sign permit.
3. The digital area of a sign must be integral to the design of the sign structure.
4. Malfunction Protocol: Signs must default to a black screen or be turned off in
the event of a malfunction.
5. Signed and notarized affidavit on provided form is required with permit application.

F. Prohibited Digital signs and sign features

1. Animation
2. Digital display is prohibited on Wall Signs
3. Digital display shall not be permitted on existing non-conforming signs.
4. Pedestrian carrying digital sign(s)
5. Parasite digital sign (must be integral to the sign face)
6. Prohibited features
 - a. Flashing, blinking, strobe or similar effects.
 - b. Video, animation, or full-motion graphics.
 - c. Audible components or sound.
 - d. Digital Signs on vehicles or trailers.

Sec. 12.06. - Temporary Signs.

12.06.01 *Temporary sign standards.*

A. NON-RESIDENTIALLY ZONED PROPERTIES' TEMPORARY SIGN STANDARDS

Sign type	Number of signs	Maximum sign area and height (The sign areas provided are cumulative for the number of signs allowed)	Time	Additional standards
Commercial signs	One banner sign per business	Area:- Lots less than 1 acre – 16 square feet 1 acre to 10 acres – 32 square feet More than 10 acres – 48 square feet – <u>Based on Business Frontage (Linear Feet) as allowed for Wall Signage in Section 12.05.02.C.1. Table 12-1</u> Limited to height of building.	Remove after 30 <u>60</u> consecutive days	No more than three times per year. <u>Setback:</u> <u>1. 2 ft. from public right-of-way.</u> <u>2. 15 ft. from side property lines.</u>
<u>Commercial signs at outdoor recreational facilities</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>Must be located at the active sports area and not visible from the right of way</u>
Non-commercial signs	Four per property	Area: Lots less than 1 acre – 16 square feet 1 acre to 10 acres – 32 square feet More than 10 acres – 48 square feet Limit 7' in height	If associated with an event, remove 15 calendar days after the event.	Setback: 1. 2 ft. from public right-of-way. 2. 15 ft. from side property lines.
<u>Signs on property hosting a Special Event</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>Signage regulated by permit and sign policy</u>
Signs for parcels with active Site/building permits	Two visible from rights-of-way adjacent to lot.	Area: Lots less than 1 acre – 16 square feet 1 acre to 10 acres – 32 square feet More than 10 acres – 48 square feet Height: 7 ft max height	Remove within 3 calendar days after issuance of a final inspection or certificate of occupancy.	Setback: 1. 2 ft. from public right-of-way. 2. 15 ft. from side property lines. Can divide sign allowance between 2 different signs.

Signs on property being actively marketed for sale, rent or lease	Two visible from rights-of-way adjacent to lot.	Area: Lots less than 1 acre – 16 square feet 1 acre to 10 acres – 32 square feet More than 10 acres – 48 square feet Height: 7 ft.	Remove within 3 calendar days after sale or lease.	Setback: 1. 2 ft. from public right-of-way. 2. 15 ft. from side property lines.
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B. RESIDENTIALLY ZONED PROPERTIES' TEMPORARY SIGN STANDARDS

Sign Type	Number of Signs	Maximum Sign Area and Height (The sign areas provided are cumulative for the number of signs allowed)	Time	Permit Requirements and Additional standards
Non-commercial signs	Six <u>per lot</u>	Area: 6 sf Height: 6 ft	If associated with an event, remove 15 calendar days after the event.	Setback: 1. 2 ft. from public right-of-way.
Signs for parcels with active site/building permits	One per lot <u>per property right of way frontage</u>	Area: Lots less than 1 acre – 6 sf 1 acre to 10 acres – 12 sf More than 10 acres – 32 sf Height: 7 ft max	Remove within 3 calendar days after issuance of a final inspection or <u>certificate of completion or certificate of occupancy.</u>	2. 15 ft. from side property lines.
Signs on property being actively marketed for sale, rent or lease, single family zoning.	Two visible from rights-of-way adjacent to lot; one additional sign (per property) only when the premises are available for inspection by the prospective buyer or tenant; said additional sign shall not be larger than 9 sf and may only be posted on private property with the permission of the property owner	Area: 6 sf per street frontage Height: 6 ft.	Remove within 3 calendar days of sale or lease.	Setback: 1. 2 ft. from public right-of-way. 2. 15 ft. from side property lines.
Signs on property being actively marketed for sale, rent or lease, multi-family zoning		Area: 24 sf Height: 7 ft		

Signs on properties with a sale on the property (not defined above)	One per street frontage	Area: 6 sf Height: 6 ft	Max. 2 times per year. Remove within 3 calendar days after the event.	Setback: 1. 2 ft. from public right-of-way. 2. 15 ft. from side property lines.
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Footnote 1: However, see ULDR Sections 4.01.01 and 12.04.07.A.2 prohibiting signs in City

12.06.02. *Model home and sales offices.*

- A. model home is permitted to have one on-site, ground mounted, nonilluminated, freestanding sign in accordance with the following dimensional limitations:
1. Maximum sign area of 24 square feet.
 2. Maximum height of four feet.
 3. Setback a minimum of two feet from the right-of-way and located outside of the sight triangle as defined in [Chapter 5](#).
- B. Model homes that front a second right-of-way are permitted to display one commercial or non-commercial flag, with a maximum sign area of 24 square feet, set back of minimum of two feet from the right-of-way and located outside the sight triangle as defined in [Chapter 5](#).
- C. During hours of operation, one "A-Frame" sign may be located on the model home site if in compliance with Section 12.06.03.

12.06.03. *A-frame signs.*

- A. *Permissible zoning districts.*
1. A-frame signs are permitted in all nonresidential zoning districts:
 2. A-frame signs may be proposed as part of a nonresidential component of a Master Planned Development (MPD) District.
- B. *Criteria for A-frame signs.*
1. *Maximum number allowed.* A business with its own separate building entrance is allowed no more than one A-frame sign.
 2. *Location.*
 - a. No sign may block a business entrance and/or pedestrian or vehicular traffic. Sign placement shall not interfere with the American with Disabilities Act (ADA) requirements.
 - b. The sign(s) shall not be placed in landscaped areas.
 - c. The sign(s) shall be located within ten feet of the business entrance which it serves but in no event shall the sign be located beyond the width of the business frontage.
 - d. No A-frame sign shall be secured, tethered, or installed on traffic devices, utility equipment, trees, furniture, poles, or any other fixture.
 - e. Sign(s) shall be located on the ground/sidewalk.
 - f. Sign(s) shall not be located within sight triangles or in a manner that obstructs visibility to vehicular traffic.
 - g. Sign(s) shall be displayed outside only during business hours.
 3. *Construction and maintenance.*
 - a. When the adjacent sidewalk is less than six feet in width, the overall dimensions shall not exceed two feet wide by three feet in height; when the adjacent sidewalk is six feet or greater in width, the overall dimensions shall not exceed three feet wide by four feet in height.
 - b. No sign shall have moving parts, illumination, or attachments.

- c. The sign shall have no more than two sides and shall be constructed of finished all-weather materials.
- d. Sign(s) must be properly anchored (temporarily) or weighted against the wind to prevent safety hazards. (Ord. No. 2009-26, §§ 88-92, 12-15-09; Ord. No. 2024-11, § 3, 4-2-24)

Sec. 12.07. - Variances.

12.07.01. *Review criteria.* The Planning and Land Development Regulation Board may grant variances from the regulations contained in this Code, in accordance with [Chapter 2](#), and based only upon the following criteria:

- A. To permit a setback for a sign that is less than the required setback, or
- B. To permit the area or height of a sign to be increased by up to 25 percent of the maximum height or area allowed.

12.07.02. *Review findings.* The Planning and Land Development Regulation Board may grant one of the above two types of variances authorized by this section only if it finds there are special physical conditions that:

- A. Are due to the exceptional narrowness, shallowness, shape, or topography of the premises on which an activity is located, and
- B. Prevent the activity from earning a reasonable return as compared with other activities in the area.

12.07.03. *Scheduling of public hearing.* An application for said variance shall be scheduled for public hearing within 30 working days of the date the application is deemed complete by the City.

([Ord. No. 2024-11](#), § 3, 4-2-24)

Sec. 12.08. - Appeals to Planning and Land Development Regulation Board.

12.08.01. *Procedure.*

- A. Whenever it is alleged that there has been an error in an order, action, decision, determination, or requirement by the Land Use Administrator in the enforcement and application of any provision contained within this section or any other provision of this Code pertaining to sign permits (including any allegation that the Land Use Administrator has failed to act within applicable time frames), the aggrieved party may file a written appeal with the Planning and Land Development Regulation Board.
- B. The written appeal shall be filed with the Planning and Development Regulation Board within 30 calendar days of the date of the alleged error. The written appeal shall describe the alleged error and the applicable provisions of the Code pertaining to the Land Use Administrator's order, action, decision, determination, requirement, or failure to act.
- C. The Planning and Land Development Regulation Board shall hold a hearing within 45 calendar days following receipt of the written appeal, not counting the day of the receipt and not counting any Saturday, Sunday, or legal holiday which falls upon the first or the 45th day after the date of receipt.
- D. The Planning and Land Development Regulation Board shall render a written decision within ten working days following the hearing.
- E. If the Planning and Land Development Regulation Board does not render a decision within ten working days following the hearing, the sign permit shall be deemed denied.
- F. Failure to appeal the decision regarding a sign application by the Land Use Administrator to the Planning and Land Development Regulation Board shall not be deemed a failure to exhaust administrative remedies. The applicant may choose to proceed directly to a judicial action once the sign application has been denied by the Land Use Administrator.
- G.

If an administrative appeal is filed by the applicant, and the Planning and Land Development Regulation Board fails to meet within the prescribed time, the appeal will be deemed denied, and the decision of the Land Use Administrator regarding the sign application will be deemed a final decision subject to immediate appeal to a court of competent jurisdiction.

- H. Once a decision is appealed to the Planning and Land Development Regulation Board, the Land Use Administrator shall take no further action on the matter pending the Board's decision, except for unsafe signs that present an immediate and serious danger to the public, in which case the City may pursue any proper legal remedy available to it.
- I. The Planning and Land Development Regulation Board shall comply with all applicable rules of conduct and procedures that pertain to zoning and that are not inconsistent with the provisions in this chapter.

12.08.02. *Appellate decisions deemed final, subject to review.* The appellate decisions, pursuant to Subsection 12.08.01 above, shall be deemed final, subject to judicial review by the Circuit Court of the Seventh Judicial Circuit in and for Flagler County, Florida, filed in accordance with the requirements of law, seeking such appropriate remedy as may be available.

([Ord. No. 2024-11](#), § 3, 4-2-24)

Sec. 12.09. - Substitution of Noncommercial Speech for Commercial Speech.

Notwithstanding anything contained in this chapter or Code to the contrary, any sign erected pursuant to the provisions of this chapter or Code may, at the option of the owner, contain a noncommercial message in lieu of a commercial message and the noncommercial copy may be substituted at any time in place of the commercial copy. The noncommercial message (copy) may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to noncommercial messages, or from one noncommercial message to another noncommercial message, as frequently as desired by the owner of the sign, provided that the size, height, setback, and other dimensional criteria contained in this chapter and Code have been satisfied.

([Ord. No. 2024-11](#), § 3, 4-2-24)

Sec. 12.10. - Content Neutrality as to Sign Message (Viewpoint).

Notwithstanding anything in this chapter or Code to the contrary, no sign or sign structure shall be subject to any limitation based upon the content (viewpoint) of the message contained on such sign or displayed on such sign structure.

([Ord. No. 2024-11](#), § 3, 4-2-24)

Sec. 12.11. - Severability.

12.11.01. *Generally.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter and Code.

12.11.02. *Severability where less speech results.* Without diminishing or limiting in any way the declaration of severability set forth above in [Section 12.11](#), or elsewhere in this chapter, this Code, or any adopting ordinance, if any part, section subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of

such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter or Code, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.

12.11.03. *Severability of provisions pertaining to prohibited signs.* Without diminishing or limiting in any way the declaration of severability set forth above in Subsection 12.11.01, or elsewhere in this chapter, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter or any other law is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed under Subsection 12.03.02 of this chapter. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter and Code.

12.11.04. *Severability of prohibition on off-site signs.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter and/or any other Code provisions and/or laws as declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the prohibition on off-site signs as contained in this chapter and Code.

([Ord. No. 2024-11](#), § 3, 4-2-24)

Chapter 14 Glossary.

Sec. 14.02.

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Commercial message: Any wording, logo, emblem, character, pictograph, trademark, or symbol used to represent a firm, organization, entity, product, or service, or other representation that, directly or indirectly, names, advertises, or calls attention to a product or service. For purposes of Chapter 12, terms such as sale, special, clearance, or other words which relate to commercial activity shall be deemed to be commercial messages.

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Flag means a temporary sign consisting of a piece of cloth, fabric or other non-rigid material containing non-commercial speech.

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Mid-Scale Retailers: A large store, such as a department store or supermarket, that is prominently located in a commercial shopping center to attract customers who are then expected to patronize the other shops in the center. The anchor or large store unit shall contain a minimum of 30,000 square feet up to 60,000 square feet.

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Sign: Any device, fixture, placard or structure, including its component parts, which draws attention to an object, product, place, activity, opinion, person, institution, organization, or place of business, or which identifies or promotes the interests of any person, and which is to be viewed from any public street, road, highway, right-of-way or parking area (collectively referred to as a "public area"). For the purposes of these regulations, the term "sign" includes all structural members. A sign shall be construed to also include a display surface or device containing organized and related elements composed to form a single unit. In cases where matter is displayed in a random or unconnected manner without an organized relationship between the components, each such component shall be considered to be a single sign. The term "sign" for regulatory purposes shall not include signs not visible from any street, property, or water body. The definition of sign does not include:

- (1) Signs required or installed by a government agency on private property;
- (2) Notices required to be posted by law or ordinance on private property.

Sign, A-frame: A temporary sign that is supported by its own frame forming the cross-sectional shape of an A.

Sign, abandoned:

- (1) Any sign face which advertises a business no longer conducted or product no longer sold. In making the determination that a sign advertises a business no longer being conducted, the Land Use Administrator shall consider the existence or absence of a current occupational license, utility service deposit or account, use of the premises, and relocation of the business.
- (2) Any sign structure that not used for business purposes for over six months and that is nonconforming according to existing codes regarding height, setback, or sign area.

Signage program: A graphic representation showing a comprehensive detailed presentation of all signage proposed for a particular development to include style, color, location, size, and material.

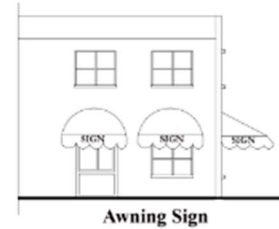
Sign, animated: Any sign of which all or any part thereof revolves or moves in any fashion whatsoever; and any sign which contains or uses for illumination any light, lights or lighting device or devices which change color, flash or alternate, show movement or motion, or change the appearance of said sign or any part thereof automatically. Animated signs also include electronic, LCD and LED signs if they are using movement and change of light to depict action or to create special effects or scenes. Also, known as Automatic Electric Changing Signs (ACS). Does not include manually changeable copy sign.

Sign area: The area of a sign face (which is also the sign area of a wall or other sign with only one face) shall be computed by means of the smallest square, circular, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display. This includes any material

or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. The sign area does not include any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets the LDC and is clearly incidental to the display itself.

Sign area, aggregate: The architectural area around the copy of the sign. The maximum aggregated sign area is determined by calculating sign area times two and is exclusive of the sign area.

Sign, awning: Any sign consisting of information painted on, sewn on, imprinted on, or attached to the surface of an awning or canopy.



~~*Sign, banner:* A sign either enclosed or not enclosed in a ridged frame and secured or mounted to allow movement caused by atmosphere. Banners are temporary signs. Flags are not banners.~~

Sign, changeable copy: A sign or portion thereof designed to accommodate frequent message changes composed of characters, letters, or illustrations and that can be changed or rearranged manually without altering the face or surface of such sign.

Sign, Commercial: A sign intended to promote the commercial or economic interests of the owner or the products/services offered on the site.

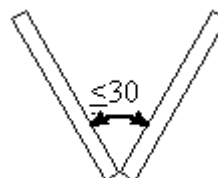
Sign, Digital: Any sign which has the capability of changing message content through the use of an electronically controlled device.

Sign, directional: Any non-commercial sign intended to provide direction for emergency services and for the safety of the public and traffic circulation. Includes an informational, wayfinding, or directional sign similar to:

- (a) A noncommercial sign located on and relating to an activity on the premises upon which the sign is located, that is providing information to or is related or reasonably necessary to the movement of pedestrian and vehicular traffic on the premises, and not displaying a commercial message, e.g., "entrance," "exit," "caution" and "no trespassing", "no parking", "one-way only", and the like;
- (b) A noncommercial sign within a development, or at the entrances thereto, showing the name(s) and directions to the businesses or tenants within the development or the locations of the subdivisions comprising the development, etc.

Sign, directory: A non-commercial sign that provides a listing of the occupants of a multitenant center and their suite/building numbers for emergency services purposes and to give direction to customers already within the site for the safety of the public, and for pedestrian and traffic circulation. Directory signs are not intended to be visible from the public right-of-way.

Sign, double faced: A sign with two faces that are no more than three feet apart at their closest point, or placed at an angle of 30 degrees or less. Double-faced signs shall be considered one sign.



Sign, drive-through lane sign: Drive-through Lane sign shall mean a sign oriented to vehicles utilizing a drive-through lane at an establishment.

Sign, electronic display type: A sign for presentation of information for visual reception, acquired, stored, or transmitted in various forms, where the input information is supplied as an electric signal, and uses a light source, LED (light emitting diodes), bare electric bulbs, luminous tubes, fiber optic, or other combination of light source to create the message. In addition, signs that appear protected, or are intermittently or intensely illuminated, or of a traveling, scrolling, or sequential light type, or contain, or are illuminated, or flashing light.

Sign, freestanding: A monument sign supported by a sign structure in the ground and that is wholly independent of any building, fence, vehicle, or object other than the sign structure for support. The width of the base may be less than the width of the sign face but must be a minimum of 40% of the width of the sign face.



Sign, government. Government sign shall mean any temporary or permanent non-commercial sign erected by or on the order of a public official or quasi-public entity at the federal, state or local government level.

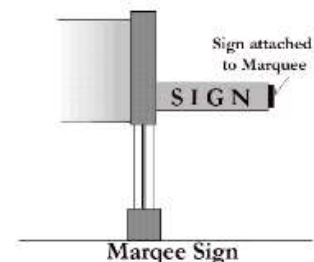
Sign height: The vertical distance as measured from the finished grade to the highest point of the sign structure. Finished grade is the newly established grade at the base of the sign after construction of the sign, exclusive of any filling, berming, madding, or excavating solely for the purpose of locating the sign.

Sign, illuminated: A sign that uses artificial light, either internal or external to the sign faces, to draw attention to the sign or otherwise increase its visibility.

Sign, ingress and egress: Ingress and egress sign shall mean a non-commercial sign at the entrance to or exit from a parcel or a building necessary to provide directions for vehicular and pedestrian traffic and provide a warning for pedestrian and vehicular traffic safety.

Sign, machinery and equipment: Graphics and trademarks on vending machines, gas pumps, and machinery customarily used outside of buildings. Also, includes signs on public works and/or construction equipment (bulldozers and such) that have the brand/make of the machinery or equipment.

Sign, marquee: A sign attached to or hung from a marquee that is a permanent projecting structure protruding from the entrance of a building wall to provide shelter and display advertising.



Sign, manually changeable copy sign: The message on the sign is changed manually (without the use of an electric signal) using individual letters, numbers, phrases, or symbols. Examples include reader boards with manually changeable letters or changeable pictorial panels.

Sign, monument: ~~See Sign, freestanding~~ A durable ground level, sign with a solid foundation or base that is at least as wide as the sign area, built from material like stone, brick, or stucco, designed to create a permanent, professional impression for businesses, residential communities, or institutions, often placed at entrances to enhance visibility without being tall like a pole or pylon sign.

Sign, non-commercial: Signs which display opinions, points of view, or contain political, civic, public service, religious, or ideological messages.

Sign, off-site advertising or "outdoor advertising": A nonaccessory (third party) sign identifying, advertising or directing the public to a business, merchandise, service, institution, residential area, entertainment or activity which is located, sold, rented, based, produced, manufactured, or taking place at a location other than on the site on which the sign is located.

Sign, on-site: Any commercial sign which directs attention to a commercial or industrial occupancy, establishment, commodity, good, product, service or other commercial or industrial activity conducted, sold or offered upon the site where the sign is maintained. The on-site/off-site distinction applies only to commercial message signs. For purposes of [Chapter 12](#), all signs with noncommercial speech messages shall be deemed to be "on-site," regardless of location.

Sign, parasite: Any sign not exempted by this Code, for which no permit has been issued, and which is attached to another sign.

Sign, permanent: Any sign which is constructed of durable materials, solidly installed, applied onto a building or structure or the ground by means of mounting brackets, bolts, welds, or other combination of attachment methods, thereby rendering the sign non-movable or difficult to reposition without the use of machinery, cutting devices, or mechanical devices, and which, from the nature and effect of its proposed composition, construction, or its proposed placement, would make it reasonable to determine that it was intended for continuous display for a prolonged period of time, and is intended to be and is so constructed as to be of lasting and enduring condition, remaining unchanged in character, condition (beyond normal wear and tear) and position and in a permanent manner affixed to the ground, wall or building. A permanent sign may be a freestanding/monument, wall, awning, or projecting sign.

Sign, pole: A freestanding sign, greater than three feet in height, supported by a pole, a column, or other fabricated support member without any type of secondary support. Pole/pylon signs typically provide clear view between the sign and the ground.

Sign, portable: A sign that has no permanent attachment to a building or to the ground by means of a footing including, but not limited to, an A-frame or sandwich board sign; a sign with wheels designed to be pulled or towed on a trailer or similar device, pull attachments, hot air or gas filled balloons; umbrellas used for advertising; signs mounted for advertising purposes on a vehicle that is parked and visible from the public right-of-way, sidewalk, or curb.

Sign, projecting: A sign that is wholly or partly dependent upon a building for support and that projects horizontally more than 12 inches from such building.

Sign, roof: A sign painted on or affixed to the roof of a building and primarily supported by that roof structure, except fascia signs.

Sign, snipe: A sign made of any material which is tacked, nailed, posted, pasted, glued or otherwise attached to or placed on public property such as but not limited to a public utility pole, a public street sign, a public utility box, a public fire hydrant, a public right-of-way, public street furniture, or other public property; except for A-frame and T-frame signs that are temporarily placed on public property under such limitations and constraints as may be set forth in the Land Development Code.

Sign, temporary: A sign, banner, or advertising display constructed of paper, cardboard, cloth, canvas, light fabric, vinyl, corrugated plastic, wallboard or other light nondurable materials, with or without frames, intended to be displayed for a finite period of time, which can be moved from place to place and is not permanently mounted to the ground or a building. Unless otherwise provided for in this Code, a sign with an intended use for a period

of time related to an event shall be deemed a temporary sign. A banner and flag shall be deemed temporary signs.

Sign, temporary window. Any temporary sign attached to, printed on or made of paper, cloth, fabric or similar material and located behind the window.

Sign, wall: A sign attached to a wall of a building or structure so that the wall forms the supporting structure or becomes the background of the sign.

For the purpose of [Chapter 12](#), wall signs include awning and projecting signs.

Sign, window: A sign posted, painted, placed, or affixed in or on the interior or exterior of a window/glass door, or placed within three feet of a window/glass door pane, or displayed to be visible from the exterior of the building.