



**PLANNING BOARD MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, April 21, 2025
4:00 PM

Note: Item 4.d. was added to this agenda on 4/16/25.

Call to Order
Pledge of Allegiance
Roll Call

REGULAR MEETING

1. Approval of the Agenda -

Action Request: Motion to approve the April 21, 2025 agenda.

2. Audience Comments -

Comments shall be limited to 3 minutes for general and agenda items. Public comment on agenda items will be allowed when that item is called. Please complete and submit a comment card to the Clerk.

3. Approval of Minutes

a. March 24, 2025

4. Action Items - Sitting as Local Planning Agency -

a. Recommendation of Ordinance 2025-10: Amendments to Land Development Code DIVISION 26 - SIGN ORDINANCE, to the City Commission
AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA FOR THE PURPOSE OF ADOPTING AMENDMENTS TO LAND DEVELOPMENT CODE DIVISION 26 SECTIONS 26-1 THROUGH 26-42 ENTITLED SIGN ORDINANCE TO ENSURE CONTENT-NEUTRAL SIGN DEFINITIONS, STANDARDS, REGULATIONS AND REQUIREMENTS, AND ADOPTING AMENDMENTS TO THE REQUIREMENTS FOR PERMITTING, ENFORCEMENT, AND MAINTENANCE FOR NEW, EXISTING AND NONCONFORMING SIGNS IN ALL ZONING DISTRICTS; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S

ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Action Request: Motion to find Ordinance 2025-10 consistent with the Comprehensive Plan and recommend approval to the City Commission.

b. Recommendation of Ordinance 2025-07: Amendments to Land Development Code DIVISION 20 - PAG PASS-A-GRILLE OVERLAY DISTRICT, to the City Commission

AN ORDINANCE OF THE CITY OF ST. PETE BEACH AMENDING THE ST. PETE BEACH LAND DEVELOPMENT CODE DIVISION 20 – PASS-A-GRILLE OVERLAY DISTRICT, RENAMING TO DIVISION 20 – PASS-A-GRILLE HISTORIC OVERLAY DISTRICT; AMENDING SECTIONS 20.01. PURPOSE AND INTENT., 20.02. DEFINITIONS., 20.03. PERMITTED PRINCIPAL USES AND STRUCTURES., 20.05. ALLOWABLE CONDITIONAL USE., 20.06. PROHIBITED USES AND STRUCTURES., 20.07. DENSITY, INTENSITY AND ASSEMBLY OF PARCELS., 20.10. REDUCED SETBACKS FOR CONTRIBUTING STRUCTURES GRANTED A CERTIFICATE OF APPROPRIATENESS., 20.11. MINIMUM BUILDING TYPE REQUIREMENTS., 20.12. SUBDIVISION OF LOTS., AND 20.13 APPLICABILITY AND BUILDING TYPE ASSIGNMENT; REPEALING SECTION 20.13. RESIDENTIAL DEVELOPMENT OPTION FOR SINGLE-FAMILY HOMES. AND ADOPTING SECTION 20.13 APPLICABILITY AND BUILDING TYPE ASSIGNMENT.; RENAMING AND AMENDING SECTION 20.14 VACANT PARCELS. TO SECTION 20.14. LOT SPLIT, ASSEMBLY OF PARCELS, VACATION OF EASEMENTS AND/OR RIGHT-OF-WAYS; AMENDING SECTIONS 20.15. PERMITTED BUILDING TYPES, 20.16. PRIVATE FRONTAGE, 20.17. BUILDING HEIGHT, 20.18. MINIMUM OFF-STREET PARKING REQUIREMENTS, 20.19. ALLEYWAYS AND DRIVEWAYS, 20.20. LANDSCAPING STANDARDS, 20.21. SCREENING OF ELEVATED BUILDINGS, 20.22 GENERAL BUILDING DESIGN (RESIDENTIAL); AMENDING AND RENAMING 20.23. GENERAL BUILDING DESIGN (NON-RESIDENTIAL) TO 20.23. GENERAL BUILDING DESIGN (NON-RESIDENTIAL AND MIXED-USE BUILDINGS); AMENDING SECTION 20.24. DESIGN REVIEW AND REQUIRED DRAWINGS; AND ADOPTING SECTION 20.25. PASS-A-GRILLE HISTORIC OVERLAY DESIGN GUIDEBOOK; TO ADOPT DEVELOPMENT STANDARDS TO PRESERVE THE HISTORIC CHARACTER OF PASS-A-GRILLE AND INCREASE COMPATIBILITY OF NEW DEVELOPMENT WITH THAT CHARACTER; PROVIDING FOR SEVERABILITY, CODIFICATION AND SCRIVENER’S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: Motion to find Ordinance 2025-07 consistent with the Comprehensive Plan and recommend approval to the City Commission.

c. Recommendation of Ordinance 2025-08: Amendments to Land Development Code DIVISION 40 - COMMUNITY REDEVELOPMENT DISTRICT—EIGHTH AVENUE (CRD-EA), to the City Commission

AN ORDINANCE OF THE CITY OF ST. PETE BEACH AMENDING THE ST. PETE BEACH LAND DEVELOPMENT CODE DIVISION 40 – COMMUNITY REDEVELOPMENT DISTRICT – EIGHTH AVENUE (CRD-EA), SECTIONS 40.1. PURPOSE AND INTENT., 40.8. BUILDING HEIGHT., AND 40.9. SETBACKS.; ADOPTING SECTIONS 40.13. ASSEMBLY OR LOT SPLIT OF A PARCEL(S), VACATION OF EASEMENTS OR RIGHT-OF-WAYS., 40.14. GENERAL BUILDING DESIGN., 40.15. DESIGN REVIEW AND REQUIRED DRAWINGS., AND 40.16. PASS-A-GRILLE HISTORIC OVERLAY DESIGN GUIDEBOOK.; TO AMEND AND ADOPT DEVELOPMENT STANDARDS TO PRESERVE THE HISTORIC CHARACTER OF PASS-A-GRILLE’S EIGHTH AVENUE AND VICINITY AND INCREASE COMPATIBILITY OF NEW DEVELOPMENT WITH THAT CHARACTER; PROVIDING FOR SEVERABILITY, CODIFICATION AND SCRIVENER’S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: Motion to find Ordinance 2025-08 consistent with the Comprehensive Plan and recommend approval to the City Commission.

d. Recommendation of Ordinance 2025-12: Amendments to Land Development Code Divisions 16 - CG-2 COMMERCIAL DISTRICT and 33 - CC2

COMMERCIAL CORRIDOR GULF BLVD DISTRICT, to the City Commission
AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA CORRECTING ERRORS
IN PRIOR ORDINANCES BY AMENDING THE CITY'S LAND DEVELOPMENT CODE
DIVISION 16 CG-2 COMMERCIAL DISTRICT, SECTION 16.2 PERMITTED PRINCIPAL
USES AND STRUCTURES TO RECOGNIZE AND ALLOW FULL-SERVICE
RESTAURANTS, AND DIVISION 33 CC2 COMMERCIAL CORRIDOR GULF BLVD
DISTRICT, SECTION 33.7 DENSITY AND INTENSITY TO CLARIFY THAT SINGLE-
FAMILY RESIDENCES ARE PROHIBITED; AND PROVIDING FOR CODIFICATION,
CONFLICTS, SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS,
CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

Action Request: Motion to find Ordinance 2025-12 consistent with the Comprehensive
Plan and recommend approval to the City Commission.

5. Discussion Items
6. Adjournment - Next Meeting May 19, 2025 -

APPEAL: In accordance with 286.0105, Florida Statute (Notices of meetings and hearings must advise that a record is required to appeal), if a person decides to appeal any decision made by this committee, board, agency, or commission with respect to any matter considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AMERICANS WITH DISABILITIES ACT (ADA): In accordance with the Americans with Disabilities Act and Florida Statutes, if any person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact City Hall at (727) 367-2735.

The public is cordially invited to attend this meeting.
All agenda material is available for review at City Hall or www.stpetebeach.org.

DRAFT PLANNING BOARD MEETING MINUTES

March 24, 2025 4:00PM

MEMBERS PRESENT: David Hubbard, Chair
Sam Angelides, Jr., Vice Chair
Terri Grocott, Member
Cindy Perry, Member
Shawn Rae, Member

STAFF PRESENT: Brandon Berry, Senior Planner
Kristin Coman, Senior Planner
Laura Canary, Community Development Director
Ralf Brookes, Interim City Attorney
Ariana Wilson-Romo, Admin. Assistant – Clerk’s Office

Chair Hubbard called the meeting to order at 4:00 PM, followed by the Pledge of Allegiance.

1. Approval of the Agenda –

Motion: Member Rae moved, and Member Perry seconded, to approve the March 24, 2025 agenda as presented; the motion carried unanimously.

2. Audience Comments – There were no comments.

3. Approval of Minutes – January 27, 2025 Meeting
Member Perry noted a typo.

Motion: Member Rae moved, and Member Perry seconded, to approve the January 27, 2025 minutes with the correction: the motion carried unanimously.

4. Action Items (Sitting as the Local Planning Agency) –

Chair Hubbard adjourned the meeting as the Planning Board and reopened as the Local Planning Agency (LPA) at 4:04 PM.

a. Election of Officers 2025-26

Motion: Member Rae moved, and Member Perry seconded, and the motion carried 5-0 to reappoint David Hubbard as Board Chair and Sam Angelides Jr. as Vice Chair for 2025-2026.

b. Ordinance 2025-10: Sign Ordinance (Land Development Code Division 26) Amendments

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA FOR THE PURPOSE OF ADOPTING AMENDMENTS TO LAND DEVELOPMENT CODE DIVISION 26 SECTIONS 26-1 THROUGH 26-42 ENTITLED SIGN ORDINANCE TO ENSURE CONTENT-NEUTRAL SIGN DEFINITIONS, STANDARDS, REGULATIONS AND REQUIREMENTS, AND ADOPTING AMENDMENTS TO THE REQUIREMENTS FOR PERMITTING, ENFORCEMENT, AND MAINTENANCE FOR NEW, EXISTING AND NONCONFORMING SIGNS IN ALL ZONING DISTRICTS; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY;

CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Philip DiMaria of Kimley-Horn Associates reviewed a presentation that is made part of the record. The presentation outlined the purpose of the Sign Ordinance, which was to reduce sign pollution and improve the look and quality of signage in St. Pete Beach. Mr. DiMaria provided an overview of the City's zoning districts, explaining that each district is governed by its own sign code, resulting in a total of 15 distinct groups. He noted that some of these groupings apply to only a limited number of parcels. The presentation covered the following:

- Updated regulations for nonconforming signs
- Improved standards for Electronic/LED signs
- Provisions for inspection and maintenance of signs
- Implements general sign requirements based on best practices and adjacent communities
 - Material and design compatibility
 - Modern specific sign standards
 - Clarifies artwork vs. painted wall signs
- Simplifies permitted signs and standards by zone districts

Member Perry inquired about the removal of billboard signage. Mr. Berry explained that the language was removed in accordance with the City's prohibition on billboards. He also noted that, to his knowledge, only one billboard remains within the City.

Member Perry shared some photos on the overhead which are made part of the record. She expressed concerns regarding the definition of "artwork," stating that it may be used as a means to circumvent the City's sign ordinance. Design aspects were discussed.

Attorney Brookes touched on content neutrality and asked if the City had an art review board.

Member Perry also noted in the photo displayed that the Tradewinds name is on the side of the building towards the top. However, in the proposed ordinance, no signs are permitted to be higher than two stories.

Member Grocott brought up the Hilton Garden Inn which currently has a sign that is five stories up. She questioned if that meant they would need to remove the sign and when. Mr. DiMaria stated there is no requirement for removal unless there is damage to the building or the sign. Board discussion ensued on sign placement.

Mr. DiMaria clarified that the Planning Board would like to strike the maximum height of two stories and permit below the roof line.

Member Perry identified several errors and typos. She also expressed concerns regarding section 26.18 (g) and noted a conflict with the proposed beach ordinance. Mr. Berry clarified that this is what is currently adopted but acknowledged there are opportunities to make it more consistent with recent amendments.

Member Grocott noted that there are no references to wildlife protection specifically sea turtle lighting. Attorney Brookes clarified that it can be added. She also noted that section 26.2 defines abandoned signage being removed. She questioned if that includes post-natural and man-made

disasters such as hurricanes. Specifically, she inquired whether business owners would be required to remove damaged signage within 90 days under these circumstances. Discussion ensued on verbiage to add/remove to the definition. Member Rae noted some hardships small business owners will face specifically with costs.

Member Grocott expressed concerns with signs on public lands, temporary signs, window signs, and wind signs. She also noted there are no specific historic limitations for the Pass-A-Grille overlay. Attorney Brookes discussed the possibility of including exemptions for historic signs.

Member Rae inquired how many businesses would be required to completely replace signs at this time. Mr. Berry indicated about four or five signs were completely dismantled and need to be replaced based on the City's current 50% limitation. Member Rae voiced concerns about restricting businesses' ability to communicate effectively, particularly during a time when generating business is already challenging. Board discussion ensued on the use of banners and temporary signage.

Mr. Berry and Mr. DiMaria will make the necessary changes as discussed and will bring this item back for board review.

Chair Hubbard adjourned as the LPA at 5:36 PM and reconvened as the Planning Board.

5. Discussion Items –

Mr. Berry announced that the Planning Department has scheduled a series of community workshops to discuss the Comprehensive Plan. The first meeting was recently held and was considered a success. The next workshop is scheduled for April 17 and will focus on the Large Resort District, followed by a session on May 1 dedicated to the Town Center Zoning Districts. All meetings will begin at 6:30 PM and will be held in the Community Center Ballroom.

Chair Hubbard requested that public comments be shared with the Board, along with any ongoing reports received from the consultants.

6. Adjournment - Next meeting April 21, 2025.

There being no further business, Chair Hubbard adjourned the meeting at 5:39 PM.

These minutes will be considered for approval at the April 21, 2025 meeting of the Planning Board.

**PLANNING BOARD MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Recommendation of Ordinance 2025-10: Amendments to Land Development Code DIVISION 26 - SIGN ORDINANCE, to the City Commission

Action Request: **Action Request:** Motion to find Ordinance 2025-10 consistent with the Comprehensive Plan and recommend approval to the City Commission.

Strategic Objective:

Date: April 21, 2025

Prepared By: Kimley-Horn

Through: Laura Canary, Community Development Director

Summary of Issue: The version of this Ordinance proposed at the April 2025 Planning Board meeting aims to integrate feedback received from the Planning Board at the March 2025 meeting. These changes generally provide relief to businessowners with signs maintained in good condition following emergency events, allow for limited use of banners for transitional businesses and signage, provide additional measurement clarification, and revise standards for attached sign height and freestanding sign permissions. Specifically, changes of note are as follows:

- Added a purpose and intent statement that signage that harms imperiled wildlife is prohibited.
- Provides a definition for "lawful message".
- Explicitly provides for banners to be installed subject to specific regulations for 30 days after issuance of a business tax receipt, and allows for a banner to be installed on the front of structures with operational businesses following declaration of a local state of emergency and following issuance of an attached sign permit, until that sign is installed.

- Modifies how sign copy is measured when placed on a distinct background on freestanding signs, reducing staff discretion in interpretation of "architectural elements".
- Permits properties with 400 or more linear feet of frontage to increase monument sign square footage from 60 to 120 square feet, provided that the sign counts as two monument signs and is set back at least ten feet from the front property line.
- Allows attached signs to exceed the second story of a building but prohibits them from being placed above the fascia or parapet of the roof.
- Prohibits sign area widths that exceed an aspect of 2:1 with its height.
- Provides for additional regulations in the Pass-A-Grille Overlay District and CRD-Eighth Avenue District if so adopted in the future.
- Exempts well-maintained signage from being considered abandoned when a local state of emergency has been declared, provided that the property owner proceeds with timely repairs and reoccupancy of the structure.

This content is in addition to the summary provided at the March meeting, repeated below, which remains unchanged.

This ordinance contains significant amendments to Land Development Code Division 26 - SIGN ORDINANCE, with two overarching purposes:

1) Eliminate content-based references to the City's regulation of signage in the wake of Reed v. Town of Gilbert, a Supreme Court case preventing governments from lawfully applying different regulations to signage based upon the content of the sign except in cases where the restrictions survive strict scrutiny. This includes setting standards for certain sign types, such as temporary signs, rather than regulating temporary signs based upon their content, such as political signs or construction signs. Restrictions pertaining to distinctions between signs allowed on commercial and residential properties, on- and off-premise, and total sign density, are among the modifications made in this Code update to achieve content neutrality.

2) Update and modernize the sign code generally based on feedback received from the City Commission and City Staff, including substantially reducing the number of district groupings with disparate sign requirements, extending signage available for uses City-wide instead of within specific districts, and clarifying permissions for multi-tenant business developments, among others.

Some of the most significant changes proposed include the following:

- Eliminating references to "political signage", "real estate signage", and other temporary sign types that could be viewed as content-based in favor of standards for "temporary signage", which are differentiated only between residential and non-residential properties, and whether the event associated with the sign is predictable or non-predictable in duration and dates.
- Collapsing an existing 16 distinct sign districts into four, and providing for standardization among the types of signs permitted within those four districts.
- Extending what are currently district-specific signage types City-wide when the use of the property qualifies for the signage, such as allowing theater signs for theaters, or a sandwich board for a commercial establishment.
- Reducing repair value for nonconforming signs from 50% to 25% before the sign must be brought into conformity with current regulations, which is expected to hasten compliance with the current sign code.
- Loosening restrictions on renovating or newly-constructing pole signs, which are currently prohibited in most areas of the City where freestanding monument signs are permitted, in favor of allowing pole signs as an alternative to monument signs when they are placed within a landscaped area and taller than ten feet in total height.
- Adopting updated area calculation measurements to provide clarity to property owners, contractors, and staff in interpreting and implementing the sign code.
- Setting general sign standards to mitigate impacts on fire access, facility clearance, and drainage features.

- Lessening timeframes for removal of poorly-maintained signs that pose health or safety risks to the public.
- Providing updated illustrations showing sign types (forthcoming).

Staff finds the following Goals, Objectives and Policies of the Comprehensive Plan to be supportive of these amendments:

Future Land Use Element

GOAL 4: The Land Development Code shall be amended and adopted to implement the goals, objectives, and policies of this comprehensive plan, as amended.

Objective 4.1: Recognizing that the City is located on a barrier island, future growth and development shall be managed through the preparation, adoption, implementation, and enforcement of the Land Development Code consistent with this adopted Comprehensive Plan, as amended, in accordance with applicable timeframes established herein or State law, whichever is more restrictive.

Policy 4.1.2: The City shall adopt and implement a Land Development Code that contains specific and detailed provisions required to implement this Comprehensive Plan, as amended, which, at a minimum shall:

[...]

c. Regulate signs;

[...]

Transportation Element

Policy 1.7.7 The City shall enforce the requirements maintained within the Land Development Code for signage along roadways in order to reduce visual confusion and safety hazards.

Funding:

Attachments:

1. Ordinance 2025-10
2. Exhibit A - Markup with Track Changes from March 2025 Planning Board Meeting
3. Exhibit A - Markup

4. Exhibit A - Clean

Ordinance 2025-10

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA FOR THE PURPOSE OF ADOPTING AMENDMENTS TO LAND DEVELOPMENT CODE DIVISION 26 SECTIONS 26-1 THROUGH 26-42 ENTITLED SIGN ORDINANCE TO ENSURE CONTENT-NEUTRAL SIGN DEFINITIONS, STANDARDS, REGULATIONS AND REQUIREMENTS, AND ADOPTING AMENDMENTS TO THE REQUIREMENTS FOR PERMITTING, ENFORCEMENT, AND MAINTENANCE FOR NEW, EXISTING AND NONCONFORMING SIGNS IN ALL ZONING DISTRICTS; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

WHEREAS, the City's sign ordinance is intended to be content neutral and regulate only the number, form and placement of signs, with goals that include promotion of corridor and site-specific aesthetics, improving pedestrian and traffic safety, and visually aligning signs with their associated structures.

WHEREAS, the amendments proposed herein are intended in part to maintain content neutrality of the City's sign regulations, particularly in light of the Reed v. Town of Gilbert U.S. Supreme Court decision.

WHEREAS, these amendments are also intended to modify the City's compliance thresholds for nonconforming sign improvements, standardize sign types and sizes across zoning districts and other defined areas of the City, and update application and enforcement standards, among other amendments, to provide for greater compliance with the City's sign ordinance while also providing greater surety to businesses and residents when it comes to application and enforcement of the City's sign code.

WHEREAS, the City's Planning Board, sitting as the Local Planning Agency, recommended these amendments to the City Commission at a vote of xx to xx on March 24, 2025 and [found/did not find] them to be consistent with the City Comprehensive Plan.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:

SECTION 1. Recitals. The above recitals ("Whereas" clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. The Land Development Code is amended as shown in EXHIBIT A to this Ordinance.

SECTION 3. Codification. This Ordinance shall be codified in the Land Development Code of the City of St. Pete Beach.

SECTION 4. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, word, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, words, clauses, and phrases of this Ordinance as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. Scrivener’s Error. The City Attorney may correct scrivener’s errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. Effective Date. This ordinance shall take effect immediately upon passage.

FIRST READING: _____
SECOND READING: _____
PUBLIC HEARING: _____

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.

Adrian Petril, Mayor

I, Amber LaRowe, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2025.

Amber LaRowe, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

City Attorney

DIVISION 26 SIGN ORDINANCE¹

DRAFT: MARCH ~~APRIL~~ 2025

Sec. 26.1. Purpose, intent and scope.

It is the purpose of this division to promote the public health, safety and general welfare through reasonable, consistent and nondiscriminatory sign standards. The sign regulations in this division are intended to be ~~not intended to censor speech or to regulate viewpoints, but instead are intended to~~ content-neutral and regulate the secondary effects of speech and especially insofar as those secondary effects may adversely affect aesthetics and traffic and pedestrian safety ~~only the number, form, and placement, not the content, of signs~~. In order to preserve and enhance the city as a desirable community in which to live, vacation 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.~~ These sign regulations have been prepared with the intent of mitigating the impact signs have on traffic and pedestrian safety, enhancing the visual environment of the city, and promoting its continued well-being. ~~These sign regulations and~~ are intended to:

- (a) Encourage the effective use of signs as a means of communications in the city;
- (b) Maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth;
- (c) Improve pedestrian and traffic safety;
- (d) Minimize the possible adverse affect of signs on nearby public and private property;
- (e) Foster the integration of signage with architectural and landscape designs;
- (f) 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;
- (g) Allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs;
- (h) Encourage and allow signs that are appropriate to the zoning district in which they are located and consistent with the category of use and function to which they pertain;
- (i) Curtail the size and number of signs and sign messages to the minimum reasonably necessary ~~to identify a residential or business location and the nature of any such business~~;
- (j) Establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains;
- (k) Categorize signs based upon ~~the function that they serve~~ their structures and tailor the regulation of signs based upon ~~their function~~ those structures;
- (l) Preclude signs from conflicting with the principal permitted use of the site and adjoining sites;

¹Editor's note(s)—Ord. No. 2013-14, § 1(Exh. A), adopted April 23, 2013, amended Div. 26 in its entirety to read as set out herein. Former Div. 26, §§ 26.1—26.40, pertained to similar subject matter and derived from Ord. No. 2011-42, § 1(Exh. A), adopted Jan. 24, 2012; Ord. No. 2012-16, § 1(Exh. A), adopted Sept. 12, 2012.

- (m) Regulate signs in a manner so as to not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians;
- (n) 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;
- ~~(o)~~ Preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all districts of the city;
- Prohibit signage that will substantially and negatively impact imperiled wildlife;
- (~~pg~~) Allow for traffic control devices consistent with national standards and whose purpose is to promote highway safety and efficiency by providing for the orderly movement of road users on streets and highways, and that notify road users of regulations and provide warning and guidance needed for the safe, uniform and efficient operation of all elements of the traffic stream;
- (~~qr~~) 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;
- (~~rs~~) Protect property values by ensuring that sign-types, as well as the number of signs, are in harmony with buildings, neighborhoods, and conforming signs in the area;
- (~~st~~) Regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the city, is appropriate in scale to the surrounding buildings and landscape, 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 resort community, as well as for its commercial properties; ~~and~~
- (~~tu~~) Provide flexibility and encourage variety in signage, and create an incentive to relate signage to the basic principles of good design; and
- (~~uv~~) Enable the fair and consistent enforcement of these sign regulations.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.2. Definitions.

All words used in this division, except where specifically defined herein, shall carry their customary dictionary meanings when not inconsistent with the context in which they are used, ~~except that~~ ~~the following words, terms and phrases~~, when used in this division, shall have the meanings ascribed to them in this section, ~~except where the context clearly indicates a different meaning~~:

Abandoned or discontinued sign or sign structure means (a) A sign on or appurtenant to a building when that building has not been occupied ~~pertaining to or associated with an event, business, service, or purpose which is no longer ongoing and which has been inactive or out of business~~ for a period of 90 consecutive days or longer; or (b) a sign which contains structural components but no display or sign copy for a period of 90 consecutive days or longer. This term does not include individual panels within a sign for multi-tenant developments unless the multi-tenant development is more than 50 percent vacant, or transitional and emergency signage as referred to in Sec. 26.19.

Advertising means sign copy intended to aid, directly or indirectly, in the sale, use or promotion of a product, commodity, service, sales event, activity, entertainment, or real or personal property.

Animated sign means a sign which includes action, motion, or color changes, or the optical illusion of action, motion or color changes, including signs requiring electrical energy or set in motion by movement of the

atmosphere, or made up of external sign elements that revolve or turn. The term "animated sign" does not include signs which display time of day, temperature, or both, and does not include electronic message board signs.

Area of ground supports means the total area of a freestanding sign's structural elements.

Artwork means a two- or three-dimensional representation of a creative idea that is expressed in an artistic form and manner as to provide aesthetic enjoyment for the viewer rather than to specifically but does not in any way convey the name of the identify a business, product, business logo, or a commercial message.

Attached sign means a wall sign, an integral roof sign, marquee sign or a canopy sign any sign attached to, on, or supported by any part of a building (e.g., walls, integral roof, awning, windows, or canopy) which encloses or covers usable space.

Awning means a cloth, plastic, or other nonstructural covering that is permanently attached to a building or other structure, or that can be raised or retracted to a position against the building or other structure when not in use.

Awning sign or canopy sign means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Banner means any sign or string of one or more signs, usually made of cloth or other lightweight material, which is used to attract attention, whether or not imprinted with words or characters, including, but not limited to, balloons and pennants. Flags shall not be considered banners.

Beacon means a stationary or revolving light which flashes or projects illumination, single color or multicolored, in any manner which has the effect of attracting or diverting attention, except, however, this term does not include any kind of lighting device which is required or necessary under the safety regulations of the Federal Aviation Administration or other similar agency. This definition does not apply to any similar type of lighting device contained entirely within a structure and which does not project light to the exterior of the structure.

Billboard means a sign structure and/or sign utilized for advertising an establishment, an activity, a product, service or entertainment, which is sold, produced, manufactured, available or furnished at a place other than on the property on which said sign structure and/or sign is located.

Building frontage. See frontage, building.

Bus stop informational sign means a freestanding or attached noncommercial sign located at a bus stop and providing information as to the route, hours or times of service.

Canopy means a permanent or semi-permanent, on-premise roof-like projection or structure intended to provide shade or shelter.

Canopy sign or awning sign means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Changeable copy/message sign means a sign with the capability of content change by means of manual or remote input, including the following types:

- (1) Manually activated. Changeable sign whose message copy can be changed manually on a display surface.
- (2) Electronically activated. Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices, or may be from an external light source

designed to reflect off of the changeable component display. See also *Electronic message board sign*.

Character means any symbol, mark, logo, or inscription.

Color means any distinct tint, hue or shade including white, black or gray.

Commercial message means any sign wording, logo, or other representation or image that directly or indirectly names, advertises, or calls attention to a product, service, sale or sales event or other commercial activity.

Construction sign means a temporary on-premise sign identifying the ongoing construction activity during the time that a building permit is active and prior to completion of the work for which the permit was issued, containing sign copy is limited to the ongoing construction activity and identifying the contractor and/or any subcontractor engaged to perform construction activity on the site.

Copy means the linguistic or graphic content of a sign.

Designer sign means a sign that is custom made wall or monument-type signs, reviewed by the city manager or his designee, and found to be of a higher creative, artistic and three-dimensional, or sculptural nature than the standard types of signs typically used within the sign industry.

Double-faced sign means a single sign with items of information relating to the same business on both sides of the sign and mounted as a single structure.

Drive-thru menu sign means a sign placed so as to be viewed from a drive-thru lane and which contains only a listing of the products, with prices, offered for sale by the business on which the sign is located and which may provide a mechanism for ordering the products while viewing the sign.

Eave means the lowest horizontal line of a sloping roof.

Election sign means a temporary sign erected or displayed for the purpose of expressing support for or opposition to a candidate or stating a position regarding an issue upon which the voters of the city shall vote.

Electronic message board sign means a sign by which the message copy can be electronically changed and controlled. This shall include but not be limited to changeable words, lines, logos, symbols, or illustrations and shall include all LED type signs regardless of if the sign periodically changes copy.

Erect means to build, construct, attach, hang, place, suspend or affix, and shall also includes the painting of wall signs.

Facade means the ~~entire building front~~ exterior wall(s) of a building exposed to public view.

Flag means any fabric, or bunting containing distinct colors, patterns or symbols, used as an ornamental flag or as a symbol of government, political subdivision, corporation or business or other entity. (See also ornamental flag.)

Flagpole means a pole on which to raise a flag. A flagpole is not a freestanding pole sign.

Flashing sign means ~~a sign which permits light to be turned on or off intermittently more frequently than once per minute~~ any illuminated sign on which the artificial source of light is not maintained stationary or constant in intensity and color at all times when such sign is illuminated. For the purposes of this definition, any moving illuminated sign affected by intermittent lighting shall be deemed a flashing sign. This does not include official warning signs to the motoring public.

Foot-candle means a unit of measure of luminosity of a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot.

Footlambert means the centimeter gram second unit of brightness equal to the brightness of a perfectly diffused surface that radiates or reflects one lumen per square centimeter.

Free expression sign means a sign, not in excess of three square feet in size (area) and the top of the sign is not more than six feet off the ground, communicating information or views on matters of public policy concern or containing any other noncommercial message, that is otherwise lawful.

Freestanding sign, monument or pole means a sign supported by structures or supports that are placed on or anchored in the ground or at ground level and which are independent of any building or other structure.

Frontage means the length of the property line of a parcel of land which runs parallel with and along a road right-of-way or street, exclusive of alleyways.

Frontage building, or building frontage, means the length of the single facefaçade of a building or that portion of building occupied by a single office, business or enterprise, commonly referred to as "store-front", which is abutting a street, parking area, or other means of customer access such as an arcade, a mall or a walkway.

Garage or yard sale or garage yard sign means any on-site temporary sign pertaining to the sale of personal property in, at or upon any residentially-zoned property located in the city. Garage or yard sales shall include, but not be limited to, all such sales, and shall include the advertising of the holding of any such sale, or the offering to make any sale, whether made under any name such as garage sale, lawn sale, yard sale, front yard sale, backyard sale, home sale, attic sale, rummage sale, patio sale, flea market sale, or any similar designation.

Government sign means any temporary or permanent sign erected by or on the order of a public official or quasi-public entity at the federal, state or local government level in the performance of any duty including, but not limited to, noncommercial signs identifying a government building, program or service (including bus or other public transit services), traffic control signs, street name signs, street address signs, warning signs, safety signs, informational signs, traffic or other directional signs, public notices of government events or actions, proposed changes of land use, any proposed rezoning, or any other government speech. This term includes signs erected on government property pursuant to lease, license, concession or similar agreements requiring or authorizing such signs.

Ground level means the level of finished grade of a parcel of land, exclusive of any filling, berming, or mounding, or excavating, solely for the purpose of locating a sign. Ground level on marina docks or floating structures shall be the finished grade of the landward portion of the adjoining parcel.

Grand opening sign means an on-premises temporary sign announcing the opening of a newly licensed business, that does not exceed 16 square feet in sign area and that is not displayed for longer than 30 days after the issuance date of the occupational license for the new business.

Height means vertical distance measured from ground level nearest the base of the sign to the highest point on the sign.

Holiday and seasonal decorations mean decorations that pertain to legal or other recognized holidays or to a season of the year.

Illuminated sign means any sign or portion thereof which is illuminated by artificial light, either from an interior or exterior source, including outline, reflective or phosphorescent light, whether or not the source of light is directly affixed as part of the sign.

Integral roof sign means any sign erected or constructed as an integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches. ~~No integral portion of the roof shall extend more than five feet above the structural roof.~~

Lawful message means any message not prohibited by state or federal law.

Lot. See definition of parcel.

Maintenance means the replacing, repairing or repainting of a portion of sign structure, periodically changing changeable copy or renewing copy which has been made unusable by ordinary wear, weather, or accident.

Marquee means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee sign means any sign attached to a marquee.

Menu display sign means a fully enclosed or otherwise protected from the elements sign structure, including, but not limited to, a box, shadow box or cabinet, attached to a wall or freestanding, which is used solely for the purpose of displaying restaurant menus. A menu display may be used for a restaurant without drive-thru service and for transient lodging facilities which have restaurant facilities open to the general public in addition to the registered guests. Menu display sign structures shall be limited to one per establishment, having a maximum surface area of not more than 12 square feet, and the zoning districts in which they are permitted.

Multi-tenant building/development means a building or development where more than one business may be located, including businesses located above the first floor or otherwise without frontage on a public right-of-way.

Nameplate sign or occupant identification sign means a sign indicating the name and/or profession or address of a person or persons residing on the premises or legally occupying the premises.

Noncommercial message means any message, which is not a commercial message.

Noncommercial on-site directional sign means an on-site sign providing direction or information to pedestrian or vehicular traffic that is related or reasonably necessary to the movement of pedestrian or vehicular traffic on the premises, and not displaying a commercial message, e.g., "entrance," "exit," "caution," "no parking," "one way only," "no trespassing," and the like.

Nonconforming sign means a sign which does not conform with the regulations provided in this division.

Off-premises sign or off-site sign means any sign relating in its subject matter to commodities, accommodations, services or activities on a premises other than the premises on which the sign is located. See also Billboard. This does not include a locally recognized non-profit Chamber of Commerce that promotes its members within the city.

On-premises sign or on-site sign means any sign relating in its subject matter to the commodities, accommodations, service or activities on the premises on which it is located.

Ornamental flag means any fabric or similar material containing patterns, drawings or symbols used for decorative purposes and designed to be flown as a flag.

Parcel means land which has been or which is proposed to be used, developed, or built upon as a unit under single ownership.

Parapet means a false front or wall extension above the roof of a building.

Pennant means any series of small flag-like or streamer-like pieces of cloth, plastic, paper or similar material attached in a row to any staff, cord, building, or at only one or two edges, the remainder hanging loosely.

Permanent sign means any sign which, when installed, is intended for permanent use, and is so constructed as to be of lasting and enduring condition (beyond normal wear and tear). For the purposes of this division any sign with an intended use in excess of 12 months from the date of installation shall be deemed a permanent sign. Unless otherwise provided for herein, a sign other than a temporary sign or portable sign shall be deemed a permanent sign.

Predictable event means an event of which the date or dates is or are known at the time the sign is erected. By way of example, predictable events shall include an election, garage sale, grand opening, parade, wedding, garage sales, and others with a definite date.

Portable sign means any sign, banner, or poster that is not permanently attached to the ground or structure, or a sign capable of being transported, including, but not limited to, signs designed to be transported by means of

wheels or carried by a person, and signs converted to an A-frame sign or a T-frame sign. For purposes of this division, a cold-air inflatable sign shall be considered to be a portable sign.

~~Premises means any property owned, leased or controlled by the person actively engaged in business at that location.~~

Projecting sign means any sign affixed perpendicularly to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

Property means the overall area represented by the outside boundaries of a parcel of land or development containing one or more business establishments and/or residential units.

~~Real estate sign means a sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed temporarily.~~

Revolving sign or rotating sign means ~~any sign that revolves or rotates~~ an animated sign that revolves or turns or has external sign elements that revolve or turn. Such sign may be power-driven or propelled by the force of wind or air.

Roof sign means any sign erected and constructed wholly on or over the roof of a building, which is supported by the roof structure, or any sign that extends in whole or in part above the roofline of a building.

Roofline means the highest continuous horizontal line of a roof. On a sloping roof, the roofline is the principal ridgeline or the highest line common to one or more principal slopes of roof. On a flat roof, the roofline is the highest continuous line of a roof or parapet, whichever is higher.

Safety sign. See Warning sign.

Sandwich board sign or A-frame sign means a portable ~~double-faced, freestanding sign not exceeding 12 square feet in area designed such that it can be displayed during business hours and easily removed at the close of business which is ordinarily in the shape of an "A," or some variation thereof when erected.~~

Shopping center means a group of five or more independent commercial establishments developed, operated, managed, and/or owned and operated as a planned unit, with off-street parking provided on the property under a single architectural plan. A shopping center may include a building or structure owned in fee simple, condominium, cooperative, leasehold or other ownership.

Sight visibility triangle means a triangular shaped portion of land established at street intersections or street and driveway intersections in which nothing is erected, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. For street intersections, this triangle is measured 20 feet in length from the intersection along the abutting curb lines to form a triangle; and for driveway intersections, this triangle is measured ten feet from the intersection along the curb line and along the driveway line to form a triangle. (See illustration in section 6.21 herein.)

Sign means any device, fixture, placard or structure which uses color, form, graphics, illumination, architectural style or design with text, or writing to advertise, attract attention, announce the purpose of, or identify the purpose of any person or entity or to communicate information of any kind to the public. The term "sign" includes sign structure.

Sign area means the total square foot area of sign surface, ~~including all parts thereof devoted to the background, computed by bounding the exterior of the sign structure or surface with a series of straight or curved lines tangent thereto (see illustrative examples in section 26.3, herein).~~ The area of a sign painted directly on a wall or awning and signs with letters attached directly to walls or awnings shall be calculated by constructing an imaginary series of straight lines or lines formed, bounded or characterized by curves around the outside of all elements of the sign computed as described in section 26.14.

Sign face means the part of the sign that is or can be used to identify, display, advertise, communicate information, or for the visual representation which attracts or intends to attract the attention of the public for any purpose.

Sign structure means any structure which is designed specifically for the purpose of supporting a sign, which has supports or which is capable of supporting a sign. The definition shall include any decorative covers, braces, wires, supports, or other components attached to or placed around the sign structure.

Snipe sign means any sign tacked, nailed, posted, pasted, glued or otherwise attached to telephone poles, utility poles, or fences, with the message appearing thereon not applicable to the present use of the premises upon which the sign is located.

~~*Statutory sign* means a sign required by any statute of the State of Florida or the United States.~~

Street means a public right-of-way intended for the use of vehicular and pedestrian traffic.

Street address sign means any sign denoting the street address of the premises on which it is attached or located.

Subdivision monument identification sign means a monument sign which contains only the name of a platted subdivision or other residential development.

Temporary sign means a sign intended for a use not permanent in nature and shall include a sign formerly or commonly associated with a temporary use or structure, or a sign related to an event or occurrence at a future time, which shall be further defined by whether the event to which it pertains is predictable or unpredictable. For the purposes of this division, a sign with an intended use of one year or less shall be deemed a temporary sign.

Time and temperature sign means a sign which displays the current time and temperature at intervals no more frequently than once per minute and which contains no other messages. Time and temperature signs are regulated within the zoning districts in which they are allowed.

Traffic control device sign means any sign located within the right-of-way that is used as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the national standard. A traffic control device sign includes those signs that are classified and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational, or cultural information).

Unpredictable event means an event of which the date or dates is or are not known at the time the sign is erected. By way of example, unpredictable events may mean for rent or for sale periods, construction projects, and others without a definite date of ending.

~~*Vehicle sign* means a sign attached to or placed on a vehicle, including, but not limited to, automobiles, trucks, boats, campers, and trailers, and that is located on public or private property, and is intended to can be viewed from a right-of-way for the purpose of providing advertisement of products or services, or directing people to a business or activity. This includes signs attached to the following vehicles: On- or off-site inoperable vehicles, junk or abandoned vehicles as defined in section 98-67 of the Code of Ordinances, vehicles that have not been driven or moved in 72 hours, or a vehicle with signage attached to it that renders the vehicle not safely drivable. This definition excludes those signs that identify a business organization or its principal services and contact information on a vehicle during that period of time such vehicle is regularly and customarily used to traverse the public street during the normal course of business.~~

Visibility triangle. See Sight visibility triangle.

~~*Wall sign* means a sign which is painted on, fastened to, or erected against the wall of a building with its face in a parallel plane with the plane of the building facade or wall, which is used for advertising.~~

Warning sign or safety sign means a sign which only provides warning of a dangerous condition or situation that might not be readily apparent or that poses a threat of serious injury (e.g., gas line, high voltage, condemned building, etc.) or that only provides warning of a violation of law (e.g., no trespassing, no hunting allowed, etc.) or prohibitions on parking, trespassing, hunting, fishing, swimming, or other activity on the property on which the sign is posted.

Waterside identification sign means a sign identifying a residential complex, single business property or shopping center and which can be only be viewed from the waters of the Gulf of Mexico, Boca Ciega Bay, the intracoastal waterway or any other navigable waterway.

Wayfinding/Directional sign means a sign, which may or may not be a governmental/statutory sign, that shows route designations, destinations, directions, distances, services, points of interest, or other geographical, recreational, or cultural information for the aid of the traveling public, for facilitating a safe and orderly traffic flow and preventing sudden stops.

Window sign means any sign painted on or mounted in any fashion on the interior or exterior of the surface of a window.

Wind sign means a sign which uses objects or material fastened in such a manner as to move upon being subjected to pressure by wind, and shall include pennants, ribbons, spinners, streamers or captive balloons to express a commercial message; however, the term "wind sign" shall not include flags.

Window or door sign means any sign visible from the exterior of a building or structure which is painted on, attached, glued, or otherwise affixed in any fashion on the interior or exterior of the surface of a window or door.

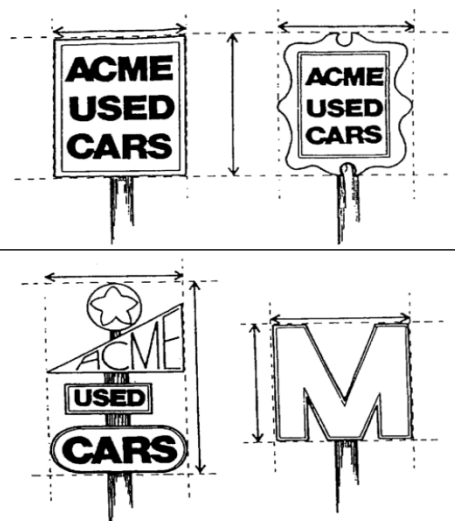
(Ord. No. 2013-14, § 1(Exh. A), 4-23-13; Ord. No. 2016-24, § 2, 1-10-17; Ord. No. 2017-17, § 2, 11-14-17)

Cross reference(s)—Definitions, § 2.1.

Sec. 26.3. Illustrations of type of signs and methods of measurement.

The following diagrams illustrate the types of signs and methods of measurement:

How to measure sign area.



(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.63. Exemptions Applicability.

- (a) Applicability. This division applies to any sign, permanent or temporary, displayed or erected which is visible and legible from a right-of-way.
- (b) Relationship to other codes. All signs shall comply with applicable building, electrical, and maintenance codes as adopted by the city. In the event any provisions of this division are in conflict with other applicable requirements, the more restrictive requirements shall apply.
- (c) This division does not pertain to regulate the following:
 - (a~~1~~) A sign, ~~other than a window sign~~, located entirely inside the premises of a building or enclosed space, and that is not visible from the right-of-way or public parking lot.
 - (b~~2~~) A government statutory sign.
 - (c~~3~~) Historic markers for local, state, or nationally ~~locally~~ designated historic resources.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.94. ~~Substitution of noncommercial speech for commercial speech~~ No content restrictions.

~~Notwithstanding anything contained in this Division or Code to the contrary, any sign erected pursuant to the provisions of this Division or Code may, at the option of the owner, contain a noncommercial message unrelated to the business located on the premises where the sign is erected. 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, as frequently as desired by the owner of the sign, provided that the size, height, setback, other dimensional criteria, and dwell time criteria for electronic changeable message signs contained in this Division and Code have been satisfied.~~

- (a) Notwithstanding anything in this division or Code to the contrary, nNo 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.
- (b) It is the intent of the City Commission that protection of First Amendment rights shall be afforded such that any sign, display, or device allowed under this division may contain, in lieu of any other copy, any otherwise lawful message unrelated to the business located on the premises where the sign is erected. The 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 or commercial message to another, as frequently as desired by the owner of the sign, provided that the applicable size, height, setback, lighting, design, other applicable requirements, and dwell time criteria for electronic changeable message signs contained in this division and Code have been satisfied.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.115. - Sign permit required.

- (a) Generally.
 - (a~~1~~) Allowed temporary and allowed permanent signs of the type described in section 26.13,25 shall be exempt from sign permitting hereunder.
 - (b~~2~~) No sign permit shall be issued for the erection of a prohibited sign.

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- (3) Signs subject to this division shall be designed, constructed, and maintained in compliance with the City's building, electrical, maintenance, and all other applicable codes and ordinances and in compliance with all applicable state and federal law, codes and regulations.
- (e4) Unless exempt from permitting, no permanent sign shall be erected, altered, relocated, maintained or displayed until a sign permit is obtained from and appropriate fee paid to the city. Where electrical permits are required, they shall be obtained at the same time as the sign permit. The requirement of a building permit under the Florida Building Code is separate and independent of the requirement for a sign permit under this division.
- (e5) A sign lawfully erected under permit may be repainted or have ordinary and customary non-structural repairs performed, including replacement of plastic or glass panels, without a new sign permit; however, if repair work causes such sign is to be structurally altered or repaired, relocated, or enlarged in any manner, a new sign permit shall be required and the altered or repaired sign must meet all requirements of this division and this Code. Nonconforming signs that have been substantially damaged, deteriorated beyond 50~~25~~ percent of the assessed value of the sign, or destroyed shall not be issued a permit for repairs and shall be removed in accordance with section 26.6.
- (b) Fees. Every person making an initial application for a sign permit shall pay fees to the city at the time of approval of the application. The fees shall be established by resolution of the city commission and shall be as stated in appendix A to this Code.
- (c) Permit Application. A sign permit application for a permanent sign shall be made upon a form provided by the city. The sign permit application is in addition to any building permit application required by the Florida Building Code. The sign permit application shall be accompanied by plans and specifications drawn to scale, together with any site plan required by Division 5 of the Land Development Code. An applicant shall deliver a sign permit application for a permanent sign to the city's chief building official, or such other person as may be designated by the city. The sign permit application shall be reviewed for a determination of whether the proposed sign meets the applicable requirements of this division and any applicable zoning law. The applicant shall furnish the following information on or with the sign permit application form:
- (1) The legal description of the real property where the sign is proposed to be located.
 - (2) The zoning district for the real property on which the sign(s) will be located.
 - (3) The name, mailing address and telephone number (where available) of the owner(s) of the real property where the sign is proposed to be located.
 - (4) A notarized statement of authorization signed by the owner(s) consenting to the placement of the proposed sign on the real property.
 - (5) The name, mailing address and telephone number of the sign contractor.
 - (6) Type of proposed sign(s) (e.g., attached wall sign, freestanding monument sign).
 - (7) Detailed scaled drawings to show the dimensions, design, structure, and location of each particular sign (when depicting the design of the sign it is not necessary to show the content of the sign as the sign reviewer is prohibited from taking this factor into consideration).
 - (8) Computations of the maximum total sign area, the maximum area for individual signs, and the height of each of the proposed signs.
 - (9) The setbacks for the proposed sign(s).
 - (10) The cost of the proposed sign(s).

(11) The number, type, location, and surface area for all existing signs on the same lot and/or building on which the sign will be located.

(12) If the proposed sign is to be an illuminated sign, the type, placement, intensity and hours of operation.

An applicant shall deliver a sign permit application for a permanent sign to the city's chief building official, or such other person as may be designated by the city. The sign permit application shall be reviewed for a determination of whether the proposed sign meets the applicable requirements of this division and any applicable zoning law.

(d) Nullification. A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of six months after the date of the permit. If the sign is an integral part of a new building structure, then the permit shall be valid until completion of the building.

(e) Revocation. If the city manager and/or their designee finds that any sign has been erected, altered or maintained in violation of this division, Florida Building Code, or any other ordinance of the city, or that there has been any false statement or misrepresentation of a material fact in the application or plans on which the permit was based, the city shall notify the owner of record of the property upon which such sign is located shall be notified by either certified mail or by hand delivery that such violation exists. The owner shall cause the violation to be remedied or shall file an appeal of the violation within three working days after receipt of the notice. If the permit holder fails or refuses to make corrections within ten days, or a shorter period when emergency conditions exist pursuant to 98-75, it shall be the duty of the building official, or designee, to revoke such permit and provide written notice of same to such permit holder. It shall be unlawful for any person to proceed with any work under the permit after such notice is issued. Where it is determined that such illegal sign poses an imminent threat to the health, safety or welfare of the public, the city may cause the immediate removal of the sign by its own action. Cost of such removal shall be paid by the property owner. In addition to removal, the city shall be entitled to proceed with alternative legal or equitable remedies, including injunctive relief.

(f) Appeals. Whenever it is alleged that there has been an error in any order, action, decision, determination, or requirement by an administrative official in the enforcement and application of any provision contained within this division or any other provision of this Code pertaining to sign permits (including any allegation that an administrative official has failed to act within applicable time frames), the aggrieved party shall file a written appeal on or before 30 days from the day of the administrative decision in accordance with Section 3.14 of the Land Development Code.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.7. Building permits.

It shall be unlawful for any person or business or the person in charge of the business to erect, construct, alter or maintain an outdoor advertising display sign, as defined in the Florida Building Code, without first obtaining a building permit from the city in accordance with the provisions of the Florida Building Code and applicable law. Permit fees shall be paid in accordance with the applicable city fee schedules. The requirement of a building permit under the Florida Building Code is separate and independent of the requirement for a sign permit under this division.

Sec. 26.56. Nonconforming signs.

A nonconforming sign that was lawfully erected may continue to be maintained: (a) until the nonconforming sign is substantially damaged or destroyed, or (b) until the real property on which the sign is located is redeveloped, whichever of the foregoing occurs first. At such time the sign is substantially damaged or destroyed or at such time the real property is redeveloped, the nonconforming sign must either (a) be removed or (b) be

brought into conformity with this division and with any other applicable law or regulation. For the purpose of this section, the term "redevelopment" shall mean a substantial improvement of the principal structure on the real property.

All signs that lawfully existed at the time of the enactment of this division and that do not conform to the provisions of this division, but which were in compliance with the applicable regulations at the time they were constructed, erected, affixed, or maintained, shall be regarded as nonconforming signs.

- (a) Except as provided in this section, no nonconforming sign shall be moved, reconstructed, extended, enlarged, or structurally altered, unless changed to conform with this division.
- (b) Nonconforming signs may continue to be maintained, repaired, or the message of the sign may be changed provided that maintenance, repair, or changing the copy does not require structural alterations.
- (c) Removal of a nonconforming sign, or replacement of a nonconforming sign with a sign conforming to this division, is required when:
 - (1) The nonconforming sign is substantially damaged, destroyed, or deteriorated to such extent that the cost of repair or restoration would equal or exceed 25 percent of the replacement cost of the sign; or
 - (2) A building or site on which the nonconforming sign is located is improved, repaired, rehabilitated, altered, or redeveloped at a cost which equals or exceeds 50 percent of the market value of the existing building or structure before the improvement or repair is started.
- (d) In addition to the above, all legally erected nonconforming electronic message board signs, including all LED-type signs, must be made to conform to the applicable provisions of this division by January 1, 2027.
- (e) Signs that exist on the effective date of this division that were not in conformance with previous regulations are illegal signs and shall conform with this division or be removed within ninety (90) calendar days of the effective date of this division.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13; Ord. No. 2016-24, § 3, 1-10-17)

Sec 26.7. Variances.

- (a) Requests for variances from any provisions of this division, unless stated otherwise, shall be processed and authorized pursuant to section 3.12 general variances of the Land Development Code.
- (b) Variances from the terms of these regulations may not be contrary to the public interest. Variances may be granted where, owing to special conditions, the literal enforcement of the provisions would result in unnecessary hardship, not to include economic hardship. However, no variance shall be granted unless the criteria of section 3.12 are met. In addition to these usual criteria for variances to the provisions of this article, any additional signage allowed pursuant to variances shall be conditioned in such a way that, taking into consideration existing allowable signage in the area, the additional signage does not exacerbate visual clutter, driver distraction or traffic safety in the area.

Sec. 26.148. Inspection and Maintenance of signs.

- (a) Inspection. Signs for which a permit is required under this division may be inspected periodically by the building official, or designee, for compliance with this division, other codes of the City, and all terms upon which the sign permit may have been conditioned.
- (b) Maintenance of signs.

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- (1) All visible portions of a sign and its supporting structure shall be maintained in a safe condition, and present a neat and clean appearance according to the following:
 - a. Signs with illumination that have become flashing signs shall be repaired, renovated, or corrected to the original permitted function and order. If the sign is lighted, all lights shall be maintained in working order and functioning in a safe manner.
 - b. If the sign is painted, the painted surface shall be kept in good condition.
 - c. Every sign shall be kept in such manner as to constitute a complete or whole sign.
 - d. Every sign shall be able to withstand the wind pressure for which it was originally designed.
 - e. If a sign is a freestanding sign, the area around the base of the sign shall be landscaped, maintained, and kept free of weeds, overgrowth, debris, trash, litter, and any other unsightly conditions or nuisances as defined by chapter 98, article 3 property maintenance of the Code of Ordinances.
 - (2) The maintenance of signs shall be in keeping with the intent of chapter 98, article 3, section 98-66(d) to ensure the public health, safety and welfare is maintained. The owner and/or leaseholder shall be responsible for maintaining the signs concerned in good operating conditions and appearance and shall be responsible for maintaining the area immediately surrounding the sign. Failure to comply with chapter 98, article 3 shall constitute cause for revocation of the sign permit and removal of the sign, if the owner and/or leaseholder fail to correct same within two days after written notice of violation.
 - (2) ~~Nonconforming signs may suffer only ordinary and customary repairs and maintenance. As provided in section 26.11, a lawfully erected nonconforming sign shall not be structurally altered except in full conformance with this division.~~

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.15. Appeals.

- (a) ~~Whenever it is alleged that there has been an error in any order, action, decision, determination, or requirement by an administrative official in the enforcement and application of any provision contained within this division or any other provision of this Code pertaining to sign permits (including any allegation that an administrative official has failed to act within applicable time frames), the aggrieved party shall file a written appeal in accordance with Section 3.14 of the Land Development Code.~~

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.169. Enforcing official.

The city manager, or designee, shall be the enforcing official of this division. The enforcing official is charged with the duty of administering this division and securing compliance therewith. Further, the enforcing official shall make such inspection as may be necessary to ensure compliance with this division and shall initiate appropriate action, if any, to enforce the provisions of this division.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.17. — Failure to comply.

If the city manager finds that any sign has been erected, altered or maintained in violation of this division, the city shall notify the owner of record of the property upon which such sign is located by either certified mail or by hand delivery that such violation exists. The owner shall cause the violation to be remedied or shall file an appeal of the violation within three working days after receipt of the notice. Where it is determined that such illegal sign poses an imminent threat to the health, safety or welfare of the public, the city may cause the immediate removal of the sign by its own action. Cost of such removal shall be paid by the property owner. In addition to removal, the city shall be entitled to proceed with alternative legal or equitable remedies, including injunctive relief.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.180. Violations and penalties.

- (a) The acts enumerated in this section shall be a violation of this division and shall be subject to the enforcement remedies and penalties provided by this division, by other city codes, and by state law. Such remedies may be pursued simultaneously.
- (b) It shall be a violation to:
 - (1) Install, create, erect or maintain any sign in a way that is inconsistent with any approved plan or permit governing such sign or the site on which the sign is located.
 - (2) Install, create, erect or maintain any sign requiring a permit without having first obtained such permit.
 - (3) Fail to remove any sign that is installed, created, erected or maintained in violation of this division or for which the sign permit has lapsed.
 - (4) Install, erect, place, or maintain any sign contrary to the provisions of this division, including any sign or sign structure not allowed within the applicable zoning district.
 - (5) Continue any such violation.
- (c) Each sign installed, created, erected or maintained in violation of this division shall be considered a separate violation, and each day of a continued violation shall be considered a separate violation.
- (d) Any violation of this division or any condition or requirement adopted pursuant to this division may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceedings pursuant to law. The remedies of the city shall include but not be limited to the following:
 - (1) Issuing a stop work order for any and all work on any signs on the same site.
 - (2) Seeking an injunction or other order of restraint or abatement that requires the removal of the sign or the correction of the violation.
 - (3) For a sign which poses an immediate danger to the public health or safety, taking such measures as are available to the city under the applicable provisions of this division for such circumstances.
- (e) A person in violation of this division shall be subject to prosecution and, upon conviction, shall be punished as set forth in section 1-14 of chapter 1, St. Pete Beach Code of Ordinances.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.19. Adoption of zoning regulations.

The boundaries of the various districts shown upon the official zoning map and the regulations of the comprehensive zoning ordinance contained in Land Development Code, governing the use of land and buildings and other matters set forth therein are made part of this division. Except as provided in this division, no sign shall be erected, enlarged, reconstructed or structurally altered which does not comply with all the district regulations established by this division for the zoning district in which it is located.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.11. - General sign requirements

- (a) All new signs shall comply with all applicable Florida Building Code requirements, design requirements, and other applicable requirements.
- (b) Signs and their supporting structures shall maintain clearance and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Placement shall not interfere with natural or artificial drainage or surface or underground water.
- (c) No sign shall be erected so as to obstruct any fire escape, required exit, window, or door opening intended as a means of egress, nor shall it obstruct or interfere with roof access or any opening required for ventilation.
- (d) No sign, portable or otherwise, is to be placed or located to conflict with the intersection visibility requirements of section 6.21 of this Land Development Code.
- (e) All signs shall be installed and constructed in a professional and workmanlike manner and shall be maintained in good and safe structural condition and good physical appearance. All exposed structural components shall be painted, coated, or made of rust or wood rot inhibitive material.
- (f) Signs on public lands. Signs shall not be located on publicly owned land or easements or inside street rights-of-way except signs required or erected by permission of the authorized governmental agency. Such prohibited signs shall include, but not be limited to, handbills, posters, advertisements, or notices that are attached in any way upon lampposts, telephone poles, utility poles, bridges and sidewalks. All signs shall be moved by the owner of the sign at no expense to the applicable governmental jurisdiction when the signs are within any public property including existing rights-of-way. Nothing shall prohibit a duly authorized public official from removing a sign from public property.
- (g) Official signs and notices. Nothing in this division shall be construed to prevent or limit the display of legal notices, warnings, informational, direction, traffic, or other such signs which are legally required or necessary for the essential functions of government agencies.

Section 26.12. Sign standards in all districts.

All permitted signs shall be subject to the below design requirements:

- (a) All permanent signs shall be compatible with the building(s) to which they relate and with the surrounding neighborhood.
- (b) The placement and location of signs shall not cover or obscure architectural features, finishes, doors, windows, or other elements of the building to which they relate unless designed to be an integral part of that element.
- (c) Freestanding signs.

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- (1) All freestanding signs of ten (10) feet in height or less shall be monument signs, unless any combination of landscaping of sufficient density and maturity at the time of planting may be used to achieve the same opacity as would have been achieved with the monument base.
 - (2) The materials, finishes and colors of the base of freestanding signs, including monument and-pole base sign, shall match the architectural design of the building on the same site.
 - (3) All freestanding signs shall be placed in a landscaped setting appropriate to the size and scale of the sign.
 - (4) Tenant panels in freestanding signs for a multi-tenant development or shopping center, including those added to existing sign structures, shall be constructed of the same materials and illuminated by the same method.
 - (5) Freestanding signs shall not be permitted within any required side yard adjacent to property in an RU-1, RU-2, RLM-1 or RLM-2 district or within a required front yard established for protection of a right-of-way corridor.
 - (6) A freestanding sign shall not exceed 35 feet in height or 135 feet in sign area in any district and shall not exceed six (6) feet in height for any property in the Pass-a-Grille Overlay district. No variance to this regulation may be granted and no variance application to this requirement shall be accepted.
- (d) *Window signs.* One or more window signs may be displayed where attached signs are permitted and shall count towards the maximum allowable attached sign area. Permanent window signs shall not cover more than 50% of any **contiguous window surface between frames, exclusive of grilles and muntin**, and shall comply with all fire safety codes.
- (e) *Projecting signs.* Projecting signs shall have a minimum ground clearance of eight (8) feet and shall not project within two (2) feet of any curb.
- (e) *Illuminated signs.*
- (1) Illuminated signs, in addition to conforming to all other requirements of this division, shall be shielded in such a manner so that no direct source of light is cast into residential properties or into a public street or right-of-way.
 - (2) No sign shall have animated, blinking, flashing, or fluttering lights or other illumination devices which have a changing light intensity, brightness, color, or direction.
 - (3) Illuminated signs shall not interfere with pedestrian or motorist vision. **No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices. Similarly, no electronic changeable message sign shall be permitted if it may be confused with, construed as, or interfere with traffic control devices.**
 - (4) The illumination shall not be reflective or phosphorescent and shall be placed in a manner that will not create a nuisance to other premises or ~~interfere with vehicular movements~~ create a traffic hazard to operators of motor vehicles on public thoroughfares.
 - (5) Externally illuminated signs are preferable to internally illuminated signs. Externally illuminated signs are permitted only with steady, stationary, and shielded lighting directed solely onto the sign from either above or below.
 - (6) Internally illuminated signs or portions of a sign that are internally illuminated shall not be larger than 50 square feet in area.
 - (7) Internally illuminated signs shall be expressly prohibited in the following areas:
 - a. Within 50 feet of a property with a single-family use or zoned for a single-family use;

- b. Building facades or property frontage adjacent to Corey Avenue in the TC-1 or TC-2 district;
- b. BR district;
- c. Traditional hotel district;
- d. UBV district; and
- e. Pass-a-Grille Overlay district.

Sec. 26.2513. - All districts Exempt Signs.

The regulations in this division apply in every zoning district in the city, except where otherwise specified or indicated. Sign permits are not required for signs and sign types described and identified in this section, below. The following sign types are exempt from the permitting process and are exempt from other provisions of this division, but are not exempt from the requirements imposed by this subsection or from applicable requirements of this division relating to construction, illumination, placement, safety, and nonconformity, and are not exempt from other regulations related to public health, safety and welfare.

- (a) Street address signs. For each parcel within the city, one attached street address sign ~~may~~ shall be displayed for each ~~public street~~ building façade facing the primary street or waterfront. ~~For parcels in residential use, the street address sign shall not exceed two square feet in sign area. For each parcel in nonresidential use, the street address sign shall not exceed six square feet in sign area. The address numbers shall be at least three inches in height if the dwelling or business establishment is located 50 feet or less from the curb or improved right-of-way, at least five inches in height if the dwelling or business establishment is located more than 50 feet from the curb or improved right-of-way, in Arabic numbers, and of contrasting color to background. For any site or parcels subject to a common plan of development on which one or more signs requiring a permit are proposed to be erected, the location, height, and area of street address signs shall be included in sign plan. Address numbers are subject to National Fire Protection Association (NFPA) code, as amended. One additional street address sign may also be located on the monument sign or other sign at the entrance of the development.~~
- (~~h~~b) Artwork. ~~Artwork is allowed in all districts, provided it does not contain a commercial message. The portion of the artwork containing a commercial message shall be part of the computation of the allowable sign area, as described in section 26.15X.~~
- (~~u~~) Bus stop informational signs. ~~Bus stop informational signs up to three square feet in area.~~
- (~~m~~) Construction signs. ~~One construction sign shall be allowed on each parcel within the city. Construction signs shall not exceed three square feet in sign area for residential properties, and 16 square feet in sign area for nonresidential properties.~~
- (~~j~~c) Flags. There shall be a maximum of one flagpole and three flags permitted for each parcel in the city. Flagpoles in residential districts shall not exceed 20 feet in height, and flagpoles in nonresidential districts shall not exceed 30 feet in height. The maximum size of such flags shall be as follows: The maximum distance from top to bottom of any flag shall be 20 percent of the total height of the flagpole, or in the absence of a flagpole, 20 percent of the distance from the top of the flag or insignia to the ground. Flags containing a commercial message shall be part of the computation of the allowable area for freestanding signs.
- (~~d~~) Government signs. ~~Informational, directional and regulatory signs located within rights-of-way or on publicly-owned land that are installed by the City or other governmental signs installed with the approval of the City. Official regulatory or warning signs upon any body of water (river, bay, lake, or other body of water) within the limits of the City, informational or directional signs installed by the City or with the approval of the City upon any body of water within the limits of the City in connection with a water path or paddling trail.~~

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- (le) *Machinery and equipment signs.* Machinery and equipment signs shall be allowed in all districts.
- (lf) *Nameplate signs or occupant identification signs.* For each residence, business or other occupancy within the city, one nameplate sign may be displayed. For residences the nameplate or occupant identification signs shall not exceed two square feet in sign area. For any nonresidential use, the nameplate or occupant identification sign shall not exceed six square feet in sign area.
- (lg) ~~Noncommercial onsite~~ *Onsite directional signs.* ~~Noncommercial onsite~~ Onsite directional signs, not exceeding four square feet in sign area, shall be allowed on each parcel within the city per sign face.
- (lh) ~~Noncommercial onsite~~ *parking space signs.* ~~Noncommercial onsite~~ parking space number signs, not exceeding one square foot of sign face per sign, shall be allowed on each parcel in noncommercial use having multiple parking spaces onsite. One such sign shall be allowed for each parking space.
- (li) ~~Noncommercial onsite~~ *marina slip number signs.* ~~Noncommercial onsite~~ marina slip number signs, not exceeding one square foot of sign face per sign, shall be allowed for each marina having marina slips. One such sign shall be allowed for each marina slip.
- (ln) ~~Real estate signs.~~ For each parcel within the city, one real estate sign may be displayed on each parcel of land or part thereof that is for sale, lease, or rent; however, when more than one dwelling unit or nonresidential space on a parcel of land is for sale, lease, or rent, there may be one real estate sign for each such unit or space. In addition, waterfront lots may display one additional real estate sign within the required waterfront yard. Real estate signs shall not exceed three square feet in sign area for residential properties, and 16 square feet in sign area for nonresidential properties. The real estate sign shall be removed immediately upon the sale, lease or rent of the real estate that was offered for sale, lease, or rent.
- (lj) *Warning signs and safety signs.* Warning signs and safety signs, not exceeding four square feet in sign area, shall be allowed in all districts.
- (lk) *Special event sign.* A special event sign may be allowed subject to the conditions of the associated special event permit or City sponsorship conditions, along with any restrictions placed specifically on special event signage within this division. All other restrictions of this division, not specific to special event signs, shall not be applicable.
- (ll) *Temporary window signs.* Temporary window signs shall be allowed on parcels being used for multifamily residential, office, commercial, and public/semipublic uses. The maximum area of such signs in areas classified as office, commercial, and public/semipublic shall not exceed 25-50 percent of windowpane area or 100 square feet, whichever is less. In multifamily residential areas, the area of temporary window signs shall not exceed 25 square feet. If the use displaying such temporary window sign(s) is also displaying permanent window sign(s), as authorized in Sec. 26.11(d), then the total area of the window covered by a combination of all window signs shall not exceed 65% of the windowpane area. Temporary window signs that are illuminated shall be part of the computation of the allowable area for attached signs.
- (lm) *Temporary signs.* One temporary sign per property, not exceeding three square feet in area on residential property, and 12 square feet in area on nonresidential property, shall be allowed. Additionally, an unlimited number of temporary signs shall be allowed on both residential and nonresidential property from thirty days prior to an election held in the city to two days following an election held in the city, provided all other restrictions of this sign type are met. A temporary sign for a non-election predictable event shall be posted no more than seven days prior to the event and removed no more than two days following the event. A temporary sign for a non-election unpredictable event shall be removed no more than two days following the event. This regulation does not pertain to a temporary sign otherwise regulated by a special event permit. Signs may be

freestanding or attached wall signs and shall not be of a type prohibited in section 26.513. Temporary signs are further regulated by type as follows:

- (1) Freestanding temporary signs. If freestanding, signs shall not exceed three feet in height on residential property and six feet in height on nonresidential property, shall be located outside of the visibility triangle required by section 6.21 of this Code, shall be located outside of any required pedestrian access, public safety access, or parking access or space, and shall be located a minimum of three feet from the sidewalk or curb line on private property.
 - (2) Attached temporary signs. If attached, signs shall be erected as permitted for a wall sign and shall not exceed in height the eave or parapet line of the building.
- (f) ~~Free expression signs.~~ For each parcel within the city and for each residential unit within a multifamily residence, one free expression sign not exceeding three square feet in sign area may be displayed. The free expression sign may be displayed as an attached sign or as a freestanding sign; if displayed as a freestanding sign, the free standing sign shall not exceed three feet in height. A free expression sign is in addition to any other sign permitted under this Code and is permitted in any zoning district. Only one such sign shall be permitted on each such parcel or each residential unit. The sign must be located within six feet of a building located on the lot or parcel; or if there is no building on the lot or parcel, the sign must be located at least 15 feet from any street.
- (g) ~~Election signs.~~ For each lot within the city one election sign for each issue may be displayed. An election sign may be displayed as an attached sign or as a freestanding sign. On parcels that are in residential use, the election sign shall not exceed three square feet in sign area; and, if the election sign is displayed as a freestanding sign on the parcel, the election sign shall not exceed three feet in height. On parcels that are in nonresidential use, the election sign shall not exceed 12 square feet in sign area; and, if the election sign is displayed as a freestanding sign on the parcel, the election sign shall not exceed six feet in height. Freestanding election signs shall be set back at least three feet behind the sidewalk or, if there is no sidewalk, ten feet from the edge of pavement. Election signs are prohibited on public property and public right-of-way. An election sign shall be removed within seven ~~(7)~~ calendar days following the election to which it pertains.

For this section, the term lot means: the least fractional part of subdivided lands having limited fixed boundaries and an assigned number, letter, legal description or other name through which it may be identified

- (o) ~~Temporary garage-yard sale signs.~~ For each parcel with a lawful residential use, one temporary garage-yard sale sign may be displayed. A temporary garage-yard sale sign shall not exceed four square feet in sign area. A temporary garage-yard sale sign may not be displayed for a period longer than two days during any calendar month and shall be removed upon the conclusion of the sale.
- (p) ~~Temporary grand opening signs.~~ For each new business or business name change, one temporary grand opening sign shall be permitted for 30 days after the issuance of an occupational license for the new business or the business name change. A temporary grand opening sign shall not exceed 12 ~~16~~ square feet in sign area. A temporary grand opening sign may be a temporary covering, such as a toaster cover, sign boot, or sign sock, which covers an existing permitted attached or freestanding sign.
- (q) ~~Temporary seasonal signage.~~ During the period November 15 until January 7 each year, each business holding a valid business tax receipt shall be allowed to display one additional sign of the types allowed for the applicable zoning district, excluding freestanding pole or monument signs. Such sign shall not require a permit, but must conform to the dimensional requirements of the code.
- (r) ~~Window signs.~~ For each parcel within the city, one or more window signs may be displayed. On parcels that are in residential use, the window sign(s) shall not exceed an aggregate of three square feet in sign area. On parcels that are in nonresidential use, the window sign(s) shall not be restricted from the date

of adoption of this ordinance until December 31, 2012; following which such signage shall not exceed an aggregate of more than 50 percent of any window surface.

- (s) ~~Temporary holiday and seasonal decorations.~~ Temporary holiday and seasonal decorations shall be allowed in all districts.
- (t) ~~Temporary valet parking station signs.~~ One temporary valet parking station sign no more than four square feet in sign area shall be allowed on each parcel. The temporary valet parking station sign shall only be visible during hours that the valet is operating.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13; Ord. No. 2016-24, § 5, 1-10-17)

Sec. 26.4-14. Prohibited signs.

The following signs and sign types are prohibited within the city limits and shall not be erected. Any lawfully existing permanent sign or sign type which is among the prohibited signs and sign types listed below shall be deemed a nonconforming sign subject to the provisions of section 26.5.

- (a) ~~Billboards; off-site signs.~~
- (~~a~~b) Revolving signs; rotating signs.
- (~~b~~e) Flashing signs ~~or~~, animated signs, multi-prism signs and beacon lights, except when required by the Federal Aviation Administration or other government agency.
- (~~c~~d) Banners, except those used to advertise approved special events, approved with a special event permit, those installed for 30 days after the issuance of a business' tax receipt for a new business, or when used during transitional or emergency events as regulated in Section 26.19. ~~For special events,~~ The banner may not be placed on the property in which the event is to take place more than 21 days prior to the special event. For new businesses, the size of the banner may not exceed the allowance otherwise permitted for attached signage, shall be attached to the building or face of an existing freestanding sign, and shall be secured to resist movement from wind.
- (~~d~~) Pennants, streamers, and all other fluttering, spinning, or similar type signs and advertising devices.
- (e) Wind signs.
- (f) Portable signs, other than sandwich board signs as allowed within certain zoning districts pursuant to this division.
- (g) Roof signs, other than integral roof signs in nonresidential zoning districts.
- (h) Abandoned and discontinued signs, except as temporarily permitted in Section 26.19.
- (i) Snipe signs.
- (j) Bus bench advertising signs; bus shelter advertising signs.
- (k) Signs that emit sound, vapor, smoke, odor, particles or gaseous matter, or project three-dimensional images, holographic images or pyrotechnics, with the exception that signs emitting audible sound erected to accomplish compliance with the Americans with Disabilities Act shall be authorized.
- (l) Signs that have unshielded illuminating devices, other than electronic changeable message sign displays permitted in accordance with this division.
- (m) Signs that obstruct, conceal, hide or otherwise obscure from view any official traffic or governmental sign, signal or device.
- (~~n~~) Any attached sign that exceeds 100 square feet in area.

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- (o) ~~Any freestanding sign that is higher than 35 feet.~~
 - (p) ~~Any freestanding sign that exceeds 135 square feet in sign area.~~
 - (qn) Any sign within a sight visibility triangle that obstructs a clear view of pedestrian or vehicular traffic.
 - (ro) Any sign in or over the public right-of-way, ~~other than traffic control device signs, bus stop informational signs, warning signs or safety signs except government signs or as otherwise provided by this division.~~
 - (sp) Any sign attached to or painted on a seawall ~~or~~, pier, dock, or tie pole, other than a government sign, warning sign or safety sign, or signs otherwise required by local, state or federal law.
 - (tg) Signs in or upon any river, bay, lake, or other body of water within the limits of the City, other than government signs, warning or safety signs or signs otherwise required by local, state or federal law. The City Manager or designee are authorized to remove and dispose of any temporary sign placed within the City right-of-way in violation of this ordinance.
 - (ur) Any sign other than a traffic control device sign that uses the word "stop" or "danger," or presents or implies the need or requirement of stopping or the existence of danger, or which is a copy or limitation of official traffic control device signs, and which is adjacent to the right-of-way of any road, street, or highway.
 - (vs) Any sign nailed, fastened ~~or~~, affixed to, hanging from, or painted on any tree or other vegetation, or part thereof (living or dead).
 - (wt) Any sign prohibited by state or federal law.
 - (xu) Vehicle signs, as defined by this division, and portable trailer signs.
 - (yv) Any sign located on real property without the permission of the property owner.
 - (y) ~~Beacons, except as required by federal or state law.~~

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.15. - Methods of Measurement

- (a) Setbacks. Required setbacks for signs in all zoning districts shall be measured from the property line to the nearest part of the sign.
- (b) Height. Height for freestanding signs in all zoning districts shall be computed as the distance from the base of the sign structure at ground level to the highest point of the sign structure. In cases where the ground level, as defined in this section, cannot reasonably be determined, sign height shall be derived on the assumption that the elevation of the ground at the base of the sign is equal to the average elevation at the front property line of the zone lot.
- (c) Area.
 - (1) Freestanding sign, monument base. Sign area shall be computed as the extreme outer dimensions of the freestanding structure, excluding the support structure base and architectural features. . When sign copy has been attached or painted on a background panel or area distinctively painted, textured, or constructed to serve as the background for the sign copy, sign area shall be computed as the area enclosed by the smallest single rectangle that can be drawn around the outside dimensions of the background panel or surface, including sign trim or frame.

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- (2) Freestanding sign, pole base. Sign area shall be computed as the area enclosed by the smallest single rectangle that will enclose the sign structure, exclusive of poles.
- (3) Attached sign, single element. Sign area shall be computed within a single perimeter composed of squares or rectangles that enclose the sign structure, background panel, or surface, including sign trim and frame.
- (4) Attached sign, multiple elements. When signs are constructed of individual elements, such as signs that consist of individual letters or signs have an additional background panel or surface for a logo, the area of all sign elements which together convey a single, complete message, shall be considered as a single sign. Sign area shall be computed by summing the area of each element enclosed by the smallest single rectangle that can be drawn around the complete message of sign copy, background panel or surface, including sign trim or frame.
- (5) Signs painted directly on walls, awnings, canopies, or other structures. The area of a sign painted directly on a wall, awning, canopy, marquee, or other structure that has not been distinctively painted, textured, or constructed to serve as a background for the sign copy, shall be computed as the area enclosed by the smallest single rectangle that can be drawn around the commercial message, including all sign copy, logos, or other representation or image that directly or indirectly represents a business, product, or other commercial activity. When a sign has been painted on a background panel or area distinctively painted, textured, or constructed to serve as the background for the sign copy, sign area shall be computed as the area enclosed by the smallest single rectangle that can be drawn around the outside dimensions of the background panel or surface, including sign trim or frame.
- (6) Window signs. Sign area shall be computed as the area enclosed by the smallest single rectangle that that can be drawn around the outside dimensions of the sign display, including sign trim or frame.
- (7) Double-faced signs. On a sign where two sign faces are back to back and directionally oriented 180 degrees from each other, the sign area shall be computed as the area of one sign face. Where the two faces of a double-faced sign are not equal in size, the larger sign face shall be used in the area computation. Where two sign faces are directionally oriented at an interior angle other than 180 degrees, both sign faces shall be counted toward sign area.

Sec. 26.16. - Adoption of Zoning Regulations

- (a) Intent. It is the intent of this section to regulate signs visible from a public right-of-way in a manner that is consistent with the land use classification which establishes the character of the area in which the signs are located and in keeping with the overall character of the community.
- (b) Adoption of zoning regulations. The boundaries of the various districts shown upon the official zoning map and the regulations of the comprehensive zoning ordinance contained in Land Development Code, governing the use of land and buildings and other matters set forth therein are made part of this division. Except as provided in this division, no sign shall be erected, enlarged, reconstructed or structurally altered which does not comply with all the district regulations established by this division for the zoning district in which it is located.
- (d) If no height or size restriction is specifically provided regarding any sign located in the City, the height and size restrictions for a structure in the zone in which the sign is located will govern.

- (e) Any building or land use not conforming to the zoning ordinance provisions for the zone in which it is located, shall, nevertheless, comply with all provisions of this division for the zone in which it is located.
- (f) Except as provided in this division, no sign shall be erected, enlarged, reconstructed or structurally altered which does not comply with all the district regulations established by this division for the zoning district in which it is located.

Sec. 26.17. – Permitted signs and standards by zoning districts.

- (a) The following types of signs are permitted **for businesses** in the Activity Center (AC), Bayou Residential (BR), Commercial Corridor-1 (CC-1), Commercial Corridor-2 (CC-2), **and Institutional (INS) districts, and Residential/Office/Retail (R/O/R) districts**, as follows:

Table 26.17.a - Standards for Signs in the AC, BR, CC-1, CC-2, CG-1, CG-2, INS, ROR-Districts¹			
<u>Permitted Sign Types</u>	<u>Freestanding Signs</u>	<u>Attached Signs</u>	<u>Projecting Signs</u>
<u>Maximum Quantity:</u> businesses with less than 200 ft of frontage may choose up to 2 signs; business with 200 to 300 ft of frontage may choose up to 3 signs; businesses with more than 300 ft of frontage may choose up to 4 signs	<u>1 per street frontage, not to exceed a maximum of 2. When a zoning lot contains multiple businesses, no more than one freestanding sign may be permitted for each 200 linear feet of lot frontage along any single frontage.</u>	<u>1 per street building frontage not to exceed a maximum of 2, or 1 per business building frontage per business if in a multi-tenant development</u>	<u>1 per business</u>
<u>Maximum Area (per sign)</u>	<u>60 ft². When a zoning lot is permitted more than one freestanding sign along a street frontage, one freestanding sign of 120 ft² may be substituted for two freestanding signs of 60 ft² but shall be set back at least ten feet from the front property line.</u>	<u>1 ft² per linear foot of building frontage</u>	<u>12 ft²</u>
<u>Maximum Height</u>	<u>15 feet</u>	<u>Shall not appear above second floor the fascia on hip, gable or mansard roofs, or the highest point of the roof inclusive of the parapet on flat roofs of building</u>	<u>=</u>
<u>Maximum Width</u>	<u>A freestanding sign shall not have a sign area width that exceeds an aspect of 2:1 with its height.</u>	<u>=</u>	<u>=</u>

¹ Subject to additional standards set forth in Section 26.18.

- (b) The following types of signs are permitted **for businesses** in the Boutique Hotel/Condo (B/HC), Large Resort (LR), and Resort Facilities Medium (RFM) districts, as follows:

Table 26.17.b - Standards for Signs in the B/HC, LR, and RFM Districts²			
<u>Permitted Sign Types</u>	<u>Freestanding Signs</u>	<u>Attached Signs</u>	<u>Projecting Signs</u>

<p><u>Maximum Quantity:</u> businesses with less than 200 ft of frontage may choose up to 2 signs; business with 200 to 300 ft of frontage may choose up to 3 signs; businesses with more than 300 ft of frontage may choose up to 4 signs</p>	<p><u>1 per street frontage, not to exceed a maximum of 2, per business frontage. When a zoning lot contains multiple businesses, no more than one freestanding sign may be permitted for each 200 linear feet of lot frontage along any single frontage.</u></p>	<p><u>1 per building frontage not to exceed a maximum of 2, or 1 per building frontage per business if in a multi-tenant development</u> <u>1 per street frontage not to exceed a maximum of 2, or 1 per business if in a multi-tenant development</u></p>	<p><u>1 per business</u></p>
<p><u>Maximum Area (per sign)</u></p>	<p><u>60 ft². When a zoning lot is permitted more than one freestanding sign along a street frontage, one freestanding sign of 120 ft² may be substituted for two freestanding signs of 60 ft² but shall be set back at least ten feet from the front property line.</u></p>	<p><u>1 ft² per linear foot of building frontage</u> <u>Not to exceed an aggregate area of 70 ft²</u></p>	<p><u>12 ft²</u></p>
<p><u>Maximum Height</u></p>	<p><u>15 feet</u></p>	<p><u>Shall not appear above the fascia on hip, gable or mansard roofs, or the highest point of the roof inclusive of the parapet on flat roofs.</u> <u>the second floor of building</u></p>	
<p><u>Maximum Width</u></p>	<p><u>A freestanding sign shall not have a sign area width that exceeds an aspect of 2:1 with its height.</u></p>	<p>=</p>	<p>=</p>

² Subject to additional standards set forth in Section 26.18.

(c) The following types of signs are permitted for businesses in the Town Center Core (TC-1), Town Center Corey Circle and Coquina West (TC-2), Upham Beach Village (UBV), Residential/Office/Retail (ROR), and Community Redevelopment District-Eighth Avenue (CRD-EA) districts, as follows:

<i>Table 26.17.c - Standards for Signs in the TC-1, TC-2, UBV, ROR, and CRD-EA³ Districts³Districts⁴</i>			
<u>Permitted Sign Types</u>	<u>Freestanding Signs</u>	<u>Attached Signs</u>	<u>Projecting Signs</u>
<p><u>Maximum Quantity:</u> businesses with less than 200 ft of frontage may choose up to 2 signs; business with 200 to 300 ft of frontage may choose up to 3 signs; businesses</p>	<p><u>For street frontages along Gulf Blvd, Boca Ciega, Blind Pass, and Pass-a-Grille Way: 1</u> <u>For all other streets: Not permitted</u></p>	<p><u>1 per building frontage per business</u> <u>1 per street frontage</u></p>	<p><u>1 per business</u></p>

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<u>with more than 300 ft of frontage may choose up to 4 signs</u>			
<u>Maximum Area (per sign)</u>	<u>40 ft²</u>	<u>1 ft² per linear foot of building frontage, not to exceed a maximum area of 40 ft²</u>	<u>12 ft²</u>
<u>Maximum Height</u>	<u>10 feet</u>	<u>Shall not appear above the fascia on hip, gable or mansard roofs, or the highest point of the roof inclusive of the parapet on flat roofs.first floor of building</u>	=
<u>Maximum Width</u>	<u>A freestanding sign shall not have a sign area width that exceeds an aspect of 2:1 with its height.</u>	=	=

³ Subject to additional standards set forth in Division 40, as may be amended.

³⁴ Subject to additional standards set forth in Section 26.18.

(d) The following types of signs are permitted depending on property use in the Residential Urban districts (RU-1 and RU-2), Residential Low Medium districts (RLM-1 and RLM-2) districts, Residential Medium (RM) district, and Downtown Core Residential (DCR) district, as follows:

<u>Table 26.17.d - Standards for Signs in the RU-1, RU-2, RLM-1, RLM-2, RM, DCR, and TH Districts⁵⁴</u>			
<u>Permitted Sign Types</u>	<u>Freestanding Signs</u>	<u>Attached Signs</u>	<u>Projecting Signs</u>
<u>Maximum Quantity: 2</u>	<u>For residential uses: 1 subdivision identification sign at the neighborhood entrance. The subdivision identification sign shall be constructed with a monument base.</u> <u>For non-residential uses: 1</u>	<u>1 per non-residential parcel</u>	<u>Not permitted</u>
<u>Maximum Area (per sign)</u>	<u>24 ft²</u>	<u>8 ft² or 1 ft² per linear foot of building frontage, whichever is less</u>	=
<u>Maximum Height</u>	<u>6 feet</u>	<u>Shall not appear above the first floor of the building</u>	=
<u>Maximum Width</u>	<u>A freestanding sign shall not have a sign area width that exceeds an aspect of 2:1 compared with its height.</u>	=	=

⁵⁴ Subject to additional standards set forth in Section 26.18.

(e) Additional restrictions on signage in the Pass-A-Grille Overlay District may be found in Division 20, as may be amended.

Sec. 26.18. Standards for Specific Sign Types.

In addition to the regulations prescribed by this sign code generally, the following regulations for certain sign types shall apply.

- (a) Electronic message board signs. The following conditions and restrictions shall apply to electronic message board signs:
- (1) Location. Electronic message board signs are only permitted for nonresidential uses on properties adjacent to Gulf Boulevard from 37th Avenue to 75th Avenue. Electronic message board signs shall only be located in a front yard, and in no case shall be closer than 10 feet from the front yard property line.
 - (2) Design. An electronic message board sign shall only be permitted as an integral component of a freestanding sign. The width, depth, and color of the cabinet containing the electronic message board shall be compatible with the design of the primary sign structure.
 - (3) Size. An electronic message board sign shall comprise no more than 50 percent of the overall sign area of the freestanding sign and shall not, in any case, exceed 32 square feet in area.
 - (4) Brightness. Maximum illumination intensity level for electronic message board signs shall not exceed 0.3 foot candles over ambient light when measured at 50 linear feet from the base of the sign.
 - (4) Dwell time. The minimum amount of time that a message or display on an electronic message board sign remains fixed shall be one minute.
 - (5) Static images and messages. The image or message shall be static. There shall be no animation, flashing, scintillating lighting, movement, or the varying of light intensity during the message. Messages or images shall not scroll and shall not give any appearance or optical illusion of movement.
 - (6) Default mechanism. The sign shall have a default mechanism or setting that will cause the sign to turn off or show a "full black" image if a visible malfunction or failure occurs.
 - (7) Electronic message board signs, including LED-type, shall only be permitted as defined above. All other existing nonconforming electronic message board signs shall be subject to the amortization schedule set forth in section 26.6.
- (b) Waterside identification signs. For each parcel within the City with a residential complex or licensed commercial establishment(s) that has at least one façade that can only be viewed from a navigable waterway, one (1) waterside identification sign shall be allowed per such façade. A waterside identification sign may be either a freestanding sign or an attached sign. A waterside identification sign shall not exceed eight (8) feet in height and shall not exceed 40 square feet in sign area. A waterside identification sign shall not be illuminated. A waterside identification sign shall be in addition to the signage otherwise allowed pursuant to the other provisions of this division.
- (c) Attached menu display signs. For each parcel with either (a) a restaurant without drive-thru service, or (b) with a transient lodging facility that has restaurant facilities open to the general public in addition to registered guests, one (1) attached menu display sign shall be allowed. An attached menu display sign shall be a wall sign not exceeding 12 square feet in sign area. An attached menu display sign shall be in addition to the signage otherwise allowed pursuant to the other provisions of this division.
- (d) Drive-thru menu signs. For each parcel with a licensed commercial establishment that utilizes a drive-thru lane, one (1) drive-thru menu sign shall be allowed for each drive-thru lane. A drive-thru menu sign may be either a free-standing sign or an attached sign and shall not exceed 40 square feet in sign

area and ten (10) feet in height. Drive-thru menu signs shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

- (e) Sandwich board/A-frame signs. One (1) sandwich board sign shall be allowed for each licensed commercial establishment. Sandwich board signs shall not be placed in the right-of-way, shall not be placed within the visibility triangle required for intersections at streets and driveways, as required by this Code, be no larger than five feet in height and 12 square feet in area per face, shall not obstruct walkways or fire access, shall have no illumination of any kind, and may be displayed only during the time when the business in front of which the sign is located is open to the public.
- (f) Theater signs. For each parcel with a theater use, one attached theater sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater, subject to a maximum limit of 64 square feet in sign area. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (g) Boat or beach concession signs. Boat or beach concession signs shall only be permitted in the RFM district. Each licensed boat or beach concession rental business operating along the Gulf and on the site of a business having Gulf frontage may be permitted signs as follows:
- (1) Permission required. The applicant shall provide the city with a letter, granting approval for placement of the signs, from the owner of the real property upon which signs are to be located prior to the issuance of a permit.
- (2) Lighted signs. Lighted signs shall be prohibited.
- (3) Sandwich board signs. Operators may display sandwich board sign ~~on~~ at the building frontage adjacent to the sandy beach during the hours of business operation in accordance with subparagraphs (i) through (iv) below. Such signs shall be removed from the beach when the business is closed.
- (i) Maximum area: ~~12-Eight~~ square feet per face.
- (ii) Number permitted: One.
- (iii) Maximum height: Five feet.
- (iv) Setbacks: 40 feet from the ~~water's edge~~ visible water line.
- (4) Tiki hut or ticket office signs. Operators may display signs on the tiki huts or ticket offices as follows:
- (i) Maximum area: Eight square feet per face.
- (ii) Number permitted: Three per tiki hut; not more than two on one side.
- (iii) Location: Signs may be attached to or painted on the sides of the tiki hut at a point no higher than four feet above the ground, provided however, that one of the signs may be raised and attached at a point on the side of the tiki hut just below the eave of the roof.
- (5) Operators without a tiki hut or ticket office. Licensed board or beach concession rental businesses that do not use a tiki hut or other structure for their businesses shall be permitted to keep one sandwich board sign on the beach ~~overnight~~, provided such sign is no larger than ~~eight-eight~~ square feet in area per face, ~~five feet in height, located outside of any pedestrian or emergency easement, and is and is located or protected so as to not be a hazard to people walking on the beach after dark~~ removed from the beach nightly. Signs shall be kept a minimum of 40 feet ~~landward of the visible water line at all times.~~

Sec 26.19. Transitional and Emergency Signage

- (a) Notwithstanding any other restriction of this Division, a business' signage that is damaged to less than 25% of its depreciated value, and which is maintained in a safe condition, shall not be considered abandoned during the following circumstances:
- (1) During a declared local state of emergency, retroactive to the date of the emergency event;
 - (2) Following a local state of emergency, for the length of time it takes to restore the business to occupiable pre-storm condition, provided that such restoration does not constitute a substantial improvement and the property is maintained with an active building permit during this timeframe;
 - (3) For 90 days following the completion of work listed in (2), preceding.
- (b) Notwithstanding any other restriction of this Division, a business may have one banner during the following timeframes and subject to the following conditions:
- (2) One banner may be placed in the same location as a permitted attached sign from the date of permit issuance for the attached sign until the sign is installed, not to exceed 180 days. The banner shall be no larger in square footage than the attached sign which is permitted for the location and shall be fastened to the building to resist movement from wind.
 - (3) In addition to other permitted signage, one banner may be permitted per operational business during the declaration of a local state of emergency. The banner shall be no larger in square footage than the size of an attached sign permitted for the property, and shall be removed within seven days following the end of the local state of emergency. The sign shall be fastened to the building containing the business to resist movement from wind.

Sec. 26.26. Residential Zoning Districts.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, the following permanent signs are also allowed within RU-1, RU-2, RLM-1, RLM-2, RM, Districts. The permanent signs described below require a sign permit.

- (a) *Subdivision monument identification signs.* For each platted subdivision or neighborhood entrance within any RU-1, RU-2, RLM-1 and RLM-2 Residential Districts, one subdivision monument identification sign not exceeding six feet in height and 24 square feet in sign area shall be allowed.
- (b) *Freestanding monument signs.* For each parcel with a lawful nonresidential use within the RU-1, RU-2, RLM-1 and RLM-2 Residential Districts, one freestanding monument sign shall be allowed. The freestanding monument sign shall be subject to the following limitations:
- (1) *Maximum height.* The monument sign shall not exceed six feet in height.
 - (2) *Maximum size.* The monument sign shall not exceed 18 square feet in sign area. However, in the event that the parcel is greater than one acre in size and has two street frontages, two freestanding monument signs shall be allowed, but each freestanding monument sign shall be subject to the maximum height and maximum size criteria described above.
- (c) *Attached signs.* For each parcel with a lawful nonresidential use within the RU-1, RU-2, RLM-1 and RLM-2 Residential Districts, one attached sign shall be allowed. The attached sign shall be subject to the following limitations:
- (1) *Maximum size.* An attached sign shall not exceed six square feet in sign area.

(2) — *Height restrictions.* An attached sign may not appear above the first floor of a building.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.27. RM and DCR Residential Districts.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, the following permanent signs are also allowed within RM Residential District. The permanent signs described below require a sign permit:

- (a) — *Subdivision monument identification signs.* For each platted subdivision or neighborhood entrance within any RM or DCR Residential District, one subdivision monument identification sign not exceeding six feet in height and 24 square feet in sign area shall be allowed.
- (b) — *Freestanding monument signs.* For each parcel with a lawful nonresidential use within the RM or DCR Residential District, one freestanding monument sign shall be allowed. The freestanding monument sign shall be subject to the following limitations:
 - (1) — *Maximum height.* The monument sign shall not exceed eight feet in height.
 - (2) — *Maximum size.* The monument sign shall not exceed 24 square feet in sign area. However, in the event that the parcel is greater than one acre in size and has two street frontages, two freestanding monument signs shall be allowed, but each freestanding monument sign shall be subject to the maximum height and maximum size criteria described above.
- (c) — *Attached signs.* For each parcel with a lawful nonresidential use within the RM or DCR districts, one attached sign shall be allowed. The attached sign shall be subject to the following limitations:
 - (1) — *Maximum size.* An attached sign shall not have a sign area that exceeds (a) eight square feet or (b) one square foot for each linear foot of building frontage, whichever is less.
 - (2) — *Height restrictions.* An attached sign may not appear above the first floor of a building.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.28. ROR Residential/Office/Retail District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the ROR District may have up to three of the following signs in [subsections] (a) — (c) below, subject to permit approval and compliance with the conditions for each type of sign:

- (a) — *Subdivision monument identification signs.* For each platted subdivision or neighborhood entrance within any ROR Residential/Office/Retail District, one subdivision monument identification sign not exceeding six feet in height and 24 square feet in sign area shall be allowed.
- (b) — *Freestanding monument signs.* For each parcel with a lawful nonresidential use within the ROR Residential/Office/Retail District, one freestanding monument sign shall be allowed. The freestanding monument sign shall be subject to the following limitations:
 - (1) — *Maximum height.* The monument sign shall not exceed ten feet in height.
 - (2) — *Maximum size.* The monument sign shall not exceed 40 square feet in sign area. However, in the event that the parcel is greater than one acre in size and has two street frontages, two freestanding monument signs shall be allowed, but each freestanding monument sign shall be subject to the maximum height and maximum size criteria described above.

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- (c) ~~Attached signs.~~ For each parcel with a lawful nonresidential use within the ROR Residential/Office/Retail District, attached signs shall be allowed. Attached signs shall be subject to the following limitations:
- (1) ~~Maximum size.~~ An attached sign shall not have a sign area that exceeds one square foot for each linear foot of building frontage.
 - (2) ~~Height restrictions.~~ An attached sign may not appear above the second floor of a building.
- (d) ~~One sandwich board sign or one designer sign, subject to the following:~~
- (1) ~~Sandwich board~~—Shall be located in front of the storefront for which it advertises and shall not be placed in the right-of-way, shall not be placed within the visibility triangle required for intersections at streets and driveways, as required by this Code, be no larger than five feet in height and 12 square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.
 - (2) ~~Designer sign~~—Shall not be located on public right-of-way or within the visibility triangle required by this Code and shall be no larger than five feet tall by three feet wide by three feet deep.
- (e) ~~A projecting sign, provided that the sign is no larger than 12 square feet in area, does not project within two feet of any curb, and has a minimum ground clearance of seven feet.~~

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.29. RFM Resort Facilities Medium District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, the following permanent signs and temporary signs are also allowed within RFM Resort Facilities Medium District. The permanent signs described below require a sign permit:

- (a) ~~Freestanding monument signs.~~ For each parcel with a lawful nonresidential use within any RFM Resort Facilities Medium District, one freestanding monument sign shall be allowed. The freestanding monument sign shall be subject to the following limitations:
 - (1) ~~Maximum height.~~ The monument sign shall not exceed 20 feet in height.
 - (2) ~~Maximum size.~~ The monument sign shall not exceed 135 square feet in sign area. However, in the event that the parcel is greater than one acre in size and has two street frontages or more than 400 feet along one street frontage, two freestanding monument signs shall be allowed, but each freestanding monument sign shall be subject to the maximum height and maximum size criteria described above.
- (b) ~~Attached signs.~~ For each parcel with a lawful nonresidential use within the RFM Resort Facilities Medium District, attached signs shall be allowed. Attached signs shall be subject to the following limitations:
 - (1) ~~Maximum number.~~ Up to three attached signs shall be allowed with a combined sign area not exceeding the maximum permitted in paragraph (c)(2); however, in the event the parcel contains a multi-tenant development, each individual business use may have one attached sign.
 - (2) ~~Maximum size.~~ An attached sign shall not have a sign area that exceeds one square foot for each linear foot of building frontage.
 - (3) ~~Height restrictions.~~ An attached sign may not appear above the second floor of a building.
- (c) ~~Drive-thru menu signs.~~ For each parcel with a lawful nonresidential use that utilizes a drive-thru lane within RFM Resort Facilities Medium District, one drive-thru menu sign shall be allowed for each drive-

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thru lane. An allowed drive thru menu sign may be either a free-standing sign or an attached sign, and shall not exceed 40 square feet in sign area and ten feet in height. Drive thru menu signs shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

- (d) *Attached menu display signs.* For each parcel within RFM Resort Facilities Medium District with (a) a restaurant without drive thru service or (b) with a transient lodging facility that has restaurant facilities open to the general public, one attached menu display sign shall be allowed. An attached menu display sign shall be a wall sign not exceeding 12 square feet in sign area. An attached menu display sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (e) *Theater signs.* For each parcel with a theater within RFM Resort Facilities Medium District, one attached theater sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater, subject to a maximum limit of 64 square feet in sign area. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (f) *Waterside identification signs.* For each parcel within RFM Resort Facilities Medium District with a residential complex, business property or shopping center theater that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a free-standing sign or an attached sign. A waterside identification sign shall not exceed eight feet in height and shall not exceed 20 square feet in sign area. A waterside identification sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (g) *Boat or beach concession signs.* Each licensed boat or beach concession rental business operating along the Gulf of Mexico and on the site of a business having Gulf frontage may be permitted signs as follows:
 - (1) *Permission required.* The applicant shall provide the city with a letter, granting approval for placement of the signs, from the owner of the real property upon which signs are to be located prior to the issuance of a permit.
 - (2) *Advertising permitted.* Signs at boat or beach concession rental business licensed sites shall only provide descriptions of the specific activities and services offered at the site where the sign is located. Such signs shall not be permitted to advertise or imply the availability of any activities or services that are not specifically available at the site.
 - (3) *Lighted signs.* Lighted signs shall be prohibited.
 - (4) *Sandwich board signs.* Operators may display sandwich board sign on the sandy beach during the hours of business operation in accordance with subparagraphs (i) through (iv) below. Such signs shall be removed from the beach when the business is closed.
 - (i) *Maximum area:* 12 square feet per face.
 - (ii) *Number permitted:* One.
 - (iii) *Maximum height:* Five feet.
 - (iv) *Setbacks:* 40 feet from the water's edge.
 - (5) *Tiki hut or ticket office signs.* Operators may display signs on the tiki huts or ticket offices as follows:
 - (i) *Maximum area:* Eight square feet per face.

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- (ii) *Number permitted:* Three per tiki hut; not more than two on one side.
 - (iii) *Location:* Signs may be attached to or painted on the sides of the tiki hut at a point no higher than four feet above the ground, provided however, that one of the signs may be raised and attached at a point on the side of the tiki hut just below the eave of the roof.
- (6) *Operators without a tiki hut or ticket office.* Licensed board or beach concession rental businesses that do not use a tiki hut or other structure for their businesses shall be permitted to keep one sandwich board sign on the beach overnight, provided such sign is no larger than eight square feet in area per face and is located or protected so as to not be a hazard to people walking on the beach after dark.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.30. CG-1 Commercial District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the CG-1 District may have up to three of the following signs in [subsections] (a)–(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose up to four signs from [subsections] (a)–(f)):

- (a) *Freestanding monument signs.* Up to two freestanding monument signs are permitted, provided that the sign face does not exceed 50 square feet in area, is not taller than eight feet in height, and is not located within the visibility triangle as required by this Code. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may be up to 100 square feet in area, but shall not exceed eight feet in height. However, this sign shall be counted as two of the three or four permitted.
- (b) *Attached signs.* Subject to the following:
 - (1) *Maximum size.* An attached sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.
 - (2) *Height restrictions.* An attached sign may not appear above the second floor of a building.
- (c) *Drive-thru menu signs.* For each parcel with a lawful nonresidential use that utilizes a drive-thru lane within the CG-1 Commercial District, one drive-thru menu sign shall be allowed for each drive-thru lane. An allowed drive-thru menu sign may be either a free-standing sign or an attached sign, and shall not exceed 40 square feet in sign area and ten feet in height. Drive-thru menu signs shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (d) *Attached menu display signs.* For each parcel within the CG-1 Commercial District with a restaurant without drive-thru service or with a transient lodging facility that has restaurant facilities open to the general public, one attached menu display sign shall be allowed. An attached menu display sign shall be a wall sign not exceeding 12 square feet in sign area. An attached menu display sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (e) *Theater signs.* For each parcel with a theater within the CG-1 Commercial District, one attached theater sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

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- (f) — *Waterside identification signs.* For each parcel within the CG-1 Commercial District with a residential complex, business property or shopping center theater that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a freestanding sign or an attached sign. A waterside identification sign shall not exceed eight feet in height and shall not exceed 20 square feet in sign area. A waterside identification sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.31. CG-2 Commercial District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the CG-2 District may have up to three of the following signs in [subsections] (a)–(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose up to four signs from [subsections] (a)–(f)):

- (a) — *Freestanding monument.* Up to two freestanding monument signs are permitted, provided that the sign face does not exceed 50 square feet in area, is not taller than eight feet in height, and is not located within the visibility triangle as required by this Code. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may be up to 100 square feet in area, but shall not exceed eight feet in height. However, this sign shall be counted as two of the three or four permitted.
- (1) — *Maximum height.* The monument sign shall not exceed eight feet in height.
- (2) — *Maximum size.* The monument sign shall not exceed 50 square feet in sign area.
- (3) — *Setback.* The sign shall be set back at least ten feet from the property line.
- (b) — *Attached signs.* Attached signs shall be subject to the following limitations:
- (1) — *Maximum size.* An attached sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.
- (2) — *Height restrictions.* An attached sign may not appear above the second floor of a building.
- (c) — *Attached menu display signs.* An attached menu display sign shall not exceed 12 square feet in sign area.
- (d) — *Theater signs.* For each parcel with a theater within the CG-2 Commercial District, one attached theater sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (e) — *Waterside identification signs.* For each parcel within the CG-2 Commercial District with a residential complex, business property or shopping center theater that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a free-standing sign or an attached sign. A waterside identification sign shall not exceed eight feet in height and shall not exceed 20 square feet in sign area. A waterside identification sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (f) — One sandwich board sign or one designer sign, subject to the following:

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(Supp. No. 47)

(1) *Sandwich board*—Shall be located in front of the storefront for which it advertises and shall not be placed in the right-of-way, shall not be placed within the visibility triangle required for intersections at streets and driveways, as required by this Code, be no larger than five feet in height and 12 square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.

(2) *Designer sign*—Shall not be located on public right-of-way or within the visibility triangle required by this Code and shall be no larger than five feet tall by three feet wide by three feet deep.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.32. INS Institutional District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each institution may choose up to three signs from [subsections] (a)–(c) below, subject to the limitations for each sign.

(a) *Freestanding monument signs*. For each parcel with a lawful nonresidential use within any INS Institutional District, one freestanding monument sign shall be allowed. The freestanding monument sign shall be subject to the following limitations:

(1) *Maximum height*. The monument sign shall not exceed eight feet in height.

(2) *Maximum size*. The monument sign shall not exceed 50 square feet in sign area. However, in the event that the parcel is greater than one acre in size and has two street frontages, two freestanding monument signs shall be allowed, but each freestanding monument sign shall be subject to the maximum height and maximum size criteria described above.

(b) *Attached signs*. For each parcel with a lawful nonresidential use within the INS Institutional District, attached signs shall be allowed. Attached signs shall be subject to the following limitations:

(1) *Maximum number*. Only one attached sign shall be allowed.

(2) *Maximum size*. An attached sign shall not exceed a sign face area equal to (a) 24 square feet or (b) one square foot for each linear foot of building frontage, whichever is less.

(3) *Height restrictions*. An attached sign may not appear above the first floor of a building.

(c) One sandwich board sign or one designer sign, subject to the following:

(1) *Sandwich board*—Shall be located in front of the storefront for which it advertises and shall not be placed in the right-of-way, shall not be placed within the visibility triangle required for intersections at streets and driveways as required by this Code, be no larger than five feet in height and 12 square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.

(2) *Designer sign*—Shall not be located on public right-of-way or within the visibility triangle required by this Code and shall be no larger than five feet tall by three feet wide by three feet deep.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.33. TC 1 and TC 2 Districts.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the TC 1 or TC 2 District may have up to three of the following signs in [subsections] (a)–(f) below, subject to permit approval and compliance with the conditions for each type of sign. One of the allowable

signs may be internally illuminated subject to section 26.23. Such signs shall not be located on any building façade or property frontage adjacent to Corey Avenue.

- (a) One sandwich board sign or one designer sign, subject to the following:
 - (1) *Sandwich board*—Shall be located in front of the storefront for which it advertises and will not be placed in the right of way, not be placed within the visibility triangle required for intersections at streets and driveways, as required by this Code, be no larger than five feet in height and 12 square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.
 - (2) *Designer sign*—Shall not be located on public right of way or within the visibility triangle required by this Code and shall be no larger than five feet tall by three feet wide by three feet deep.
- (b) A marquee or canopy sign;
- (c) A menu display sign;
- (d) A projecting sign, provided that the sign is no larger than 12 square feet in area, does not project within two feet of any curb, and has a minimum ground clearance of seven feet;
- (e) A wall sign, provided the sign is not internally illuminated, unless such sign is on a parcel which abuts Gulf Boulevard south of 76th Avenue, in which case internal illumination shall be allowed. The area of the sign may be one square foot for every linear foot of building frontage, per business, not to exceed a total of 50 square feet.
- (f) A freestanding monument sign, provided that the sign face does not exceed 40 square feet in area, is not taller than eight feet in height, does not block any pedestrian walkway, and is not located within the visibility triangle as required by this Code. The sign may be located within the front yard setback.
- (g) *Waterside identification signs*. For facades of a building that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a free-standing sign or an attached sign. A waterside identification sign shall not exceed 40 square feet in area.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13; Ord. No. 2016-24, § 6, 1-10-17)

Sec. 26.34. LR and BHC Districts.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the LR or BHC District that has an exclusive entrance to the interior of the building from the exterior of the building may have up to three of the following signs in [subsections] (a)–(e) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose up to four from [subsections] (a)–(e) below):

- (a) A marquee or canopy sign;
- (b) A menu display sign;
- (c) A wall sign. The area of the sign may be one square foot for every linear foot of building frontage, per business, not to exceed a total of 70 square feet.
- (d) Up to two freestanding monument signs, provided that the sign face does not exceed 50 square feet in area, is not taller than 12 feet in height, and is not located within the visibility triangle as required by this Code. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may

be up to 100 square feet in area, but shall not exceed eight feet in height. However, this sign shall be counted as two of the four permitted.

(e) One sandwich board sign or one designer sign, subject to the following:

- (1) *Sandwich board*—Shall be located in front of the storefront for which it advertises and will not be located in the right-of-way, shall not be placed within the visibility triangle required for intersections at streets and driveways as required by this Code, be no larger than five feet in height and 12 square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.
- (2) *Designer sign*—Shall not be located on public right-of-way or within the visibility triangle required by this Code and shall be no larger than five feet tall by three feet wide by three feet deep.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.35. CC-1 and CC-2 Districts.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business may have up to three of the following signs in [subsections] (a)–(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose to four signs from [subsection] (a)–(f):

- (a) Freestanding monument signs. Up to two freestanding monument signs are permitted, provided that the sign face does not exceed 50 square feet in area, is not taller than eight feet in height, and is not located within the visibility triangle as required by this Code. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may be up to 100 square feet in area but shall not exceed eight feet in height. However this sign shall be counted as two of the three or four permitted.
- (b) A marquee or canopy sign;
- (c) A menu display sign not to exceed 12 square feet;
- (d) A projecting sign, provided that the sign is no larger than 12 square feet in area does not project within two feet of any curb and has a minimum ground clearance of seven feet;
- (e) Wall signs subject to the following:
 - (1) *Maximum size*. A wall sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.
 - (2) Internally illuminated signs are discouraged but not prohibited. Externally illuminated signs are preferable with lighting from above or below casting light on the sign but the lighting shall not shine directly onto adjacent properties or onto the right-of-way.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.36. CRD-EA District.

Each business with its own exterior entrance may have up two signs per frontage from the following list:

- (a) One projecting sign not to exceed 12 square feet and shall have a minimum clearance from the sidewalk of 7.5 feet.

(b) One attached sign, which may include a wall sign, a canopy, or a marquee sign; the attached sign may not be larger than one square foot for every linear foot of building frontage.

(c) One sandwich board sign or one designer sign, subject to the following:

(1) Sandwich board—Shall be located in front of the storefront for which it advertises and will not be placed in the right-of-way such that the sidewalk width would be less than 48 inches, not be placed within the visibility triangle required for intersections at streets and driveways, as required by this Code, be no larger than five feet in height and 12 square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.

(2) Designer sign—Shall not be located on public right-of-way or within the visibility triangle required by this Code and shall be no larger than five feet tall by three feet wide by three feet deep.

(d) All other signs are prohibited.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.37. UBV District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the UBV District may have up to three of the following signs in [subsections] (a)–(d) below, subject to permit approval and compliance with the conditions for each type of sign:

(a) A marquee or canopy sign;

(b) A projecting sign, provided that the sign is no larger than 12 square feet in area, does not project within two feet of any curb, and has a minimum ground clearance of seven feet;

(c) A wall sign, provided the sign is not internally illuminated. The sign may be externally illuminated with lighting from above or below casting light on the sign, but the lighting shall not shine directly onto adjacent properties or onto the right-of-way. The area of the sign may be one square foot for every linear foot of building frontage per business not to exceed a total of 40 square feet;

(d) A freestanding monument sign, provided that the sign face does not exceed 40 square feet in area, is not taller than five feet in height, does not block any pedestrian walkway and is not located within the visibility triangle as required by this Code. The sign may be externally illuminated with lighting from above or below casting light on the sign but the lighting shall not shine directly onto adjacent properties or onto the right-of-way.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.38. AC District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the AC District may have up to three of the following signs in [subsections] (a)–(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose up to four signs from [subsections] (a)–(f)):

(a) *Freestanding monument signs.* Up to two freestanding monument signs are permitted, provided that the sign face does not exceed 50 square feet in area is not taller than eight feet in height, and is not located within the visibility triangle as required by this Code. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have

one monument sign instead of two, the sign may be up to 100 square feet in area but shall not exceed eight feet in height. However, this sign shall be counted as two of the three or four permitted.

(b) *Attached signs.* subject to the following:

(1) *Maximum size.* An attached sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.

(2) *Height restrictions.* An attached sign may not appear above the second floor of a building.

(c) *Drive-thru menu signs.* For each parcel with a lawful nonresidential use that utilizes a drive-thru lane within the AC District, one drive-thru menu sign shall be allowed for each drive-thru lane. An allowed drive-thru menu sign may be either a freestanding sign or an attached sign and shall not exceed 40 square feet in sign area and ten feet in height. Drive-thru menu signs shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(d) *Attached menu display signs.* For each parcel within the AC Commercial District with a restaurant without drive-thru service or with a transient lodging facility that has restaurant facilities open to the general public, one attached menu display sign shall be allowed. An attached menu display sign shall be a wall sign not exceeding 12 square feet in sign area. An attached menu display sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(e) *Theater signs.* For each parcel with a theater within the AC District, one attached theater sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(f) *Waterside identification signs.* For facades of a building that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a freestanding sign or an attached sign. A waterside identification sign shall not exceed 40 square feet in sign area.

In addition to the number and types of signs listed in [subsections] (a)–(f) above, multi-tenant shopping centers in the AC District may have one additional monument sign listing each individual tenant all within the same sign face. The sign shall be no taller than ten feet and no larger than 100 square feet per sign face. The sign shall not be located within any setback or within any pedestrian or utility easement.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.39. BR District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the BR District may have up to three of the following signs in [subsections] (a)–(e) below, subject to permit approval and compliance with the conditions for each type of sign:

(a) A marquee or canopy sign;

(b) A projecting sign, provided that the sign is no larger than 12 square feet in area, does not project within two feet of any curb, and has a minimum ground clearance of seven feet;

(c) A wall sign, provided the sign is not internally illuminated. The sign may be externally illuminated with lighting from above or below casting light on the sign, but the lighting shall not shine directly onto adjacent properties or onto the right-of-way. The area of the sign may be one square foot for every linear foot of building frontage per business not to exceed a total of 40 square feet;

(d) A freestanding monument sign, provided that the sign face does not exceed 40 square feet in area, is not taller than five feet in height, does not block any pedestrian walkway and is not located within the visibility triangle as required by this Code. The sign may be externally illuminated with lighting from above or below casting light on the sign but the lighting shall not shine directly onto adjacent properties or onto the right-of-way.

(e) Waterside identification signs. For facades of a building that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a freestanding sign or an attached sign. A waterside identification sign shall not exceed 40 square feet in sign area.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.40. Traditional Hotel District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the THD District may have up to three of the following signs in [subsections] (a)–(d) below, subject to permit approval and compliance with the conditions for each type of sign:

(a) A marquee or canopy sign;

(b) A projecting sign, provided that the sign is no larger than 12 square feet in area, does not project within two feet of any curb, and has a minimum ground clearance of seven feet;

(c) A wall sign, provided the sign is not internally illuminated. The sign may be externally illuminated with lighting from above or below casting light on the sign, but the lighting shall not shine directly onto adjacent properties or onto the right-of-way. The area of the sign may be one square foot for every linear foot of building frontage, per business, not to exceed a total of 40 square feet;

(d) A freestanding monument sign, provided that the sign face does not exceed 20 square feet in area, is not taller than four feet in height, does not block any pedestrian walkway and is not located within the visibility triangle as required by this Code. The sign may be externally illuminated with lighting from above or below casting light on the sign, but the lighting shall not shine directly onto adjacent properties or onto the right-of-way. The sign may be located within the front yard setback.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.41. Pass-a-grille overlay district.

All signs shall be allowed in accordance with the underlying zoning district's permitted signage, except that internally illuminated signage shall be expressly prohibited.

(Ord. No. 2016-24, § 7, 1-10-17)

Sec. 26.42~~2018~~. Severability.

(a) *Generally.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division 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 division.

(b) *Severability where less speech results.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection 26.34(a), or elsewhere in this division, this Code, or any adopting

ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division 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 division, 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.

- (c) *Severability of provisions pertaining to prohibited signs.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection 26.35(a), or elsewhere in this division, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division 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 division that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed under section 26.4 of this division. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of section 26.4 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 section 26.4
- (d) *Severability of prohibition on billboards.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division and/or any other code provisions and/or laws are 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 billboards as contained herein.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13; Ord. No. 2016-24, § 7, 1-10-17)

Editor's note(s)—Ord. No. 2016-24, § 7, adopted Jan. 10, 2017, added § 26.41 and in so doing renumbered § 26.41 as 26.42, as set out herein.

DIVISION 26 SIGN ORDINANCE¹

DRAFT: APRIL 2025

Sec. 26.1. - Purpose, intent and scope.

It is the purpose of this division to promote the public health, safety and general welfare through reasonable, consistent and nondiscriminatory sign standards. The sign regulations in this division are intended to be ~~not intended to censor speech or to regulate viewpoints, but instead are intended to~~ content-neutral and regulate the secondary effects of speech and especially insofar as those secondary effects may adversely affect aesthetics and traffic and pedestrian safety ~~only the number, form, and placement, not the content, of signs.~~ In order to preserve and enhance the city as a desirable community in which to live, vacation 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.~~ These sign regulations have been prepared with the intent of mitigating the impact signs have on traffic and pedestrian safety, enhancing the visual environment of the city, and promoting its continued well-being. ~~These sign regulations and~~ are intended to:

- (a) Encourage the effective use of signs as a means of communications in the city;
- (b) Maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth;
- (c) Improve pedestrian and traffic safety;
- (d) Minimize the possible adverse affect of signs on nearby public and private property;
- (e) Foster the integration of signage with architectural and landscape designs;
- (f) 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;
- (g) Allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs;
- (h) Encourage and allow signs that are appropriate to the zoning district in which they are located and consistent with the category of use and function to which they pertain;
- (i) Curtail the size and number of signs and sign messages to the minimum reasonably necessary ~~to identify a residential or business location and the nature of any such business;~~
- (j) Establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains;
- (k) Categorize signs based upon ~~the function that they serve~~ their structures and tailor the regulation of signs based upon ~~their function~~ those structures;
- (l) Preclude signs from conflicting with the principal permitted use of the site and adjoining sites;

¹Editor's note(s)—Ord. No. 2013-14, § 1(Exh. A), adopted April 23, 2013, amended Div. 26 in its entirety to read as set out herein. Former Div. 26, §§ 26.1—26.40, pertained to similar subject matter and derived from Ord. No. 2011-42, § 1(Exh. A), adopted Jan. 24, 2012; Ord. No. 2012-16, § 1(Exh. A), adopted Sept. 12, 2012.

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- (m) Regulate signs in a manner so as to not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians;
 - (n) 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;
 - (o) Preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all districts of the city;
 - (p) Prohibit signage that will substantially and negatively impact imperiled wildlife;
 - (pq) Allow for traffic control devices consistent with national standards and whose purpose is to promote highway safety and efficiency by providing for the orderly movement of road users on streets and highways, and that notify road users of regulations and provide warning and guidance needed for the safe, uniform and efficient operation of all elements of the traffic stream;
 - (qr) 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;
 - (rs) Protect property values by ensuring that sign-types, as well as the number of signs, are in harmony with buildings, neighborhoods, and conforming signs in the area;
 - (st) Regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the city, is appropriate in scale to the surrounding buildings and landscape, 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 resort community, as well as for its commercial properties; and
 - (u) Provide flexibility and encourage variety in signage, and create an incentive to relate signage to the basic principles of good design; and
 - (v) Enable the fair and consistent enforcement of these sign regulations.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.2. - Definitions.

All words used in this division, ~~except where specifically defined herein~~, shall carry their customary dictionary meanings ~~when not inconsistent with the context in which they are used, except that~~ The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, ~~except where the context clearly indicates a different meaning:~~

Abandoned or discontinued sign or sign structure means (a) A sign on or appurtenant to a building when that building has not been occupied ~~pertaining to or associated with an event, business, service, or purpose which is no longer ongoing and which has been inactive or out of business~~ for a period of 90 consecutive days or longer; or (b) a sign which contains structural components but no display or sign copy for a period of 90 consecutive days or longer. This term does not include individual panels within a sign for multi-tenant developments unless the multi-tenant development is more than 50 percent vacant, or transitional and emergency signage as referred to in Sec. 26.19.

Advertising means sign copy intended to aid, directly or indirectly, in the sale, use or promotion of a product, commodity, service, sales event, activity, entertainment, or real or personal property.

Animated sign means a sign which includes action, motion, or color changes, or the optical illusion of action, motion or color changes, including signs requiring electrical energy or set in motion by movement of the

atmosphere, or made up of external sign elements that revolve or turn. The term "animated sign" does not include signs which display time of day, temperature, or both, and does not include electronic message board signs.

Area of ground supports means the total area of a freestanding sign's structural elements.

Artwork means a two- or three-dimensional representation of a creative idea that is expressed in an artistic form and manner as to provide aesthetic enjoyment for the viewer rather than to specifically but does not in any way convey the name of the identify a business, product, business logo, or a commercial message.

Attached sign means a wall sign, an integral roof sign, marquee sign or a canopy sign any sign attached to, on, or supported by any part of a building (e.g., walls, integral roof, awning, windows, or canopy) which encloses or covers usable space.

Awning means a cloth, plastic, or other nonstructural covering that is permanently attached to a building or other structure, or that can be raised or retracted to a position against the building or other structure when not in use.

Awning sign or canopy sign means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Banner means any sign or string of one or more signs, usually made of cloth or other lightweight material, which is used to attract attention, whether or not imprinted with words or characters, including, but not limited to, balloons and pennants. Flags shall not be considered banners.

Beacon means a stationary or revolving light which flashes or projects illumination, single color or multicolored, in any manner which has the effect of attracting or diverting attention, except, however, this term does not include any kind of lighting device which is required or necessary under the safety regulations of the Federal Aviation Administration or other similar agency. This definition does not apply to any similar type of lighting device contained entirely within a structure and which does not project light to the exterior of the structure.

Billboard means a sign structure and/or sign utilized for advertising an establishment, an activity, a product, service or entertainment, which is sold, produced, manufactured, available or furnished at a place other than on the property on which said sign structure and/or sign is located.

Building frontage. See frontage, building.

Bus stop informational sign means a freestanding or attached noncommercial sign located at a bus stop and providing information as to the route, hours or times of service.

Canopy means a permanent or semi-permanent, on-premise roof-like projection or structure intended to provide shade or shelter.

Canopy sign or awning sign means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Changeable copy/message sign means a sign with the capability of content change by means of manual or remote input, including the following types:

- (1) Manually activated. Changeable sign whose message copy can be changed manually on a display surface.
- (2) Electronically activated. Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices, or may be from an external light source

designed to reflect off of the changeable component display. See also *Electronic message board sign*.

Character means any symbol, mark, logo, or inscription.

Color means any distinct tint, hue or shade including white, black or gray.

Commercial message means any sign wording, logo, or other representation or image that directly or indirectly names, advertises, or calls attention to a product, service, sale or sales event or other commercial activity.

Construction sign means a temporary on-premise sign identifying the ongoing construction activity during the time that a building permit is active and prior to completion of the work for which the permit was issued, containing sign copy is limited to the ongoing construction activity and identifying the contractor and/or any subcontractor engaged to perform construction activity on the site.

Copy means the linguistic or graphic content of a sign.

Designer sign means a sign that is custom made wall or monument-type signs, reviewed by the city manager or his designee, and found to be of a higher creative, artistic and three-dimensional, or sculptural nature than the standard types of signs typically used within the sign industry.

Double-faced sign means a single sign with items of information relating to the same business on both sides of the sign and mounted as a single structure.

Drive-thru menu sign means a sign placed so as to be viewed from a drive-thru lane and which contains only a listing of the products, with prices, offered for sale by the business on which the sign is located and which may provide a mechanism for ordering the products while viewing the sign.

Eave means the lowest horizontal line of a sloping roof.

Election sign means a temporary sign erected or displayed for the purpose of expressing support for or opposition to a candidate or stating a position regarding an issue upon which the voters of the city shall vote.

Electronic message board sign means a sign by which the message copy can be electronically changed and controlled. This shall include but not be limited to changeable words, lines, logos, symbols, or illustrations and shall include all LED type signs regardless of if the sign periodically changes copy.

Erect means to build, construct, attach, hang, place, suspend or affix, and shall also includes the painting of wall signs.

Facade means the ~~entire building front~~ exterior wall(s) of a building exposed to public view.

Flag means any fabric, or bunting containing distinct colors, patterns or symbols, used as an ornamental flag or as a symbol of government, political subdivision, corporation or business or other entity. (See also ornamental flag.)

Flagpole means a pole on which to raise a flag. A flagpole is not a freestanding pole sign.

Flashing sign means ~~a sign which permits light to be turned on or off intermittently more frequently than once per minute~~ any illuminated sign on which the artificial source of light is not maintained stationary or constant in intensity and color at all times when such sign is illuminated. For the purposes of this definition, any moving illuminated sign affected by intermittent lighting shall be deemed a flashing sign. This does not include official warning signs to the motoring public.

Foot-candle means a unit of measure of luminosity of a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot.

Footlambert means the centimeter gram second unit of brightness equal to the brightness of a perfectly diffused surface that radiates or reflects one lumen per square centimeter.

Free expression sign means a sign, not in excess of three square feet in size (area) and the top of the sign is not more than six feet off the ground, communicating information or views on matters of public policy concern or containing any other noncommercial message, that is otherwise lawful.

Freestanding sign, monument or pole means a sign supported by structures or supports that are placed on or anchored in the ground or at ground level and which are independent of any building or other structure.

Frontage means the length of the property line of a parcel of land which runs parallel with and along a road right-of-way or street, exclusive of alleyways.

Frontage building, or building frontage, means the length of the single face of a building or that portion of building occupied by a single office, business or enterprise, commonly referred to as "store-front", which is abutting a street, parking area, or other means of customer access such as an arcade, a mall or a walkway.

Garage or yard sale or garage yard sign means any on-site temporary sign pertaining to the sale of personal property in, at or upon any residentially-zoned property located in the city. Garage or yard sales shall include, but not be limited to, all such sales, and shall include the advertising of the holding of any such sale, or the offering to make any sale, whether made under any name such as garage sale, lawn sale, yard sale, front yard sale, backyard sale, home sale, attic sale, rummage sale, patio sale, flea market sale, or any similar designation.

Government sign means any temporary or permanent sign erected by or on the order of a public official or quasi-public entity at the federal, state or local government level in the performance of any duty including, but not limited to, noncommercial signs identifying a government building, program or service (including bus or other public transit services), traffic control signs, street name signs, street address signs, warning signs, safety signs, informational signs, traffic or other directional signs, public notices of government events or actions, proposed changes of land use, any proposed rezoning, or any other government speech. This term includes signs erected on government property pursuant to lease, license, concession or similar agreements requiring or authorizing such signs.

Ground level means the level of finished grade of a parcel of land, exclusive of any filling, berming, or mounding, or excavating, solely for the purpose of locating a sign. Ground level on marina docks or floating structures shall be the finished grade of the landward portion of the adjoining parcel.

Grand opening sign means an on-premises temporary sign announcing the opening of a newly licensed business, that does not exceed 16 square feet in sign area and that is not displayed for longer than 30 days after the issuance date of the occupational license for the new business.

Height means vertical distance measured from ground level nearest the base of the sign to the highest point on the sign.

Holiday and seasonal decorations mean decorations that pertain to legal or other recognized holidays or to a season of the year.

Illuminated sign means any sign or portion thereof which is illuminated by artificial light, either from an interior or exterior source, including outline, reflective or phosphorescent light, whether or not the source of light is directly affixed as part of the sign.

Integral roof sign means any sign erected or constructed as an integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches. No integral portion of the roof shall extend more than five feet above the structural roof.

Lawful message means any message not prohibited by state or federal law.

Lot. See definition of parcel.

Maintenance means the replacing, repairing or repainting of a portion of sign structure, periodically changing changeable copy or renewing copy which has been made unusable by ordinary wear, weather, or accident.

Marquee means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee sign means any sign attached to a marquee.

Menu display sign means a fully enclosed or otherwise protected from the elements sign structure, including, but not limited to, a box, shadow box or cabinet, attached to a wall or freestanding, which is used solely for the purpose of displaying restaurant menus. A menu display may be used for a restaurant without drive-thru service and for transient lodging facilities which have restaurant facilities open to the general public in addition to the registered guests. Menu display sign structures shall be limited to one per establishment, having a maximum surface area of not more than 12 square feet, and the zoning districts in which they are permitted.

Multi-tenant building/development means a building or development where more than one business may be located, including businesses located above the first floor or otherwise without frontage on a public right-of-way.

Nameplate sign or occupant identification sign means a sign indicating the name and/or profession or address of a person or persons residing on the premises or legally occupying the premises.

Noncommercial message means any message, which is not a commercial message.

Noncommercial on-site directional sign means an on-site sign providing direction or information to pedestrian or vehicular traffic that is related or reasonably necessary to the movement of pedestrian or vehicular traffic on the premises, and not displaying a commercial message, e.g., "entrance," "exit," "caution," "no parking," "one way only," "no trespassing," and the like.

Nonconforming sign means a sign which does not conform with the regulations provided in this division.

Off-premises sign or off-site sign means any sign relating in its subject matter to commodities, accommodations, services or activities on a premises other than the premises on which the sign is located. See also Billboard. This does not include a locally recognized non-profit Chamber of Commerce that promotes its members within the city.

On-premises sign or on-site sign means any sign relating in its subject matter to the commodities, accommodations, service or activities on the premises on which it is located.

Ornamental flag means any fabric or similar material containing patterns, drawings or symbols used for decorative purposes and designed to be flown as a flag.

Parcel means land which has been or which is proposed to be used, developed, or built upon as a unit under single ownership.

Parapet means a false front or wall extension above the roof of a building.

Pennant means any series of small flag-like or streamer-like pieces of cloth, plastic, paper or similar material attached in a row to any staff, cord, building, or at only one or two edges, the remainder hanging loosely.

Permanent sign means any sign which, when installed, is intended for permanent use, and is so constructed as to be of lasting and enduring condition (beyond normal wear and tear). For the purposes of this division any sign with an intended use in excess of 12 months from the date of installation shall be deemed a permanent sign. Unless otherwise provided for herein, a sign other than a temporary sign or portable sign shall be deemed a permanent sign.

Predictable event means an event of which the date or dates is or are known at the time the sign is erected. By way of example, predictable events shall include an election, garage sale, grand opening, parade, wedding, garage sales, and others with a definite date.

Portable sign means any sign, banner, or poster that is not permanently attached to the ground or structure, or a sign capable of being transported, including, but not limited to, signs designed to be transported by means of

wheels or carried by a person, and signs converted to an A-frame sign or a T-frame sign. For purposes of this division, a cold-air inflatable sign shall be considered to be a portable sign.

~~Premises means any property owned, leased or controlled by the person actively engaged in business at that location.~~

Projecting sign means any sign affixed perpendicularly to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

Property means the overall area represented by the outside boundaries of a parcel of land or development containing one or more business establishments and/or residential units.

~~Real estate sign means a sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed temporarily.~~

Revolving sign or rotating sign means any sign that revolves or rotates an animated sign that revolves or turns or has external sign elements that revolve or turn. Such sign may be power-driven or propelled by the force of wind or air.

Roof sign means any sign erected and constructed wholly on or over the roof of a building, which is supported by the roof structure, or any sign that extends in whole or in part above the roofline of a building.

Roofline means the highest continuous horizontal line of a roof. On a sloping roof, the roofline is the principal ridgeline or the highest line common to one or more principal slopes of roof. On a flat roof, the roofline is the highest continuous line of a roof or parapet, whichever is higher.

Safety sign. See Warning sign.

~~Sandwich board sign or A-frame sign means a portable double-faced, freestanding sign not exceeding 12 square feet in area designed such that it can be displayed during business hours and easily removed at the close of business which is ordinarily in the shape of an "A," or some variation thereof when erected.~~

~~Shopping center means a group of five or more independent commercial establishments developed, operated, managed, and/or owned and operated as a planned unit, with off-street parking provided on the property under a single architectural plan. A shopping center may include a building or structure owned in fee simple, condominium, cooperative, leasehold or other ownership.~~

Sight visibility triangle means a triangular shaped portion of land established at street intersections or street and driveway intersections in which nothing is erected, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. For street intersections, this triangle is measured 20 feet in length from the intersection along the abutting curb lines to form a triangle; and for driveway intersections, this triangle is measured ten feet from the intersection along the curb line and along the driveway line to form a triangle. (See illustration in section 6.21 herein.)

Sign means any device, fixture, placard or structure which uses color, form, graphics, illumination, architectural style or design with text, or writing to advertise, attract attention, announce the purpose of, or identify the purpose of any person or entity or to communicate information of any kind to the public. The term "sign" includes sign structure.

Sign area means the total square foot area of sign surface, including all parts thereof devoted to the background, computed by bounding the exterior of the sign structure or surface with a series of straight or curved lines tangent thereto (see illustrative examples in section 26.3, herein). The area of a sign painted directly on a wall or awning and signs with letters attached directly to walls or awnings shall be calculated by constructing an imaginary series of straight lines or lines formed, bounded or characterized by curves around the outside of all elements of the sign computed as described in section 26.14.

Sign face means the part of the sign that is or can be used to identify, display, advertise, communicate information, or for the visual representation which attracts or intends to attract the attention of the public for any purpose.

Sign structure means any structure which is designed specifically for the purpose of supporting a sign, which has supports or which is capable of supporting a sign. The definition shall include any decorative covers, braces, wires, supports, or other components attached to or placed around the sign structure.

Snipe sign means any sign tacked, nailed, posted, pasted, glued or otherwise attached to telephone poles, utility poles, or fences, with the message appearing thereon not applicable to the present use of the premises upon which the sign is located.

~~*Statutory sign* means a sign required by any statute of the State of Florida or the United States.~~

Street means a public right-of-way intended for the use of vehicular and pedestrian traffic.

Street address sign means any sign denoting the street address of the premises on which it is attached or located.

Subdivision monument identification sign means a monument sign which contains only the name of a platted subdivision or other residential development.

Temporary sign means a sign intended for a use not permanent in nature and shall include a sign formerly or commonly associated with a temporary use or structure, or a sign related to an event or occurrence at a future time, which shall be further defined by whether the event to which it pertains is predictable or unpredictable. For the purposes of this division, a sign with an intended use of one year or less shall be deemed a temporary sign.

Time and temperature sign means a sign which displays the current time and temperature at intervals no more frequently than once per minute and which contains no other messages. Time and temperature signs are regulated within the zoning districts in which they are allowed.

Traffic control device sign means any sign located within the right-of-way that is used as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the national standard. A traffic control device sign includes those signs that are classified and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational, or cultural information).

Unpredictable event means an event of which the date or dates is or are not known at the time the sign is erected. By way of example, unpredictable events may mean for rent or for sale periods, construction projects, and others without a definite date of ending.

~~*Vehicle sign* means a sign attached to or placed on a vehicle, including, but not limited to, automobiles, trucks, boats, campers, and trailers, and that is located on public or private property, and is intended to can be viewed from a right-of-way for the purpose of providing advertisement of products or services, or directing people to a business or activity. This includes signs attached to the following vehicles: On- or off-site inoperable vehicles, junk or abandoned vehicles as defined in section 98-67 of the Code of Ordinances, vehicles that have not been driven or moved in 72 hours, or a vehicle with signage attached to it that renders the vehicle not safely drivable. This definition excludes those signs that identify a business organization or its principal services and contact information on a vehicle during that period of time such vehicle is regularly and customarily used to traverse the public street during the normal course of business.~~

Visibility triangle. See Sight visibility triangle.

~~*Wall sign* means a sign which is painted on, fastened to, or erected against the wall of a building with its face in a parallel plane with the plane of the building facade or wall, which is used for advertising.~~

Warning sign or safety sign means a sign which only provides warning of a dangerous condition or situation that might not be readily apparent or that poses a threat of serious injury (e.g., gas line, high voltage, condemned building, etc.) or that only provides warning of a violation of law (e.g., no trespassing, no hunting allowed, etc.) or prohibitions on parking, trespassing, hunting, fishing, swimming, or other activity on the property on which the sign is posted.

Waterside identification sign means a sign identifying a residential complex, single business property or shopping center and which can be only be viewed from the waters of the Gulf of Mexico, Boca Ciega Bay, the intracoastal waterway or any other navigable waterway.

Wayfinding/Directional sign means a sign, which may or may not be a governmental/statutory sign, that shows route designations, destinations, directions, distances, services, points of interest, or other geographical, recreational, or cultural information for the aid of the traveling public, for facilitating a safe and orderly traffic flow and preventing sudden stops.

Window sign means any sign painted on or mounted in any fashion on the interior or exterior of the surface of a window.

Wind sign means a sign which uses objects or material fastened in such a manner as to move upon being subjected to pressure by wind, and shall include pennants, ribbons, spinners, streamers or captive balloons to express a commercial message; however, the term "wind sign" shall not include flags.

Window or door sign means any sign visible from the exterior of a building or structure which is painted on, attached, glued, or otherwise affixed in any fashion on the interior or exterior of the surface of a window or door.

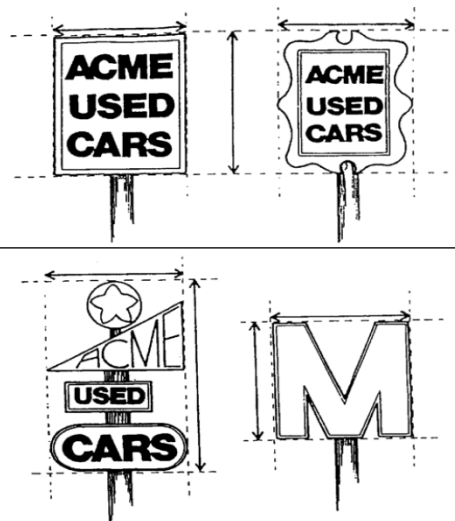
(Ord. No. 2013-14, § 1(Exh. A), 4-23-13; Ord. No. 2016-24, § 2, 1-10-17; Ord. No. 2017-17, § 2, 11-14-17)

Cross reference(s)—Definitions, § 2.1.

Sec. 26.3. Illustrations of type of signs and methods of measurement.

The following diagrams illustrate the types of signs and methods of measurement:

How to measure sign area.



(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.63. - ExemptionsApplicability.

- (a) Applicability. This division applies to any sign, permanent or temporary, displayed or erected which is visible and legible from a right-of-way.
- (b) Relationship to other codes. All signs shall comply with applicable building, electrical, and maintenance codes as adopted by the city. In the event any provisions of this division are in conflict with other applicable requirements, the more restrictive requirements shall apply.
- (c) This division does not pertain to regulate the following:
 - (a~~1~~) A sign, ~~other than a window sign~~, located entirely inside the premises of a building or enclosed space, and that is not visible from the right-of-way or public parking lot.
 - (b~~2~~) A government statutory sign.
 - (c~~3~~) Historic markers for local, state, or nationally ~~locally~~ designated historic resources.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.94. ~~Substitution of noncommercial speech for commercial speech~~ No content restrictions.

~~Notwithstanding anything contained in this Division or Code to the contrary, any sign erected pursuant to the provisions of this Division or Code may, at the option of the owner, contain a noncommercial message unrelated to the business located on the premises where the sign is erected. 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, as frequently as desired by the owner of the sign, provided that the size, height, setback, other dimensional criteria, and dwell time criteria for electronic changeable message signs contained in this Division and Code have been satisfied.~~

- (a) Notwithstanding anything in this division or Code to the contrary, nNo 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.
- (b) It is the intent of the City Commission that protection of First Amendment rights shall be afforded such that any sign, display, or device allowed under this division may contain, in lieu of any other copy, any otherwise lawful message unrelated to the business located on the premises where the sign is erected. The 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 or commercial message to another, as frequently as desired by the owner of the sign, provided that the applicable size, height, setback, lighting, design, other applicable requirements, and dwell time criteria for electronic changeable message signs contained in this division and Code have been satisfied.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.115. - Sign permit required.

- (a) Generally.
 - (a~~1~~) Allowed temporary and allowed permanent signs of the type described in section 26.2513., shall be exempt from sign permitting hereunder.
 - (b~~2~~) No sign permit shall be issued for the erection of a prohibited sign.

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- (3) Signs subject to this division shall be designed, constructed, and maintained in compliance with the City's building, electrical, maintenance, and all other applicable codes and ordinances and in compliance with all applicable state and federal law, codes and regulations.
- (e4) Unless exempt from permitting, no permanent sign shall be erected, altered, relocated, maintained or displayed until a sign permit is obtained from and appropriate fee paid to the city. Where electrical permits are required, they shall be obtained at the same time as the sign permit. The requirement of a building permit under the Florida Building Code is separate and independent of the requirement for a sign permit under this division.
- (e5) A sign lawfully erected under permit may be repainted or have ordinary and customary non-structural repairs performed, including replacement of plastic or glass panels, without a new sign permit; however, if repair work causes such sign is to be structurally altered or repaired, relocated, or enlarged in any manner, a new sign permit shall be required and the altered or repaired sign must meet all requirements of this division and this Code. Nonconforming signs that have been substantially damaged, deteriorated beyond 50~~25~~ percent of the assessed value of the sign, or destroyed shall not be issued a permit for repairs and shall be removed in accordance with section 26.6.
- (b) Fees. Every person making an initial application for a sign permit shall pay fees to the city at the time of approval of the application. The fees shall be established by resolution of the city commission and shall be as stated in appendix A to this Code.
- (c) Permit Application. A sign permit application for a permanent sign shall be made upon a form provided by the city. The sign permit application is in addition to any building permit application required by the Florida Building Code. The sign permit application shall be accompanied by plans and specifications drawn to scale, together with any site plan required by Division 5 of the Land Development Code. An applicant shall deliver a sign permit application for a permanent sign to the city's chief building official, or such other person as may be designated by the city. The sign permit application shall be reviewed for a determination of whether the proposed sign meets the applicable requirements of this division and any applicable zoning law. The applicant shall furnish the following information on or with the sign permit application form:
- (1) The legal description of the real property where the sign is proposed to be located.
 - (2) The zoning district for the real property on which the sign(s) will be located.
 - (3) The name, mailing address and telephone number (where available) of the owner(s) of the real property where the sign is proposed to be located.
 - (4) A notarized statement of authorization signed by the owner(s) consenting to the placement of the proposed sign on the real property.
 - (5) The name, mailing address and telephone number of the sign contractor.
 - (6) Type of proposed sign(s) (e.g., attached wall sign, freestanding monument sign).
 - (7) Detailed scaled drawings to show the dimensions, design, structure, and location of each particular sign (when depicting the design of the sign it is not necessary to show the content of the sign as the sign reviewer is prohibited from taking this factor into consideration).
 - (8) Computations of the maximum total sign area, the maximum area for individual signs, and the height of each of the proposed signs.
 - (9) The setbacks for the proposed sign(s).
 - (10) The cost of the proposed sign(s).

(11) The number, type, location, and surface area for all existing signs on the same lot and/or building on which the sign will be located.

(12) If the proposed sign is to be an illuminated sign, the type, placement, intensity and hours of operation.

An applicant shall deliver a sign permit application for a permanent sign to the city's chief building official, or such other person as may be designated by the city. The sign permit application shall be reviewed for a determination of whether the proposed sign meets the applicable requirements of this division and any applicable zoning law.

(d) Nullification. A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of six months after the date of the permit. If the sign is an integral part of a new building structure, then the permit shall be valid until completion of the building.

(e) Revocation. If the city manager and/or their designee finds that any sign has been erected, altered or maintained in violation of this division, Florida Building Code, or any other ordinance of the city, or that there has been any false statement or misrepresentation of a material fact in the application or plans on which the permit was based, the city shall notify the owner of record of the property upon which such sign is located shall be notified by either certified mail or by hand delivery that such violation exists. The owner shall cause the violation to be remedied or shall file an appeal of the violation within three working days after receipt of the notice. If the permit holder fails or refuses to make corrections within ten days, or a shorter period when emergency conditions exist pursuant to 98-75, it shall be the duty of the building official, or designee, to revoke such permit and provide written notice of same to such permit holder. It shall be unlawful for any person to proceed with any work under the permit after such notice is issued. Where it is determined that such illegal sign poses an imminent threat to the health, safety or welfare of the public, the city may cause the immediate removal of the sign by its own action. Cost of such removal shall be paid by the property owner. In addition to removal, the city shall be entitled to proceed with alternative legal or equitable remedies, including injunctive relief.

(f) Appeals. Whenever it is alleged that there has been an error in any order, action, decision, determination, or requirement by an administrative official in the enforcement and application of any provision contained within this division or any other provision of this Code pertaining to sign permits (including any allegation that an administrative official has failed to act within applicable time frames), the aggrieved party shall file a written appeal on or before 30 days from the day of the administrative decision in accordance with Section 3.14 of the Land Development Code.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.7. Building permits.

It shall be unlawful for any person or business or the person in charge of the business to erect, construct, alter or maintain an outdoor advertising display sign, as defined in the Florida Building Code, without first obtaining a building permit from the city in accordance with the provisions of the Florida Building Code and applicable law. Permit fees shall be paid in accordance with the applicable city fee schedules. The requirement of a building permit under the Florida Building Code is separate and independent of the requirement for a sign permit under this division.

Sec. 26.56. - Nonconforming signs.

A nonconforming sign that was lawfully erected may continue to be maintained: (a) until the nonconforming sign is substantially damaged or destroyed, or (b) until the real property on which the sign is located is redeveloped, whichever of the foregoing occurs first. At such time the sign is substantially damaged or destroyed or at such time the real property is redeveloped, the nonconforming sign must either (a) be removed or (b) be

brought into conformity with this division and with any other applicable law or regulation. For the purpose of this section, the term "redevelopment" shall mean a substantial improvement of the principal structure on the real property.

All signs that lawfully existed at the time of the enactment of this division and that do not conform to the provisions of this division, but which were in compliance with the applicable regulations at the time they were constructed, erected, affixed, or maintained, shall be regarded as nonconforming signs.

- (a) Except as provided in this section, no nonconforming sign shall be moved, reconstructed, extended, enlarged, or structurally altered, unless changed to conform with this division.
- (b) Nonconforming signs may continue to be maintained, repaired, or the message of the sign may be changed provided that maintenance, repair, or changing the copy does not require structural alterations.
- (c) Removal of a nonconforming sign, or replacement of a nonconforming sign with a sign conforming to this division, is required when:
 - (1) The nonconforming sign is substantially damaged, destroyed, or deteriorated to such extent that the cost of repair or restoration would equal or exceed 25 percent of the replacement cost of the sign; or
 - (2) A building or site on which the nonconforming sign is located is improved, repaired, rehabilitated, altered, or redeveloped at a cost which equals or exceeds 50 percent of the market value of the existing building or structure before the improvement or repair is started.
- (d) In addition to the above, all legally erected nonconforming electronic message board signs, including all LED-type signs, must be made to conform to the applicable provisions of this division by January 1, 2027.
- (e) Signs that exist on the effective date of this division that were not in conformance with previous regulations are illegal signs and shall conform with this division or be removed within ninety (90) calendar days of the effective date of this division.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13; Ord. No. 2016-24, § 3, 1-10-17)

Sec 26.7. - Variances.

- (a) Requests for variances from any provisions of this division, unless stated otherwise, shall be processed and authorized pursuant to section 3.12 general variances of the Land Development Code.
- (b) Variances from the terms of these regulations may not be contrary to the public interest. Variances may be granted where, owing to special conditions, the literal enforcement of the provisions would result in unnecessary hardship, not to include economic hardship. However, no variance shall be granted unless the criteria of section 3.12 are met. In addition to these usual criteria for variances to the provisions of this article, any additional signage allowed pursuant to variances shall be conditioned in such a way that, taking into consideration existing allowable signage in the area, the additional signage does not exacerbate visual clutter, driver distraction or traffic safety in the area.

Sec. 26.148. - Inspection and Maintenance of signs.

- (a) Inspection. Signs for which a permit is required under this division may be inspected periodically by the building official, or designee, for compliance with this division, other codes of the City, and all terms upon which the sign permit may have been conditioned.
- (b) Maintenance of signs.

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- (1) All visible portions of a sign and its supporting structure shall be maintained in a safe condition, and present a neat and clean appearance according to the following:
 - a. Signs with illumination that have become flashing signs shall be repaired, renovated, or corrected to the original permitted function and order. If the sign is lighted, all lights shall be maintained in working order and functioning in a safe manner.
 - b. If the sign is painted, the painted surface shall be kept in good condition.
 - c. Every sign shall be kept in such manner as to constitute a complete or whole sign.
 - d. Every sign shall be able to withstand the wind pressure for which it was originally designed.
 - e. If a sign is a freestanding sign, the area around the base of the sign shall be landscaped, maintained, and kept free of weeds, overgrowth, debris, trash, litter, and any other unsightly conditions or nuisances as defined by chapter 98, article 3 property maintenance of the Code of Ordinances.
 - (2) The maintenance of signs shall be in keeping with the intent of chapter 98, article 3, section 98-66(d) to ensure the public health, safety and welfare is maintained. The owner and/or leaseholder shall be responsible for maintaining the signs concerned in good operating conditions and appearance and shall be responsible for maintaining the area immediately surrounding the sign. Failure to comply with chapter 98, article 3 shall constitute cause for revocation of the sign permit and removal of the sign, if the owner and/or leaseholder fail to correct same within two days after written notice of violation.
 - (2) ~~Nonconforming signs may suffer only ordinary and customary repairs and maintenance. As provided in section 26.11, a lawfully erected nonconforming sign shall not be structurally altered except in full conformance with this division.~~

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.15. Appeals.

- (a) ~~Whenever it is alleged that there has been an error in any order, action, decision, determination, or requirement by an administrative official in the enforcement and application of any provision contained within this division or any other provision of this Code pertaining to sign permits (including any allegation that an administrative official has failed to act within applicable time frames), the aggrieved party shall file a written appeal in accordance with Section 3.14 of the Land Development Code.~~

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.169. - Enforcing official.

The city manager, or designee, shall be the enforcing official of this division. The enforcing official is charged with the duty of administering this division and securing compliance therewith. Further, the enforcing official shall make such inspection as may be necessary to ensure compliance with this division and shall initiate appropriate action, if any, to enforce the provisions of this division.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.17. — Failure to comply.

If the city manager finds that any sign has been erected, altered or maintained in violation of this division, the city shall notify the owner of record of the property upon which such sign is located by either certified mail or by hand delivery that such violation exists. The owner shall cause the violation to be remedied or shall file an appeal of the violation within three working days after receipt of the notice. Where it is determined that such illegal sign poses an imminent threat to the health, safety or welfare of the public, the city may cause the immediate removal of the sign by its own action. Cost of such removal shall be paid by the property owner. In addition to removal, the city shall be entitled to proceed with alternative legal or equitable remedies, including injunctive relief.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.180. - Violations and penalties.

- (a) The acts enumerated in this section shall be a violation of this division and shall be subject to the enforcement remedies and penalties provided by this division, by other city codes, and by state law. Such remedies may be pursued simultaneously.
- (b) It shall be a violation to:
 - (1) Install, create, erect or maintain any sign in a way that is inconsistent with any approved plan or permit governing such sign or the site on which the sign is located.
 - (2) Install, create, erect or maintain any sign requiring a permit without having first obtained such permit.
 - (3) Fail to remove any sign that is installed, created, erected or maintained in violation of this division or for which the sign permit has lapsed.
 - (4) Install, erect, place, or maintain any sign contrary to the provisions of this division, including any sign or sign structure not allowed within the applicable zoning district.
 - (5) Continue any such violation.
- (c) Each sign installed, created, erected or maintained in violation of this division shall be considered a separate violation, and each day of a continued violation shall be considered a separate violation.
- (d) Any violation of this division or any condition or requirement adopted pursuant to this division may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceedings pursuant to law. The remedies of the city shall include but not be limited to the following:
 - (1) Issuing a stop work order for any and all work on any signs on the same site.
 - (2) Seeking an injunction or other order of restraint or abatement that requires the removal of the sign or the correction of the violation.
 - (3) For a sign which poses an immediate danger to the public health or safety, taking such measures as are available to the city under the applicable provisions of this division for such circumstances.
- (e) A person in violation of this division shall be subject to prosecution and, upon conviction, shall be punished as set forth in section 1-14 of chapter 1, St. Pete Beach Code of Ordinances.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.19. Adoption of zoning regulations.

The boundaries of the various districts shown upon the official zoning map and the regulations of the comprehensive zoning ordinance contained in Land Development Code, governing the use of land and buildings and other matters set forth therein are made part of this division. Except as provided in this division, no sign shall be erected, enlarged, reconstructed or structurally altered which does not comply with all the district regulations established by this division for the zoning district in which it is located.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.11. - General sign requirements

- (a) All new signs shall comply with all applicable Florida Building Code requirements, design requirements, and other applicable requirements.
- (b) Signs and their supporting structures shall maintain clearance and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Placement shall not interfere with natural or artificial drainage or surface or underground water.
- (c) No sign shall be erected so as to obstruct any fire escape, required exit, window, or door opening intended as a means of egress, nor shall it obstruct or interfere with roof access or any opening required for ventilation.
- (d) No sign, portable or otherwise, is to be placed or located to conflict with the intersection visibility requirements of section 6.21 of this Land Development Code.
- (e) All signs shall be installed and constructed in a professional and workmanlike manner and shall be maintained in good and safe structural condition and good physical appearance. All exposed structural components shall be painted, coated, or made of rust or wood rot inhibitive material.
- (f) Signs on public lands. Signs shall not be located on publicly owned land or easements or inside street rights-of-way except signs required or erected by permission of the authorized governmental agency. Such prohibited signs shall include, but not be limited to, handbills, posters, advertisements, or notices that are attached in any way upon lampposts, telephone poles, utility poles, bridges and sidewalks. All signs shall be moved by the owner of the sign at no expense to the applicable governmental jurisdiction when the signs are within any public property including existing rights-of-way. Nothing shall prohibit a duly authorized public official from removing a sign from public property.
- (g) Official signs and notices. Nothing in this division shall be construed to prevent or limit the display of legal notices, warnings, informational, direction, traffic, or other such signs which are legally required or necessary for the essential functions of government agencies.

Section 26.12. - Sign standards in all districts.

All permitted signs shall be subject to the below design requirements:

- (a) All permanent signs shall be compatible with the building(s) to which they relate and with the surrounding neighborhood.
- (b) The placement and location of signs shall not cover or obscure architectural features, finishes, doors, windows, or other elements of the building to which they relate unless designed to be an integral part of that element.
- (c) Freestanding signs.

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- (1) All freestanding signs of ten (10) feet in height or less shall be monument signs, unless any combination of landscaping of sufficient density and maturity at the time of planting may be used to achieve the same opacity as would have been achieved with the monument base.
 - (2) The materials, finishes and colors of the base of freestanding signs, including monument and-pole base sign, shall match the architectural design of the building on the same site.
 - (3) All freestanding signs shall be placed in a landscaped setting appropriate to the size and scale of the sign.
 - (4) Tenant panels in freestanding signs for a multi-tenant development or shopping center, including those added to existing sign structures, shall be constructed of the same materials and illuminated by the same method.
 - (5) Freestanding signs shall not be permitted within any required side yard adjacent to property in an RU-1, RU-2, RLM-1 or RLM-2 district or within a required front yard established for protection of a right-of-way corridor.
 - (6) A freestanding sign shall not exceed 35 feet in height or 135 feet in sign area in any district and shall not exceed six (6) feet in height for any property in the Pass-a-Grille Overlay district. No variance to this regulation may be granted and no variance application to this requirement shall be accepted.
- (d) Window signs. One or more window signs may be displayed where attached signs are permitted and shall count towards the maximum allowable attached sign area. Permanent window signs shall not cover more than 50% of any contiguous window surface between frames, exclusive of grilles and muntin, and shall comply with all fire safety codes.
- (e) Projecting signs. Projecting signs shall have a minimum ground clearance of eight (8) feet and shall not project within two (2) feet of any curb.
- (e) Illuminated signs.
- (1) Illuminated signs, in addition to conforming to all other requirements of this division, shall be shielded in such a manner so that no direct source of light is cast into residential properties or into a public street or right-of-way.
 - (2) No sign shall have animated, blinking, flashing, or fluttering lights or other illumination devices which have a changing light intensity, brightness, color, or direction.
 - (3) Illuminated signs shall not interfere with pedestrian or motorist vision. No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices. Similarly, no electronic changeable message sign shall be permitted if it may be confused with, construed as, or interfere with traffic control devices.
 - (4) The illumination shall not be reflective or phosphorescent and shall be placed in a manner that will not create a nuisance to other premises or ~~interfere with vehicular movements~~ create a traffic hazard to operators of motor vehicles on public thoroughfares.
 - (5) Externally illuminated signs are preferable to internally illuminated signs. Externally illuminated signs are permitted only with steady, stationary, and shielded lighting directed solely onto the sign from either above or below.
 - (6) Internally illuminated signs or portions of a sign that are internally illuminated shall not be larger than 50 square feet in area.
 - (7) Internally illuminated signs shall be expressly prohibited in the following areas:
 - a. Within 50 feet of a property with a single-family use or zoned for a single-family use;

- b. Building facades or property frontage adjacent to Corey Avenue in the TC-1 or TC-2 district;
- b. BR district;
- c. Traditional hotel district;
- d. UBV district; and
- e. Pass-a-Grille Overlay district.

Sec. 26.2513. - All districts Exempt Signs.

The regulations in this division apply in every zoning district in the city, except where otherwise specified or indicated. Sign permits are not required for signs and sign types described and identified in this section, below. The following sign types are exempt from the permitting process and are exempt from other provisions of this division, but are not exempt from the requirements imposed by this subsection or from applicable requirements of this division relating to construction, illumination, placement, safety, and nonconformity, and are not exempt from other regulations related to public health, safety and welfare.

- (a) Street address signs. For each parcel within the city, one attached street address sign ~~may~~ shall be displayed for each ~~public street building facade facing the primary street or waterfront.~~ For parcels in residential use, the street address sign shall not exceed two square feet in sign area. For each parcel in nonresidential use, the street address sign shall not exceed six square feet in sign area. The address numbers shall be at least three inches in height if the dwelling or business establishment is located 50 feet or less from the curb or improved right-of-way, at least five inches in height if the dwelling or business establishment is located more than 50 feet from the curb or improved right-of-way, in Arabic numbers, and of contrasting color to background. For any site or parcels subject to a common plan of development on which one or more signs requiring a permit are proposed to be erected, the location, height, and area of street address signs shall be included in sign plan. Address numbers are subject to National Fire Protection Association (NFPA) code, as amended. One additional street address sign may also be located on the monument sign or other sign at the entrance of the development.
- (~~h~~b) Artwork. ~~Artwork is allowed in all districts, provided it does not contain a commercial message. The portion of the artwork containing a commercial message shall be part of the computation of the allowable sign area, as described in section 26.15.~~
- (~~u~~) Bus stop informational signs. ~~Bus stop informational signs up to three square feet in area.~~
- (~~m~~) Construction signs. ~~One construction sign shall be allowed on each parcel within the city. Construction signs shall not exceed three square feet in sign area for residential properties, and 16 square feet in sign area for nonresidential properties.~~
- (~~j~~c) Flags. There shall be a maximum of one flagpole and three flags permitted for each parcel in the city. Flagpoles in residential districts shall not exceed 20 feet in height, and flagpoles in nonresidential districts shall not exceed 30 feet in height. The maximum size of such flags shall be as follows: The maximum distance from top to bottom of any flag shall be 20 percent of the total height of the flagpole, or in the absence of a flagpole, 20 percent of the distance from the top of the flag or insignia to the ground. Flags containing a commercial message shall be part of the computation of the allowable area for freestanding signs.
- (~~d~~) Government signs. ~~Informational, directional and regulatory signs located within rights-of-way or on publicly-owned land that are installed by the City or other governmental signs installed with the approval of the City. Official regulatory or warning signs upon any body of water (river, bay, lake, or other body of water) within the limits of the City, informational or directional signs installed by the City or with the approval of the City upon any body of water within the limits of the City in connection with a water path or paddling trail.~~

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- (le) *Machinery and equipment signs.* Machinery and equipment signs shall be allowed in all districts.
- (bf) *Nameplate signs or occupant identification signs.* For each residence, business or other occupancy within the city, one nameplate sign may be displayed. For residences the nameplate or occupant identification signs shall not exceed two square feet in sign area. For any nonresidential use, the nameplate or occupant identification sign shall not exceed six square feet in sign area.
- (eg) ~~Noncommercial onsite~~ *Onsite directional signs.* ~~Noncommercial onsite~~ Onsite directional signs, not exceeding four square feet in sign area, shall be allowed on each parcel within the city per sign face.
- (dh) ~~Noncommercial onsite~~ *parking space signs.* ~~Noncommercial onsite~~ parking space number signs, not exceeding one square foot of sign face per sign, shall be allowed on each parcel in noncommercial use having multiple parking spaces onsite. One such sign shall be allowed for each parking space.
- (ei) ~~Noncommercial onsite~~ *marina slip number signs.* ~~Noncommercial onsite~~ marina slip number signs, not exceeding one square foot of sign face per sign, shall be allowed for each marina having marina slips. One such sign shall be allowed for each marina slip.
- (n) ~~Real estate signs.~~ For each parcel within the city, one real estate sign may be displayed on each parcel of land or part thereof that is for sale, lease, or rent; however, when more than one dwelling unit or nonresidential space on a parcel of land is for sale, lease, or rent, there may be one real estate sign for each such unit or space. In addition, waterfront lots may display one additional real estate sign within the required waterfront yard. Real estate signs shall not exceed three square feet in sign area for residential properties, and 16 square feet in sign area for nonresidential properties. The real estate sign shall be removed immediately upon the sale, lease or rent of the real estate that was offered for sale, lease, or rent.
- (kj) *Warning signs and safety signs.* Warning signs and safety signs, not exceeding four square feet in sign area, shall be allowed in all districts.
- (k) *Special event sign.* A special event sign may be allowed subject to the conditions of the associated special event permit or City sponsorship conditions, along with any restrictions placed specifically on special event signage within this division. All other restrictions of this division, not specific to special event signs, shall not be applicable.
- (l) *Temporary window signs.* Temporary window signs shall be allowed on parcels being used for multifamily residential, office, commercial, and public/semipublic uses. The maximum area of such signs in areas classified as office, commercial, and public/semipublic shall not exceed 25-50 percent of windowpane area or 100 square feet, whichever is less. In multifamily residential areas, the area of temporary window signs shall not exceed 25 square feet. If the use displaying such temporary window sign(s) is also displaying permanent window sign(s), as authorized in Sec. 26.11(d), then the total area of the window covered by a combination of all window signs shall not exceed 65% of the windowpane area. Temporary window signs that are illuminated shall be part of the computation of the allowable area for attached signs.
- (em) *Temporary signs.* One temporary sign per property, not exceeding three square feet in area on residential property, and 12 square feet in area on nonresidential property, shall be allowed. Additionally, an unlimited number of temporary signs shall be allowed on both residential and nonresidential property from thirty days prior to an election held in the city to two days following an election held in the city, provided all other restrictions of this sign type are met. A temporary sign for a non-election predictable event shall be posted no more than seven days prior to the event and removed no more than two days following the event. A temporary sign for a non-election unpredictable event shall be removed no more than two days following the event. This regulation does not pertain to a temporary sign otherwise regulated by a special event permit. Signs may be

freestanding or attached wall signs and shall not be of a type prohibited in section 26.5. Temporary signs are further regulated by type as follows:

- (1) Freestanding temporary signs. If freestanding, signs shall not exceed three feet in height on residential property and six feet in height on nonresidential property, shall be located outside of the visibility triangle required by section 6.21 of this Code, shall be located outside of any required pedestrian access, public safety access, or parking access or space, and shall be located a minimum of three feet from the sidewalk or curb line on private property.
 - (2) Attached temporary signs. If attached, signs shall be erected as permitted for a wall sign and shall not exceed in height the eave or parapet line of the building.
- (f) ~~Free expression signs.~~ For each parcel within the city and for each residential unit within a multifamily residence, one free expression sign not exceeding three square feet in sign area may be displayed. The free expression sign may be displayed as an attached sign or as a freestanding sign; if displayed as a freestanding sign, the free standing sign shall not exceed three feet in height. A free expression sign is in addition to any other sign permitted under this Code and is permitted in any zoning district. Only one such sign shall be permitted on each such parcel or each residential unit. The sign must be located within six feet of a building located on the lot or parcel; or if there is no building on the lot or parcel, the sign must be located at least 15 feet from any street.
- (g) ~~Election signs.~~ For each lot within the city one election sign for each issue may be displayed. An election sign may be displayed as an attached sign or as a freestanding sign. On parcels that are in residential use, the election sign shall not exceed three square feet in sign area; and, if the election sign is displayed as a freestanding sign on the parcel, the election sign shall not exceed three feet in height. On parcels that are in nonresidential use, the election sign shall not exceed 12 square feet in sign area; and, if the election sign is displayed as a freestanding sign on the parcel, the election sign shall not exceed six feet in height. Freestanding election signs shall be set back at least three feet behind the sidewalk or, if there is no sidewalk, ten feet from the edge of pavement. Election signs are prohibited on public property and public right-of-way. An election sign shall be removed within seven ~~(7)~~ calendar days following the election to which it pertains.

For this section, the term lot means: the least fractional part of subdivided lands having limited fixed boundaries and an assigned number, letter, legal description or other name through which it may be identified

- (o) ~~Temporary garage-yard sale signs.~~ For each parcel with a lawful residential use, one temporary garage-yard sale sign may be displayed. A temporary garage-yard sale sign shall not exceed four square feet in sign area. A temporary garage-yard sale sign may not be displayed for a period longer than two days during any calendar month and shall be removed upon the conclusion of the sale.
- (p) ~~Temporary grand opening signs.~~ For each new business or business name change, one temporary grand opening sign shall be permitted for 30 days after the issuance of an occupational license for the new business or the business name change. A temporary grand opening sign shall not exceed 12 ~~16~~ square feet in sign area. A temporary grand opening sign may be a temporary covering, such as a toaster cover, sign boot, or sign sock, which covers an existing permitted attached or freestanding sign.
- (q) ~~Temporary seasonal signage.~~ During the period November 15 until January 7 each year, each business holding a valid business tax receipt shall be allowed to display one additional sign of the types allowed for the applicable zoning district, excluding freestanding pole or monument signs. Such sign shall not require a permit, but must conform to the dimensional requirements of the code.
- (r) ~~Window signs.~~ For each parcel within the city, one or more window signs may be displayed. On parcels that are in residential use, the window sign(s) shall not exceed an aggregate of three square feet in sign area. On parcels that are in nonresidential use, the window sign(s) shall not be restricted from the date

of adoption of this ordinance until December 31, 2012; following which such signage shall not exceed an aggregate of more than 50 percent of any window surface.

- ~~(s) Temporary holiday and seasonal decorations.~~ Temporary holiday and seasonal decorations shall be allowed in all districts.
- ~~(t) Temporary valet parking station signs.~~ One temporary valet parking station sign no more than four square feet in sign area shall be allowed on each parcel. The temporary valet parking station sign shall only be visible during hours that the valet is operating.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13; Ord. No. 2016-24, § 5, 1-10-17)

Sec. 26.4-14. - Prohibited signs.

The following signs and sign types are prohibited within the city limits and shall not be erected. Any lawfully existing permanent sign or sign type which is among the prohibited signs and sign types listed below shall be deemed a nonconforming sign subject to the provisions of section 26.5.

- ~~(a) Billboards; off-site signs.~~
- ~~(ab) Revolving signs; rotating signs.~~
- ~~(be) Flashing signs or, animated signs, multi-prism signs and beacon lights, except when required by the Federal Aviation Administration or other government agency.~~
- ~~(cd) Banners, except those used to advertise approved special events, approved with a special event permit those installed for 30 days after the issuance of a business' tax receipt for a new business, or when used during transitional or emergency events as regulated in Section 26.19. For special events, the banner may not be placed on the property in which the event is to take place more than 21 days prior to the special event. For new businesses, the size of the banner may not exceed the allowance otherwise permitted for attached signage, shall be attached to the building or face of an existing freestanding sign, and shall be secured to resist movement from wind.~~
- ~~(d) Pennants, streamers, and all other fluttering, spinning, or similar type signs and advertising devices.~~
- ~~(e) Wind signs.~~
- ~~(f) Portable signs, other than sandwich board signs as allowed within certain zoning districts pursuant to this division.~~
- ~~(g) Roof signs, other than integral roof signs in nonresidential zoning districts.~~
- ~~(h) Abandoned and discontinued signs, except as temporarily permitted in Section 26.19.~~
- ~~(i) Snipe signs.~~
- ~~(j) Bus bench advertising signs; bus shelter advertising signs.~~
- ~~(k) Signs that emit sound, vapor, smoke, odor, particles or gaseous matter, or project three-dimensional images, holographic images or pyrotechnics, with the exception that signs emitting audible sound erected to accomplish compliance with the Americans with Disabilities Act shall be authorized.~~
- ~~(l) Signs that have unshielded illuminating devices, other than electronic changeable message sign displays permitted in accordance with this division.~~
- ~~(m) Signs that obstruct, conceal, hide or otherwise obscure from view any official traffic or governmental sign, signal or device.~~
- ~~(n) Any attached sign that exceeds 100 square feet in area.~~

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- (o) ~~Any freestanding sign that is higher than 35 feet.~~
 - (p) ~~Any freestanding sign that exceeds 135 square feet in sign area.~~
 - (qn) Any sign within a sight visibility triangle that obstructs a clear view of pedestrian or vehicular traffic.
 - (ro) Any sign in or over the public right-of-way, ~~other than traffic control device signs, bus stop informational signs, warning signs or safety signs except government signs or as otherwise provided by this division.~~
 - (sp) Any sign attached to or painted on a seawall ~~or~~, pier, dock, or tie pole, other than a government sign, warning sign or safety sign, or signs otherwise required by local, state or federal law.
 - (tg) Signs in or upon any river, bay, lake, or other body of water within the limits of the City, other than government signs, warning or safety signs or signs otherwise required by local, state or federal law. The City Manager or designee is authorized to remove and dispose of any temporary sign placed within the City right-of-way in violation of this ordinance.
 - (ur) Any sign other than a traffic control device sign that uses the word "stop" or "danger," or presents or implies the need or requirement of stopping or the existence of danger, or which is a copy or limitation of official traffic control device signs, and which is adjacent to the right-of-way of any road, street, or highway.
 - (vs) Any sign nailed, fastened ~~or~~, affixed to, hanging from, or painted on any tree or other vegetation, or part thereof (living or dead).
 - (wt) Any sign prohibited by state or federal law.
 - (xu) Vehicle signs, as defined by this division, and portable trailer signs.
 - (yv) Any sign located on real property without the permission of the property owner.
 - (y) ~~Beacons, except as required by federal or state law.~~

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.15. - Methods of Measurement

- (a) Setbacks. Required setbacks for signs in all zoning districts shall be measured from the property line to the nearest part of the sign.
- (b) Height. Height for freestanding signs in all zoning districts shall be computed as the distance from the base of the sign structure at ground level to the highest point of the sign structure. In cases where the ground level, as defined in this section, cannot reasonably be determined, sign height shall be derived on the assumption that the elevation of the ground at the base of the sign is equal to the average elevation at the front property line of the zone lot.
- (c) Area.
 - (1) Freestanding sign, monument base. Sign area shall be computed as the extreme outer dimensions of the freestanding structure, excluding the support structure base and architectural features. When sign copy has been attached or painted on a background panel or area distinctively painted, textured, or constructed to serve as the background for the sign copy, sign area shall be computed as the area enclosed by the smallest single rectangle that can be drawn around the outside dimensions of the background panel or surface, including sign trim or frame.

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- (2) Freestanding sign, pole base. Sign area shall be computed as the area enclosed by the smallest single rectangle that will enclose the sign structure, exclusive of poles.
 - (3) Attached sign, single element. Sign area shall be computed within a single perimeter composed of squares or rectangles that enclose the sign structure, background panel, or surface, including sign trim and frame.
 - (4) Attached sign, multiple elements. When signs are constructed of individual elements, such as signs that consist of individual letters or signs have an additional background panel or surface for a logo, the area of all sign elements which together convey a single, complete message, shall be considered as a single sign. Sign area shall be computed by summing the area of each element enclosed by the smallest single rectangle that can be drawn around the complete message of sign copy, background panel or surface, including sign trim or frame.
 - (5) Signs painted directly on walls, awnings, canopies, or other structures. The area of a sign painted directly on a wall, awning, canopy, marquee, or other structure that has not been distinctively painted, textured, or constructed to serve as a background for the sign copy, shall be computed as the area enclosed by the smallest single rectangle that can be drawn around the commercial message, including all sign copy, logos, or other representation or image that directly or indirectly represents a business, product, or other commercial activity. When a sign has been painted on a background panel or area distinctively painted, textured, or constructed to serve as the background for the sign copy, sign area shall be computed as the area enclosed by the smallest single rectangle that can be drawn around the outside dimensions of the background panel or surface, including sign trim or frame.
 - (6) Window signs. Sign area shall be computed as the area enclosed by the smallest single rectangle that that can be drawn around the outside dimensions of the sign display, including sign trim or frame.
 - (7) Double-faced signs. On a sign where two sign faces are back to back and directionally oriented 180 degrees from each other, the sign area shall be computed as the area of one sign face. Where the two faces of a double-faced sign are not equal in size, the larger sign face shall be used in the area computation. Where two sign faces are directionally oriented at an interior angle other than 180 degrees, both sign faces shall be counted toward sign area.

Sec. 26.16. - Adoption of Zoning Regulations

- (a) Intent. It is the intent of this section to regulate signs visible from a public right-of-way in a manner that is consistent with the land use classification which establishes the character of the area in which the signs are located and in keeping with the overall character of the community.
- (b) Adoption of zoning regulations. The boundaries of the various districts shown upon the official zoning map and the regulations of the comprehensive zoning ordinance contained in Land Development Code, governing the use of land and buildings and other matters set forth therein are made part of this division. Except as provided in this division, no sign shall be erected, enlarged, reconstructed or structurally altered which does not comply with all the district regulations established by this division for the zoning district in which it is located.
- (d) If no height or size restriction is specifically provided regarding any sign located in the City, the height and size restrictions for a structure in the zone in which the sign is located will govern.
- (e) Any building or land use not conforming to the zoning ordinance provisions for the zone in which it is located, shall, nevertheless, comply with all provisions of this division for the zone in which it is located.

(f) Except as provided in this division, no sign shall be erected, enlarged, reconstructed or structurally altered which does not comply with all the district regulations established by this division for the zoning district in which it is located.

Sec. 26.17. – Permitted signs and standards by zoning districts.

(a) The following types of signs are permitted for businesses in the Activity Center (AC), Bayou Residential (BR), Commercial Corridor-1 (CC-1), Commercial Corridor-2 (CC-2), and Institutional (INS) districts, as follows:

Table 26.17.a - Standards for Signs in the AC, BR, CC-1, CC-2, CG-1, CG-2, INS Districts¹

Permitted Sign Types	Freestanding Signs	Attached Signs	Projecting Signs
<u>Maximum Quantity: businesses with less than 200 ft of frontage may choose up to 2 signs; business with 200 to 300 ft of frontage may choose up to 3 signs; businesses with more than 300 ft of frontage may choose up to 4 signs</u>	<u>1 per street frontage, not to exceed a maximum of 2. When a zoning lot contains multiple businesses, no more than one freestanding sign may be permitted for each 200 linear feet of lot frontage along any single frontage.</u>	<u>1 per building frontage not to exceed a maximum of 2, or 1 per building frontage per business if in a multi-tenant development.</u>	<u>1 per business</u>
<u>Maximum Area (per sign)</u>	<u>60 ft². When a zoning lot is permitted more than one freestanding sign along a street frontage, one freestanding sign of 120 ft² may be substituted for two freestanding signs of 60 ft² but shall be set back at least ten feet from the front property line.</u>	<u>1 ft² per linear foot of building frontage</u>	<u>12 ft²</u>
<u>Maximum Height</u>	<u>15 feet</u>	<u>Shall not appear above the fascia on hip, gable or mansard roofs, or the highest point of the roof inclusive of the parapet on flat roofs.</u>	<u>-</u>
<u>Maximum Width</u>	<u>A freestanding sign shall not have a sign area width that exceeds an aspect of 2:1 with its height.</u>	<u>-</u>	<u>-</u>

¹ Subject to additional standards set forth in Section 26.18.

(b) The following types of signs are permitted for businesses in the Boutique Hotel/Condo (B/HC), Large Resort (LR), and Resort Facilities Medium (RFM) districts, as follows:

Table 26.17.b - Standards for Signs in the B/HC, LR, and RFM Districts²

Permitted Sign Types	Freestanding Signs	Attached Signs	Projecting Signs
<u>Maximum Quantity: businesses with less than 200 ft of frontage may choose up to 2 signs; business with 200</u>	<u>1 per street frontage, not to exceed a maximum of 2, per business frontage. When</u>	<u>1 per building frontage not to exceed a maximum of 2, or 1 per building frontage per</u>	<u>1 per business</u>

<u>to 300 ft of frontage may choose up to 3 signs; businesses with more than 300 ft of frontage may choose up to 4 signs</u>	<u>a zoning lot contains multiple businesses, no more than one freestanding sign may be permitted for each 200 linear feet of lot frontage along any single frontage.</u>	<u>business if in a multi-tenant development.</u>	
Maximum Area (per sign)	<u>60 ft². When a zoning lot is permitted more than one freestanding sign along a street frontage, one freestanding sign of 120 ft² may be substituted for two freestanding signs of 60 ft² but shall be set back at least ten feet from the front property line.</u>	<u>1 ft² per linear foot of building frontage</u> <u>Not to exceed an aggregate area of 70 ft²</u>	<u>12 ft²</u>
Maximum Height	<u>15 feet</u>	<u>Shall not appear above the fascia on hip, gable or mansard roofs, or the highest point of the roof inclusive of the parapet on flat roofs.</u>	
Maximum Width	<u>A freestanding sign shall not have a sign area width that exceeds an aspect of 2:1 with its height.</u>	=	=

² Subject to additional standards set forth in Section 26.18.

(c) The following types of signs are permitted for businesses in the Town Center Core (TC-1), Town Center Corey Circle and Coquina West (TC-2), Upham Beach Village (UBV), Residential/Office/Retail (ROR), and Community Redevelopment District-Eighth Avenue (CRD-EA) districts, as follows:

<i>Table 26.17.c - Standards for Signs in the TC-1, TC-2, UBV, ROR, and CRD-EA³ Districts⁴</i>			
Permitted Sign Types	Freestanding Signs	Attached Signs	Projecting Signs
<u>Maximum Quantity: businesses with less than 200 ft of frontage may choose up to 2 signs; business with 200 to 300 ft of frontage may choose up to 3 signs; businesses with more than 300 ft of frontage may choose up to 4 signs</u>	<u>For street frontages along Gulf Blvd, Boca Ciega, Blind Pass, and Pass-a-Grille Way: 1</u> <u>For all other streets: Not permitted</u>	<u>1 per building frontage per business</u>	<u>1 per business</u>
Maximum Area (per sign)	<u>40 ft²</u>	<u>1 ft² per linear foot of building frontage, not to</u>	<u>12 ft²</u>

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		<u>exceed a maximum area of 40 ft²</u>	
<u>Maximum Height</u>	<u>10 feet</u>	<u>Shall not appear above the fascia on hip, gable or mansard roofs, or the highest point of the roof inclusive of the parapet on flat roofs.</u>	=
<u>Maximum Width</u>	<u>A freestanding sign shall not have a sign area width that exceeds an aspect of 2:1 with its height.</u>	=	=

³ Subject to additional standards set forth in Division 40, as may be amended.

⁴ Subject to additional standards set forth in Section 26.18.

- (d) The following types of signs are permitted depending on property use in the Residential Urban districts (RU-1 and RU-2), Residential Low Medium districts (RLM-1 and RLM-2) districts, Residential Medium (RM) district, and Downtown Core Residential (DCR) district, as follows:

<u>Table 26.17.d - Standards for Signs in the RU-1, RU-2, RLM-1, RLM-2, RM, DCR, and TH Districts⁵</u>			
<u>Permitted Sign Types</u>	<u>Freestanding Signs</u>	<u>Attached Signs</u>	<u>Projecting Signs</u>
<u>Maximum Quantity: 2</u>	<u>For residential uses: 1 subdivision identification sign at the neighborhood entrance. The subdivision identification sign shall be constructed with a monument base.</u> <u>For non-residential uses: 1</u>	<u>1 per non-residential parcel</u>	<u>Not permitted</u>
<u>Maximum Area (per sign)</u>	<u>24 ft²</u>	<u>8 ft² or 1 ft² per linear foot of building frontage, whichever is less</u>	=
<u>Maximum Height</u>	<u>6 feet</u>	<u>Shall not appear above the first floor of the building</u>	=
<u>Maximum Width</u>	<u>A freestanding sign shall not have a sign area width that exceeds an aspect of 2:1 compared with its height.</u>	=	=

⁵ Subject to additional standards set forth in Section 26.18.

- (e) Additional restrictions on signage in the Pass-A-Grille Overlay District may be found in Division 20, as may be amended.

Sec. 26.18. - Standards for Specific Sign Types.

In addition to the regulations prescribed by this sign code generally, the following regulations for certain sign types shall apply.

- (a) Electronic message board signs. The following conditions and restrictions shall apply to electronic message board signs:

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- (1) Location. Electronic message board signs are only permitted for nonresidential uses on properties adjacent to Gulf Boulevard from 37th Avenue to 75th Avenue. Electronic message board signs shall only be located in a front yard, and in no case shall be closer than 10 feet from the front yard property line.
 - (2) Design. An electronic message board sign shall only be permitted as an integral component of a freestanding sign. The width, depth, and color of the cabinet containing the electronic message board shall be compatible with the design of the primary sign structure.
 - (3) Size. An electronic message board sign shall comprise no more than 50 percent of the overall sign area of the freestanding sign and shall not, in any case, exceed 32 square feet in area.
 - (4) Brightness. Maximum illumination intensity level for electronic message board signs shall not exceed 0.3 foot candles over ambient light when measured at 50 linear feet from the base of the sign.
 - (4) Dwell time. The minimum amount of time that a message or display on an electronic message board sign remains fixed shall be one minute.
 - (5) Static images and messages. The image or message shall be static. There shall be no animation, flashing, scintillating lighting, movement, or the varying of light intensity during the message. Messages or images shall not scroll and shall not give any appearance or optical illusion of movement.
 - (6) Default mechanism. The sign shall have a default mechanism or setting that will cause the sign to turn off or show a "full black" image if a visible malfunction or failure occurs.
 - (7) Electronic message board signs, including LED-type, shall only be permitted as defined above. All other existing nonconforming electronic message board signs shall be subject to the amortization schedule set forth in section 26.6.
- (b) Waterside identification signs. For each parcel within the City with a residential complex or licensed commercial establishment(s) that has at least one façade that can only be viewed from a navigable waterway, one (1) waterside identification sign shall be allowed per such façade. A waterside identification sign may be either a freestanding sign or an attached sign. A waterside identification sign shall not exceed eight (8) feet in height and shall not exceed 40 square feet in sign area. A waterside identification sign shall not be illuminated. A waterside identification sign shall be in addition to the signage otherwise allowed pursuant to the other provisions of this division.
 - (c) Attached menu display signs. For each parcel with either (a) a restaurant without drive-thru service, or (b) with a transient lodging facility that has restaurant facilities open to the general public in addition to registered guests, one (1) attached menu display sign shall be allowed. An attached menu display sign shall be a wall sign not exceeding 12 square feet in sign area. An attached menu display sign shall be in addition to the signage otherwise allowed pursuant to the other provisions of this division.
 - (d) Drive-thru menu signs. For each parcel with a licensed commercial establishment that utilizes a drive-thru lane, one (1) drive-thru menu sign shall be allowed for each drive-thru lane. A drive-thru menu sign may be either a free-standing sign or an attached sign and shall not exceed 40 square feet in sign area and ten (10) feet in height. Drive-thru menu signs shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
 - (e) Sandwich board/A-frame signs. One (1) sandwich board sign shall be allowed for each licensed commercial establishment. Sandwich board signs shall not be placed in the right-of-way, shall not be placed within the visibility triangle required for intersections at streets and driveways, as required by this Code, be no larger than five feet in height and 12 square feet in area per face, shall not obstruct

walkways or fire access, shall have no illumination of any kind, and may be displayed only during the time when the business in front of which the sign is located is open to the public.

- (f) Theater signs. For each parcel with a theater use, one attached theater sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater, subject to a maximum limit of 64 square feet in sign area. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (g) Boat or beach concession signs. Boat or beach concession signs shall only be permitted in the RFM district. Each licensed boat or beach concession rental business operating along the Gulf and on the site of a business having Gulf frontage may be permitted signs as follows:
- (1) Permission required. The applicant shall provide the city with a letter, granting approval for placement of the signs, from the owner of the real property upon which signs are to be located prior to the issuance of a permit.
- (2) Lighted signs. Lighted signs shall be prohibited.
- (3) Sandwich board signs. Operators may display sandwich board sign on at the building frontage adjacent to the sandy beach during the hours of business operation in accordance with subparagraphs (i) through (iv) below. Such signs shall be removed from the beach when the business is closed.
- (i) Maximum area: Eight square feet per face.
- (ii) Number permitted: One.
- (iii) Maximum height: Five feet.
- (iv) Setbacks: 40 feet from the visible water line.
- (4) Tiki hut or ticket office signs. Operators may display signs on the tiki huts or ticket offices as follows:
- (i) Maximum area: Eight square feet per face.
- (ii) Number permitted: Three per tiki hut; not more than two on one side.
- (iii) Location: Signs may be attached to or painted on the sides of the tiki hut at a point no higher than four feet above the ground, provided however, that one of the signs may be raised and attached at a point on the side of the tiki hut just below the eave of the roof.
- (5) Operators without a tiki hut or ticket office. Licensed board or beach concession rental businesses that do not use a tiki hut or other structure for their businesses shall be permitted to keep one sandwich board sign on the beach, provided such sign is no larger than eight square feet in area per face, five feet in height, located outside of any pedestrian or emergency easement, and is removed from the beach nightly. Signs shall be kept a minimum of 40 feet landward of the visible water line at all times.

Sec 26.19. - Transitional and Emergency Signage

- (a) Notwithstanding any other restriction of this Division, a business' signage that is damaged to less than 25% of its depreciated value, and which is maintained in a safe condition, shall not be considered abandoned during the following circumstances:
- (1) During a declared local state of emergency, retroactive to the date of the emergency event;

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- (2) Following a local state of emergency, for the length of time it takes to restore the business to occupiable pre-storm condition, provided that such restoration does not constitute a substantial improvement and the property is maintained with an active building permit during this timeframe;
 - (3) For 90 days following the completion of work listed in (2), preceding.
- (b) Notwithstanding any other restriction of this Division, a business may have one banner during the following timeframes and subject to the following conditions:
- (1) One banner may be placed in the same location as a permitted attached sign from the date of permit issuance for the attached sign until the sign is installed, not to exceed 180 days. The banner shall be no larger in square footage than the attached sign which is permitted for the location and shall be fastened to the building to resist movement from wind.
 - (2) In addition to other permitted signage, one banner may be permitted per operational business during the declaration of a local state of emergency. The banner shall be no larger in square footage than the size of an attached sign permitted for the property, and shall be removed within seven days following the end of the local state of emergency. The sign shall be fastened to the building containing the business to resist movement from wind.

Sec. 26.26. Residential Zoning Districts.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, the following permanent signs are also allowed within RU-1, RU-2, RLM-1, RLM-2, RM, Districts. The permanent signs described below require a sign permit.

- (a) *Subdivision monument identification signs.* For each platted subdivision or neighborhood entrance within any RU-1, RU-2, RLM-1 and RLM-2 Residential Districts, one subdivision monument identification sign not exceeding six feet in height and 24 square feet in sign area shall be allowed.
- (b) *Freestanding monument signs.* For each parcel with a lawful nonresidential use within the RU-1, RU-2, RLM-1 and RLM-2 Residential Districts, one freestanding monument sign shall be allowed. The freestanding monument sign shall be subject to the following limitations:
 - (1) *Maximum height.* The monument sign shall not exceed six feet in height.
 - (2) *Maximum size.* The monument sign shall not exceed 18 square feet in sign area. However, in the event that the parcel is greater than one acre in size and has two street frontages, two freestanding monument signs shall be allowed, but each freestanding monument sign shall be subject to the maximum height and maximum size criteria described above.
- (c) *Attached signs.* For each parcel with a lawful nonresidential use within the RU-1, RU-2, RLM-1 and RLM-2 Residential Districts, one attached sign shall be allowed. The attached sign shall be subject to the following limitations:
 - (1) *Maximum size.* An attached sign shall not exceed six square feet in sign area.
 - (2) *Height restrictions.* An attached sign may not appear above the first floor of a building.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.27. RM and DCR Residential Districts.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, the following permanent signs are also allowed within RM Residential District. The permanent signs described below require a sign permit:

- (a) *Subdivision monument identification signs.* For each platted subdivision or neighborhood entrance within any RM or DCR Residential District, one subdivision monument identification sign not exceeding six feet in height and 24 square feet in sign area shall be allowed.
- (b) *Freestanding monument signs.* For each parcel with a lawful nonresidential use within the RM or DCR Residential District, one freestanding monument sign shall be allowed. The freestanding monument sign shall be subject to the following limitations:
 - (1) *Maximum height.* The monument sign shall not exceed eight feet in height.
 - (2) *Maximum size.* The monument sign shall not exceed 24 square feet in sign area. However, in the event that the parcel is greater than one acre in size and has two street frontages, two freestanding monument signs shall be allowed, but each freestanding monument sign shall be subject to the maximum height and maximum size criteria described above.
- (c) *Attached signs.* For each parcel with a lawful nonresidential use within the RM or DCR districts, one attached sign shall be allowed. The attached sign shall be subject to the following limitations:
 - (1) *Maximum size.* An attached sign shall not have a sign area that exceeds (a) eight square feet or (b) one square foot for each linear foot of building frontage, whichever is less.
 - (2) *Height restrictions.* An attached sign may not appear above the first floor of a building.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.28. ROR Residential/Office/Retail District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the ROR District may have up to three of the following signs in [subsections] (a)–(c) below, subject to permit approval and compliance with the conditions for each type of sign:

- (a) *Subdivision monument identification signs.* For each platted subdivision or neighborhood entrance within any ROR Residential/Office/Retail District, one subdivision monument identification sign not exceeding six feet in height and 24 square feet in sign area shall be allowed.
- (b) *Freestanding monument signs.* For each parcel with a lawful nonresidential use within the ROR Residential/Office/Retail District, one freestanding monument sign shall be allowed. The freestanding monument sign shall be subject to the following limitations:
 - (1) *Maximum height.* The monument sign shall not exceed ten feet in height.
 - (2) *Maximum size.* The monument sign shall not exceed 40 square feet in sign area. However, in the event that the parcel is greater than one acre in size and has two street frontages, two freestanding monument signs shall be allowed, but each freestanding monument sign shall be subject to the maximum height and maximum size criteria described above.
- (c) *Attached signs.* For each parcel with a lawful nonresidential use within the ROR Residential/Office/Retail District, attached signs shall be allowed. Attached signs shall be subject to the following limitations:

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- (1) *Maximum size.* An attached sign shall not have a sign area that exceeds one square foot for each linear foot of building frontage.
 - (2) *Height restrictions.* An attached sign may not appear above the second floor of a building.
 - (d) One sandwich board sign or one designer sign, subject to the following:
 - (1) *Sandwich board*—Shall be located in front of the storefront for which it advertises and shall not be placed in the right-of-way, shall not be placed within the visibility triangle required for intersections at streets and driveways, as required by this Code, be no larger than five feet in height and 12 square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.
 - (2) *Designer sign*—Shall not be located on public right-of-way or within the visibility triangle required by this Code and shall be no larger than five feet tall by three feet wide by three feet deep.
 - (e) A projecting sign, provided that the sign is no larger than 12 square feet in area, does not project within two feet of any curb, and has a minimum ground clearance of seven feet.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.29. RFM Resort Facilities Medium District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, the following permanent signs and temporary signs are also allowed within RFM Resort Facilities Medium District. The permanent signs described below require a sign permit:

- (a) *Freestanding monument signs.* For each parcel with a lawful nonresidential use within any RFM Resort Facilities Medium District, one freestanding monument sign shall be allowed. The freestanding monument sign shall be subject to the following limitations:
 - (1) *Maximum height.* The monument sign shall not exceed 20 feet in height.
 - (2) *Maximum size.* The monument sign shall not exceed 135 square feet in sign area. However, in the event that the parcel is greater than one acre in size and has two street frontages or more than 400 feet along one street frontage, two freestanding monument signs shall be allowed, but each freestanding monument sign shall be subject to the maximum height and maximum size criteria described above.
- (b) *Attached signs.* For each parcel with a lawful nonresidential use within the RFM Resort Facilities Medium District, attached signs shall be allowed. Attached signs shall be subject to the following limitations:
 - (1) *Maximum number.* Up to three attached signs shall be allowed with a combined sign area not exceeding the maximum permitted in paragraph (c)(2); however, in the event the parcel contains a multi-tenant development, each individual business use may have one attached sign.
 - (2) *Maximum size.* An attached sign shall not have a sign area that exceeds one square foot for each linear foot of building frontage.
 - (3) *Height restrictions.* An attached sign may not appear above the second floor of a building.
- (c) *Drive-thru menu signs.* For each parcel with a lawful nonresidential use that utilizes a drive-thru lane within RFM Resort Facilities Medium District, one drive-thru menu sign shall be allowed for each drive-thru lane. An allowed drive-thru menu sign may be either a free-standing sign or an attached sign, and shall not exceed 40 square feet in sign area and ten feet in height. Drive-thru menu signs shall be in

addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

- (d) *Attached menu display signs.* For each parcel within RFM Resort Facilities Medium District with (a) a restaurant without drive-thru service or (b) with a transient lodging facility that has restaurant facilities open to the general public, one attached menu display sign shall be allowed. An attached menu display sign shall be a wall sign not exceeding 12 square feet in sign area. An attached menu display sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (e) *Theater signs.* For each parcel with a theater within RFM Resort Facilities Medium District, one attached theater sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater, subject to a maximum limit of 64 square feet in sign area. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (f) *Waterside identification signs.* For each parcel within RFM Resort Facilities Medium District with a residential complex, business property or shopping center theater that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a free-standing sign or an attached sign. A waterside identification sign shall not exceed eight feet in height and shall not exceed 20 square feet in sign area. A waterside identification sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (g) *Boat or beach concession signs.* Each licensed boat or beach concession rental business operating along the Gulf of Mexico and on the site of a business having Gulf frontage may be permitted signs as follows:
 - (1) *Permission required.* The applicant shall provide the city with a letter, granting approval for placement of the signs, from the owner of the real property upon which signs are to be located prior to the issuance of a permit.
 - (2) *Advertising permitted.* Signs at boat or beach concession rental business licensed sites shall only provide descriptions of the specific activities and services offered at the site where the sign is located. Such signs shall not be permitted to advertise or imply the availability of any activities or services that are not specifically available at the site.
 - (3) *Lighted signs.* Lighted signs shall be prohibited.
 - (4) *Sandwich board signs.* Operators may display sandwich board sign on the sandy beach during the hours of business operation in accordance with subparagraphs (i) through (iv) below. Such signs shall be removed from the beach when the business is closed.
 - (i) *Maximum area:* 12 square feet per face.
 - (ii) *Number permitted:* One.
 - (iii) *Maximum height:* Five feet.
 - (iv) *Setbacks:* 40 feet from the water's edge.
 - (5) *Tiki hut or ticket office signs.* Operators may display signs on the tiki huts or ticket offices as follows:
 - (i) *Maximum area:* Eight square feet per face.
 - (ii) *Number permitted:* Three per tiki hut; not more than two on one side.

(iii) *Location.* Signs may be attached to or painted on the sides of the tiki hut at a point no higher than four feet above the ground, provided however, that one of the signs may be raised and attached at a point on the side of the tiki hut just below the eave of the roof.

(6) *Operators without a tiki hut or ticket office.* Licensed board or beach concession rental businesses that do not use a tiki hut or other structure for their businesses shall be permitted to keep one sandwich board sign on the beach overnight, provided such sign is no larger than eight square feet in area per face and is located or protected so as to not be a hazard to people walking on the beach after dark.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.30. CG-1 Commercial District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the CG-1 District may have up to three of the following signs in [subsections] (a)–(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose up to four signs from [subsections] (a)–(f)):

- (a) *Freestanding monument signs.* Up to two freestanding monument signs are permitted, provided that the sign face does not exceed 50 square feet in area, is not taller than eight feet in height, and is not located within the visibility triangle as required by this Code. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may be up to 100 square feet in area, but shall not exceed eight feet in height. However, this sign shall be counted as two of the three or four permitted.
- (b) *Attached signs.* Subject to the following:
- (1) *Maximum size.* An attached sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.
- (2) *Height restrictions.* An attached sign may not appear above the second floor of a building.
- (c) *Drive-thru menu signs.* For each parcel with a lawful nonresidential use that utilizes a drive-thru lane within the CG-1 Commercial District, one drive-thru menu sign shall be allowed for each drive-thru lane. An allowed drive-thru menu sign may be either a free-standing sign or an attached sign, and shall not exceed 40 square feet in sign area and ten feet in height. Drive-thru menu signs shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (d) *Attached menu display signs.* For each parcel within the CG-1 Commercial District with a restaurant without drive-thru service or with a transient lodging facility that has restaurant facilities open to the general public, one attached menu display sign shall be allowed. An attached menu display sign shall be a wall sign not exceeding 12 square feet in sign area. An attached menu display sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (e) *Theater signs.* For each parcel with a theater within the CG-1 Commercial District, one attached theater sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (f) *Waterside identification signs.* For each parcel within the CG-1 Commercial District with a residential complex, business property or shopping center theater that can only be viewed from a navigable

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waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a freestanding sign or an attached sign. A waterside identification sign shall not exceed eight feet in height and shall not exceed 20 square feet in sign area. A waterside identification sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.31. CG-2 Commercial District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the CG-2 District may have up to three of the following signs in [subsections] (a)–(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose up to four signs from [subsections] (a)–(f)):

- (a) *Freestanding monument.* Up to two freestanding monument signs are permitted, provided that the sign face does not exceed 50 square feet in area, is not taller than eight feet in height, and is not located within the visibility triangle as required by this Code. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may be up to 100 square feet in area, but shall not exceed eight feet in height. However, this sign shall be counted as two of the three or four permitted.
 - (1) *Maximum height.* The monument sign shall not exceed eight feet in height.
 - (2) *Maximum size.* The monument sign shall not exceed 50 square feet in sign area.
 - (3) *Setback.* The sign shall be set back at least ten feet from the property line.
- (b) *Attached signs.* Attached signs shall be subject to the following limitations:
 - (1) *Maximum size.* An attached sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.
 - (2) *Height restrictions.* An attached sign may not appear above the second floor of a building.
- (c) *Attached menu display signs.* An attached menu display sign shall not exceed 12 square feet in sign area.
- (d) *Theater signs.* For each parcel with a theater within the CG-2 Commercial District, one attached theater sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (e) *Waterside identification signs.* For each parcel within the CG-2 Commercial District with a residential complex, business property or shopping center theater that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a free-standing sign or an attached sign. A waterside identification sign shall not exceed eight feet in height and shall not exceed 20 square feet in sign area. A waterside identification sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (f) One sandwich board sign or one designer sign, subject to the following:
 - (1) *Sandwich board*—Shall be located in front of the storefront for which it advertises and shall not be placed in the right-of-way, shall not be placed within the visibility triangle required for intersections at streets and driveways, as required by this Code, be no larger than five feet in

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height and 12 square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.

- (2) *Designer sign*—Shall not be located on public right-of-way or within the visibility triangle required by this Code and shall be no larger than five feet tall by three feet wide by three feet deep.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.32. INS Institutional District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each institution may choose up to three signs from [subsections] (a)–(c) below, subject to the limitations for each sign.

- (a) *Freestanding monument signs*. For each parcel with a lawful nonresidential use within any INS Institutional District, one freestanding monument sign shall be allowed. The freestanding monument sign shall be subject to the following limitations:
- (1) *Maximum height*. The monument sign shall not exceed eight feet in height.
 - (2) *Maximum size*. The monument sign shall not exceed 50 square feet in sign area. However, in the event that the parcel is greater than one acre in size and has two street frontages, two freestanding monument signs shall be allowed, but each freestanding monument sign shall be subject to the maximum height and maximum size criteria described above.
- (b) *Attached signs*. For each parcel with a lawful nonresidential use within the INS Institutional District, attached signs shall be allowed. Attached signs shall be subject to the following limitations:
- (1) *Maximum number*. Only one attached sign shall be allowed.
 - (2) *Maximum size*. An attached sign shall not exceed a sign face area equal to (a) 24 square feet or (b) one square foot for each linear foot of building frontage, whichever is less.
 - (3) *Height restrictions*. An attached sign may not appear above the first floor of a building.
- (c) One sandwich board sign or one designer sign, subject to the following:
- (1) *Sandwich board*—Shall be located in front of the storefront for which it advertises and shall not be placed in the right-of-way, shall not be placed within the visibility triangle required for intersections at streets and driveways as required by this Code, be no larger than five feet in height and 12 square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.
 - (2) *Designer sign*—Shall not be located on public right-of-way or within the visibility triangle required by this Code and shall be no larger than five feet tall by three feet wide by three feet deep.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.33. TC-1 and TC-2 Districts.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the TC-1 or TC-2 District may have up to three of the following signs in [subsections] (a)–(f) below, subject to permit approval and compliance with the conditions for each type of sign. One of the allowable signs may be internally illuminated subject to section 26.23. Such signs shall not be located on any building façade or property frontage adjacent to Corey Avenue.

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- (a) One sandwich board sign or one designer sign, subject to the following:
- (1) *Sandwich board*—Shall be located in front of the storefront for which it advertises and will not be placed in the right-of-way, not be placed within the visibility triangle required for intersections at streets and driveways, as required by this Code, be no larger than five feet in height and 12 square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.
 - (2) *Designer sign*—Shall not be located on public right-of-way or within the visibility triangle required by this Code and shall be no larger than five feet tall by three feet wide by three feet deep.
- (b) A marquee or canopy sign;
- (c) A menu display sign;
- (d) A projecting sign, provided that the sign is no larger than 12 square feet in area, does not project within two feet of any curb, and has a minimum ground clearance of seven feet;
- (e) A wall sign, provided the sign is not internally illuminated, unless such sign is on a parcel which abuts Gulf Boulevard south of 76th Avenue, in which case internal illumination shall be allowed. The area of the sign may be one square foot for every linear foot of building frontage, per business, not to exceed a total of 50 square feet.
- (f) A freestanding monument sign, provided that the sign face does not exceed 40 square feet in area, is not taller than eight feet in height, does not block any pedestrian walkway, and is not located within the visibility triangle as required by this Code. The sign may be located within the front yard setback.
- (g) *Waterside identification signs*. For facades of a building that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a free-standing sign or an attached sign. A waterside identification sign shall not exceed 40 square feet in area.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13; Ord. No. 2016-24, § 6, 1-10-17)

Sec. 26.34. LR and BHC Districts.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the LR or BHC District that has an exclusive entrance to the interior of the building from the exterior of the building may have up to three of the following signs in [subsections] (a)–(e) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose up to four from [subsections] (a)–(e) below):

- (a) A marquee or canopy sign;
- (b) A menu display sign;
- (c) A wall sign. The area of the sign may be one square foot for every linear foot of building frontage, per business, not to exceed a total of 70 square feet.
- (d) Up to two freestanding monument signs, provided that the sign face does not exceed 50 square feet in area, is not taller than 12 feet in height, and is not located within the visibility triangle as required by this Code. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may be up to 100 square feet in area, but shall not exceed eight feet in height. However, this sign shall be counted as two of the four permitted.

(e) One sandwich board sign or one designer sign, subject to the following:

(1) *Sandwich board*—Shall be located in front of the storefront for which it advertises and will not be located in the right-of-way, shall not be placed within the visibility triangle required for intersections at streets and driveways as required by this Code, be no larger than five feet in height and 12 square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.

(2) *Designer sign*—Shall not be located on public right-of-way or within the visibility triangle required by this Code and shall be no larger than five feet tall by three feet wide by three feet deep.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.35. CC-1 and CC-2 Districts.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business may have up to three of the following signs in [subsections] (a)–(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose to four signs from [subsection] (a)–(f):

(a) Freestanding monument signs. Up to two freestanding monument signs are permitted, provided that the sign face does not exceed 50 square feet in area, is not taller than eight feet in height, and is not located within the visibility triangle as required by this Code. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may be up to 100 square feet in area but shall not exceed eight feet in height. However this sign shall be counted as two of the three or four permitted.

(b) A marquee or canopy sign;

(c) A menu display sign not to exceed 12 square feet;

(d) A projecting sign, provided that the sign is no larger than 12 square feet in area does not project within two feet of any curb and has a minimum ground clearance of seven feet;

(e) Wall signs subject to the following:

(1) *Maximum size.* A wall sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.

(2) Internally illuminated signs are discouraged but not prohibited. Externally illuminated signs are preferable with lighting from above or below casting light on the sign but the lighting shall not shine directly onto adjacent properties or onto the right-of-way.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.36. CRD-EA District.

Each business with its own exterior entrance may have up two signs per frontage from the following list:

(a) One projecting sign not to exceed 12 square feet and shall have a minimum clearance from the sidewalk of 7.5 feet.

(b) One attached sign, which may include a wall sign, a canopy, or a marquee sign; the attached sign may not be larger than one square foot for every linear foot of building frontage.

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(c) One sandwich board sign or one designer sign, subject to the following:

(1) Sandwich board—Shall be located in front of the storefront for which it advertises and will not be placed in the right-of-way such that the sidewalk width would be less than 48 inches, not be placed within the visibility triangle required for intersections at streets and driveways, as required by this Code, be no larger than five feet in height and 12 square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.

(2) Designer sign—Shall not be located on public right-of-way or within the visibility triangle required by this Code and shall be no larger than five feet tall by three feet wide by three feet deep.

(d) All other signs are prohibited.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.37. UBV District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the UBV District may have up to three of the following signs in [subsections] (a)–(d) below, subject to permit approval and compliance with the conditions for each type of sign:

(a) A marquee or canopy sign;

(b) A projecting sign, provided that the sign is no larger than 12 square feet in area, does not project within two feet of any curb, and has a minimum ground clearance of seven feet;

(c) A wall sign, provided the sign is not internally illuminated. The sign may be externally illuminated with lighting from above or below casting light on the sign, but the lighting shall not shine directly onto adjacent properties or onto the right-of-way. The area of the sign may be one square foot for every linear foot of building frontage per business not to exceed a total of 40 square feet;

(d) A freestanding monument sign, provided that the sign face does not exceed 40 square feet in area, is not taller than five feet in height, does not block any pedestrian walkway and is not located within the visibility triangle as required by this Code. The sign may be externally illuminated with lighting from above or below casting light on the sign but the lighting shall not shine directly onto adjacent properties or onto the right-of-way.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.38. AC District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the AC District may have up to three of the following signs in [subsections] (a)–(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose up to four signs from [subsections] (a)–(f)):

(a) *Freestanding monument signs.* Up to two freestanding monument signs are permitted, provided that the sign face does not exceed 50 square feet in area is not taller than eight feet in height, and is not located within the visibility triangle as required by this Code. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may be up to 100 square feet in area but shall not exceed eight feet in height. However, this sign shall be counted as two of the three or four permitted.

(b) *Attached signs.* subject to the following:

(1) *Maximum size.* An attached sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.

(2) *Height restrictions.* An attached sign may not appear above the second floor of a building.

(c) *Drive-thru menu signs.* For each parcel with a lawful nonresidential use that utilizes a drive-thru lane within the AC District, one drive-thru menu sign shall be allowed for each drive-thru lane. An allowed drive-thru menu sign may be either a freestanding sign or an attached sign and shall not exceed 40 square feet in sign area and ten feet in height. Drive-thru menu signs shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(d) *Attached menu display signs.* For each parcel within the AC Commercial District with a restaurant without drive-thru service or with a transient lodging facility that has restaurant facilities open to the general public, one attached menu display sign shall be allowed. An attached menu display sign shall be a wall sign not exceeding 12 square feet in sign area. An attached menu display sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(e) *Theater signs.* For each parcel with a theater within the AC District, one attached theater sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(f) *Waterside identification signs.* For facades of a building that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a freestanding sign or an attached sign. A waterside identification sign shall not exceed 40 square feet in sign area.

In addition to the number and types of signs listed in [subsections] (a)–(f) above, multi-tenant shopping centers in the AC District may have one additional monument sign listing each individual tenant all within the same sign face. The sign shall be no taller than ten feet and no larger than 100 square feet per sign face. The sign shall not be located within any setback or within any pedestrian or utility easement.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.39. BR District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the BR District may have up to three of the following signs in [subsections] (a)–(e) below, subject to permit approval and compliance with the conditions for each type of sign:

(a) A marquee or canopy sign;

(b) A projecting sign, provided that the sign is no larger than 12 square feet in area, does not project within two feet of any curb, and has a minimum ground clearance of seven feet;

(c) A wall sign, provided the sign is not internally illuminated. The sign may be externally illuminated with lighting from above or below casting light on the sign, but the lighting shall not shine directly onto adjacent properties or onto the right-of-way. The area of the sign may be one square foot for every linear foot of building frontage per business not to exceed a total of 40 square feet;

(d) A freestanding monument sign, provided that the sign face does not exceed 40 square feet in area, is not taller than five feet in height, does not block any pedestrian walkway and is not located within the visibility triangle as required by this Code. The sign may be externally illuminated with lighting from

above or below casting light on the sign but the lighting shall not shine directly onto adjacent properties or onto the right-of-way.

- (e) ~~Waterside identification signs. For facades of a building that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a freestanding sign or an attached sign. A waterside identification sign shall not exceed 40 square feet in sign area.~~

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.40. Traditional Hotel District.

In addition to the permanent and temporary signs and sign types that are allowed pursuant to section 26.25, each business within the THD District may have up to three of the following signs in [subsections] (a)–(d) below, subject to permit approval and compliance with the conditions for each type of sign:

- (a) ~~A marquee or canopy sign;~~
- (b) ~~A projecting sign, provided that the sign is no larger than 12 square feet in area, does not project within two feet of any curb, and has a minimum ground clearance of seven feet;~~
- (c) ~~A wall sign, provided the sign is not internally illuminated. The sign may be externally illuminated with lighting from above or below casting light on the sign, but the lighting shall not shine directly onto adjacent properties or onto the right-of-way. The area of the sign may be one square foot for every linear foot of building frontage, per business, not to exceed a total of 40 square feet;~~
- (d) ~~A freestanding monument sign, provided that the sign face does not exceed 20 square feet in area, is not taller than four feet in height, does not block any pedestrian walkway and is not located within the visibility triangle as required by this Code. The sign may be externally illuminated with lighting from above or below casting light on the sign, but the lighting shall not shine directly onto adjacent properties or onto the right-of-way. The sign may be located within the front yard setback.~~

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.41. Pass-a-grille overlay district.

All signs shall be allowed in accordance with the underlying zoning district's permitted signage, except that internally illuminated signage shall be expressly prohibited.

(Ord. No. 2016-24, § 7, 1-10-17)

Sec. 26.4220. - Severability.

- (a) *Generally.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division 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 division.
- (b) *Severability where less speech results.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection 26.34(a), or elsewhere in this division, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division 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,

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paragraph, subparagraph, sentence, phrase, clause, term, or word of this division, 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.

- (c) *Severability of provisions pertaining to prohibited signs.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection 26.35(a), or elsewhere in this division, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division 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 division that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed under section 26.4 of this division. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of section 26.4 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 section 26.4
- (d) *Severability of prohibition on billboards.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division and/or any other code provisions and/or laws are 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 billboards as contained herein.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13; Ord. No. 2016-24, § 7, 1-10-17)

Editor's note(s)—Ord. No. 2016-24, § 7, adopted Jan. 10, 2017, added § 26.41 and in so doing renumbered § 26.41 as 26.42, as set out herein.

DIVISION 26 SIGN ORDINANCE¹

DRAFT: APRIL 2025

Sec. 26.1. Purpose, intent and scope.

It is the purpose of this division to promote the public health, safety and general welfare through reasonable, consistent and nondiscriminatory sign standards. The sign regulations in this division are intended to be content-neutral and regulate only the number, form, and placement, not the content, of signs. In order to preserve and enhance the city as a desirable community in which to live, vacation and do business, a pleasing, visually attractive environment is of foremost importance. These sign regulations have been prepared with the intent of mitigating the impact signs have on traffic and pedestrian safety, enhancing the visual environment of the city, and promoting its continued well-being. These sign regulations are intended to:

- (a) Encourage the effective use of signs as a means of communications in the city;
- (b) Maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth;
- (c) Improve pedestrian and traffic safety;
- (d) Minimize the possible adverse effect of signs on nearby public and private property;
- (e) Foster the integration of signage with architectural and landscape designs;
- (f) 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;
- (g) Allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs;
- (h) Encourage and allow signs that are appropriate to the zoning district in which they are located and consistent with the category of use and function to which they pertain;
- (i) Curtail the size and number of signs and sign messages to the minimum reasonably necessary;
- (j) Establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains;
- (k) Categorize signs based upon their structures and tailor the regulation of signs based upon those structures;
- (l) Preclude signs from conflicting with the principal permitted use of the site and adjoining sites;
- (m) Regulate signs in a manner so as to not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians;
- (n) 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;

¹Editor's note(s)—Ord. No. 2013-14, § 1(Exh. A), adopted April 23, 2013, amended Div. 26 in its entirety to read as set out herein. Former Div. 26, §§ 26.1—26.40, pertained to similar subject matter and derived from Ord. No. 2011-42, § 1(Exh. A), adopted Jan. 24, 2012; Ord. No. 2012-16, § 1(Exh. A), adopted Sept. 12, 2012.

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- (o) Preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all districts of the city;
 - (p) Prohibit signage that will substantially and negatively impact imperiled wildlife;
 - (q) Allow for traffic control devices consistent with national standards and whose purpose is to promote highway safety and efficiency by providing for the orderly movement of road users on streets and highways, and that notify road users of regulations and provide warning and guidance needed for the safe, uniform and efficient operation of all elements of the traffic stream;
 - (r) 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;
 - (s) Protect property values by ensuring that sign-types, as well as the number of signs, are in harmony with buildings, neighborhoods, and conforming signs in the area;
 - (t) Regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the city, is appropriate in scale to the surrounding buildings and landscape, 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 resort community, as well as for its commercial properties;
 - (u) Provide flexibility and encourage variety in signage, and create an incentive to relate signage to the basic principles of good design; and
 - (v) Enable the fair and consistent enforcement of these sign regulations.

Sec. 26.2. Definitions.

All words used in this division, except where specifically defined herein, shall carry their customary dictionary meanings when not inconsistent with the context in which they are used. The following terms, when used in this division, shall have the meanings ascribed to them in this section:

Abandoned or discontinued sign or sign structure means (a) A sign on or appurtenant to a building when that building has not been occupied for a period of 90 consecutive days or longer; or (b) a sign which contains structural components but no display or sign copy for a period of 90 consecutive days or longer. This term does not include individual panels within a sign for multi-tenant developments unless the multi-tenant development is more than 50 percent vacant, or transitional and emergency signage as referred to in Sec. 26.19.

Advertising means sign copy intended to aid, directly or indirectly, in the sale, use or promotion of a product, commodity, service, sales event, activity, entertainment, or real or personal property.

Animated sign means a sign which includes action, motion, or color changes, or the optical illusion of action, motion or color changes, requiring electrical energy or set in motion by movement of the atmosphere, or made up of external sign elements that revolve or turn. The term "animated sign" does not include signs which display time of day, temperature, or both, and does not include electronic message board signs.

Artwork means a two- or three-dimensional representation of a creative idea that is expressed in an artistic form but does not in any way identify a business, product, business logo, or a commercial message.

Attached sign means any sign attached to, on, or supported by any part of a building (e.g., walls, integral roof, awning, windows, or canopy) which encloses or covers usable space.

Awning means a cloth, plastic, or other nonstructural covering that is permanently attached to a building or other structure, or that can be raised or retracted to a position against the building or other structure when not in use.

Awning sign or canopy sign means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Banner means any sign or string of one or more signs, usually made of cloth or other lightweight material, which is used to attract attention, whether or not imprinted with words or characters, including, but not limited to, balloons and pennants. Flags shall not be considered banners.

Beacon means a stationary or revolving light which flashes or projects illumination, single color or multicolored, in any manner which has the effect of attracting or diverting attention, except, however, this term does not include any kind of lighting device which is required or necessary under the safety regulations of the Federal Aviation Administration or other similar agency. This definition does not apply to any similar type of lighting device contained entirely within a structure and which does not project light to the exterior of the structure.

Building frontage. See frontage, building.

Bus stop informational sign means a freestanding or attached noncommercial sign located at a bus stop and providing information as to the route, hours or times of service.

Canopy means a permanent or semi-permanent, on-premise roof-like projection or structure intended to provide shade or shelter.

Canopy sign or awning sign means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Changeable copy/message sign means a sign with the capability of content change by means of manual or remote input, including the following types:

- (1) *Manually activated.* Changeable sign whose message copy can be changed manually on a display surface.
- (2) *Electronically activated.* Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices, or may be from an external light source designed to reflect off of the changeable component display. See also *Electronic message board sign*.

Character means any symbol, mark, logo, or inscription.

Color means any distinct tint, hue or shade including white, black or gray.

Copy means the linguistic or graphic content of a sign.

Designer sign means a sign that is custom made wall or monument-type signs, reviewed by the city manager or designee, and found to be of a higher creative, artistic and three-dimensional, or sculptural nature than the standard types of signs typically used within the sign industry.

Double-faced sign means a single sign with items of information relating to the same business on both sides of the sign and mounted as a single structure.

Eave means the lowest horizontal line of a sloping roof.

Electronic message board sign means a sign by which the message copy can be electronically changed and controlled. This shall include but not be limited to changeable words, lines, logos, symbols, or illustrations and shall include all LED type signs regardless of if the sign periodically changes copy.

Erect means to build, construct, attach, hang, place, suspend or affix, and shall also include the painting of wall signs.

Facade means the exterior wall(s) of a building exposed to public view.

Flag means any fabric, or bunting containing distinct colors, patterns or symbols, used as an ornamental flag or as a symbol of government, political subdivision, corporation or business or other entity. (See also ornamental flag.)

Flagpole means a pole on which to raise a flag. A flagpole is not a freestanding pole sign.

Flashing sign means any illuminated sign on which the artificial source of light is not maintained stationary or constant in intensity and color at all times when such sign is illuminated. For the purposes of this definition, any moving illuminated sign affected by intermittent lighting shall be deemed a flashing sign. This does not include official warning signs to the motoring public.

Foot-candle means a unit of measure of luminosity of a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot.

Freestanding sign, monument or pole means a sign supported by structures or supports that are placed on or anchored in the ground or at ground level and which are independent of any building or other structure.

Frontage means the length of the property line of a parcel of land which runs parallel with and along a road right-of-way or street, exclusive of alleyways.

Frontage building, or building frontage, means the length of the single façade of a building or that portion of building occupied by a single office, business or enterprise, commonly referred to as "store-front", which is abutting a street, parking area, or other means of customer access such as an arcade, a mall or a walkway.

Government sign means any temporary or permanent sign erected by or on the order of a public official or quasi-public entity at the federal, state or local government level in the performance of any duty including, but not limited to, noncommercial signs identifying a government building, program or service (including bus or other public transit services), traffic control signs, street name signs, street address signs, warning signs, safety signs, informational signs, traffic or other directional signs, public notices of government events or actions, proposed changes of land use, any proposed rezoning, or any other government speech. This term includes signs erected on government property pursuant to lease, license, concession or similar agreements requiring or authorizing such signs.

Ground level means the level of finished grade of a parcel of land, exclusive of any filling, berming, or mounding, or excavating, solely for the purpose of locating a sign. Ground level on marina docks or floating structures shall be the finished grade of the landward portion of the adjoining parcel.

Height means vertical distance measured from ground level nearest the base of the sign to the highest point on the sign.

Illuminated sign means any sign or portion thereof which is illuminated by artificial light, either from an interior or exterior source, including outline, reflective or phosphorescent light, whether or not the source of light is directly affixed as part of the sign.

Integral roof sign means any sign erected or constructed as an integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

Lawful message means any message not prohibited by state or federal law.

Lot. See definition of parcel.

Maintenance means the replacing, repairing or repainting of a portion of sign structure, periodically changing changeable copy or renewing copy which has been made unusable by ordinary wear, weather, or accident.

Marquee means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee sign means any sign attached to a marquee.

Multi-tenant building/development means a building or development where more than one business may be located, including businesses located above the first floor or otherwise without frontage on a public right-of-way.

Nameplate sign or occupant identification sign means a sign indicating the name and/or profession or address of a person or persons residing on the premises or legally occupying the premises.

Nonconforming sign means a sign which does not conform with the regulations provided in this division.

Parcel means land which has been or which is proposed to be used, developed, or built upon as a unit under single ownership.

Pennant means any series of small flag-like or streamer-like pieces of cloth, plastic, paper or similar material attached in a row to any staff, cord, building, or at only one or two edges, the remainder hanging loosely.

Permanent sign means any sign which, when installed, is intended for permanent use, and is so constructed as to be of lasting and enduring condition (beyond normal wear and tear). Unless otherwise provided for herein, a sign other than a temporary sign or portable sign shall be deemed a permanent sign.

Predictable event means an event of which the date or dates is or are known at the time the sign is erected. By way of example, predictable events shall include an election, garage sale, grand opening, parade, wedding, garage sales, and others with a definite date.

Portable sign means any sign, banner, or poster that is not permanently attached to the ground or structure, or a sign capable of being transported, including, but not limited to, signs designed to be transported by means of wheels or carried by a person, and signs converted to an A-frame sign or a T-frame sign. For purposes of this division, a cold-air inflatable sign shall be considered to be a portable sign.

Projecting sign means any sign affixed perpendicularly to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

Property means the overall area represented by the outside boundaries of a parcel of land or development containing one or more business establishments and/or residential units.

Revolving sign or rotating sign means an animated sign that revolves or turns or has external sign elements that revolve or turn. Such sign may be power-driven or propelled by the force of wind or air.

Roof sign means any sign erected and constructed wholly on or over the roof of a building, which is supported by the roof structure, or any sign that extends in whole or in part above the roofline of a building.

Safety sign. See Warning sign.

Sandwich board sign or A-frame sign means a portable, freestanding sign which is ordinarily in the shape of an "A," or some variation thereof when erected.

Shopping center means a group of commercial establishments developed, operated, managed, and/or owned as a planned unit under a single architectural plan. A shopping center may include a building or structure owned in fee simple, condominium, cooperative, leasehold or other ownership.

Sight visibility triangle means a triangular shaped portion of land established at street intersections or street and driveway intersections in which nothing is erected, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. For street intersections, this triangle is measured 20 feet in length from the intersection along the abutting curb lines to form a triangle; and for driveway

intersections, this triangle is measured ten feet from the intersection along the curb line and along the driveway line to form a triangle. (See illustration in section 6.21 herein.)

Sign means any device, fixture, placard or structure which uses color, form, graphics, illumination, architectural style or design with text, or writing to advertise, attract attention, announce the purpose of, or identify the purpose of any person or entity or to communicate information of any kind to the public. The term "sign" includes sign structure.

Sign area means the total square foot area of sign surface, computed as described in section 26.14.

Sign face means the part of the sign that is or can be used to identify, display, advertise, communicate information, or for the visual representation which attracts or intends to attract the attention of the public for any purpose.

Sign structure means any structure which is designed specifically for the purpose of supporting a sign, which has supports or which is capable of supporting a sign. The definition shall include any decorative covers, braces, wires, supports, or other components attached to or placed around the sign structure.

Snipe sign means any sign tacked, nailed, posted, pasted, glued or otherwise attached to telephone poles, utility poles, or fences, with the message appearing thereon not applicable to the present use of the premises upon which the sign is located.

Street means a public right-of-way intended for the use of vehicular and pedestrian traffic.

Street address sign means any sign denoting the street address of the premises on which it is attached or located.

Subdivision monument identification sign means a monument sign which contains only the name of a platted subdivision or other residential development.

Temporary sign means a sign intended for a use not permanent in nature and shall include a sign formerly or commonly associated with a temporary use or structure, or a sign related to an event or occurrence at a future time, which shall be further defined by whether the event to which it pertains is predictable or unpredictable.

Traffic control device sign means any sign located within the right-of-way that is used as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the national standard. A traffic control device sign includes those signs that are classified and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational, or cultural information).

Unpredictable event means an event of which the date or dates is or are not known at the time the sign is erected. By way of example, unpredictable events may mean for rent or for sale periods, construction projects, and others without a definite date of ending.

Vehicle sign means a sign attached to or placed on a vehicle, including, but not limited to, automobiles, trucks, boats, campers, and trailers, and that is located on public or private property, can be viewed from a right-of-way. This includes signs attached to the following vehicles: On- or off-site inoperable vehicles, junk or abandoned vehicles as defined in section 98-67 of the Code of Ordinances, vehicles that have not been driven or moved in 72 hours, or a vehicle with signage attached to it that renders the vehicle not safely drivable.

Visibility triangle. See Sight visibility triangle.

Wall sign means a sign which is painted on, fastened to, or erected against the wall of a building with its face in a parallel plane with the plane of the building facade or wall.

Warning sign or safety sign means a sign which only provides warning of a dangerous condition or situation that might not be readily apparent or that poses a threat of serious injury (e.g., gas line, high voltage, condemned building, etc.) or that only provides warning of a violation of law or prohibitions on parking, trespassing, hunting, fishing, swimming, or other activity on the property on which the sign is posted.

Waterside identification sign means a sign which can be only be viewed from the waters of the Gulf, Boca Ciega Bay, the intracoastal waterway or any other navigable waterway.

Wayfinding/Directional sign means a sign, which may or may not be a governmental/statutory sign, that shows route designations, destinations, directions, distances, services, points of interest, or other geographical, recreational, or cultural information for the aid of the traveling public, for facilitating a safe and orderly traffic flow and preventing sudden stops.

Wind sign means a sign which uses objects or material fastened in such a manner as to move upon being subjected to pressure by wind, and shall include pennants, ribbons, spinners, streamers or captive balloons; however, the term "wind sign" shall not include flags.

Window or door sign means any sign visible from the exterior of a building or structure which is painted on, attached, glued, or otherwise affixed in any fashion on the interior or exterior of the surface of a window or door.

Sec. 26.3. Applicability.

- (a) *Applicability.* This division applies to any sign, permanent or temporary, displayed or erected which is visible and legible from a right-of-way.
- (b) *Relationship to other codes.* All signs shall comply with applicable building, electrical, and maintenance codes as adopted by the city. In the event any provisions of this division are in conflict with other applicable requirements, the more restrictive requirements shall apply.
- (c) This division does not regulate the following:
 - (1) A sign, located entirely inside the premises of a building or enclosed space, and that is not visible from the right-of-way or public parking lot.
 - (2) A government sign.
 - (3) Historic markers for local, state, or nationally designated historic resources.

Sec. 26.4. - No content restrictions.

- (a) 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.
- (b) It is the intent of the City Commission that protection of First Amendment rights shall be afforded such that any sign, display, or device allowed under this division may contain, in lieu of any other copy, any otherwise lawful message unrelated to the business located on the premises where the sign is erected. The 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 or commercial message to another, as frequently as desired by the owner of the sign, provided that the applicable size, height, setback, lighting, design, other applicable requirements, and dwell time criteria for electronic changeable message signs contained in this division and Code have been satisfied.

Sec. 26.5. - Sign permit required.

- (a) *Generally.*

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- (1) Allowed temporary and allowed permanent signs of the type described in section 26.13., shall be exempt from sign permitting hereunder.
 - (2) No sign permit shall be issued for the erection of a prohibited sign.
 - (3) Signs subject to this division shall be designed, constructed, and maintained in compliance with the City's building, electrical, maintenance, and all other applicable codes and ordinances and in compliance with all applicable state and federal law, codes and regulations.
 - (4) Unless exempt from permitting, no sign shall be erected, altered, relocated, maintained or displayed until a sign permit is obtained from and appropriate fee paid to the city. Where electrical permits are required, they shall be obtained at the same time as the sign permit. The requirement of a building permit under the Florida Building Code is separate and independent of the requirement for a sign permit under this division.
 - (5) A sign lawfully erected under permit may be repainted or have ordinary and customary non-structural repairs performed, including replacement of plastic or glass panels, without a new sign permit; however, if repair work causes such sign is to be structurally altered, relocated, or enlarged in any manner, a new sign permit shall be required and the altered sign must meet all requirements of this division and this Code. Nonconforming signs that have been substantially damaged, deteriorated beyond 25 percent of the assessed value of the sign, or destroyed shall not be issued a permit for repairs and shall be removed in accordance with section 26.6.
- (b) *Fees.* Every person making an initial application for a sign permit shall pay fees to the city at the time of approval of the application. The fees shall be established by resolution of the city commission and shall be as stated in appendix A to this Code.
- (c) *Permit Application.* A sign permit application for a permanent sign shall be made upon a form provided by the city. The sign permit application is in addition to any building permit application required by the Florida Building Code. The sign permit application shall be accompanied by plans and specifications drawn to scale, together with any site plan required by Division 5 of the Land Development Code. An applicant shall deliver a sign permit application for a permanent sign to the city's chief building official, or such other person as may be designated by the city. The sign permit application shall be reviewed for a determination of whether the proposed sign meets the applicable requirements of this division and any applicable zoning law. The applicant shall furnish the following information on or with the sign permit application form:
- (1) The legal description of the real property where the sign is proposed to be located.
 - (2) The zoning district for the real property on which the sign(s) will be located.
 - (3) The name, mailing address and telephone number (where available) of the owner(s) of the real property where the sign is proposed to be located.
 - (4) A notarized statement of authorization signed by the owner(s) consenting to the placement of the proposed sign on the real property.
 - (5) The name, mailing address and telephone number of the sign contractor.
 - (6) Type of proposed sign(s) (e.g., attached wall sign, freestanding monument sign).
 - (7) Detailed scaled drawings to show the dimensions, design, structure, and location of each particular sign (when depicting the design of the sign it is not necessary to show the content of the sign as the sign reviewer is prohibited from taking this factor into consideration).
 - (8) Computations of the maximum total sign area, the maximum area for individual signs, and the height of each of the proposed signs.

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- (9) The setbacks for the proposed sign(s).
 - (10) The cost of the proposed sign(s).
 - (11) The number, type, location, and surface area for all existing signs on the same lot and/or building on which the sign will be located.
 - (12) If the proposed sign is to be an illuminated sign, the type, placement, intensity and hours of operation.
- (d) *Nullification.* A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of six months after the date of the permit. If the sign is an integral part of a new building structure, then the permit shall be valid until completion of the building.
 - (e) *Revocation.* If the city manager and/or their designee finds that any sign has been erected, altered or maintained in violation of this division, Florida Building Code, or any other ordinance of the city, or that there has been any false statement or misrepresentation of a material fact in the application or plans on which the permit was based, the owner of record of the property upon which such sign is located shall be notified by either certified mail or by hand delivery that such violation exists. The owner shall cause the violation to be remedied or shall file an appeal of the violation within three working days after receipt of the notice. If the permit holder fails or refuses to make corrections within ten days, or a shorter period when emergency conditions exist pursuant to 98-75, it shall be the duty of the building official, or designee, to revoke such permit and provide written notice of same to such permit holder. It shall be unlawful for any person to proceed with any work under the permit after such notice is issued. Where it is determined that such illegal sign poses an imminent threat to the health, safety or welfare of the public, the city may cause the immediate removal of the sign by its own action. Cost of such removal shall be paid by the property owner. In addition to removal, the city shall be entitled to proceed with alternative legal or equitable remedies, including injunctive relief.
 - (f) *Appeals.* Whenever it is alleged that there has been an error in any order, action, decision, determination, or requirement by an administrative official in the enforcement and application of any provision contained within this division or any other provision of this Code pertaining to sign permits (including any allegation that an administrative official has failed to act within applicable time frames), the aggrieved party shall file a written appeal on or before 30 days from the day of the administrative decision in accordance with Section 3.14 of the Land Development Code.

Sec. 26.6. - Nonconforming signs.

All signs that lawfully existed at the time of the enactment of this division and that do not conform to the provisions of this division, but which were in compliance with the applicable regulations at the time they were constructed, erected, affixed, or maintained, shall be regarded as nonconforming signs.

- (a) Except as provided in this section, no nonconforming sign shall be moved, reconstructed, extended, enlarged, or structurally altered, unless changed to conform with this division.
- (b) Nonconforming signs may continue to be maintained, repaired, or the message of the sign may be changed provided that maintenance, repair, or changing the copy does not require structural alterations.
- (c) Removal of a nonconforming sign, or replacement of a nonconforming sign with a sign conforming to this division, is required when:
 - (1) The nonconforming sign is substantially damaged, destroyed, or deteriorated to such extent that the cost of repair or restoration would equal or exceed 25 percent of the replacement cost of the sign; or

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- (2) A building or site on which the nonconforming sign is located is improved, repaired, rehabilitated, altered, or redeveloped at a cost which equals or exceeds 50 percent of the market value of the existing building or structure before the improvement or repair is started.
 - (d) In addition to the above, all legally erected nonconforming electronic message board signs, including all LED-type signs, must be made to conform to the applicable provisions of this division by January 1, 2027.
 - (e) Signs that exist on the effective date of this division that were not in conformance with previous regulations are illegal signs and shall conform with this division or be removed within ninety (90) calendar days of the effective date of this division.

Sec 26.7. - Variances.

- (a) Requests for variances from any provisions of this division, unless stated otherwise, shall be processed and authorized pursuant to section 3.12 general variances of the Land Development Code.
- (b) Variances from the terms of these regulations may not be contrary to the public interest. Variances may be granted where, owing to special conditions, the literal enforcement of the provisions would result in unnecessary hardship, not to include economic hardship. However, no variance shall be granted unless the criteria of section 3.12 are met. In addition to these usual criteria for variances to the provisions of this article, any additional signage allowed pursuant to variances shall be conditioned in such a way that, taking into consideration existing allowable signage in the area, the additional signage does not exacerbate visual clutter, driver distraction or traffic safety in the area.

Sec. 26.8. - Inspection and maintenance of signs.

- (a) *Inspection.* Signs for which a permit is required under this division may be inspected periodically by the building official, or designee, for compliance with this division, other codes of the City, and all terms upon which the sign permit may have been conditioned.
- (b) *Maintenance of signs.*
 - (1) All visible portions of a sign and its supporting structure shall be maintained in a safe condition, and present a neat and clean appearance according to the following:
 - a. Signs with illumination that have become flashing signs shall be repaired, renovated, or corrected to the original permitted function and order
 - b. If the sign is painted, the painted surface shall be kept in good condition.
 - c. Every sign shall be kept in such manner as to constitute a complete or whole sign.
 - d. Every sign shall be able to withstand the wind pressure for which it was originally designed.
 - e. If a sign is a freestanding sign, the area around the base of the sign shall be landscaped, maintained, and kept free of weeds, overgrowth, debris, trash, litter, and any other unsightly conditions or nuisances as defined by chapter 98, article 3 property maintenance of the Code of Ordinances.
 - (2) The maintenance of signs shall be in keeping with the intent of chapter 98, article 3, section 98-66(d) to ensure the public health, safety and welfare is maintained. The owner and/or leaseholder shall be responsible for maintaining the signs concerned in good operating conditions and appearance and shall be responsible for maintaining the area immediately surrounding the sign. Failure to comply with chapter 98, article 3 shall constitute cause for

revocation of the sign permit and removal of the sign, if the owner and/or leaseholder fail to correct same within two days after written notice of violation.

Sec. 26.9. - Enforcing official.

The city manager, or designee, shall be the enforcing official of this division. The enforcing official is charged with the duty of administering this division and securing compliance therewith. Further, the enforcing official shall make such inspection as may be necessary to ensure compliance with this division and shall initiate appropriate action, if any, to enforce the provisions of this division.

Sec. 26.10. - Violations and penalties.

- (a) The acts enumerated in this section shall be a violation of this division and shall be subject to the enforcement remedies and penalties provided by this division, by other city codes, and by state law. Such remedies may be pursued simultaneously.
- (b) It shall be a violation to:
 - (1) Install, create, erect or maintain any sign in a way that is inconsistent with any approved plan or permit governing such sign or the site on which the sign is located.
 - (2) Install, create, erect or maintain any sign requiring a permit without having first obtained such permit.
 - (3) Fail to remove any sign that is installed, created, erected or maintained in violation of this division or for which the sign permit has lapsed.
 - (4) Install, erect, place, or maintain any sign contrary to the provisions of this division, including any sign or sign structure not allowed within the applicable zoning district.
 - (5) Continue any such violation.
- (c) Each sign installed, created, erected or maintained in violation of this division shall be considered a separate violation, and each day of a continued violation shall be considered a separate violation.
- (d) Any violation of this division or any condition or requirement adopted pursuant to this division may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceedings pursuant to law. The remedies of the city shall include but not be limited to the following:
 - (1) Issuing a stop work order for any and all work on any signs on the same site.
 - (2) Seeking an injunction or other order of restraint or abatement that requires the removal of the sign or the correction of the violation.
 - (3) For a sign which poses an immediate danger to the public health or safety, taking such measures as are available to the city under the applicable provisions of this division for such circumstances.
- (e) A person in violation of this division shall be subject to prosecution and, upon conviction, shall be punished as set forth in section 1-14 of chapter 1, St. Pete Beach Code of Ordinances.

Sec. 26.11. - General sign requirements

- (a) All new signs shall comply with all applicable Florida Building Code requirements, design requirements, and other applicable requirements.
- (b) Signs and their supporting structures shall maintain clearance and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Placement shall not interfere with natural or artificial drainage or surface or underground water.

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- (c) No sign shall be erected so as to obstruct any fire escape, required exit, window, or door opening intended as a means of egress, nor shall it obstruct or interfere with roof access or any opening required for ventilation.
 - (d) No sign, portable or otherwise, is to be placed or located to conflict with the intersection visibility requirements of section 6.21 of this Land Development Code.
 - (e) All signs shall be installed and constructed in a professional and workmanlike manner and shall be maintained in good and safe structural condition and good physical appearance. All exposed structural components shall be painted, coated, or made of rust or wood rot inhibitive material.
 - (f) *Signs on public lands.* Signs shall not be located on publicly owned land or easements or inside street rights-of-way except signs required or erected by permission of the authorized governmental agency. Such prohibited signs shall include, but not be limited to, handbills, posters, advertisements, or notices that are attached in any way upon lampposts, telephone poles, utility poles, bridges and sidewalks. All signs shall be moved by the owner of the sign at no expense to the applicable governmental jurisdiction when the signs are within any public property including existing rights-of-way. Nothing shall prohibit a duly authorized public official from removing a sign from public property.
 - (g) *Official signs and notices.* Nothing in this division shall be construed to prevent or limit the display of legal notices, warnings, informational, direction, traffic, or other such signs which are legally required or necessary for the essential functions of government agencies.

Section 26.12. - Sign standards in all districts.

All permitted signs shall be subject to the below design requirements:

- (a) All permanent signs shall be compatible with the building(s) to which they relate and with the surrounding neighborhood.
- (b) The placement and location of signs shall not cover or obscure architectural features, finishes, doors, windows, or other elements of the building to which they relate unless designed to be an integral part of that element.
- (c) *Freestanding signs.*
 - (1) All freestanding signs of ten (10) feet in height or less shall be monument signs, unless any combination of landscaping of sufficient density and maturity at the time of planting may be used to achieve the same opacity as would have been achieved with the monument base.
 - (2) The materials, finishes and colors of the base of freestanding signs, including monument and pole base sign, shall match the architectural design of the building on the same site.
 - (3) All freestanding signs shall be placed in a landscaped setting appropriate to the size and scale of the sign.
 - (4) Tenant panels in freestanding signs for a multi-tenant development or shopping center, including those added to existing sign structures, shall be constructed of the same materials and illuminated by the same method.
 - (5) Freestanding signs shall not be permitted within any required side yard adjacent to property in an RU-1, RU-2, RLM-1 or RLM-2 district or within a required front yard established for protection of a right-of-way corridor.
 - (6) A freestanding sign shall not exceed 35 feet in height or 135 feet in sign area in any district and shall not exceed six (6) feet in height for any property in the Pass-a-Grille Overlay district. No

variance to this regulation may be granted and no variance application to this requirement shall be accepted.

- (d) *Window signs.* One or more window signs may be displayed where attached signs are permitted and shall count towards the maximum allowable attached sign area. Permanent window signs shall not cover more than 50% of any contiguous window surface between frames, exclusive of grilles and muntin, and shall comply with all fire safety codes.
- (e) *Projecting signs.* Projecting signs shall have a minimum ground clearance of eight (8) feet and shall not project within two (2) feet of any curb.
- (e) *Illuminated signs.*
 - (1) Illuminated signs, in addition to conforming to all other requirements of this division, shall be shielded in such a manner so that no direct source of light is cast into residential properties or into a public street or right-of-way.
 - (2) No sign shall have animated, blinking, flashing, or fluttering lights or other illumination devices which have a changing light intensity, brightness, color, or direction.
 - (3) Illuminated signs shall not interfere with pedestrian or motorist vision. No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices. Similarly, no electronic changeable message sign shall be permitted if it may be confused with, construed as, or interfere with traffic control devices.
 - (4) The illumination shall not be reflective or phosphorescent and shall be placed in a manner that will not create a nuisance to other premises or create a traffic hazard to operators of motor vehicles on public thoroughfares.
 - (5) Externally illuminated signs are preferable to internally illuminated signs. Externally illuminated signs are permitted only with steady, stationary, and shielded lighting directed solely onto the sign from either above or below.
 - (6) Internally illuminated signs or portions of a sign that are internally illuminated shall not be larger than 50 square feet in area.
 - (7) Internally illuminated signs shall be expressly prohibited in the following areas:
 - a. Within 50 feet of a property with a single-family use or zoned for a single-family use;
 - b. Building facades or property frontage adjacent to Corey Avenue in the TC-1 or TC-2 district;
 - b. BR district;
 - c. Traditional hotel district;
 - d. UBV district; and
 - e. Pass-a-Grille Overlay district.

Sec. 26.13. - Exempt Signs.

The following sign types are exempt from the permitting process and are exempt from other provisions of this division, but are not exempt from the requirements imposed by this subsection or from applicable requirements of this division relating to construction, illumination, placement, safety, and nonconformity, and are not exempt from other regulations related to public health, safety and welfare.

- (a) *Street address signs.* For each parcel within the city, one attached street address sign shall be displayed for each building façade facing the primary street or waterfront. The address numbers shall be at least three inches in height if the dwelling or business establishment is located 50 feet or less from the curb

or improved right-of-way, at least five inches in height if the dwelling or business establishment is located more than 50 feet from the curb or improved right-of-way, in Arabic numbers, and of contrasting color to background. For any site or parcels subject to a common plan of development on which one or more signs requiring a permit are proposed to be erected, the location, height, and area of street address signs shall be included in sign plan. Address numbers are subject to National Fire Protection Association (NFPA) code, as amended. One additional street address sign may be located on the monument sign or other sign at the entrance of the development.

- (b) *Artwork.* Artwork, provided it does not contain a commercial message. The portion of the artwork containing a commercial message shall be part of the computation of the allowable sign area, as described in section 26.15.
- (c) *Flags.* There shall be a maximum of one flagpole and three flags permitted for each parcel in the city. Flagpoles in residential districts shall not exceed 20 feet in height, and flagpoles in nonresidential districts shall not exceed 30 feet in height. The maximum size of such flags shall be as follows: The maximum distance from top to bottom of any flag shall be 20 percent of the total height of the flagpole, or in the absence of a flagpole, 20 percent of the distance from the top of the flag or insignia to the ground. Flags containing a commercial message shall be part of the computation of the allowable area for freestanding signs.
- (d) *Government signs.* Informational, directional and regulatory signs located within rights-of-way or on publicly-owned land that are installed by the City or other governmental signs installed with the approval of the City. Official regulatory or warning signs upon any body of water (river, bay, lake, or other body of water) within the limits of the City, informational or directional signs installed by the City or with the approval of the City upon any body of water within the limits of the City in connection with a water path or paddling trail.
- (e) *Machinery and equipment signs.* Machinery and equipment signs shall be allowed in all districts.
- (f) *Nameplate signs or occupant identification signs.* For each residence, business or other occupancy within the city, one nameplate sign may be displayed. For residences the nameplate or occupant identification signs shall not exceed two square feet in sign area. For any nonresidential use, the nameplate or occupant identification sign shall not exceed six square feet in sign area.
- (g) *Onsite directional signs.* Onsite directional signs, not exceeding four square feet in area, per sign face.
- (h) *Onsite parking space signs.* Onsite parking space number signs, not exceeding one square foot of sign face per sign, shall be allowed on each parcel in noncommercial use having multiple parking spaces onsite. One such sign shall be allowed for each parking space.
- (i) *Onsite marina slip number signs.* Onsite marina slip number signs, not exceeding one square foot of sign face per sign, shall be allowed for each marina having marina slips. One such sign shall be allowed for each marina slip.
- (j) *Warning signs and safety signs.* Warning signs and safety signs, not exceeding four square feet in sign area.
- (k) *Special event sign.* A special event sign may be allowed subject to the conditions of the associated special event permit or City sponsorship conditions, along with any restrictions placed specifically on special event signage within this division. All other restrictions of this division, not specific to special event signs, shall not be applicable.
- (l) *Temporary window signs.* Temporary window signs shall be allowed on parcels being used for multifamily residential, office, commercial, and public/semipublic uses. The maximum area of such signs in areas classified as office, commercial, and public/semipublic shall not exceed 50 percent of windowpane area or 100 square feet, whichever is less. In multifamily residential areas, the area of

temporary window signs shall not exceed 25 square feet. If the use displaying such temporary window sign(s) is also displaying permanent window sign(s), as authorized in Sec. 26.11(d), then the total area of the window covered by a combination of all window signs shall not exceed 65% of the windowpane area. Temporary window signs that are illuminated shall be part of the computation of the allowable area for attached signs.

- (m) *Temporary signs.* One temporary sign per property, not exceeding three square feet in area on residential property, and 12 square feet in area on nonresidential property, shall be allowed. Additionally, an unlimited number of temporary signs shall be allowed on both residential and nonresidential property from thirty days prior to an election held in the city to two days following an election held in the city, provided all other restrictions of this sign type are met. A temporary sign for a non-election predictable event shall be posted no more than seven days prior to the event and removed no more than two days following the event. A temporary sign for a non-election unpredictable event shall be removed no more than two days following the event. This regulation does not pertain to a temporary sign otherwise regulated by a special event permit. Signs may be freestanding or attached wall signs and shall not be of a type prohibited in section 26.5. Temporary signs are further regulated by type as follows:
- (1) *Freestanding temporary signs.* If freestanding, signs shall not exceed three feet in height on residential property and six feet in height on nonresidential property, shall be located outside of the visibility triangle required by section 6.21 of this Code, shall be located outside of any required pedestrian access, public safety access, or parking access or space, and shall be located a minimum of three feet from the sidewalk or curb line on private property.
 - (2) *Attached temporary signs.* If attached, signs shall be erected as permitted for a wall sign and shall not exceed in height the eave or parapet line of the building.

Sec. 26.14. - Prohibited signs.

The following signs and sign types are prohibited within the city limits.

- (a) Revolving signs; rotating signs.
- (b) Flashing signs, animated signs, multi-prism signs and beacon lights, except when required by the Federal Aviation Administration or other government agency.
- (c) Banners, except those used to advertise approved special events, those installed for 30 days after the issuance of a business' tax receipt for a new business, or when used during transitional or emergency events as regulated in Section 26.19. For special events, the banner may not be placed on the property in which the event is to take place more than 21 days prior to the special event. For new businesses, the size of the banner may not exceed the allowance otherwise permitted for attached signage, shall be attached to the building or face of an existing freestanding sign, and shall be secured to resist movement from wind.
- (d) Pennants, streamers, and all other fluttering, spinning, or similar type signs and advertising devices.
- (e) Wind signs.
- (f) Portable signs, other than sandwich board signs as allowed within certain zoning districts pursuant to this division.
- (g) Roof signs, other than integral roof signs in nonresidential zoning districts.
- (h) Abandoned and discontinued signs, except as temporarily permitted in Section 26.19.
- (i) Snipe signs.

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- (j) Bus bench advertising signs; bus shelter advertising signs.
 - (k) Signs that emit sound, vapor, smoke, odor, particles or gaseous matter, or project three-dimensional images, holographic images or pyrotechnics, with the exception that signs emitting audible sound erected to accomplish compliance with the Americans with Disabilities Act shall be authorized.
 - (l) Signs that have unshielded illuminating devices, other than electronic changeable message sign displays permitted in accordance with this division.
 - (m) Signs that obstruct, conceal, hide or otherwise obscure from view any official traffic or governmental sign, signal or device.
 - (n) Any sign within a sight visibility triangle that obstructs a clear view of pedestrian or vehicular traffic.
 - (o) Any sign in or over the public right-of-way, except government signs or as otherwise provided by this division.
 - (p) Any sign attached to or painted on a seawall, pier, dock, or tie pole, other than a government sign, warning sign or safety sign, or signs otherwise required by local, state or federal law.
 - (q) Signs in or upon any river, bay, lake, or other body of water within the limits of the City, other than government signs, warning or safety signs or signs otherwise required by local, state or federal law. The City Manager or designee is authorized to remove and dispose of any temporary sign placed within the City right-of-way in violation of this ordinance.
 - (r) Any sign other than a traffic control device sign that uses the word "stop" or "danger," or presents or implies the need or requirement of stopping or the existence of danger, or which is a copy or limitation of official traffic control device signs, and which is adjacent to the right-of-way of any road, street, or highway.
 - (s) Any sign nailed, fastened, affixed to, hanging from, or painted on any tree or other vegetation, or part thereof (living or dead).
 - (t) Any sign prohibited by state or federal law.
 - (u) Vehicle signs, as defined by this division, and portable trailer signs.
 - (v) Any sign located on real property without the permission of the property owner.

Sec. 26.15. - Methods of Measurement

- (a) *Setbacks.* Required setbacks for signs in all zoning districts shall be measured from the property line to the nearest part of the sign.
- (b) *Height.* Height for freestanding signs in all zoning districts shall be computed as the distance from the base of the sign structure at ground level to the highest point of the sign structure. In cases where the ground level, as defined in this section, cannot reasonably be determined, sign height shall be derived on the assumption that the elevation of the ground at the base of the sign is equal to the average elevation at the front property line of the zone lot.
- (c) *Area.*
 - (1) *Freestanding sign, monument base.* Sign area shall be computed as the extreme outer dimensions of the freestanding structure, excluding the support structure base and architectural features. When sign copy has been attached or painted on a background panel or area distinctively painted, textured, or constructed to serve as the background for the sign copy, sign area shall be computed as the area enclosed by the smallest single rectangle that can be drawn around the outside dimensions of the background panel or surface, including sign trim or frame.

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- (2) *Freestanding sign, pole base.* Sign area shall be computed as the area enclosed by the smallest single rectangle that will enclose the sign structure, exclusive of poles.
 - (3) *Attached sign, single element.* Sign area shall be computed within a single perimeter composed of squares or rectangles that enclose the sign structure, background panel, or surface, including sign trim and frame.
 - (4) *Attached sign, multiple elements.* When signs are constructed of individual elements, such as signs that consist of individual letters or signs have an additional background panel or surface for a logo, the area of all sign elements which together convey a single, complete message, shall be considered as a single sign. Sign area shall be computed by summing the area of each element enclosed by the smallest single rectangle that can be drawn around the complete message of sign copy, background panel or surface, including sign trim or frame.
 - (5) *Signs painted directly on walls, awnings, canopies, or other structures.* The area of a sign painted directly on a wall, awning, canopy, marquee, or other structure that has not been distinctively painted, textured, or constructed to serve as a background for the sign copy, shall be computed as the area enclosed by the smallest single rectangle that can be drawn around the commercial message, including all sign copy, logos, or other representation or image that directly or indirectly represents a business, product, or other commercial activity. When a sign has been painted on a background panel or area distinctively painted, textured, or constructed to serve as the background for the sign copy, sign area shall be computed as the area enclosed by the smallest single rectangle that can be drawn around the outside dimensions of the background panel or surface, including sign trim or frame.
 - (6) *Window signs.* Sign area shall be computed as the area enclosed by the smallest single rectangle that that can be drawn around the outside dimensions of the sign display, including sign trim or frame.
 - (7) *Double-faced signs.* On a sign where two sign faces are back to back and directionally oriented 180 degrees from each other, the sign area shall be computed as the area of one sign face. Where the two faces of a double-faced sign are not equal in size, the larger sign face shall be used in the area computation. Where two sign faces are directionally oriented at an interior angle other than 180 degrees, both sign faces shall be counted toward sign area.

Sec. 26.16. - Adoption of Zoning Regulations

- (a) *Intent.* It is the intent of this section to regulate signs visible from a public right-of-way in a manner that is consistent with the land use classification which establishes the character of the area in which the signs are located and in keeping with the overall character of the community.
- (b) *Adoption of zoning regulations.* The boundaries of the various districts shown upon the official zoning map and the regulations of the comprehensive zoning ordinance contained in Land Development Code, governing the use of land and buildings and other matters set forth therein are made part of this division. Except as provided in this division, no sign shall be erected, enlarged, reconstructed or structurally altered which does not comply with all the district regulations established by this division for the zoning district in which it is located.
- (d) If no height or size restriction is specifically provided regarding any sign located in the City, the height and size restrictions for a structure in the zone in which the sign is located will govern.
- (e) Any building or land use not conforming to the zoning ordinance provisions for the zone in which it is located, shall, nevertheless, comply with all provisions of this division for the zone in which it is located.

- (f) Except as provided in this division, no sign shall be erected, enlarged, reconstructed or structurally altered which does not comply with all the district regulations established by this division for the zoning district in which it is located.

Sec. 26.17. – Permitted signs and standards by zoning districts.

- (a) The following types of signs are permitted for businesses in the Activity Center (AC), Bayou Residential (BR), Commercial Corridor-1 (CC-1), Commercial Corridor-2 (CC-2), and Institutional (INS) districts, as follows:

Table 26.17.a - Standards for Signs in the AC, BR, CC-1, CC-2, CG-1, CG-2, INS Districts¹

Permitted Sign Types	Freestanding Signs	Attached Signs	Projecting Signs
Maximum Quantity: businesses with less than 200 ft of frontage may choose up to 2 signs; business with 200 to 300 ft of frontage may choose up to 3 signs; businesses with more than 300 ft of frontage may choose up to 4 signs	1 per street frontage, not to exceed a maximum of 2. When a zoning lot contains multiple businesses, no more than one freestanding sign may be permitted for each 200 linear feet of lot frontage along any single frontage.	1 per building frontage not to exceed a maximum of 2, or 1 per building frontage per business if in a multi-tenant development.	1 per business
Maximum Area (per sign)	60 ft ² . When a zoning lot is permitted more than one freestanding sign along a street frontage, one freestanding sign of 120 ft ² may be substituted for two freestanding signs of 60 ft ² but shall be set back at least ten feet from the front property line.	1 ft ² per linear foot of building frontage	12 ft ²
Maximum Height	15 feet	Shall not appear above the fascia on hip, gable or mansard roofs, or the highest point of the roof inclusive of the parapet on flat roofs.	-
Maximum Width	A freestanding sign shall not have a sign area width that exceeds an aspect of 2:1 with its height.	-	-

¹ Subject to additional standards set forth in Section 26.18.

- (b) The following types of signs are permitted for businesses in the Boutique Hotel/Condo (B/HC), Large Resort (LR), and Resort Facilities Medium (RFM) districts, as follows:

Table 26.17.b - Standards for Signs in the B/HC, LR, and RFM Districts²

Permitted Sign Types	Freestanding Signs	Attached Signs	Projecting Signs
Maximum Quantity: businesses with less than 200 ft of frontage may choose up to 2 signs; business with 200	1 per street frontage, not to exceed a maximum of 2, per business frontage. When	1 per building frontage not to exceed a maximum of 2, or 1 per building frontage per	1 per business

to 300 ft of frontage may choose up to 3 signs; businesses with more than 300 ft of frontage may choose up to 4 signs	a zoning lot contains multiple businesses, no more than one freestanding sign may be permitted for each 200 linear feet of lot frontage along any single frontage.	business if in a multi-tenant development.	
Maximum Area (per sign)	60 ft ² . When a zoning lot is permitted more than one freestanding sign along a street frontage, one freestanding sign of 120 ft ² may be substituted for two freestanding signs of 60 ft ² but shall be set back at least ten feet from the front property line.	1 ft ² per linear foot of building frontage Not to exceed an aggregate area of 70 ft ²	12 ft ²
Maximum Height	15 feet	Shall not appear above the fascia on hip, gable or mansard roofs, or the highest point of the roof inclusive of the parapet on flat roofs.	
Maximum Width	A freestanding sign shall not have a sign area width that exceeds an aspect of 2:1 with its height.	-	-

² Subject to additional standards set forth in Section 26.18.

- (c) The following types of signs are permitted for businesses in the Town Center Core (TC-1), Town Center Corey Circle and Coquina West (TC-2), Upham Beach Village (UBV), Residential/Office/Retail (ROR), and Community Redevelopment District-Eighth Avenue (CRD-EA) districts, as follows:

Table 26.17.c - Standards for Signs in the TC-1, TC-2, UBV, ROR, and CRD-EA³ Districts⁴			
Permitted Sign Types	Freestanding Signs	Attached Signs	Projecting Signs
Maximum Quantity: businesses with less than 200 ft of frontage may choose up to 2 signs; business with 200 to 300 ft of frontage may choose up to 3 signs; businesses with more than 300 ft of frontage may choose up to 4 signs	For street frontages along Gulf Blvd, Boca Ciega, Blind Pass, and Pass-a-Grille Way: 1 For all other streets: Not permitted	1 per building frontage per business	1 per business
Maximum Area (per sign)	40 ft ²	1 ft ² per linear foot of building frontage, not to	12 ft ²

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(Supp. No. 47)

		exceed a maximum area of 40 ft ²	
Maximum Height	10 feet	Shall not appear above the fascia on hip, gable or mansard roofs, or the highest point of the roof inclusive of the parapet on flat roofs.	-
Maximum Width	A freestanding sign shall not have a sign area width that exceeds an aspect of 2:1 with its height.	-	-

³ Subject to additional standards set forth in Division 40, as may be amended.

⁴ Subject to additional standards set forth in Section 26.18.

- (d) The following types of signs are permitted depending on property use in the Residential Urban districts (RU-1 and RU-2), Residential Low Medium districts (RLM-1 and RLM-2) districts, Residential Medium (RM) district, and Downtown Core Residential (DCR) district, as follows:

Table 26.17.d - Standards for Signs in the RU-1, RU-2, RLM-1, RLM-2, RM, DCR, and TH Districts⁵			
Permitted Sign Types	Freestanding Signs	Attached Signs	Projecting Signs
Maximum Quantity: 2	For residential uses: 1 subdivision identification sign at the neighborhood entrance. The subdivision identification sign shall be constructed with a monument base. For non-residential uses: 1	1 per non-residential parcel	Not permitted
Maximum Area (per sign)	24 ft ²	8 ft ² or 1 ft ² per linear foot of building frontage, whichever is less	-
Maximum Height	6 feet	Shall not appear above the first floor of the building	-
Maximum Width	A freestanding sign shall not have a sign area width that exceeds an aspect of 2:1 compared with its height.	-	-

⁵ Subject to additional standards set forth in Section 26.18.

- (e) Additional restrictions on signage in the Pass-A-Grille Overlay District may be found in Division 20, as may be amended.

Sec. 26.18. - Standards for Specific Sign Types.

In addition to the regulations prescribed by this sign code generally, the following regulations for certain sign types shall apply.

- (a) *Electronic message board signs.* The following conditions and restrictions shall apply to electronic message board signs:

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- (1) *Location.* Electronic message board signs are only permitted for nonresidential uses on properties adjacent to Gulf Boulevard from 37th Avenue to 75th Avenue. Electronic message board signs shall only be located in a front yard, and in no case shall be closer than 10 feet from the front yard property line.
 - (2) *Design.* An electronic message board sign shall only be permitted as an integral component of a freestanding sign. The width, depth, and color of the cabinet containing the electronic message board shall be compatible with the design of the primary sign structure.
 - (3) *Size.* An electronic message board sign shall comprise no more than 50 percent of the overall sign area of the freestanding sign and shall not, in any case, exceed 32 square feet in area.
 - (4) *Brightness.* Maximum illumination intensity level for electronic message board signs shall not exceed 0.3 foot candles over ambient light when measured at 50 linear feet from the base of the sign.
 - (4) *Dwell time.* The minimum amount of time that a message or display on an electronic message board sign remains fixed shall be one minute.
 - (5) *Static images and messages.* The image or message shall be static. There shall be no animation, flashing, scintillating lighting, movement, or the varying of light intensity during the message. Messages or images shall not scroll and shall not give any appearance or optical illusion of movement.
 - (6) *Default mechanism.* The sign shall have a default mechanism or setting that will cause the sign to turn off or show a "full black" image if a visible malfunction or failure occurs.
 - (7) Electronic message board signs, including LED-type, shall only be permitted as defined above. All other existing nonconforming electronic message board signs shall be subject to the amortization schedule set forth in section 26.6.
- (b) *Waterside identification signs.* For each parcel within the City with a residential complex or licensed commercial establishment(s) that has at least one façade that can only be viewed from a navigable waterway, one (1) waterside identification sign shall be allowed per such façade. A waterside identification sign may be either a freestanding sign or an attached sign. A waterside identification sign shall not exceed eight (8) feet in height and shall not exceed 40 square feet in sign area. A waterside identification sign shall not be illuminated. A waterside identification sign shall be in addition to the signage otherwise allowed pursuant to the other provisions of this division.
 - (c) *Attached menu display signs.* For each parcel with either (a) a restaurant without drive-thru service, or (b) with a transient lodging facility that has restaurant facilities open to the general public in addition to registered guests, one (1) attached menu display sign shall be allowed. An attached menu display sign shall be a wall sign not exceeding 12 square feet in sign area. An attached menu display sign shall be in addition to the signage otherwise allowed pursuant to the other provisions of this division.
 - (d) *Drive-thru menu signs.* For each parcel with a licensed commercial establishment that utilizes a drive-thru lane, one (1) drive-thru menu sign shall be allowed for each drive-thru lane. A drive-thru menu sign may be either a free-standing sign or an attached sign and shall not exceed 40 square feet in sign area and ten (10) feet in height. Drive-thru menu signs shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
 - (e) *Sandwich board/A-frame signs.* One (1) sandwich board sign shall be allowed for each licensed commercial establishment. Sandwich board signs shall not be placed in the right-of-way, shall not be placed within the visibility triangle required for intersections at streets and driveways, as required by this Code, be no larger than five feet in height and 12 square feet in area per face, shall not obstruct

walkways or fire access, shall have no illumination of any kind, and may be displayed only during the time when the business in front of which the sign is located is open to the public.

- (f) *Theater signs.* For each parcel with a theater use, one attached sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater, subject to a maximum limit of 64 square feet in sign area. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.
- (g) *Boat or beach concession signs.* Boat or beach concession signs shall only be permitted in the RFM district. Each licensed boat or beach concession rental business operating along the Gulf and on the site of a business having Gulf frontage may be permitted signs as follows:
 - (1) *Permission required.* The applicant shall provide the city with a letter, granting approval for placement of the signs, from the owner of the real property upon which signs are to be located prior to the issuance of a permit.
 - (2) *Lighted signs.* Lighted signs shall be prohibited.
 - (3) *Sandwich board signs.* Operators may display sandwich board sign at the building frontage adjacent to the sandy beach during the hours of business operation in accordance with subparagraphs (i) through (iv) below. Such signs shall be removed from the beach when the business is closed.
 - (i) *Maximum area:* Eight square feet per face.
 - (ii) *Number permitted:* One.
 - (iii) *Maximum height:* Five feet.
 - (iv) *Setbacks:* 40 feet from the visible water line.
 - (4) *Tiki hut or ticket office signs.* Operators may display signs on the tiki huts or ticket offices as follows:
 - (i) *Maximum area:* Eight square feet per face.
 - (ii) *Number permitted:* Three per tiki hut; not more than two on one side.
 - (iii) *Location:* Signs may be attached to or painted on the sides of the tiki hut at a point no higher than four feet above the ground, provided however, that one of the signs may be raised and attached at a point on the side of the tiki hut just below the eave of the roof.
 - (5) *Operators without a tiki hut or ticket office.* Licensed board or beach concession rental businesses that do not use a tiki hut or other structure for their businesses shall be permitted to keep one sandwich board sign on the beach, provided such sign is no larger than eight square feet in area per face, five feet in height, located outside of any pedestrian or emergency easement, and is removed from the beach nightly. Signs shall be kept a minimum of 40 feet landward of the visible water line at all times.

Sec 26.19. - Transitional and Emergency Signage

- (a) Notwithstanding any other restriction of this Division, a business' signage that is damaged to less than 25% of its depreciated value, and which is maintained in a safe condition, shall not be considered abandoned during the following circumstances:
 - (1) During a declared local state of emergency, retroactive to the date of the emergency event;

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- (2) Following a local state of emergency, for the length of time it takes to restore the business to occupiable pre-storm condition, provided that such restoration does not constitute a substantial improvement and the property is maintained with an active building permit during this timeframe;
 - (3) For 90 days following the completion of work listed in (2), preceding.
- (b) Notwithstanding any other restriction of this Division, a business may have one banner during the following timeframes and subject to the following conditions:
- (1) One banner may be placed in the same location as a permitted attached sign from the date of permit issuance for the attached sign until the sign is installed, not to exceed 180 days. The banner shall be no larger in square footage than the attached sign which is permitted for the location and shall be fastened to the building to resist movement from wind.
 - (2) In addition to other permitted signage, one banner may be permitted per operational business during the declaration of a local state of emergency. The banner shall be no larger in square footage than the size of an attached sign permitted for the property, and shall be removed within seven days following the end of the local state of emergency. The sign shall be fastened to the building containing the business to resist movement from wind.

Sec. 26.20. - Severability.

- (a) *Generally.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division 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 division.
- (b) *Severability where less speech results.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection 26.34(a), or elsewhere in this division, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division 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 division, 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.
- (c) *Severability of provisions pertaining to prohibited signs.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection 26.35(a), or elsewhere in this division, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division 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 division that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed under section 26.4 of this division. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of section 26.4 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 section 26.4
- (d) *Severability of prohibition on billboards.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division and/or any other code provisions and/or laws are 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 billboards as contained herein.

**PLANNING BOARD MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Recommendation of Ordinance 2025-07: Amendments to Land Development Code DIVISION 20 - PAG PASS-A-GRILLE OVERLAY DISTRICT, to the City Commission

Action Request: Motion to find Ordinance 2025-07 consistent with the Comprehensive Plan and recommend approval to the City Commission.

Strategic Objective:

Date: April 21, 2025

Prepared By: Tara Salmieri
Brandon Berry, Senior Planner

Through: Laura Canary, Community Development Director

Summary of Issue: These proposed amendments make major modifications to the Pass-A-Grille Overlay District zoning district, which comprises the overlay of most properties south of 32nd Avenue and west of Vina Del Mar, excepting out those properties zoned with the CRD-Eighth Avenue zoning district and a handful of properties south of 22nd Avenue along Pass-A-Grille Way. These amendments were initiated by the Historic Preservation Board in 2022 in response to concerns that current permissions and restrictions are not adequately resulting in developments of the scale, character, and caliber desired for the City's National Register Historic District.

These amendments do not directly affect the City's historic preservation regulations, which are found in a different division than the two under review, although these amendments do place additional permissions and restrictions on historic structure setback modifications approved through Certificates of Appropriateness.

Regarding proposed modifications to Division 20 - PAG PASS-A-GRILLE OVERLAY DISTRICT, Staff finds the most significant to be the following:

1) Requiring all new development in Pass-A-Grille to be designed to the Overlay building type standards with architectural review guided by a forthcoming design guidebook, whereas current standards allow for development to the underlying zoning district without design review when the lot proposed for construction meets underlying zoning requirements. Applicants may still pursue a design that is not found in the guidebook, through paid review of the design from a consulting City architect.

2) Requiring driveways be provided from the alleyway for any new development or redevelopment that is accessible through an alleyway, with an option for waiver of the requirement through the design review only for those structures along an alleyway platted with less than 15 feet width. Furthermore, this ordinance limits excessive curb cuts for those new developments that are not along an alleyway.

3) Requiring all accessory structures be relocated behind the home, with exceptions of pools which can be placed in front of the residence if the other design requirements are met.

Other changes of significance include the following:

1) Requiring that lot assembly or lot split requests in Pass A Grille be reviewed by the Historic Preservation Board to ensure compatibility.

2) Application of block front setback averaging when a property receives a Certificate of Appropriateness for a front yard setback reduction.

3) Implementing procedures for building type assignment when lots do not cleanly fit into a specific building type category.

4) Defining front yard parking standards for lots that lack alleyway access, allowing for the parking of up to one vehicle in the front yard.

5) Removal of accessory structure envelopes, requiring all accessory structures except pools to be placed behind the home and following the standard City-wide residential accessory structure setback requirements.

6) Requiring owners show compliance with

landscaping requirements prior to being permitted more than one front yard driveway connection when homes are not accessible from the alleyway.

7) Requiring all properties to provide the "common yard" landscaping in addition to a private frontage, requiring a porch or stoop for most residential developments.

8) Requiring roof equipment like antennas, vents, and similar to be located along the rear or side of the building and architecturally screened.

9) Allowing multi-family developments that exceed allowable underlying zoning density to redevelop with garage and storage space at the ground level, rather than requiring a walk-up that would increase the developed square footage.

Staff finds the following Goals, Objectives and Policies of the 2045 Comprehensive Plan to be supportive of these amendments:

Element 2 - Future Land Use

GOAL 1: Ensure that the residential character of the City is maintained and protected while:

- a. Maximizing the potential for economic benefit resulting from the tourist trade and the enjoyment of natural and man-made resources by residents and visitors alike;
 - b. Minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation;
- [...]

Objective 1.1: The integrity and quality of life throughout the City, including existing residential neighborhoods, as well as core commercial and resort areas, will be maintained and encouraged to be improved or redeveloped to enhance neighborhood character through the enforcement of the Land Development Code in accordance with the Future Land Use Element and the Countywide Plan.

Policy 1.4.4: In order to ensure the continued

maintenance of its residential character, the City, through administration of its Land Development Code shall encourage the rehabilitation and/or revitalization of existing residential structures.

Element 4 - Housing

Objective 1.6 The City shall assist property owners in the identification, preservation, and protection of historically- and architecturally-significant housing.

Funding: N/A

Attachments:

1. Ordinance 2025-07
2. Exhibit A - Markup
3. Exhibit A - Clean

ORDINANCE NO. 2025-07

AN ORDINANCE OF THE CITY OF ST. PETE BEACH AMENDING THE ST. PETE BEACH LAND DEVELOPMENT CODE DIVISION 20 – PASS-A-GRILLE OVERLAY DISTRICT, RENAMING TO DIVISION 20 – PASS-A-GRILLE HISTORIC OVERLAY DISTRICT; AMENDING SECTIONS 20.01. PURPOSE AND INTENT., 20.02. DEFINITIONS., 20.03. PERMITTED PRINCIPAL USES AND STRUCTURES., 20.05. ALLOWABLE CONDITIONAL USE., 20.06. PROHIBITED USES AND STRUCTURES., 20.07. DENSITY, INTENSITY AND ASSEMBLY OF PARCELS., 20.10. REDUCED SETBACKS FOR CONTRIBUTING STRUCTURES GRANTED A CERTIFICATE OF APPROPRIATENESS., 20.11. MINIMUM BUILDING TYPE REQUIREMENTS., 20.12. SUBDIVISION OF LOTS., AND 20.13 APPLICABILITY AND BUILDING TYPE ASSIGNMENT; REPEALING SECTION 20.13. RESIDENTIAL DEVELOPMENT OPTION FOR SINGLE-FAMILY HOMES. AND ADOPTING SECTION 20.13 APPLICABILITY AND BUILDING TYPE ASSIGNMENT.; RENAMING AND AMENDING SECTION 20.14 VACANT PARCELS. TO SECTION 20.14. LOT SPLIT, ASSEMBLY OF PARCELS, VACATION OF EASEMENTS AND/OR RIGHT-OF-WAYS; AMENDING SECTIONS 20.15. PERMITTED BUILDING TYPES, 20.16. PRIVATE FRONTAGE, 20.17. BUILDING HEIGHT, 20.18. MINIMUM OFF-STREET PARKING REQUIREMENTS, 20.19. ALLEYWAYS AND DRIVEWAYS, 20.20. LANDSCAPING STANDARDS, 20.21. SCREENING OF ELEVATED BUILDINGS, 20.22 GENERAL BUILDING DESIGN (RESIDENTIAL); AMENDING AND RENAMING 20.23. GENERAL BUILDING DESIGN (NON-RESIDENTIAL) TO 20.23. GENERAL BUILDING DESIGN (NON-RESIDENTIAL AND MIXED-USE BUILDINGS); AMENDING SECTION 20.24. DESIGN REVIEW AND REQUIRED DRAWINGS; AND ADOPTING SECTION 20.25. PASS-A-GRILLE HISTORIC OVERLAY DESIGN GUIDEBOOK; TO ADOPT DEVELOPMENT STANDARDS TO PRESERVE THE HISTORIC CHARACTER OF PASS-A-GRILLE AND INCREASE COMPATIBILITY OF NEW DEVELOPMENT WITH THAT CHARACTER; PROVIDING FOR SEVERABILITY, CODIFICATION AND SCRIVENER’S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of St. Pete Beach supports preservation and protection of its historic neighborhoods.

The symbol *** constitutes code sections not shown for purposes of brevity. Remaining provisions are now in effect and remain unchanged.

WHEREAS, as the first incorporated town among the barrier islands of Pinellas County, with much of the neighborhood developed prior to the advent of modern suburban zoning regulations, Pass-a-Grille has a distinct character and contains a mix of use and structures that are not found elsewhere in St. Pete Beach, and which the City Commission finds support to preserve and protect.

WHEREAS, these amendments modify regulations passed in 2017 in an attempt to better align new development with the historic character of Pass-a-Grille, better incentivize preservation, and provide more thorough guidance on preferred design elements, among others.

WHEREAS, the Historic Preservation Board reviewed these amendments on March 6, 2025 and recommended them at a vote of 5 – 0 to the City Commission.

WHEREAS, the Planning Board, sitting as the Local Planning Agency, reviewed these amendments on _____ and recommended them at a vote of ____ to ____ to the City Commission.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:

SECTION 1. Recitals. The above recitals (“Whereas” clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. The Land Development Code Division 22 – LANDSCAPING AND TREE PROTECTION is amended as shown in EXHIBIT A to this Ordinance.

SECTION 3. Codification. This Ordinance shall be codified in the Code of Ordinances of the City of St. Pete Beach.

SECTION 4. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

The symbol *** constitutes code sections not shown for purposes of brevity. Remaining provisions are now in effect and remain unchanged.

SECTION 6. Scrivener's Error. The City Attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. Effective Date. This Ordinance shall take effect immediately upon adoption.

FIRST READING: _____
PUBLISHED: _____
SECOND READING: _____
PUBLIC HEARING: _____

CITY COMMISSION, CITY OF ST. PETE BEACH, FLORIDA.

Adrian Petrila, Mayor

I, Amber LaRowe, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2025.

Amber LaRowe, City Clerk

The symbol *** constitutes code sections not shown for purposes of brevity. Remaining provisions are now in effect and remain unchanged.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Ralf Brookes, City Attorney

The symbol *** constitutes code sections not shown for purposes of brevity. Remaining provisions are now in effect and remain unchanged.

DIVISION 20 PAG PASS-A-GRILLE HISTORIC OVERLAY DISTRICT¹

Sec. 20.01. Purpose and intent.

The City recognizes that the Pass-a-Grille Area was developed prior to the development of suburban zoning regulations. The (PAG) Pass-a-Grille Historic Overlay District, herein referred as PAGHOD, is intended to allow for structures that are considered contributing to the National Register Historic District to be considered conforming regarding base flood elevations and uses of property within the Pass-a-Grille area situated south of 32nd Avenue⁷. The PAGHOD intends in order to ensure that new and redevelopment of any structures and uses will shall be compatible with the character of existing historic contributing structures development, including the area within the designated PAGHOD. Also, to recognize that the existing parcel size's, uses and platted lots and parcels meet the overall character of the district PAG and shall be permitted to continue as viable uses lots while allowing for improvements to existing structures, additions and new development that is consistent with the existing mass and scale within the district.

Sec. 20.02. Definitions.

- (a) ~~Accessory structure envelope means provisions for the setbacks and maximum building footprints permitted for accessory structures that are not specifically named and regulated under sections 6.12 or 6.13. The following is provided as a non-exhaustive list of accessory structures subject to this envelope: carriage houses, pool houses, detached living quarters, and detached storage buildings that exceed standards for residential or commercial storage buildings found in the aforementioned sections.~~
- (ba) *Balance* means the relationship among the elements of a building on either side of an imaginary centerline through the middle of a building. Buildings are either symmetrically or asymmetrically balanced.
- (eb) *Balanced, asymmetrically* means the shape(s) and design of a building may not match exactly, but instead have equal visual weight ~~they and~~ are still visually balanced.
- (dc) *Balanced, symmetrically* means the shapes on one side of the centerline match the shapes on the other side. The two halves are visually equally.
- (d) *Base flood elevation* shall have the same definition as in Article V, Chapter 98 of the Code of Ordinances.
- (e) *Building design elements* means the external building color; the type or style of exterior cladding material; the style or material of roof structures or porches; the exterior nonstructural architectural ornamentation; the location or architectural styling of windows or doors; the location or orientation of the garage; the number and type of rooms; and the interior layout of rooms insofar as the interior layout affects the exterior design, style, or ornamentation of the structure. The term does not include the height, bulk, orientation, or location of a dwelling on a zoning lot; or the use of buffering or screening to minimize potential adverse physical or visual impacts or to protect the privacy of neighbors.

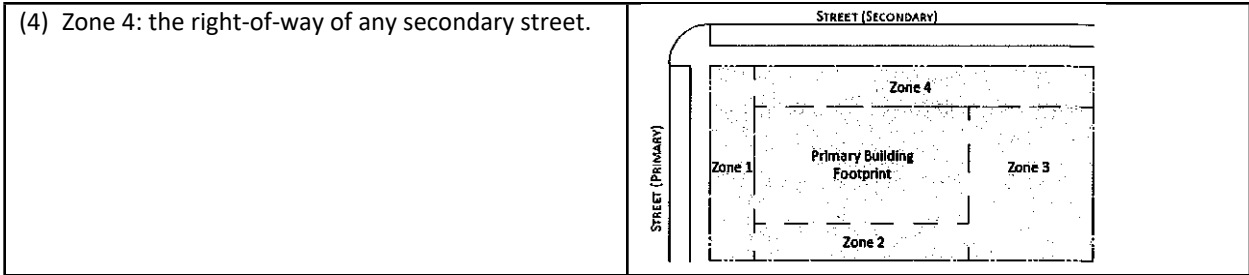
¹Editor's note(s)—Ord. No. 2016-19, § 2(Exh. A), adopted Feb. 28, 2017, repealed Div. 20, §§ 20.1—20.14, and reenacted a new Div. 20, §§ 20.1—20.24, as set out herein. Former Div. 20 pertained to similar subject matter and derived from Ord. No. 03-7, § 3, adopted May 1, 2003; Ord. No. 2004-18, §§ 7, 8, adopted Aug. 24, 2004; Ord. No. 2008-32, § 1, adopted Aug. 26, 08; Ord. No. 2010-03, § 1(Att. A), adopted April 27, 2010; and Ord. No. 2011-03, § 3, adopted May 24, 2011.

- (ef) *Building height*: Provisions for permitted heights in feet (ft). The maximum height for first floor residential development shall be fourteen (14) feet and twenty (20) feet for non-residential. The maximum height for second story and higher shall not exceed fourteen (14) feet. Each building lot typology provides the range of height appropriate for the building type. No new or substantially improved building within the PAG Overlay District and having the underlying zoning designation of THD, RU-2 Residential, RLM-2 Residential, or RM Residential shall be constructed to exceed twenty-eight (28) feet in height to the midpoint of a sloped roof or top of the parapet of a flat or low sloped roof, or thirty-two (32) feet overall, as defined below:
- a. For any structure with habitable space located less than eight (8) feet above natural grade, height shall be measured from the property's required Design Flood Elevation.
 - b. For any structure with habitable space beginning at or higher than eight (8) feet above natural grade, height shall be measured from eight (8) feet above natural grade.

Base flood elevation requirements are outlined in section 98-33 of the City's Code of Ordinances. Shall be as defined in Section 20.17 of this Division.

- (fg) *Building envelope*: Provisions for the minimum and maximum setbacks permitted by front, side, and rear yards. There is a minimum and maximum setback for each lot type. The maximum and minimum frontage refers to the proportion of the lot width along which the primary building façade must be within the minimum and maximum front setback.
- (gh) *Compatible design* means architectural design and construction that will fit harmoniously into the district based on scale, materials, and quality of construction with adjacent buildings and structures.
- (i) *Design flood elevation* shall have the same definition as in Article V, Chapter 98 of the Code of Ordinances.
- (j) *Design flood elevation, required* means the minimum elevation of the finished floor or bottom of the lowest horizontal structural member of the lowest habitable floor of a structure, as applicable to the structure's flood zone, or the elevation to which an eligible nonresidential structure is required to be floodproofed. This minimum elevation shall be the highest of the elevations required by the City's floodplain management regulations, the Florida Building Code, as may be amended, or any other regulatory standards applicable to properties in St. Pete Beach.
- (k) *Lot requirements*: Provisions for minimum and maximums, lot depth, lot size and the permitted lot coverage.
- (l) *Lot, waterfront*: A zoning lot which abuts any body of water or the beach. All lots not considered waterfront shall be considered interior for rear setback purposes.
- (m) *Mass, primary*: largest shape of a building.
- (n) *Mass, secondary*: additional shapes that form the façade of the building
- (o) *Parking provisions*: The amount of parking shall be determined by Division 23 of the Land Development Code. Parking provisions provide zones where parking is permitted. The parking zone refers to any uncovered parking area located on the parcel. Driveways are permitted in any zone provided the frontage requirements have been met as required by building type. The diagram illustrates a primary and secondary street. Primary streets are streets that are addressed to the parcel of land. Secondary streets may or may not have access to the parcel. Zones are defined and illustrated by the lot area between the principal building frontage and:

(1) Zone 1: the right-of-way of any primary street front yard area, adjacent to the primary street.	
(2) Zone 2: any common interior lot line and alleyway.	
(3) Zone 3: any rear lot line and alleyway.	



- (mp) *Private frontages*, refers to the area that is attached or integrated into the primary building.
- (nq) *Principal building*, means a principal or main building which: occupies the major or central portion of a lot; is the chief or main building on a lot, or constitutes, by reason of its use, the primary purpose for which the lot is used;
- (r) *Proportion* means the relationships of one part of a façade to the whole. A house that is correctly proportionate establishes a visual relationship between all parts of its exterior. The voids, primary, and secondary masses should all be proportional to one another in order maintain architectural harmony.
- (es) *Proximity* means that objects that are close together should complement each other.
- (pt) *Rhythm* means the use of repetitive elements in order to establish architectural harmony. It is based off of three main principles: the principle of Proximity, the principle of Similarity, and the principle of Continuation. These principles are part of a larger set known as *Gestalt Principles*.
- (eu) *Similarity* means how our eyes are easily able to group objects together that share common textures, colors, or features.
- (fv) *Voids* means windows, doors, or other openings that create negative space allowing for breaks within a primary or secondary mass.

Sec. 20.03. Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the ~~PAG Overlay District~~ PAGHOD are as follows:

- (a) All uses permitted in the underlying zoning district; and
- (b) Transient occupancy in single-family or multi-family dwellings, so long as any such transient occupancy of less than thirty (30) days does not occur more than three times in any 12-month period on any parcel.
- (c) Uses that are in existence, upon date of adoption, shall be permitted as limited uses within an existing structure. Additions, improvements and renovations will be permitted, if the building meets the standards set forth in this division of the Code.

Sec. 20.04. Permitted accessory uses and structures.

- (a) Uses and structures, as regulated in sections 6.12 and 6.13, which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures, and are not of a nature prohibited under section 20.5.
- (b) Home occupations, subject to the conditions set forth in section 6.5 of this Code.
- (c) Residential docks, including tie poles, shall be in conformance with the provisions of section 6.23 and other applicable codes and ordinances of the city, county or state.

-
- (d) Temporary structures shall follow the provisions of section 6.11.

Sec. 20.05. Allowable conditional use.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the ~~PAG Overlay District~~PAGHOD are as follows:

- (a) All permitted conditional uses allowed for in the underlying zoning district.

Sec. 20.06. Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein or within the underlying zoning district are hereby prohibited in the ~~PAG Overlay District~~PAGHOD.

Any use which the City Commission, upon appeal, and after investigating similar uses elsewhere, shall determine to be potentially noxious, dangerous or offensive to residents of the ~~PAG Overlay District~~PAGHOD or to those who pass by on public roadways, by reason of odor, smoke, noise, glare, fumes, gas, fire, explosion or emission of particulate matter or likely for other reasons to be incompatible with the character of the PAGHOD area, is hereby prohibited in the ~~PAG Overlay District~~PAGHOD.

Sec. 20.07. Density, intensity and assembly of parcels.

- (a) The maximum residential density permitted in the ~~PAG Overlay District~~PAGHOD shall not exceed the number of units per acre permitted by the underlying Future Land Use map for undeveloped parcels of land.
- (b) The existing residential density, exceeding one density unit, of an existing residential structure shall be permitted to rebuild on the existing parcel of land, with the same density as the existing structure(s) has, if the building was constructed prior to ~~(insert adoption date)~~February 28, 2017, and can meet the lot requirements, by building type, in section 20.15 of this Division. In addition, any new construction cannot exceed the existing livable developed square footage and must match the existing form and mass as defined in section 20.22 herein.
- (c) The existing hotel/motel units shall be permitted to rebuild on the existing parcel of land, with the same number of units that already exist as a rental/leasable room within the existing built hotel if the building was constructed prior to ~~(insert adoption date)~~February 28, 2017, and can meet the lot requirements of a Boutique Hotel Building Type as provided in section 20.15 of this Division.
- (d) No more than two lots of record may be combined to accommodate additions to existing structures. Requests for assembly shall be reviewed by the Historic Preservation Board which shall make recommendation to the Board of Adjustment (when applicable), and/or the City Commission as provided in Sec. 20.14.

Sec. 20.08. Maximum floor area ratio.

Maximum floor area ratio (FAR) for non-residential uses: Underlying Zoning District requirements.

Sec. 20.09. Maximum impervious surface ratio.

If a parcel opts for new construction or addition to a single family home using the underlying zoning district standards, the ISR shall be determined by the underlying zoning district. The ratio's listed below are subject to any of the building types, defined in section 20.15 that are used.

Maximum impervious surface ratio (ISR) for residential and transient accommodation uses: 0.70.

Maximum impervious surface ratio (ISR) for non-residential uses: Underlying Zoning District requirements or existing building footprint.

Sec. 20.10. Reduced setbacks for contributing structures granted a certificate of appropriateness.

Proposed additions to, or remodeling of, contributing structures may be eligible for a reduction in setback requirements if the proposed plans have been reviewed, approved, and issued a certificate of appropriateness by the Historic Preservation Board pursuant to Division 28. The purpose of this regulation is to ensure the design is compatible design with neighboring structures.

Design review shall be based on the requirements set forth in the underlying zoning district and the ~~PAG Overlay District~~ PAGHOD herein and for consistency with the Secretary of Interior's Standards for Rehabilitation. If the Historic Preservation Board finds that an addition is consistent with the Secretary of the Interior's Standards and that the addition would not preclude the structure's continued designation as a contributing structure, and approves a certificate of appropriateness for the plans, then the applicant can request a reduction to any and all of the setbacks, provided the setbacks are consistent within the same block of the proposed addition by providing the historical setback data for the street block (both faces) the parcel is on and the historical setbacks along that particular street that will be evaluated by the Historic Board. The following setbacks shall be considered:

Setback	
Front yard	<u>10 feet(1)</u>
Secondary front yard	5 feet
Side yard	10 percent of the lot width (each)
Rear yard	10 feet

- (1) Not to exceed more than three feet of a variation from the average historic setback as described above, or to produce a setback less than the minimum for the subject parcel building type as defined in Section 20.15. Applicants seeking a lesser setback, or a setback with greater variation, than specified herein may seek a variance pursuant to Section 3.12 following certificate of appropriateness issuance and recommendation from the Historic Preservation Board.

When the setbacks provided above conflict with the setbacks required for the recipient's building type listed in section 20.15., the setbacks in this section shall prevail provided that a Certificate of Appropriateness has been issued for the addition or remodel.

The addition or remodel must still meet impervious surface, floor area, height, herein and the landscaping, and buffering standards as identified in this division. The reductions in setbacks do not abrogate the responsibility of the designer or homeowner to incorporate these requirements into the plan.

Sec. 20.11. Minimum building type requirements.

Lots of record within the ~~PAG Overlay District~~ PAGHOD shall be deemed conforming even if the parcel does not meet the minimum lot width/depth standards for the underlying zoning district, provided new development or redevelopment can meet the setback requirements noted for the assigned building type found in Sec. 20.15. The building type shall be selected based on the overall minimum and maximum lot size criteria per building type if the lot width and/or length is not met. The final determination of what building type to be used is made by the City Manager or designee. If an applicant is not satisfied with the assignment of building type, an application to consider building type selection must be reviewed by the Historic Preservation Board prior to hearing of the practical difficulty or unnecessary and undue hardship variance application that pertains to the use type as outlined in the LDC Sec. 3.12 Variance process, despite the width and size regulations in the building types, so long as the lots are not further subdivided, and the condition existed prior to the adoption of the Division. No more than two lots of record may be combined to accommodate additions to existing structures.

Sec. 20.12. Subdivision of lots.

Lots within the ~~PAG Overlay District~~ PAGHOD shall not be subdivided to a size smaller than the platted lot of record and/or building lot types in this division. Existing structures that are listed as contributing structures in the most recent Historic Resources Survey or that are locally designated historic structures are exempt from the setbacks imposed by this division; however, additions and accessory structures shall comply with the standards in section 20.15, by building type. All other structures shall also comply with the setbacks and required yards imposed by the building types in this Division, section 20.15.

Sec. 20.13 Applicability and Building Type Assignment.

Any other applicable standards within this division, not expressly stated in this section, shall apply to new development, additions, and redevelopment of parcels located in the PAGHOD, as outlined in this division.

(a) Residential and Non-Residential Parcels of Land:

(1) Redevelopment & New Development

- a. Parcel(s) of land that are assigned a non-residential zoning district, shall be permitted a non-residential building type found in section 20.15 that is consistent with the underlying uses permitted in the parcel(s) assigned underlying Zoning District and section 20.07.
- b. The parcel of land shall meet the lot width and lot depth as identified, by building type, in section 20.15, to determine the appropriate non-residential building type standard that applies to that parcel.

(2) Addition(s)

- a. Parcel of land within the PAGHOD shall meet the building type standard that is most consistent with the lot width/lot depth of that parcel.
 - i. Setbacks shall be met, and
 - ii. Accessory additions shall only be permitted within the side and/or rear of the parcel, and
 - iii. If front-facing elevation is changed, the landscape standards and architectural elements must be met.

Sec. 20.13. Residential development option for single-family homes.

~~Any parcel within the PAG Overlay District with a Residential Zoning District designation of RU-2, RLM-2, or RM may develop a single family residential house using the underlying residential zoning standards for additions or new construction: If an applicant uses the underlying residential zoning district standards, for new construction or additions the following standards shall be met:~~

- ~~(a) Underlying Zoning Districts minimum lot requirements,~~
- ~~(b) Underlying Zoning Districts Minimum yard requirements,~~
- ~~(c) Underlying Zoning Districts Maximum floor area ratio standards; and~~
- ~~(d) Height shall not exceed twenty-eight (28) feet in height to the midpoint of a sloped roof or top of the parapet of a flat or low sloped roof, and measured from the base flood elevation determined under the~~

most restrictive applicable standard the building side, further provided that the overall roof height shall not exceed thirty-two (32) feet.

Any other applicable standards within this division, not expressly stated in this section, shall apply to new development and redevelopment as outlined in this division.

Sec. 20.14. Vacant parcels Lot Split, Assembly of Parcels, Vacation of Easements and/or Right-of-ways.

The following ~~procedures shall be followed~~ requirements are to be provided for any lot splits, assembly of parcels, or request to vacate easements or right-of-ways:

(a) ~~For parcels of land within a residential zoning district and:~~

Any parcel of land that is vacant, at the time of adoption, shall only be permitted either:

(1) ~~A residential building type found in section 20.15 that is consistent with the underlying uses permitted in the Zoning District and section 20.07. The parcel of land shall meet the lot width and lot depth as identified, by building type found in section 20.15, to determine the appropriate standards to apply to that parcel, or~~

(2) ~~Provisions listed in section 20.13 of this division.~~

(b) ~~Parcels of land within non-residential land use districts:~~

Any parcel of land that is vacant, at the time of adoption of the PAG Overlay District, shall be permitted any of the non-residential building types found in section 20.15 that are consistent with the existing lot width/depth of the parcel of land.

(ea) Assembly or parcel splits shall:

(1) Submit an application to the Historic Preservation Board (HPB) for a recommendation prior to review by the Board of Adjustment and City Commission, as applicable.

(2) The applicant shall provide documentation for the HPB to determine the compatibility and respect for the existing character of the PAGHOD, which will review:

a. Historical plat and scale of the overall character of PAGHOD to ensure the application is consistent with the overall intent of the district.

b. Determine if recommending the parcel split, assembly or vacation of easements and right of ways will support or negatively impact the overall character of the area by permitting the use and the scale of the parcel of land and/or development size.

~~only be permitted through the City Commission, to determine the compatibility and respect for the existing character of the PAG Overlay District.~~

Sec. 20.15. Permitted building types.

Building types are permitted by the following criteria:

- (a) Existing Parcel Size, and
- (b) Existing Density, Units and Rooms as outlined in Sec. 20.07.

An applicant must provide a survey of the parcel to verify the actual parcel size (lot width/lot depth) or use the City's parcel data information. If the applicant believes the lot width and depth are different than the City's records, the applicant will be required to have a survey of the lot for verification.

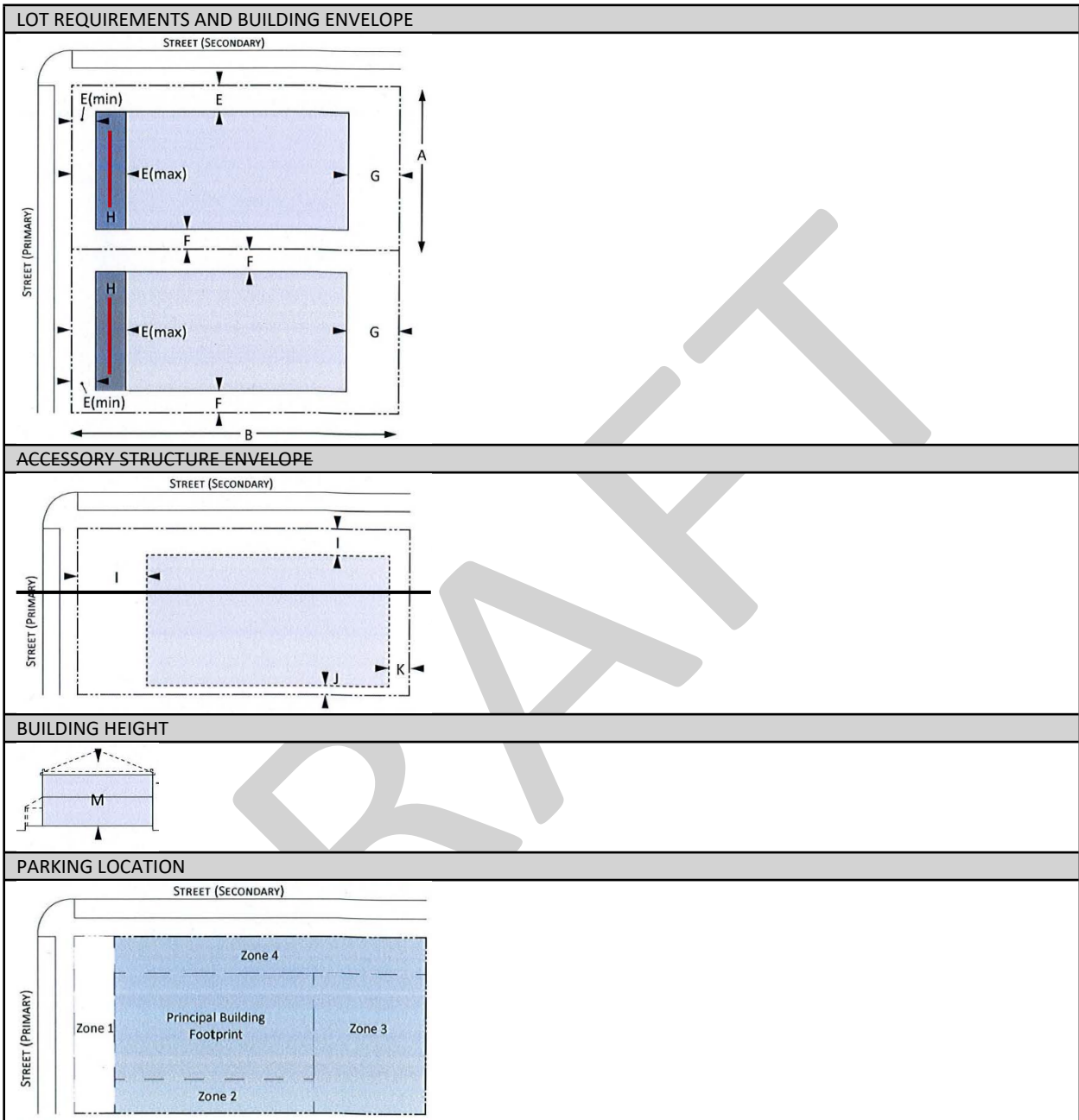
HL	HOUSE-LARGE
A building lot located and designed to accommodate a detached building with large side, rear and front yards.	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft) <u>(1)</u>	60	—
B - Lot Depth (ft) <u>(1)</u>	100	—
C - Lot Size (sf)	6,000	—
D - Lot Coverage (%)	—	60
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft) <u>(2)(3)</u>	10	15
Secondary Street Setback	7	—
F - Side Setback (ft)	7	—
G - Rear Setback (ft) (interior lot)	15	—
Rear Setback (ft) (waterfront lot)	20	—
Garage Adjacent to Alley	5	—
H - Frontage Buildout (%)	50	—
ACCESSORY STRUCTURE ENVELOPE	MIN	MAX
I - Street Setback (ft)	10	—
J - Side Setback (ft)	25	—
K - Rear Setback (ft) (interior lot)	—	80
Rear Setback (ft) (waterfront lot)	20	—
L - Building Footprint (sf)	—	800
BUILDING HEIGHT		
M - PrinciplePrincipal Building (ft)	—	28-32' as defined in Sec. 20.17
N - Accessory Structure(s) (ft)	—	28'
PARKING PROVISIONS		
Location <u>(3)</u>	Zone 2,3, and 4	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	P, S, CY	

(1) maximum building lot width and lot size may be determined if two lots are being combined to ensure compatibility with the surrounding existing homes.

(12) a lot that is adjacent to the bay or beach is permitted to exceed the maximum setback requirements.

(3) when a parcel is not located with alleyway access, the maximum setback may increase up to five feet to allow for a driveway and up to one vehicle to park in Zone 1. Any Zone 1 parking space created through this provision shall be at least nine feet in width, twenty feet in depth, and located entirely out of the right of way.



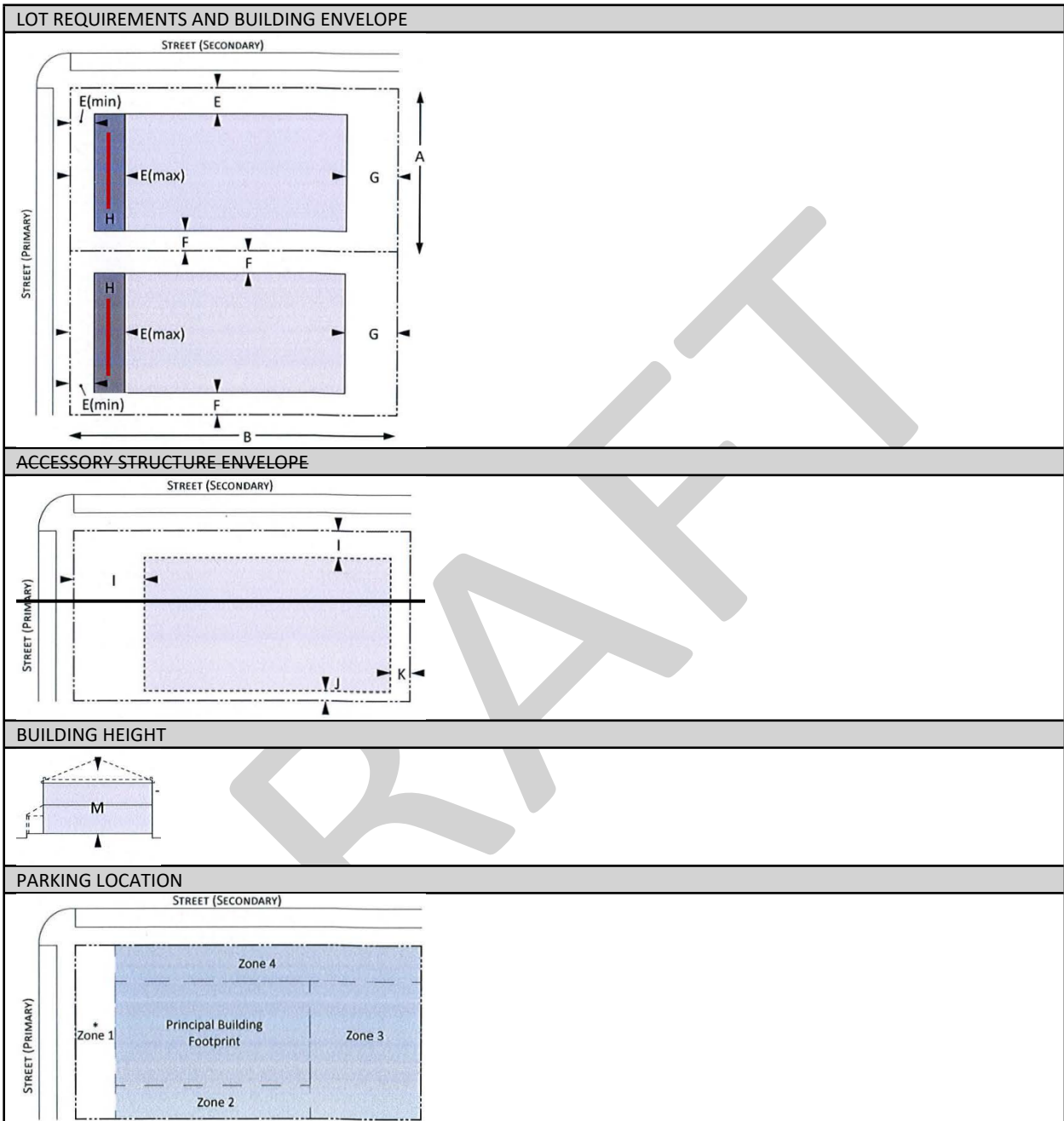
HM	HOUSE-MEDIUM
A building lot located and designed to accommodate a detached building with small side yards and a large front yard.	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft) <u>(1)</u>	40	55
B - Lot Depth (ft) <u>(1)</u>	100	—
C - Lot Size (sf)	4,000	—
D - Lot Coverage (%)	—	70
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft) <u>(2)(3)</u>	10	15
Secondary Street Setback	5	—
F - Side Setback (ft)	5	—
G - Rear Setback (ft) (interior lot)	15	—
Rear Setback (ft) (waterfront lot)	20	—
Garage Adjacent to Alley	5	—
H - Frontage Buildout (%)	50	—
ACCESSORY STRUCTURE ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	—
J - Side Setback (ft)	10	—
K - Rear Setback (ft) (interior lot)	10	—
Rear Setback (ft) (waterfront lot)	20	—
L - Building Footprint (sf)	—	800
BUILDING HEIGHT		
M - Principal Building (ft)	—	'28-32' as defined in Sec. 20.17
N - Accessory Structure(s) (ft)	—	28'
PARKING PROVISIONS		
Location <u>(3)</u>	Zone 2,3, and 4	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	P, S, CY	

(1) maximum building lot width and lot size may be determined if two lots are being combined to ensure compatibility with the surrounding existing homes.

(12) a lot that is adjacent to the bay or beach is permitted to exceed the maximum setback requirements.

(3) when a parcel is not located with alleyway access, the maximum setback may increase up to five feet to allow for a driveway and up to one vehicle to park in Zone 1. Any Zone 1 parking space created through this provision shall be at least nine feet in width, twenty feet in depth, and located entirely out of the right of way.



HS	HOUSE-SMALL
A building lot located and designed to accommodate a small detached building with small side and front yards. A maximum of one dwelling unit is permitted.	

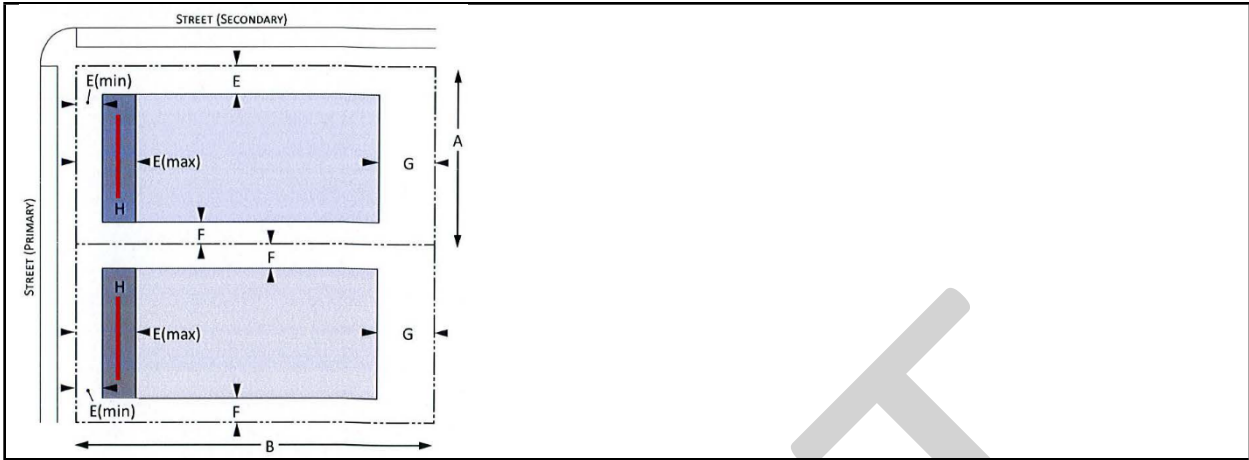
LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft) <u>(1)</u>	32	40
B - Lot Depth (ft) <u>(1)</u>	50	120
C - Lot Size (sf)	1,600	4,800
D - Lot Coverage (%)	—	<u>90-70</u>
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft) <u>(2)(3)</u>	5	10
Secondary Street Setback (ft)	5	—
F - Side Setback (ft)	3	—
G - Rear Setback (ft) (interior lot)	10	—
Rear Setback (ft) (waterfront lot)	20	—
Garage Adjacent to Alley	5	—
H - Frontage Buildout (%)	50	—
ACCESSORY STRUCTURE ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	—
J - Side Setback (ft)	10	—
K - Rear Setback (ft) (interior lot)	10	—
Rear Setback (ft) (waterfront lot)	20	—
L - Building Footprint (sf)	—	400
BUILDING HEIGHT		
M - Principal Building (ft)	—	'28-32' as defined in Sec. 20.17
N - Accessory Structure(s) (ft)	—	28'
PARKING PROVISIONS		
Location <u>(3)</u>	Zone 2,3,4	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	P, S, CY	

(1) maximum building lot width and lot size may be determined if two lots are being combined to ensure compatibility with the surrounding existing homes.

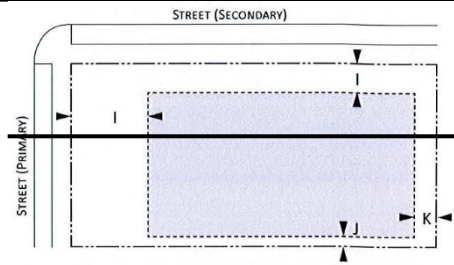
(2) a lot that is adjacent to the bay or beach is permitted to exceed the maximum setback requirements.

(3) when a parcel is not located with alleyway access, the maximum setback may increase up to ten feet to allow for a driveway and up to one vehicle to park in Zone 1. Any Zone 1 parking space created through this provision shall be at least nine feet in width, twenty feet in depth, and located entirely out of the right of way.

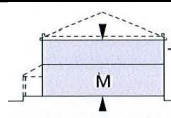
LOT REQUIREMENTS AND BUILDING ENVELOPE



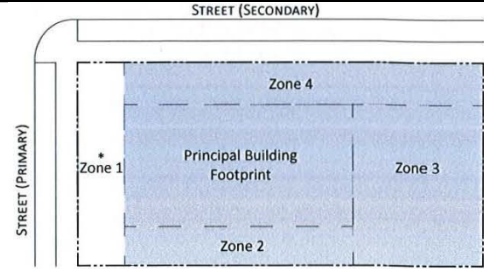
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



PARKING LOCATION

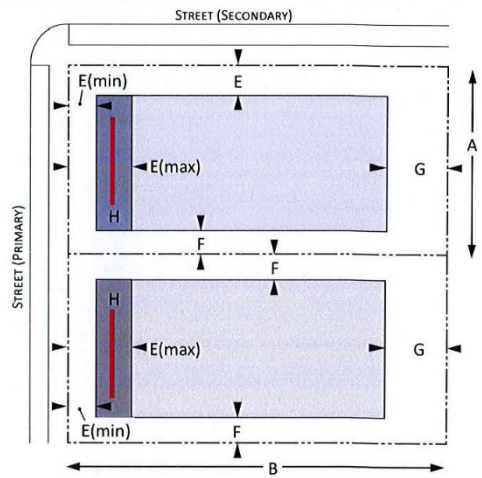


AH	APARTMENT HOUSE
A building lot located and designed to accommodate a detached building which resembles a large house but which contains multiple dwellings above and beside each other. A maximum of 4 units are permitted in this building lot. (The units have to <u>must</u> be existing prior to redevelopment as stated in section 20.07 Density, intensity and assembly of parcels).	

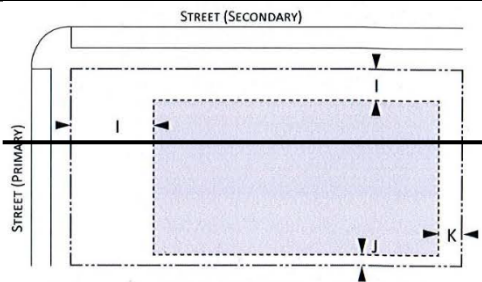
LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	40	55
B - Lot Depth (ft)	80	—
C - Lot Size (sf)	3,200	—
D - Lot Coverage (%)	—	70
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	10	15
Secondary Street Setback (ft)	5	—
F - Side Setback (ft)	5	—
G - Rear Setback (ft) (interior lot)	15	—
Rear Setback (ft) (waterfront lot)	20	—
Garage Adjacent to Alley	5	—
H - Frontage Buildout (%)	60	—
ACCESSORY STRUCTURE ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	
J - Side Setback (ft)	10	—
K - Rear Setback (ft) (interior lot)	10	—
Rear Setback (ft) (waterfront lot)	20	—
L - Building Footprint (sf)	—	800
BUILDING HEIGHT		
M - Principal Building (ft)	—	'28-32' as defined in Sec. 20.17
N - Accessory Structure(s) (ft)	—	2
PARKING PROVISIONS		
Location (1)	Zone 2, 3 and 4	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	P, S, C	

(1) when a parcel is not located with alleyway access, the maximum setback may increase up to five feet to allow for a driveway and up to one vehicle to park in Zone 1. Any Zone 1 parking space created through this provision shall be at least nine feet in width, twenty feet in depth, and located entirely out of the right of way. Any other required parking must be located outside of the Zone 1 frontage.

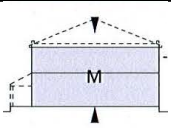
LOT REQUIREMENTS AND BUILDING ENVELOPE



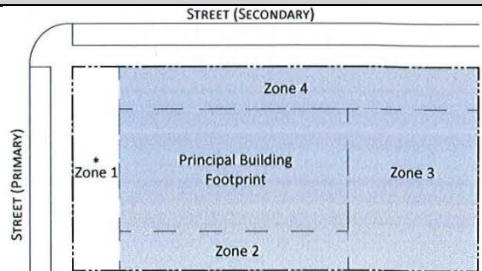
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



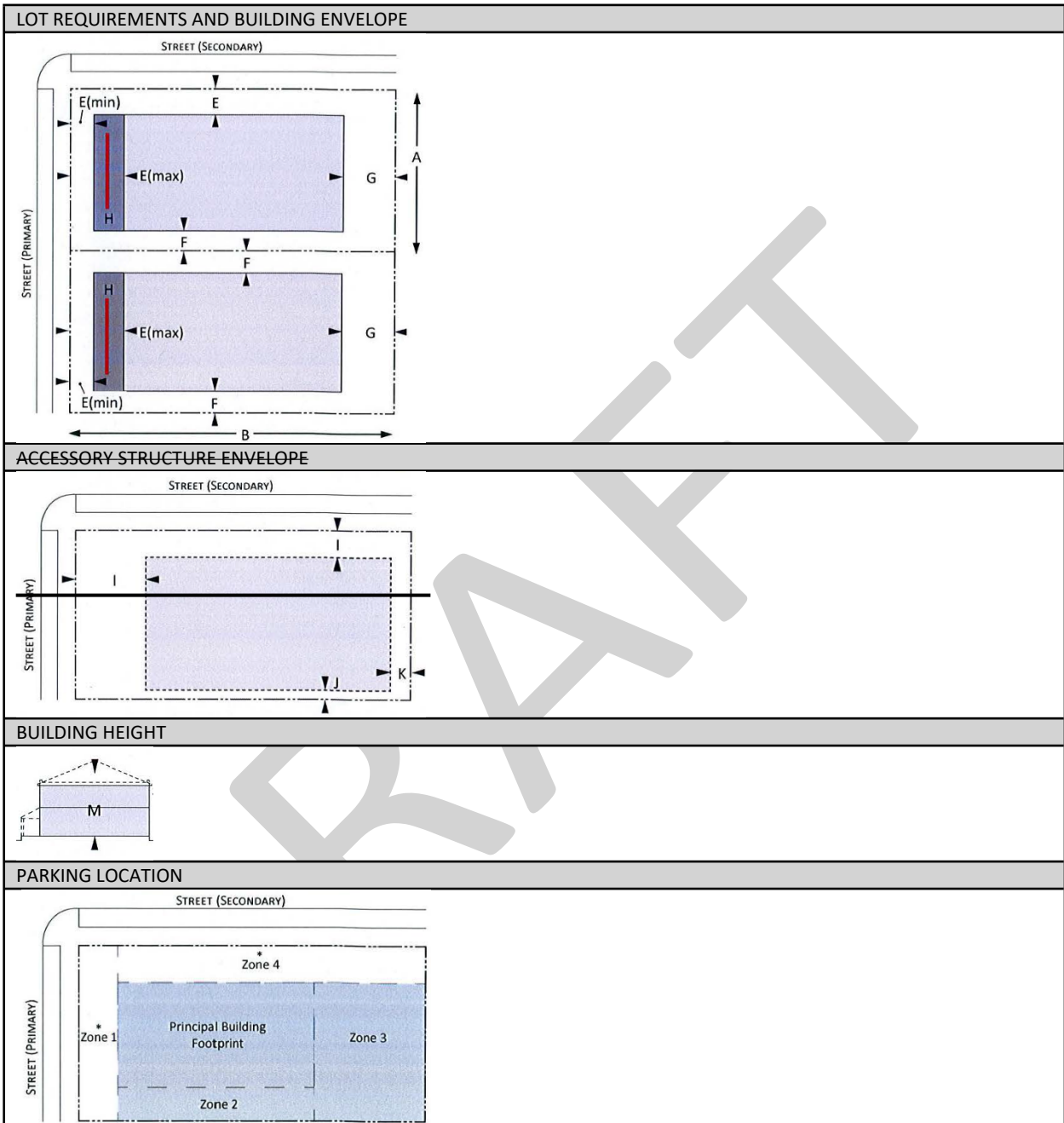
PARKING LOCATION



AS	APARTMENT BUILDING-SMALL
A building lot located and designed to accommodate multiple dwellings above or beside each other in a building that occupies most of its building lot width and is placed close to the sidewalk. (The units have to <u>must</u> be existing prior to redevelopment as stated in section 20.07 Density, intensity and assembly of parcels).	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	60	90
B - Lot Depth (ft)	100	120
C - Lot Size (sf)	6,000	10,800
D - Lot Coverage (%)	—	75
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	15	20
Secondary Street Setback (ft)	7	—
F - Side Setback (ft)	7	—
G - Rear Setback (ft) (interior and waterfront lot)	20	—
Garage Adjacent to Alley	5	—
H - Frontage Buildout (%)	60	—
ACCESSORY STRUCTURE ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	—
J - Side Setback (ft)	10	—
K - Rear Setback (ft) (interior lot)	10	—
Rear Setback (ft) (waterfront lot)	20	—
L - Building Footprint (sf)	—	800
BUILDING HEIGHT		
M - Principal Building (ft)	—	'28-32' as defined in Sec. 20.17
N - Accessory Structure(s) (ft)	—	28'
PARKING PROVISIONS		
Location (1)	Zone 2 and 3	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF.	P, F, S, C Y	

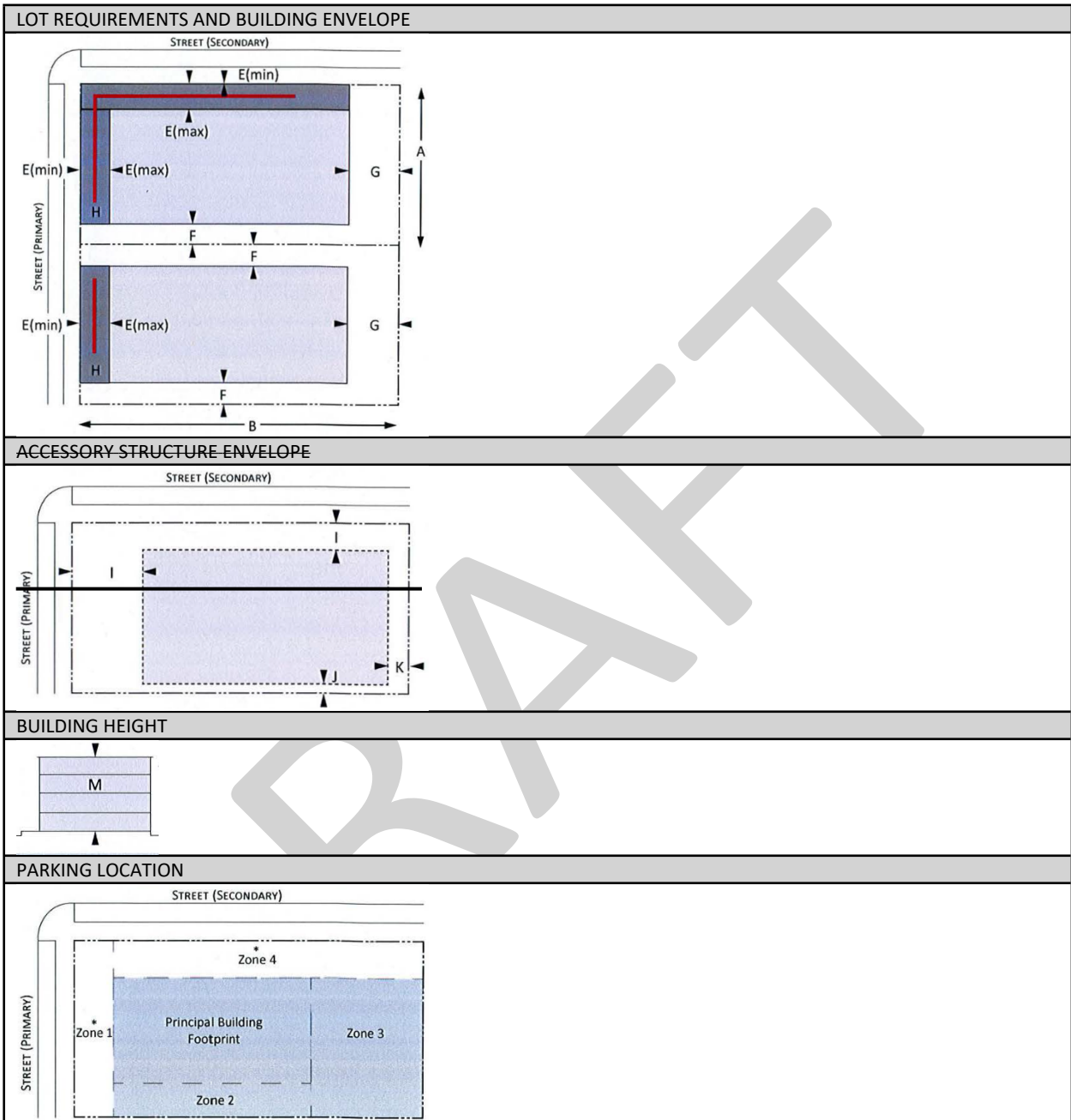
(1) when a parcel is not located with alleyway access, up to one vehicle may be permitted to park in Zone 1. Any Zone 1 parking space created through this provision shall be at least nine feet in width, twenty feet in depth, and located entirely out of the right of way. Any other required parking must be located outside of the Zone 1 frontage.



AM	APARTMENT BUILDING-MEDIUM
A building lot located and designed to accommodate multiple dwellings above or beside each other in a building that occupies most of its building lot width and is placed close to the sidewalk. (The units have to <u>must</u> be existing prior to redevelopment as stated in section 20.07 Density, intensity and assembly of parcels).	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	90	200
B - Lot Depth (ft)	120	120
C - Lot Size (sf)	10,800	24,000
D - Lot Coverage (%)	—	75
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	15	25
Secondary Street Setback (ft)	10	—
F - Side Setback (ft)	10	—
G - Rear Setback (ft) (interior lot)	15	—
Rear Setback (ft) (waterfront lot)	20	—
Garage Adjacent to Alley	5	—
H - Frontage Buildout (%)	60	—
ACCESSORY STRUCTURE ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	—
J - Side Setback (ft)	10	—
K - Rear Setback (ft) (interior lot)	10	—
Rear Setback (ft) (waterfront lot)	20	—
L - Building Footprint (sf)	—	800
BUILDING HEIGHT		
M - Principal Building (ft)	—	'28-32' as defined in Sec. 20.17
N - Accessory Structure(s) (ft)	—	28'
PARKING PROVISIONS		
Location (1)	Zone 2 and 3	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	CY, P, F, S	

(1) when a parcel is not located with alleyway access, up to one vehicle may be permitted to park in Zone 1. Any Zone 1 parking space created through this provision shall be at least nine feet in width, twenty feet in depth, and located entirely out of the right of way. Any other required parking must be located outside of the Zone 1 frontage.

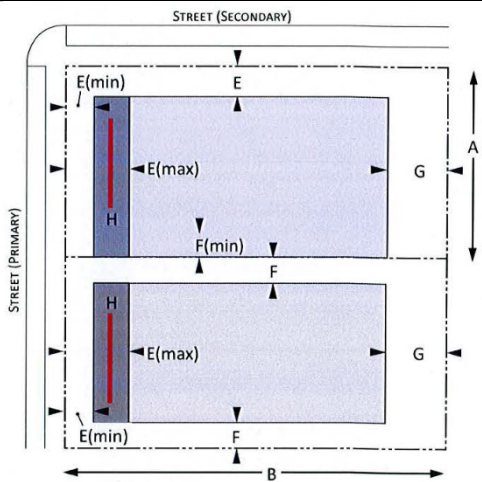


CA	COURTYARD APARTMENT
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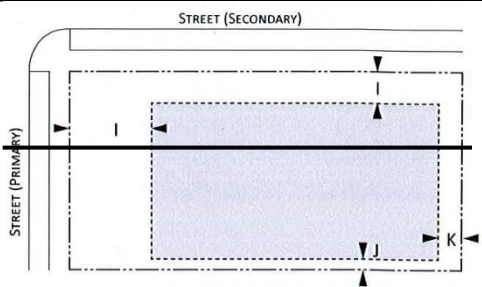
A building lot located and designed to accommodate multiple dwellings arranged around and fronting on a central garden or courtyard that may be partially or wholly open to a street and/or alleyway. (The units ~~have to~~must be existing prior to redevelopment as stated in section 20.07 Density, intensity and assembly of parcels).

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	50	200
B - Lot Depth (ft)	80	120
C - Lot Size (sf)	4,000	24,000
D - Lot Coverage (%)	—	80
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	10	15
Secondary Street Setback (ft)	5	—
F - Side Setback (ft)	5	—
G - Rear Setback (ft) (interior and waterfront lots)	20	—
Garage Adjacent to Alley	5	—
H - Frontage Buildout (%)	60	—
ACCESSORY STRUCTURE ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	—
J - Side Setback (ft)	10	—
K - Rear Setback (ft) (interior lot)	10	—
Rear Setback (ft) (waterfront lot)	20	—
L - Building Footprint (sf)	—	800
BUILDING HEIGHT		
M - Principal Building (ft)	—	'28-32' as defined in Sec. 20.17
N - Accessory Structure(s) (ft)	—	28'
PARKING PROVISIONS		
Location	Zone 2 and 3	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	F	

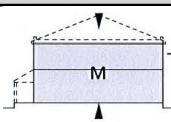
LOT REQUIREMENTS AND BUILDING ENVELOPE



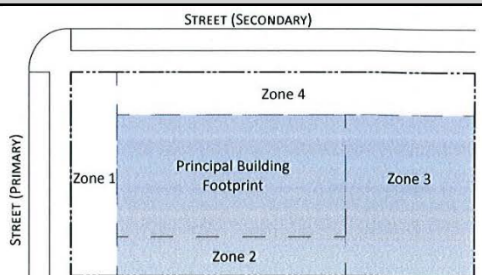
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



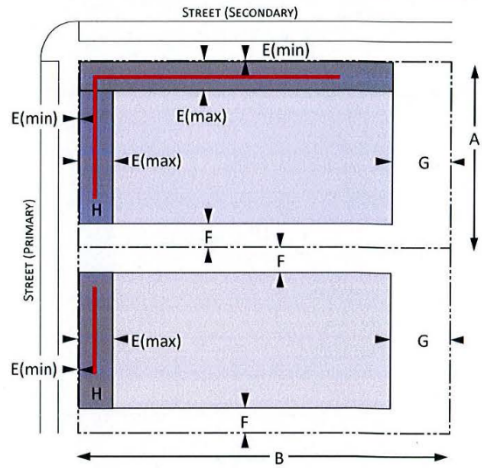
PARKING LOCATION



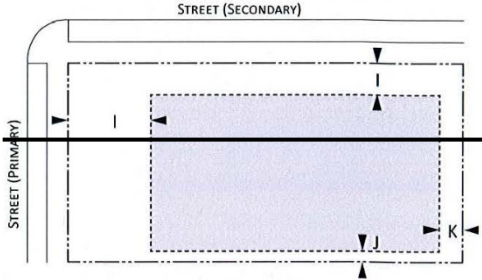
CS	COMMERCIAL / MIXED-USE - SMALL
A building lot located and designed to accommodate a multi story building with commercial, office and/or multiple dwellings in any story that is designed for smaller lot sizes.	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	20	60
B - Lot Depth (ft)	80	120
C - Lot Size (sf)	1,600	7,200
D - Lot Coverage (%)	—	80
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	10	15
Secondary Street Setback (ft)	5	—
F - Side Setback (ft)	0	—
G - Rear Setback (ft) (interior lot)	15	—
Rear Setback (ft) (waterfront lot)	20	—
Alley	5	—
H - Frontage Buildout (%)	60	—
ACCESSORY STRUCTURE ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	—
J - Side Setback (ft)	10	—
K - Rear Setback (ft) (interior lot)	10	—
Rear Setback (ft) (waterfront lot)	20	—
L - Building Footprint (sf)	—	600
BUILDING HEIGHT		
M - Principal Building (ft)	—	underlying zoning district
N - Accessory Structure(s) (ft)	—	25
PARKING PROVISIONS		
Location	Zone 2 and 3	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	C	

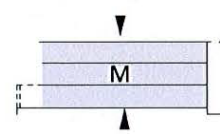
LOT REQUIREMENTS AND BUILDING ENVELOPE



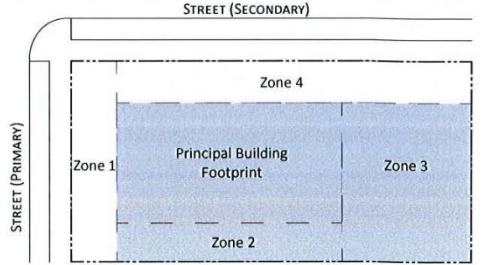
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



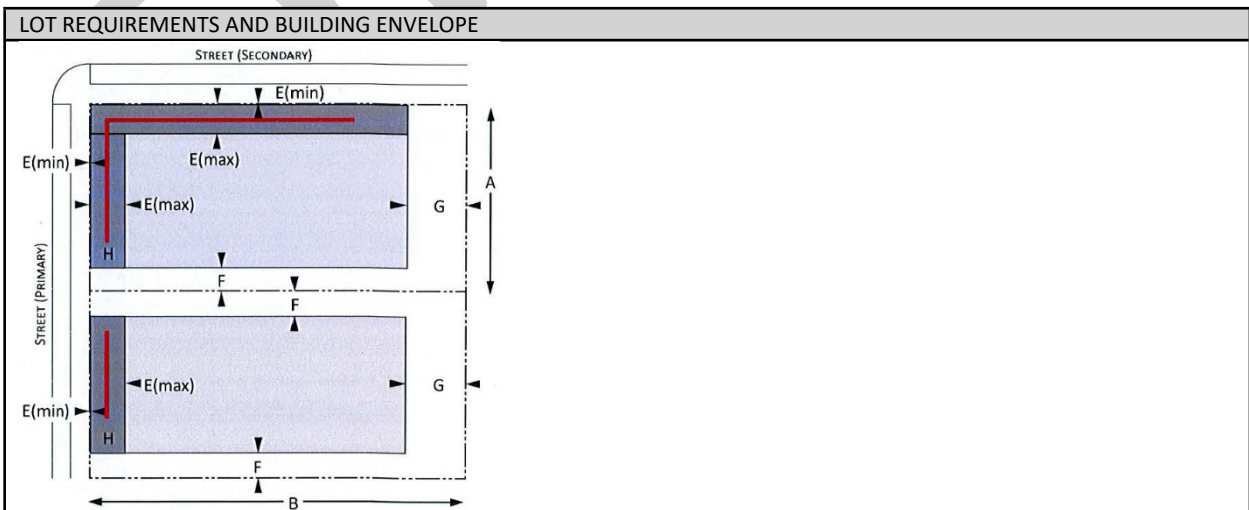
PARKING LOCATION



CM	COMMERCIAL / MIXED-USE - MEDIUM
A building lot located and designed to accommodate a multi story building with commercial, office and/or multiple dwellings in any story that is designed for average lot sizes.	

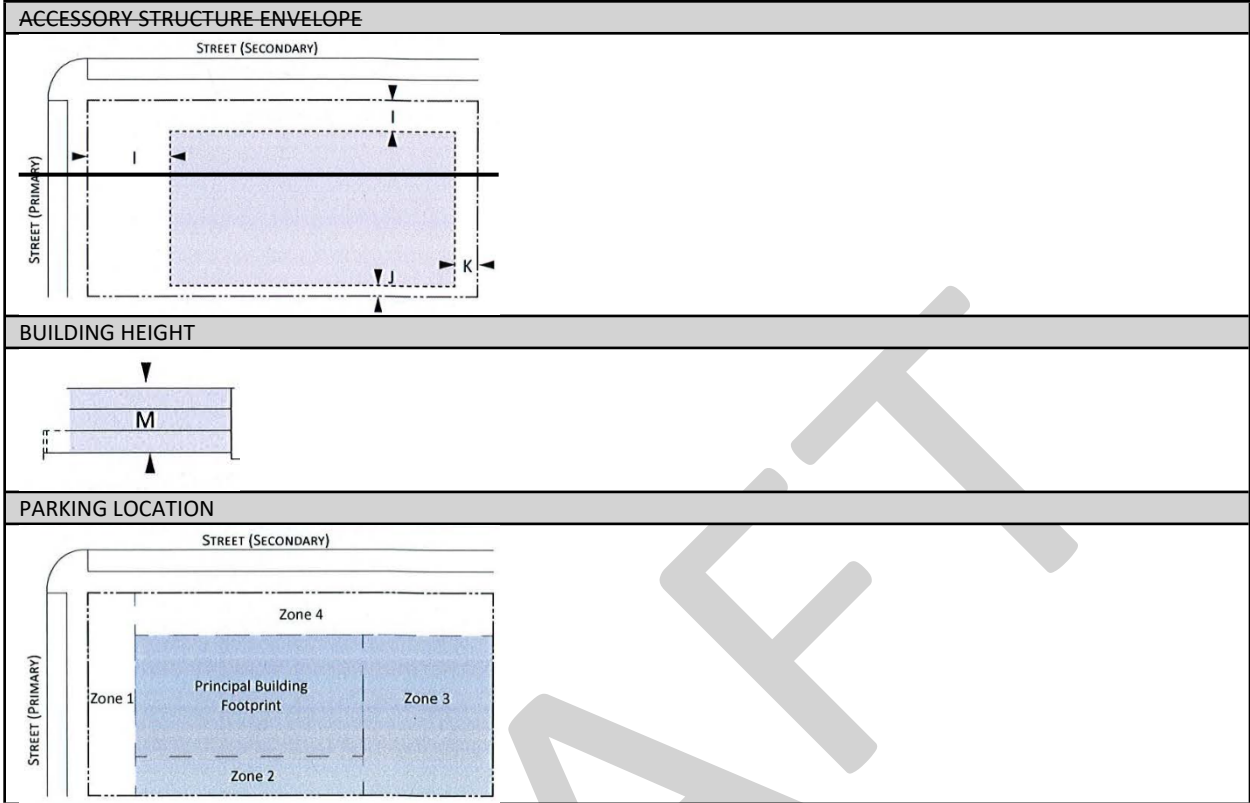
LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	60	150
B - Lot Depth (ft)	—	350
C - Lot Size (sf)	—	52,500
D - Lot Coverage (%)	—	90
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	10	15
Secondary Street Setback (ft)	5	—
F - Side Setback (ft)	0	—
G - Rear Setback (ft) (interior and waterfront lots)	20	—
Alley	5	—
H - Frontage Buildout (%)	60	—
ACCESSORY STRUCTURE ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	—
J - Side Setback (ft)	10	—
K - Rear Setback (ft) (interior lot)	10	—
Rear Setback (ft) (waterfront lot)	20	—
L - Building Footprint (sf)	—	800
BUILDING HEIGHT		
M - Principal Building (ft)	—	underlying zoning district ⁽¹⁾
N - Accessory Structure(s) (ft)	—	25
PARKING PROVISIONS		
Location	Zone 2 and 3	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	C	

(1) Height will be reviewed and assessed to determine the permitted height if the parcel is being rezoned into the PAGHOD.



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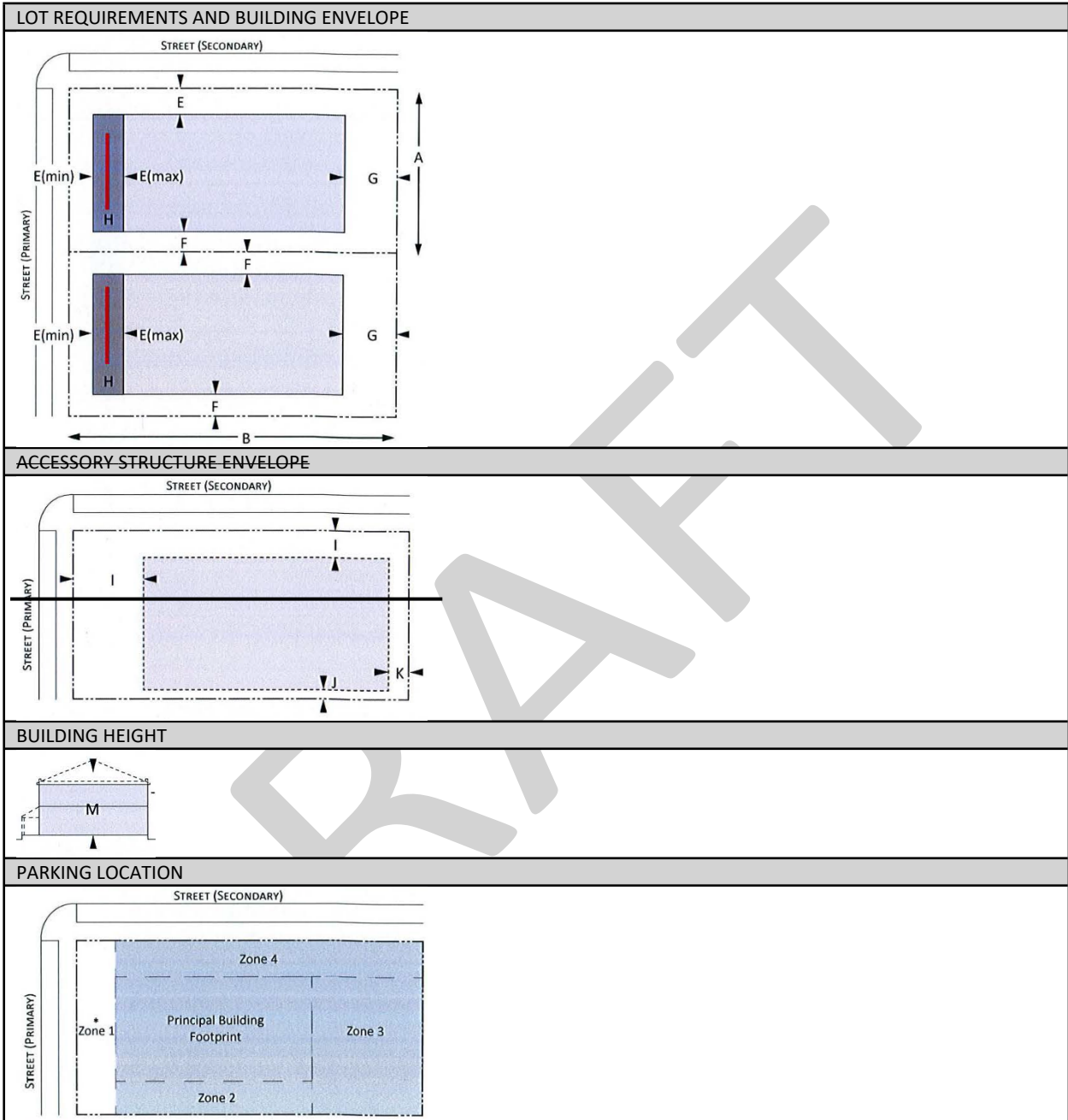



DRAFT

BH	BOUTIQUE HOTEL
A building lot located and designed to accommodate lodging. The number of rooms will be confirmed by existing operating hotel rooms. (The units have to exist prior to redevelopment as stated in section 20.07 Density, intensity and assembly of parcels).	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	40	105
B - Lot Depth (ft)	90	125
C - Lot Size (sf)	—	13,125
D - Lot Coverage (%)	—	80
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	15	20
Secondary Street Setback (ft)	10	—
F - Side Setback (ft)	10	—
G - Rear Setback (ft) (interior lot)	15	—
Rear Setback (ft) (waterfront lot)	20	—
Garage Adjacent to Alley	5	—
H - Frontage Buildout (%)	60	—
ACCESSORY STRUCTURE ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	—
J - Side Setback (ft)	10	—
K - Rear Setback (ft) (interior lot)	10	—
Rear Setback (ft) (waterfront lot)	20	—
L - Building Footprint (sf)	—	800
BUILDING HEIGHT		
M - Principal Building (ft)(1)	—	'28-32' as defined in Sec. 20.17
N - Accessory Structure(s) (ft)	—	28'
PARKING PROVISIONS		
Location	Zone 2,3, and 4	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	C, P, F, CY, S	

(1) may exceed the height up to 35' as outlined by the code if the property is along Gulf Way and that portion of the building that exceeds the 32' in height shall be set back an additional one foot from the front setback line for every foot in height increase.

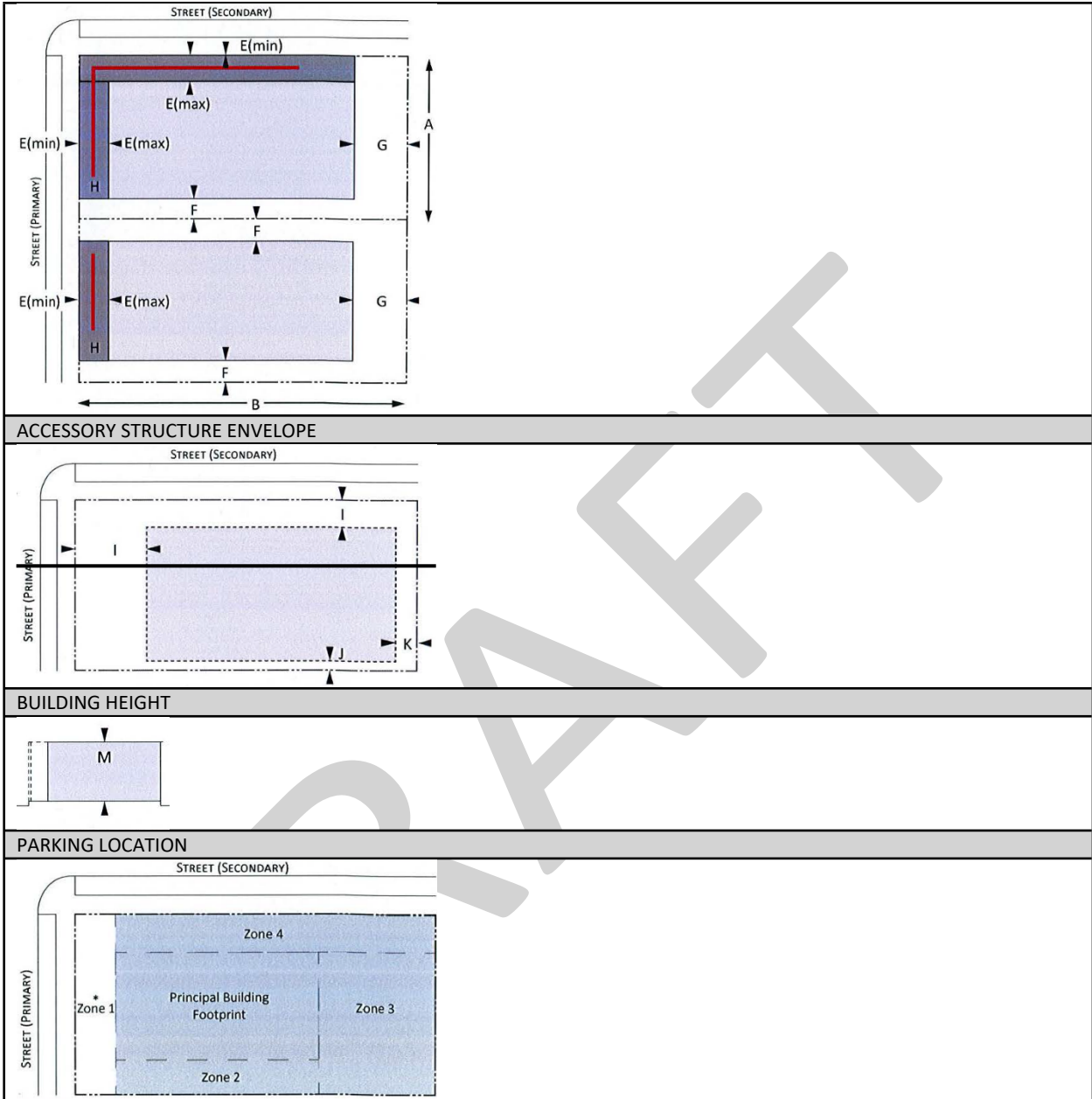


	SINGLE STORY COMMERCIAL BUILDING-SMALL
A building lot located and designed to accommodate single use office and retail.	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	30	50
B - Lot Depth (ft)	80	120
C - Lot Size (sf)	4,000	6,000
D - Lot Coverage (%)	—	80
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	10	15
Secondary Street Setback (ft)	5	—
F - Side Setback (ft)	0	—
G - Rear Setback (ft) (interior and waterfront lots)	20	—
Alley	5	—
H - Frontage Buildout (%)	60	—
ACCESSORY STRUCTURE ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	
J - Side Setback (ft)	10	—
K - Rear Setback (ft) (interior lot)	10	—
Rear Setback (ft) (waterfront lot)	20	—
L - Building Footprint (sf)	—	800
BUILDING HEIGHT		
M - Principal Building (ft)	—	underlying zoning district <u>(1)</u>
N - Accessory Structure(s) (ft)	—	25
PARKING PROVISIONS		
Location	Zone 2,3, and 4	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	C, G, A	

(1) Height will be reviewed and assessed to determine the permitted height if the parcel is being rezoned into the PAGHOD.

LOT REQUIREMENTS AND BUILDING ENVELOPE

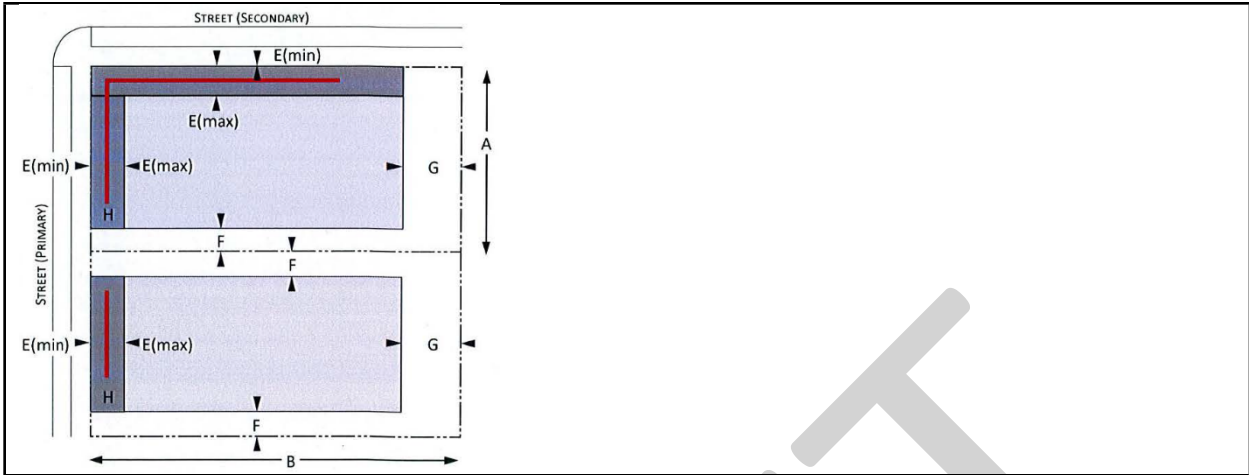


SM	SINGLE STORY COMMERCIAL BUILDING-MEDIUM
A building lot located and designed to accommodate single use office and retail.	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	60	150
B - Lot Depth (ft)	—	350
C - Lot Size (sf)	—	52,500
D - Lot Coverage (%)	—	90
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	10	15
Secondary Street Setback (ft)	5	—
F - Side Setback (ft)	0	—
G - Rear Setback (ft) (interior and waterfront lots)	20	—
Alley	5	—
H - Frontage Buildout (%)	60	—
ACCESSORY STRUCTURE ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	—
J - Side Setback (ft)	10	—
K - Rear Setback (ft) (interior lot)	10	—
Rear Setback (ft) (waterfront lot)	20	—
L - Building Footprint (sf)	—	800
BUILDING HEIGHT		
M - Principal Building (ft)	—	underlying zoning district <u>(1)</u>
N - Accessory Structure(s) (ft)	—	25
PARKING PROVISIONS		
Location	Zone 2, 3 and 3-4	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	C	

(1) Height will be reviewed and assessed to determine the permitted height if the parcel is being rezoned into the PAGHOD.

LOT REQUIREMENTS AND BUILDING ENVELOPE
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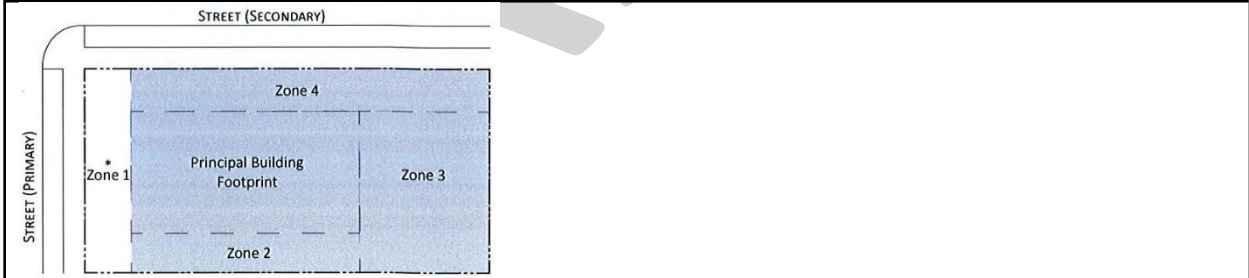
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



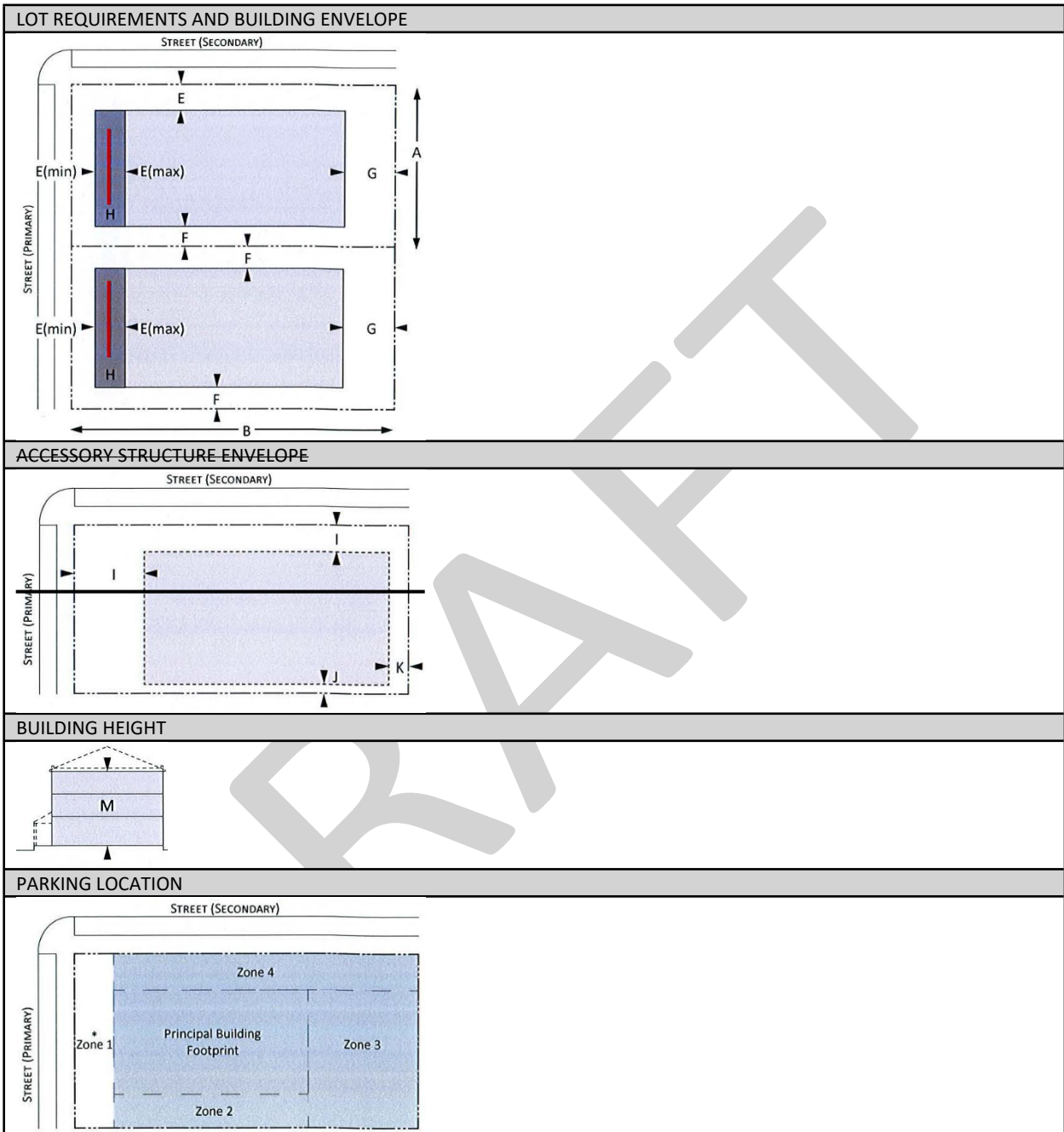
PARKING LOCATION



IN	INSTITUTION BUILDING
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A building lot located and designed to accommodate a building containing public or civic uses such as community services, day care, education, government, places of worship, or social services. This typology is only for permitted and exiting institutional buildings.

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	—	—
B - Lot Depth (ft)	—	—
C - Lot Size (sf)	—	—
D - Lot Coverage (%)	—	—
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	10	25
Secondary Street Setback (ft)	10	—
F - Side Setback (ft)	10	—
G - Rear Setback (ft) (interior lot)	15	—
Rear Setback (ft) (waterfront lot)	20	—
Alley	5	—
H - Frontage Buildout (%)	50	—
ACCESSORY STRUCTURE ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	—
J - Side Setback (ft)	10	—
K - Rear Setback (ft) (interior lot)	10	—
Rear Setback (ft) (waterfront lot)	20	—
L - Building Footprint (sf)	—	800
BUILDING HEIGHT		
M - Principal Building (ft)	—	35'
N - Accessory Structure(s) (ft)	—	28'
PARKING PROVISIONS		
Location	Zone 2, 3, and 4	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	no requirement	

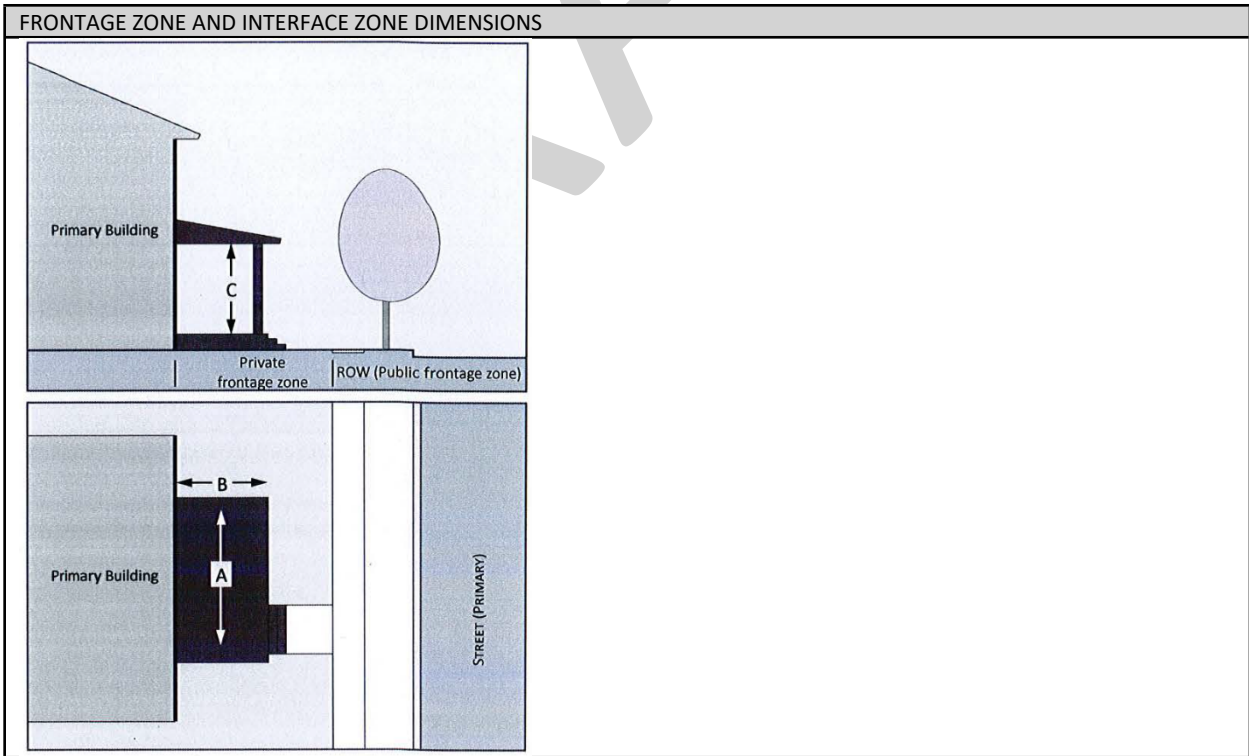


Sec. 20.16. Private frontage.

The building types in section 20.15 provide the acceptable private frontages (i.e. porches, stoops, etc.) for that building type. If there are multiple frontages provided in the table, the applicant may choose what private frontage to provide per building. A minimum of one frontage will be required for new construction or redevelopment as provided in each building summary sheet, by Building Type. The private frontage area may count towards the calculation of the frontage build out requirement under the "Building Envelope" category, by building type, in section 20.15. Private frontage details are exclusive of specific building design elements and are regulated by setbacks, mass and scale.

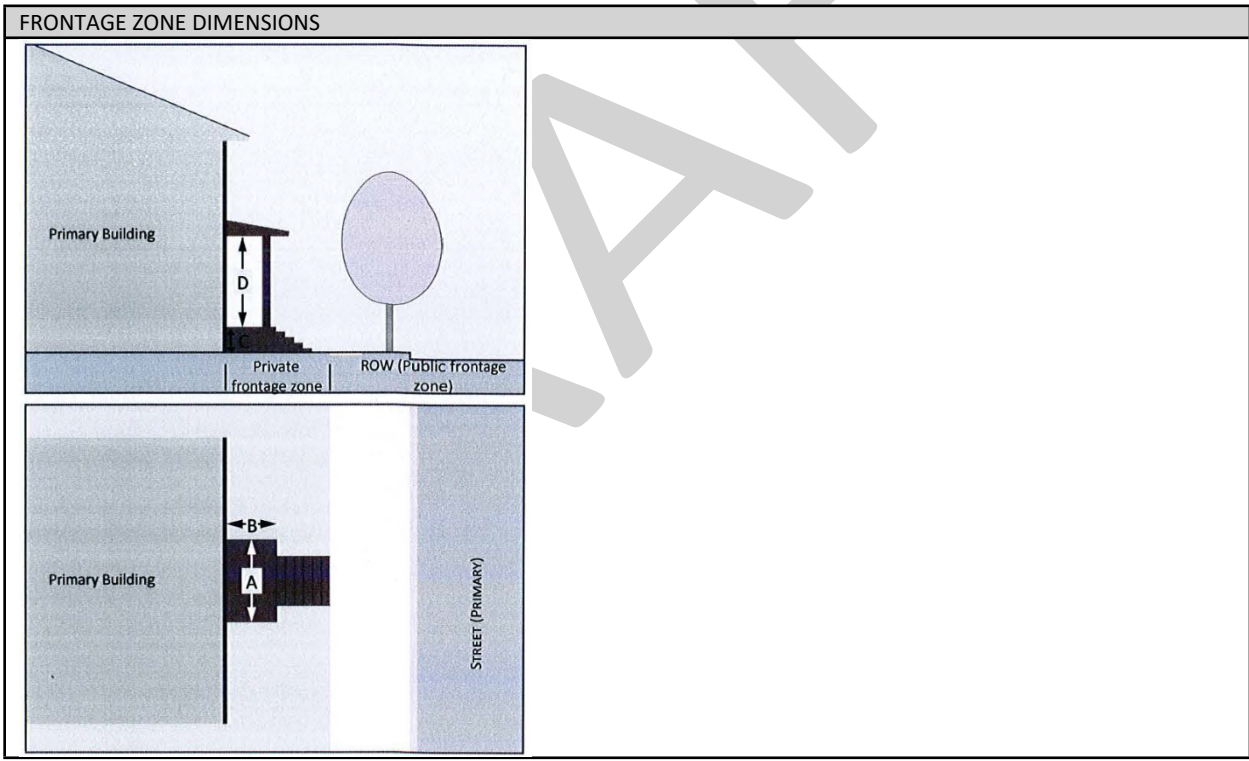
P	PORCH
<p>The façade is setback from the front lot line per applicable street setback requirements. The façade includes an attached front porch structure. A wide variety of porch designs are possible. <u>This frontage is subject to the street setback required for the building type to which it is attached; however, stairs leading to the porch that lack an independent roof are permitted up to a three foot encroachment into the minimum street setback.</u></p>	

FRONTAGE ZONE (FZ)	MIN	MAX
Porch structure requirements:		
A - Width (clear) (ft)	10	—
B - Depth (clear) (ft)	5	—
C - Height (clear) (ft)	7	—
INTERFACE ZONE (IZ)		
Landscape with path (3' wide min) from sidewalk to structure		



S	STOOP
<p>The façade is set back from the front lot line per applicable street setback requirements. The façade includes an attached entry stoop (an elevated landing with stairs) that is placed at or near the front lot line <u>and subject to the street setback required for the building type</u>. Stairs leading to the stoop that lack an independent roof are permitted up to a three foot encroachment into the street setback. The ground floor is elevated to provide privacy. The stoop may include a roof; however, it is not required.</p>	

FRONTAGE ZONE (FZ)	MIN	MAX
Stoop structure requirements:		
A - Width (clear) (ft)	5	10
B - Depth (clear) (ft)	3	8
C - Height (stoop) (in)	18	24
D - Height (clear) (ft)	7	—
INTERFACE ZONE (IZ)		
Landscape with path (3' wide min) from sidewalk to structure		

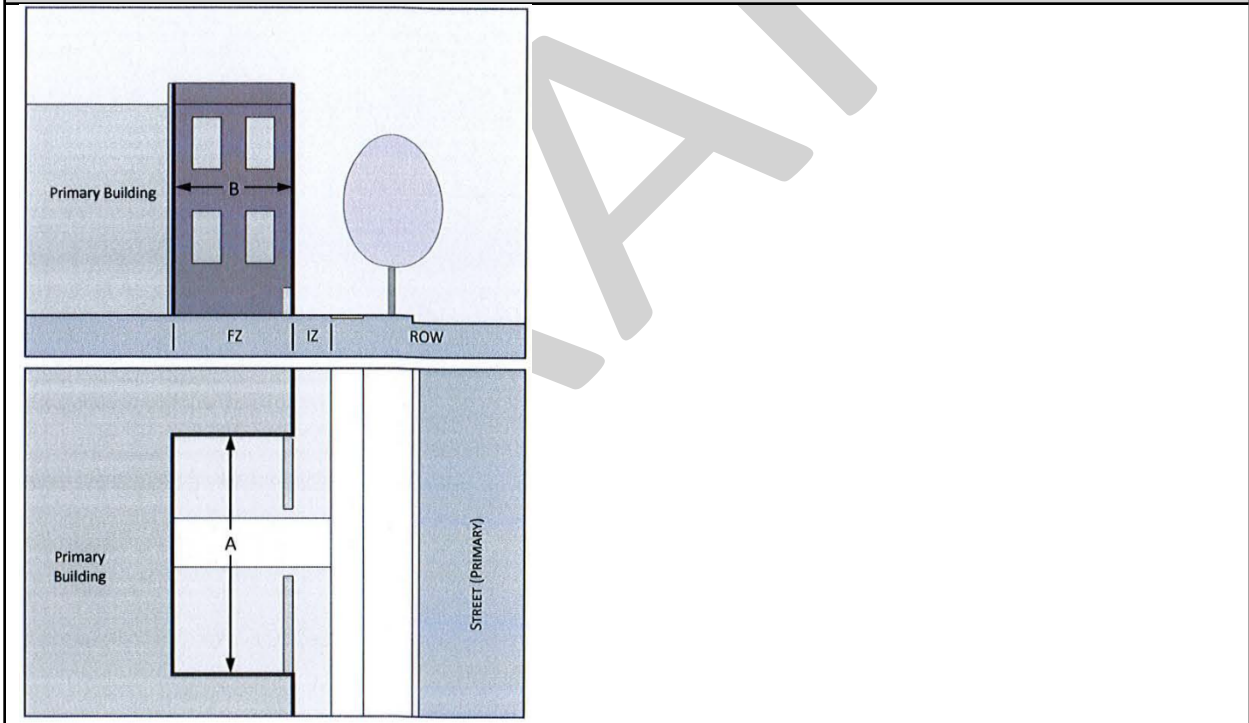


F	FORECOURT
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The façade is set back from the front lot line per applicable street setback requirements. A portion of the façade is recessed to form an uncovered court. The court is suitable for outdoor dining, gardens, vehicle drop-offs, formal entries etc. A fence or wall may be used to define the private space of the court. The court may be elevated behind a retaining wall at or near the front lot line with entry steps to the court. The forecourt area may not have a permanent roof structure. Cafe's, seating area's may provide shade, umbrella's or any temporary shelter(s) that provide shade.

FRONTAGE ZONE (FZ)	MIN	MAX
Courtyard requirements:		
A - Width (clear) (ft)	12	—
B - Depth (clear) (ft)	12	50
INTERFACE ZONE (IZ)		
Landscape with path (6' wide min) from sidewalk to structure		
OTHER REQUIREMENTS		
None		

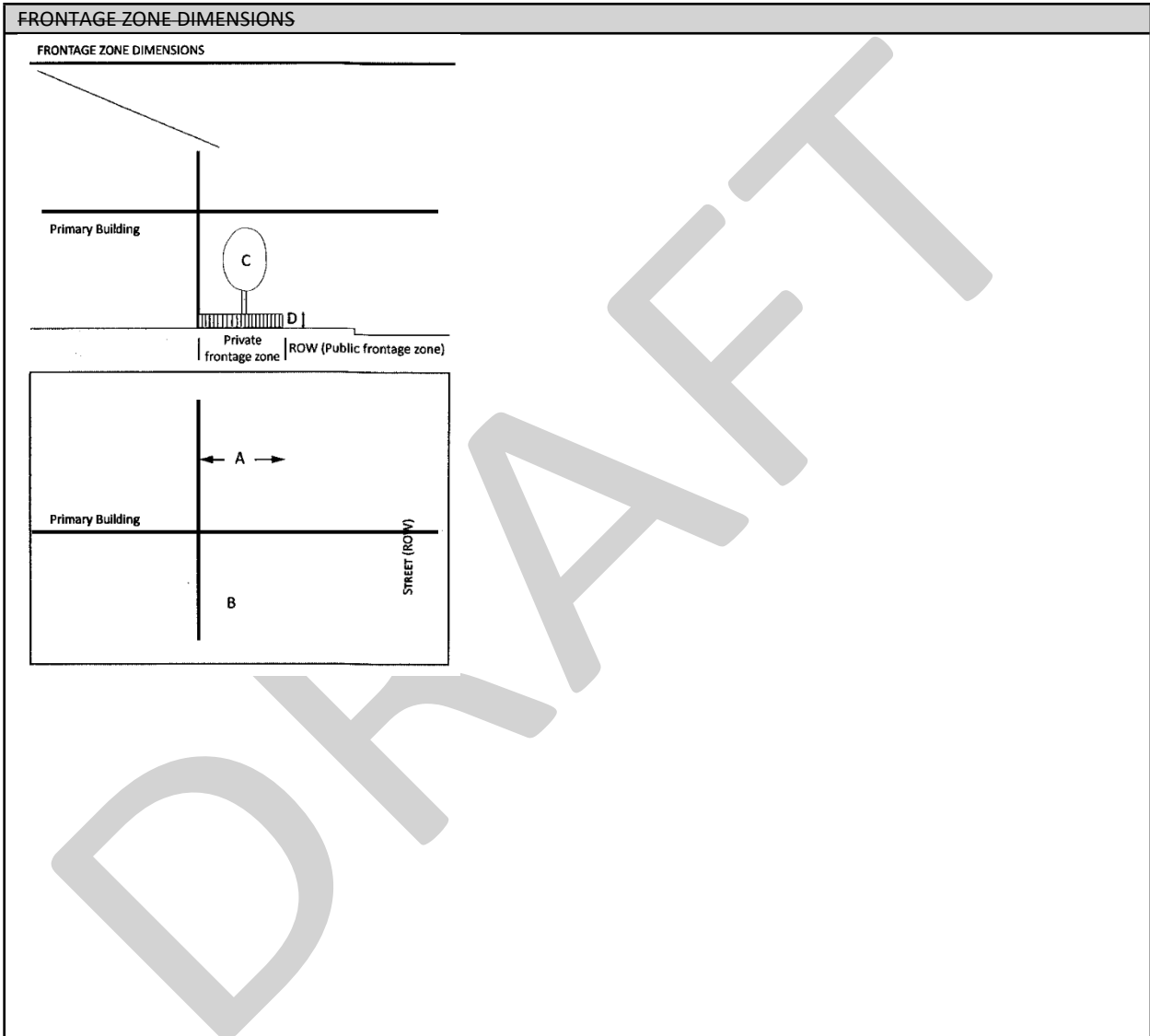
FRONTAGE ZONE AND INTERFACE ZONE DIMENSIONS



COMMON YARD
The façade is set back from the front lot line per applicable street setback requirements. The common yard may include a two to four foot in height decorative fence that shall be constructed of wood, shell, or concrete material. The frontyard is required to have a minimum of 1 canopy tree, shrubs, and ground cover.

FRONTAGE ZONE (FZ)	MIN	MAX
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-Stoop structure requirements:		
-A - Landscape	grass and or ground cover	
-B - Shrubs, ground cover	10 (3 gallon)	—
-C - Tree (canopy tree)	1	—
-D - Fence Height (feet)	2'	4'

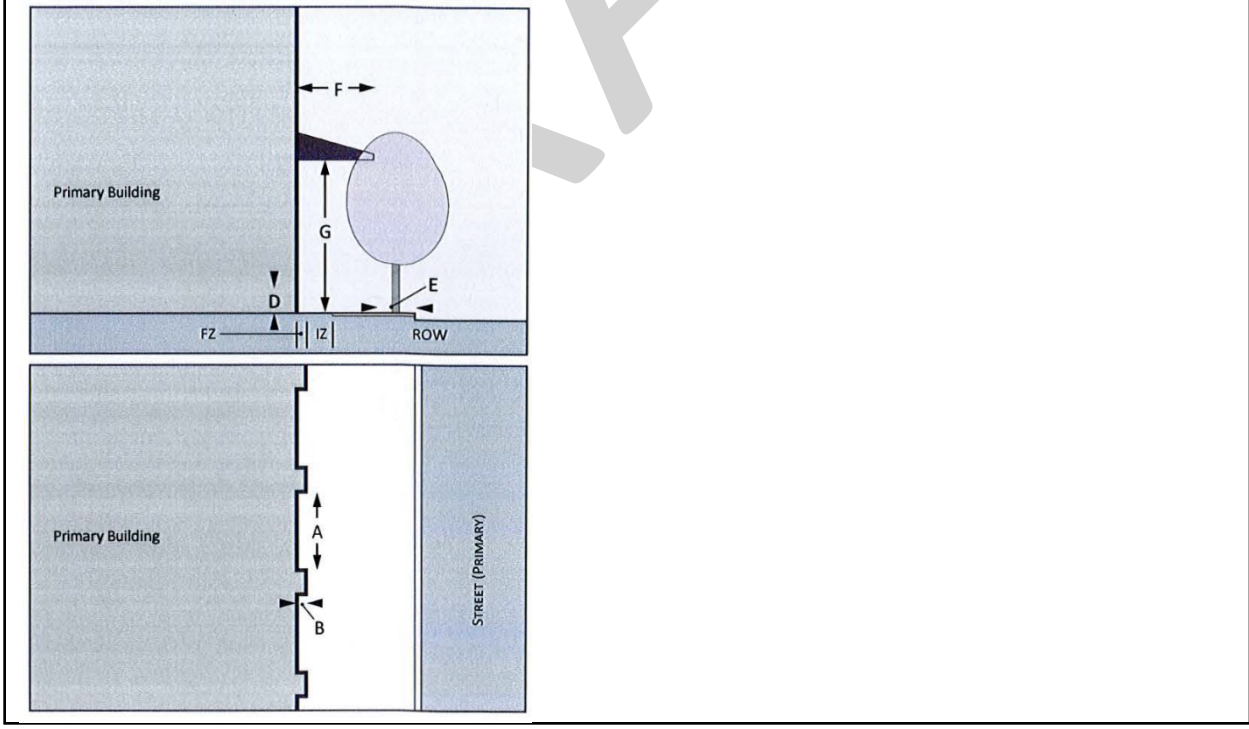


C	COMMERCIAL
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The façade is setback from the front lot line per applicable street setback requirements, typically at or near the front lot line with the entrance at sidewalk grade. The façade may include an awning, shed roof, or gallery (a lightweight colonnade with no habitable building space above it) that covers the sidewalk and may extend into the right-of-way. The facade has a substantial amount of glazing at the sidewalk level. Recessed entrances are acceptable.

FRONTAGE ZONE (FZ)	MIN	MAX
Building facade requirements:		
A - Distance between openings (ft)	10	20
B - Door recess (ft)	—	5
C - Ground floor transparency (%)	60	—
D - Height to bottom of window (ft)	—	2.5
INTERFACE ZONE		
Extended sidewalk from right-of-way edge to structure		
OPTIONAL ELEMENTS	MIN	MAX
AWNING or GALLERY		
E - Setback from curb (ft)	2	—
F - Depth (clear) (ft)* (Gallery min 8')	4	10
G - Height (clear) (ft)	8	—
OTHER REQUIREMENTS		
None		

FRONTAGE ZONE AND INTERFACE ZONE DIMENSIONS



The building types in section 20.15 provide the acceptable private frontages (i.e. porches, stoops, etc.) for that building type. If there are multiple frontages provided in the table, the applicant may choose what private frontage to provide per building. A minimum of one frontage will be required for new construction when listed on the chart, by Building Type. The private frontage area may count towards the calculation of the frontage build-out requirement under the "Building Envelope" category, by building type, in section 20.15.

Sec. 20.17. Building height.

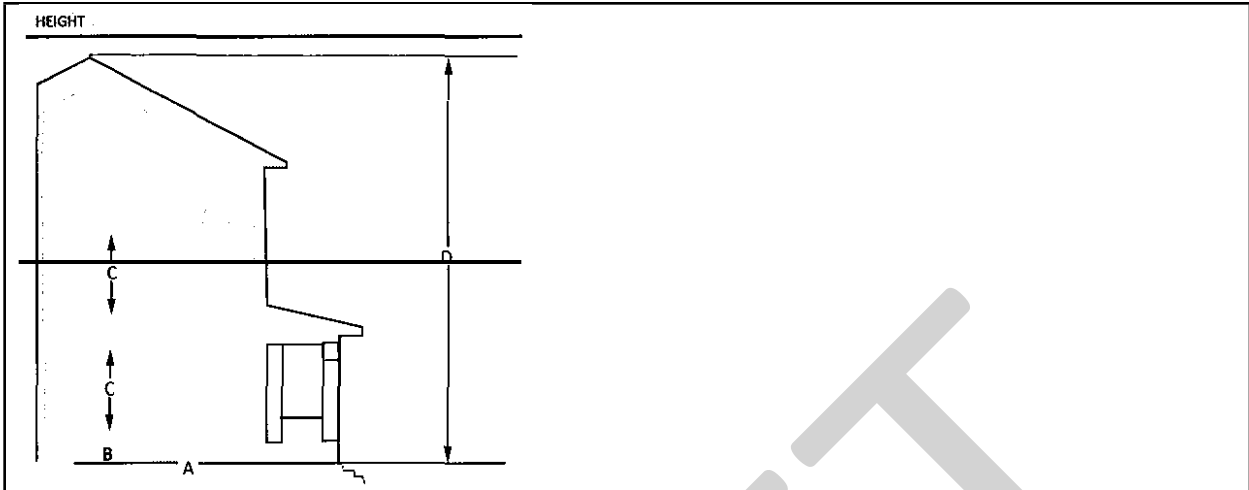
Each building lot typology in section 20.15 provides the range of height appropriate for the building type. No new or substantially improved building within the PAG Overlay District PAGHOD and having the underlying zoning designation of THD, RU-2 Residential, RLM-2 Residential, or RM Residential shall be constructed to exceed twenty-eight (28) feet in height to the midpoint of a sloped roof or top of the parapet of a flat or low sloped roof, or thirty-two (32) feet overall, as defined below:

- a. For any structure with habitable space located less than eight feet above natural grade, height shall be measured from the property's required Design Flood Elevation.
- b. For any structure with habitable space beginning at or higher than eight feet above natural grade, height shall be measured from eight feet above natural grade.

Base flood elevation requirements are outlined in section 98-33 of the City's Code of Ordinances.

	MIN	MAX
Building facadeHeight requirements:		
A - Base Required Design Flood Elevation (required BFEDFE) refer to Code of Ordinances Sec. 98-33		
B - Finished Grade (FG)	Determined by the BFE & FGAs defined in Division 2.	
C - Height of Floors (liveable)	8	14
D - Total Height (Measurement from the required DFE or eight feet above natural grade as defined above)	—	—
Residential*	—	28-32*
Commercial (non-residential)	—	Refer to Underlying Zoning District
* Not to exceed 28 feet in height to the midpoint of a sloped roof or top of the parapet of a flat or low sloped roof, and measured from the location specified above, further provided that the overall roof height shall not exceed 32 feet.		

HEIGHT



Sec. 20.18. Minimum off-street parking requirements.

- (a) *Residential*: Shall be in accordance with the requirements of Division 23 of the Land Development Code, Off Street Parking and Loading.
- (b) *Nonresidential*: may reduce the number of spaces, if on-street parking is available, then an applicant can count any on-street parking spaces within 500 feet of the parcel that are metered or otherwise available, without reservation, to the general public. Spaces limited to holders of 4R, 3R-D, and 4B-H permits shall not be counted toward this reduction, unless the business is and will remain a recipient of such permits.
- (c) Access to and location of parking areas:
 - (1) Parcels abutting an public alley of at least fifteen feet width shall not place parking in the front yard of the zoning lot, nor will be provided driveway access from the primary street. Parking may be placed in the rear or side yard. Access shall be provided via the alley.
 - (2) When a parcel is located on a public alleyway of less than 15 feet in width, and the applicant for development can demonstrate that requiring access from the alley would constrain their ability to reasonably maneuver a vehicle onto the property due to the proposed layout of development, the applicant may provide one curb cut along the primary street if such waiver is accepted through design review by the Historic Preservation Board. Failure to maintain an alleyway shall not be construed as justification for this waiver.
 - (2) Parcels without alley access shall be granted a curb cut from the primary street and may provide parking in the front yard with an additional setback for the garage and/or principal structure as provided for the building type chosen from section 20.15.

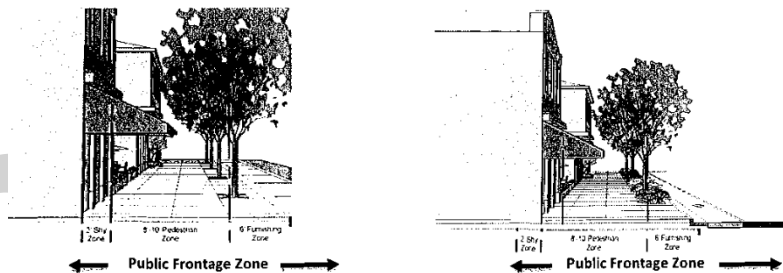
Sec. 20.19. Alleyways and Driveways.

- (a) The ~~PAG Overlay District~~ PAGHOD has existing alleyways that shall be maintained and used as an alleyway for access to parcels located along an alleyway.
- (b) Under no circumstance shall an existing alley be reduced in the width and length.
- (c) Parking is permitted adjacent to an alleyway or where the City has identified, through signage, that vehicles may park within the alleyway. Under no circumstance shall a parked vehicle impede the vehicular movement.

- (d) Alleyways shall not be permanently closed or vacated.
- (e) One driveway is permitted for each parcel. When a parcel has access to an alleyway, that alleyway shall be the primary access to the parcel's driveway and parking area that is consistent with the parking area placement as outlined in Sec. 20.15, Permitted Building Types. If a circular driveway is proposed and/or more than one driveway access point is requested, the applicant must provide:
- (1) Overall landscape plan for the primary frontage of the building to ensure Sec. 20.21. - Screening of elevated building criteria is met prior to considering multiple access point(s).
 - (2) Justification, when landscape and/or elevated building criteria need to be reduced, that demonstrates a need for the additional driveway connection(s). The priority shall be transportation circulation and safety, as reviewed and determined by the City.

Sec. 20.20. Landscaping standards.

- (a) *Streetscape standards.* When the City requires improvements to the "Public Frontage" Zone which includes: Furnishing zones, pedestrian zones and a shy zone, the following standards shall apply.
- (1) *Furnishing Zone that is a minimum of six feet in depth and may include street lights, benches and canopy trees.* A furnishing zone shall include one of the following: Tree Grate Standards. One canopy tree per 30 feet in lineal building shall be provided the entire length of the parcel the building is fronting.
 - (2) *Planter Beds.* A minimum width of 6 feet with a maximum length of 25 feet that contains 1 canopy tree per bed and 100 percent ground cover.
 - (3) *Pedestrian Zone.* 8—10 feet of unobstructed sidewalk
 - (4) *Shy zone.* Comprised of 12 inches to 2 feet that includes the area from the edge of the building to the edge of the pedestrian zone.



- (b) Landscape Buffers may be required between any uses within the PAG Overlay District PAGHOD.
- (c) Front Buffers (common yard) for all residential building types, excluding the Apartment Building, shall provide the following:
- (1) The common yard is located between the front lot line and primary addressed build-to-line of the parcel. Pools and accessory structures may not be located in the common yard area. ~~Front fence or landscape buffer shall be provided and include~~ The following is the minimum that shall be provided within the common yard:
 - a. An opaque hedge, height not to exceed 3 feet when fully matured and/or
 - b. *Knee wall and/or fence.* Permitted materials are wood, shell or concrete material consistent with the overall architecture and design of the primary residence with a minimum height of two feet and a maximum of four feet. The fence setback and visibility standards of section 20.15 shall

apply to the building type selected for development, except that no fence exceeding four feet in height may be installed closer to the front lot line than the principal structure to which it is ancillary.

c. Landscaping shall be provided as indicated in the table below.

COMMON YARD FRONT BUFFER	MIN	MAX
<u>A - Landscape</u>	<u>grass and or ground cover</u>	
<u>B - Shrubs, ground cover</u>	<u>10 (3 gallon) 3' height</u>	<u>—</u>
<u>C - Tree (canopy tree)</u>	<u>1</u>	<u>—</u>
<u>D – Front/sideyard Fence Height (feet)</u>	<u>2'</u>	<u>4'</u>

Sec. 20.21. Screening of elevated buildings.

A building required by section 98-33 of the City's Code of Ordinances, to be elevated more than three feet above grade shall mask the fact that it is elevated through the use of appropriate architectural screening so that the building, when viewed from public rights-of-way, appears to have been constructed at, or near, natural grade as follows:

- (a) Architectural screening shall:
 - (1) Create a visual continuity that is integrated with the overall design and architecture of the home using doors, garage doors, entryways, staircase and/or archways.
 - (2) No more than 20 percent of the area being screened can be transparent.
- (b) Landscape screening shall be installed around the portions of the buildings (accessory and principal) that are elevated and facing the public street:
 - (1) A minimum 3-foot-wide landscape area along the length of the principal building and garage (if visible from the street) except where driveways are approved. The square footage of landscaping displaced by driveways shall be relocated elsewhere in the front yard.
 - (2) One understory tree per 20 linear feet (or portion thereof) of the elevated building length/width viewed from public rights-of way. This requirement is in addition to the common yard standards listed in Section 20.20., as applicable.
 - (3) Planted with shrubs, ornamental grasses and groundcovers to provide 100 percent coverage of the landscape area within one growing season. The landscape design shall (unless spatially impractical) provide layering of plant materials that includes larger background shrubs and low foreground groundcovers. All plant material should be Florida friendly plantings as defined and identified by University of Florida/IFS horticulture experts.
 - (4) Permanent mulch materials, such as organic mulches, stones, and recycled inorganic groundcover materials are not permitted in lieu of vegetation, unless they are provided as accent or focal points that enhance the landscape design.
- (c) Apartment building types (apartment house, apartment building small and apartment building medium shall also meet the following standards:
 - (1) Parking may only be accessed from the side or rear of the building.
 - (2) No portion of the primary principal building shall have garage doors facing any street.

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- (3) Parking may be located within the BFE provided the primary face of the building is architecturally designed to be consistent with front entryways of homes that are integrated and not visually seen from any street.

Sec. 20.22. General building design (residential).

In addition to the required private frontages and the standards provided in each frontage, the following standards shall be applied to all residential building types (house and apartment building types) in order to maintain the overall mass and scale, of the PAGHOD community's existing housing stock.

The following standards are included to provide a minimum criteria needed to review the overall design, mass and scale as outlined below while allowing an applicant flexibility in the design of the building. The design criteria are typical design elements used by architects to ensure a higher quality development and include specific building design elements.

Any single family or attached residential structure that follows the criteria outlined in section 20.15, Permitted Building Types, must design the building with the following architectural elements:

- (a) The mass of a building must include:
 - (1) *Primary mass.* The building shall have a distinct primary mass.
 - (2) *Secondary mass.* A building should also include secondary mass (private frontage requirements) that form the façade of the building.
 - (3) Voids that allow for natural breaks in the mass.
- (b) Proportional design elements shall include:
 - (1) Windows in varying, yet similar arrangements.
 - (2) Appropriate vertical visual consistency at the centerline of the façade.
 - (3) Appropriate ratios of visual width between top and bottom halves of the elevation (bottom ½ clearly supports the top).
 - (4) Overall design shall be symmetrically or asymmetrically balanced.
- (c) Design must include the following rhythms:
 - (1) Proximity (objects close together complement each other).
 - (2) Similarity- common textures, colors or features.
- (d) Garage Design elements shall include:
 - (1) Garage, attached to the principal structure and visible from the public right-of-way, shall be designed and integrated into the overall design elements of the principal structure. Garage doors shall not “dominate” the front façade or be the focal point of the building by the use of contrasting colors, textures that are not part of the overall design of the primary structure. Using elements that are consistent with this subsection, (a), (b) and (c) are required. Height of a garage shall not exceed more than one story of the principal building.
 - (2) Garage, detached from the principal structure, shall have a complementary appearance to that of the principal structure such as wood, stone, and/or manufactured products such as brick, stucco, or decorative concrete block. Architectural elements such as awnings, parapets, decorative molding, and windows should be utilized to create compatibility and consistency between the appearance of the principal dwelling unit and the detached garage.

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- (e) Pool location. Pools shall not be permitted in the front yard setback area or be considered subject to the principal building setback area. Pools may be constructed in the front of the residence provided they extend no closer to the front property line than the primary structure to which they are accessory, and the primary structure meets frontage buildout requirements.

Sec. 20.23. General building design (non-residential and mixed-use buildings).

In addition to the required private frontages and the standards provided in each frontage, the following standards shall be applied to non-residential and mixed-use building types only.

- (a) *Public entrance.* Buildings that are open to the public shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be a distinctive and prominent element of the architectural design, and shall be open to the public during business hours. Buildings shall incorporate lighting and changes in mass, surface or finish which places an emphasis to the entrance.
- (b) *Building orientation.* The ~~primary~~ principal building entrances shall be visible and directly accessible from a street or park space that has a sidewalk or pedestrian path.
- (c) *Storefront character.* Buildings shall express a "storefront character". This guideline is met by providing all of the following features along the building frontage as applicable.
- (1) Regularly spaced and similar-shaped windows with window hoods or trim (all building stories).
 - (2) *Large display windows on the ground floor.* All street-facing, park-facing and plaza-facing structures shall have windows covering a minimum of 40 percent and a maximum 80 percent of the ground floor of each storefront's linear frontage. Blank walls shall not occupy over 50 percent of a street-facing frontage and shall not exceed 20 linear feet without being interrupted by a window or entry. Mirrored glass, obscured glass and glass block cannot be used in meeting this requirement. Display windows may be used to meet this requirement if the first floor has not been ~~design~~designed as a flood proof first floor.
- (d) *Building façade.* A clear visual division shall be maintained between the ground level floor and upper floors with either a cornice line or awning from 12 feet to 16 feet above grade, whichever applies to the proposed development. No more than 20 feet of horizontal distance of wall shall be provided without architectural relief for building walls and frontage walls facing the street. All buildings excluding single family detached homes shall utilize at least three of the following design features to provide visual relief along all elevations of the building:
- (1) Divisions or change in materials (materials should be drawn from a common palette).
 - (2) Window bays.
 - (3) Separate entrances and entry treatments, porticoes extending at least five (5) feet.
 - (4) Variation in roof lines.
 - (5) Balconies: 6 feet maximum may project into the front or side street setbacks.
 - (6) Dormers.
 - (7) Canopies, extending at least five (5) feet.
 - (8) Gables.
 - (9) Overhang extending at least five (5) feet.
 - (10) Recessed entries (at least three [3] feet from the primary façade).
 - (11) Protruding entries (at least three [3] from the primary façade).

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- (12) Covered porch entries.
 - (13) Cupolas shall be permitted on sloped roofs and are exempt from the height limitations up to twelve feet above the roof line.
 - (14) Buildings shall provide a foundation or base, typically from ground to bottom of the lower windowsills, with changes in volume or material.

(e) *Roof-Based Mechanical Equipment and Other Roof Penetrations.* All roof-based mechanical equipment, as well as vents, pipes, antennas, satellite dishes, and other roof penetrations (except chimneys), shall be located on the side or rear elevations. These penetrations shall be configured and screened with similar architectural details that are consistent with the overall building design which should blend into the overall architectural design of the building that shields view, as seen from a pedestrian, vehicle or vessel from a waterway, street, sidewalk, alleyway, and other public right-of-way.

Sec. 20.24. Design review and required drawings.

An applicant shall be subject to the City's permit process. In addition, any development within the PAG Overlay District using the building types, as provided in this division, and which is subject to design review under section 20.13., shall submit:

- (a) Architectural elevations of all facades of all structures subject to this division and shall be a required exhibit for plan approval which does not subrogate any requirements outlined in Division 5, Site plan approval procedures, and building permit process.
 - (1) Such exhibits shall include colors, materials, building dimensions, mass and scale proportions, location of service areas and mechanical equipment, screening devices, parking, site furnishings, lighting fixtures, all signage, and any other information as determined necessary to ensure consistency with the intent of this division and the PAGHOD Design Book.
 - (2) All elevations and overall design must be signed and sealed by a licensed architect registered in the State of Florida and must provide a summary and illustrations that identify each standard listed in section 20.22 or 20.23 of this division. ~~The City may request review by the Historic Preservation Board to ensure compatibility of new construction or additions within the PAG overlay district.~~
 - (2) Provide 11x17 architectural design packet that clearly illustrates the building elevations, mass and scale, screening of elevated portion(s) of the building (landscape or architectural elements).
 - (3) The City's architect or design review designee shall review to determine if the applicant has met the criteria in this Division and provide a summary of approval or recommended changes to the submitted architectural design and/or landscape of the project.
 - (4) After the completion of the design review in (4) above, the Historic Preservation Board shall review to ensure compatibility of any project that constitutes new construction, exterior renovations, or additions within the PAGHOD.
- (b) Landscape and Elevation screening plan(s) shall be submitted as part of the site plan.
- (c) Identify, through the use of the design book, how the proposed project is meeting the intent of the PAGHOD District.
- (d) Waste Management Plan shall be provided for all development, excluding freestanding quadplex, triplex, duplex and single-family residential, to ensure an overall strategy for recycling and trash collection has been implemented that includes:

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- (1) The Site Plan shall include the area(s) for outdoor storage of recycling and/or trash receptables, location and design. It is encouraged to have joint dumpsters and/or compactors in alleys to serve groups of businesses to the extent possible.
 - i. If storage area is located outside, provide the overall design and location of such receptacles and overall screening from public rights-of way (excluding alleys), waterways.
 - ii. If the storage area is located in an alley and not visible from the public street, screening will not be required. Screening of storage areas shall be required in all alleyways where the area is not obscured by a permanent structure from the street.
 - (2) Restaurant requirements. Provide a description of how fats, oils and grease generated by the restaurants is being stored. If outside of the facility, provide the design and storage area to be used for review and approval by the City.
 - (3) City will review the waste management plan to ensure the access is sufficient for garbage pickup and will approve and/or deny the location, design and type of storage permitted.

Section 20.25. Pass-A-Grille Historic Overlay Design Guidebook

- (a) Design Guidebook. The design guidebook shall be used for both non-residential, mixed-use and residential development as a tool to assess compatibility within the PAGHOD, provide design concepts that reflect and support the historic character of the district.
- (b) A design guidebook for the PAGHOD, provides for overall design concept ideas for implementation of design within the district for all development. Specific materials, color, textures, and architectural style are not required, but will be provided as context and character of the area itself and every effort to compliment the overall historic design of the area should be made for new development.

DIVISION 20 PAG PASS-A-GRILLE HISTORIC OVERLAY DISTRICT¹

Sec. 20.01. Purpose and intent.

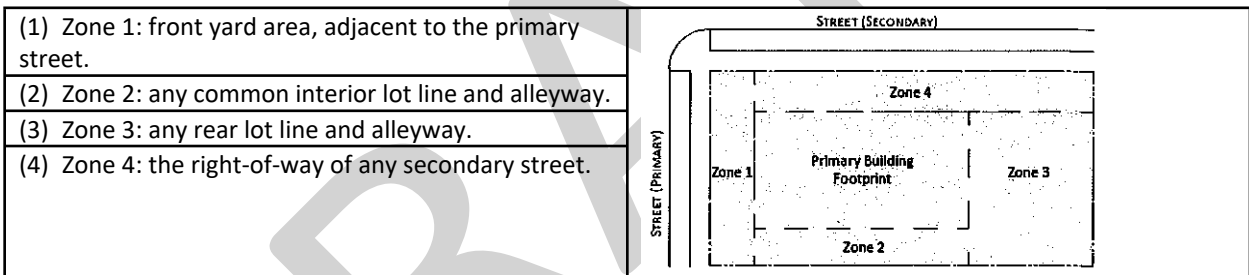
The City recognizes that the Pass-a-Grille Area was developed prior to the development of suburban zoning regulations. The Pass-a-Grille Historic Overlay District, herein referred as PAGHOD, is intended to allow for structures that are considered contributing to the National Register Historic District to be considered conforming regarding base flood elevations and uses of property within the Pass-a-Grille area situated south of 32nd Avenue. The PAGHOD intends to ensure that new and redevelopment of any structures and uses shall be compatible with the character of existing historic contributing structures within the PAGHOD. Also, to recognize that the existing platted lots and parcels meet the overall character of the district and shall be permitted to continue as viable lots while allowing for improvements to existing structures, additions and new development that is consistent with the existing mass and scale within the district.

Sec. 20.02. Definitions.

- (a) *Balance* means the relationship among the elements of a building on either side of an imaginary centerline through the middle of a building. Buildings are either symmetrically or asymmetrically balanced.
- (b) *Balanced, asymmetrically* means the shape(s) and design of a building may not match exactly, but instead have equal visual weight and are still visually balanced.
- (c) *Balanced, symmetrically* means the shapes on one side of the centerline match the shapes on the other side. The two halves are visually equal.
- (d) *Base flood elevation* shall have the same definition as in Article V, Chapter 98 of the Code of Ordinances.
- (e) *Building design elements* means the external building color; the type or style of exterior cladding material; the style or material of roof structures or porches; the exterior nonstructural architectural ornamentation; the location or architectural styling of windows or doors; the location or orientation of the garage; the number and type of rooms; and the interior layout of rooms insofar as the interior layout affects the exterior design, style, or ornamentation of the structure. The term does not include the height, bulk, orientation, or location of a dwelling on a zoning lot; or the use of buffering or screening to minimize potential adverse physical or visual impacts or to protect the privacy of neighbors.
- (f) *Building height*: Shall be as defined in Section 20.17 of this Division.
- (g) *Building envelope*: Provisions for the minimum and maximum setbacks permitted by front, side, and rear yards. There is a minimum and maximum setback for each lot type. The maximum and minimum frontage refers to the proportion of the lot width along which the primary building façade must be within the minimum and maximum front setback.
- (h) *Compatible design* means architectural design and construction that will fit harmoniously into the district based on scale and quality of construction with adjacent buildings and structures.

¹Editor's note(s)—Ord. No. 2016-19, § 2(Exh. A), adopted Feb. 28, 2017, repealed Div. 20, §§ 20.1—20.14, and reenacted a new Div. 20, §§ 20.1—20.24, as set out herein. Former Div. 20 pertained to similar subject matter and derived from Ord. No. 03-7, § 3, adopted May 1, 2003; Ord. No. 2004-18, §§ 7, 8, adopted Aug. 24, 2004; Ord. No. 2008-32, § 1, adopted Aug. 26, 08; Ord. No. 2010-03, § 1(Att. A), adopted April 27, 2010; and Ord. No. 2011-03, § 3, adopted May 24, 2011.

- (i) *Design flood elevation* shall have the same definition as in Article V, Chapter 98 of the Code of Ordinances.
- (j) *Design flood elevation, required* means the minimum elevation of the finished floor or bottom of the lowest horizontal structural member of the lowest habitable floor of a structure, as applicable to the structure's flood zone, or the elevation to which an eligible nonresidential structure is required to be floodproofed. This minimum elevation shall be the highest of the elevations required by the City's floodplain management regulations, the Florida Building Code, as may be amended, or any other regulatory standards applicable to properties in St. Pete Beach.
- (k) *Lot requirements*: Provisions for minimum and maximums, lot depth, lot size and the permitted lot coverage.
- (l) *Lot, waterfront*: A zoning lot which abuts any body of water or the beach. All lots not considered waterfront shall be considered interior for rear setback purposes.
- (m) *Mass, primary*: largest shape of a building.
- (n) *Mass, secondary*: additional shapes that form the façade of the building
- (o) *Parking provisions*: The amount of parking shall be determined by Division 23 of the Land Development Code. Parking provisions provide zones where parking is permitted. The parking zone refers to any uncovered parking area located on the parcel. Driveways are permitted in any zone provided the frontage requirements have been met as required by building type. The diagram illustrates a primary and secondary street. Primary streets are streets that are addressed to the parcel of land. Secondary streets may or may not have access to the parcel. Zones are defined and illustrated by the lot area between the principal building frontage and:



- (p) *Private frontages*, refers to the area that is attached or integrated into the primary building.
- (q) *Principal building*, means a principal or main building which: occupies the major or central portion of a lot; is the chief or main building on a lot, or constitutes, by reason of its use, the primary purpose for which the lot is used;
- (r) *Proportion* means the relationships of one part of a façade to the whole. A house that is correctly proportionate establishes a visual relationship between all parts of its exterior. The voids, primary, and secondary masses should all be proportional to one another in order maintain architectural harmony.
- (s) *Proximity* means that objects that are close together should complement each other.
- (t) *Rhythm* means the use of repetitive elements in order to establish architectural harmony. It is based off of three main principles: the principle of Proximity, the principle of Similarity, and the principle of Continuation. These principles are part of a larger set known as *Gestalt Principles*.
- (u) *Similarity* means how our eyes are easily able to group objects together that share common textures, colors, or features.
- (v) *Voids* means windows, doors, or other openings that create negative space allowing for breaks within a primary or secondary mass.

Sec. 20.03. Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the PAGHOD are as follows:

- (a) All uses permitted in the underlying zoning district; and
- (b) Transient occupancy in single-family or multi-family dwellings, so long as any such transient occupancy of less than thirty (30) days does not occur more than three times in any 12-month period on any parcel.
- (c) Uses that are in existence, upon date of adoption, shall be permitted as limited uses within an existing structure. Additions, improvements and renovations will be permitted, if the building meets the standards set forth in this division of the Code.

Sec. 20.04. Permitted accessory uses and structures.

- (a) Uses and structures, as regulated in sections 6.12 and 6.13, which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures, and are not of a nature prohibited under section 20.5.
- (b) Home occupations, subject to the conditions set forth in section 6.5 of this Code.
- (c) Residential docks, including tie poles, shall be in conformance with the provisions of section 6.23 and other applicable codes and ordinances of the city, county or state.
- (d) Temporary structures shall follow the provisions of section 6.11.

Sec. 20.05. Allowable conditional use.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the PAGHOD are as follows:

- (a) All permitted conditional uses allowed for in the underlying zoning district.

Sec. 20.06. Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein or within the underlying zoning district are hereby prohibited in the PAGHOD.

Any use which the City Commission, upon appeal, and after investigating similar uses elsewhere, shall determine to be potentially noxious, dangerous or offensive to residents of the PAGHOD or to those who pass by on public roadways, by reason of odor, smoke, noise, glare, fumes, gas, fire, explosion or emission of particulate matter or likely for other reasons to be incompatible with the character of the PAGHOD area, is hereby prohibited in the PAGHOD.

Sec. 20.07. Density, intensity and assembly of parcels.

- (a) The maximum residential density permitted in the PAGHOD shall not exceed the number of units per acre permitted by the underlying Future Land Use map for undeveloped parcels of land.
- (b) The existing residential density, exceeding one density unit, of an existing residential structure shall be permitted to rebuild on the existing parcel of land, with the same density as the existing structure(s) has, if the building was constructed prior to February 28, 2017, and can meet the lot requirements, by building type, in section 20.15 of this Division. In addition, any new construction cannot exceed the existing livable developed square footage and must match the existing form and mass as defined in section 20.22 herein.

- (c) The existing hotel/motel units shall be permitted to rebuild on the existing parcel of land, with the same number of units that already exist as a rental/leasable room within the existing built hotel if the building was constructed prior to February 28, 2017, and can meet the lot requirements of a Boutique Hotel Building Type as provided in section 20.15 of this Division.
- (d) No more than two lots of record may be combined to accommodate additions to existing structures. Requests for assembly shall be reviewed by the Historic Preservation Board which shall make recommendation to the Board of Adjustment (when applicable), and/or the City Commission as provided in Sec. 20.14.

Sec. 20.08. Maximum floor area ratio.

Maximum floor area ratio (FAR) for non-residential uses: Underlying Zoning District requirements.

Sec. 20.09. Maximum impervious surface ratio.

If a parcel opts for new construction or addition to a single family home using the underlying zoning district standards, the ISR shall be determined by the underlying zoning district. The ratio's listed below are subject to any of the building types, defined in section 20.15 that are used.

Maximum impervious surface ratio (ISR) for residential and transient accommodation uses: 0.70.

Maximum impervious surface ratio (ISR) for non-residential uses: Underlying Zoning District requirements or existing building footprint.

Sec. 20.10. Reduced setbacks for contributing structures granted a certificate of appropriateness.

Proposed additions to, or remodeling of, contributing structures may be eligible for a reduction in setback requirements if the proposed plans have been reviewed, approved, and issued a certificate of appropriateness by the Historic Preservation Board pursuant to Division 28. The purpose of this regulation is to ensure the design is compatible design with neighboring structures.

Design review shall be based on the requirements set forth in the underlying zoning district and the PAGHOD herein and for consistency with the Secretary of Interior's Standards for Rehabilitation. If the Historic Preservation Board finds that an addition is consistent with the Secretary of the Interior's Standards and that the addition would not preclude the structure's continued designation as a contributing structure, and approves a certificate of appropriateness for the plans, then the applicant can request a reduction to any and all of the setbacks, provided the setbacks are consistent within the same block of the proposed addition by providing the historical setback data for the street block (both faces) the parcel is on and the historical setbacks along that particular street that will be evaluated by the Historic Board. The following setbacks shall be considered:

Setback	
Front yard	(1)
Secondary front yard	5 feet
Side yard	10 percent of the lot width (each)
Rear yard	10 feet

- (1) Not to exceed more than three feet of a variation from the average historic setback as described above, or to produce a setback less than the minimum for the subject parcel building type as defined in Section 20.15. Applicants seeking a lesser setback, or a setback with greater variation, than specified herein may seek a variance pursuant to Section 3.12 following certificate of appropriateness issuance and recommendation from the Historic Preservation Board.

When the setbacks provided above conflict with the setbacks required for the recipient's building type listed in section 20.15., the setbacks in this section shall prevail provided that a Certificate of Appropriateness has been issued for the addition or remodel.

The addition or remodel must still meet impervious surface, floor area, height, herein and the landscaping, and buffering standards as identified in this division. The reductions in setbacks do not abrogate the responsibility of the designer or homeowner to incorporate these requirements into the plan.

Sec. 20.11. Minimum building type requirements.

Lots of record within the PAGHOD shall be deemed conforming even if the parcel does not meet the minimum lot width/depth standards for the underlying zoning district, provided new development or redevelopment can meet the setback requirements noted for the assigned building type found in Sec. 20.15. The building type shall be selected based on the overall minimum and maximum lot size criteria per building type if the lot width and/or length is not met. The final determination of what building type to be used is made by the City Manager or designee. If an applicant is not satisfied with the assignment of building type, an application to consider building type selection must be reviewed by the Historic Preservation Board prior to hearing of the practical difficulty or unnecessary and undue hardship variance application that pertains to the use type as outlined in the LDC Sec. 3.12 Variance process.

Sec. 20.12. Subdivision of lots.

Lots within the PAGHOD shall not be subdivided to a size smaller than the platted lot of record and/or building lot types in this division. Existing structures that are listed as contributing structures in the most recent Historic Resources Survey or that are locally designated historic structures are exempt from the setbacks imposed by this division; however, additions and accessory structures shall comply with the standards in section 20.15, by building type. All other structures shall also comply with the setbacks and required yards imposed by the building types in this Division, section 20.15.

Sec. 20.13 Applicability and Building Type Assignment.

Any other applicable standards within this division, not expressly stated in this section, shall apply to new development, additions, and redevelopment of parcels located in the PAGHOD, as outlined in this division.

(a) Residential and Non-Residential Parcels of Land:

(1) Redevelopment & New Development

- a. Parcel(s) of land that are assigned a non-residential zoning district, shall be permitted a non-residential building type found in section 20.15 that is consistent with the underlying uses permitted in the parcel(s) assigned underlying Zoning District and section 20.07.
- b. The parcel of land shall meet the lot width and lot depth as identified, by building type, in section 20.15, to determine the appropriate non-residential building type standard that applies to that parcel.

(2) Addition(s)

- a. Parcel of land within the PAGHOD shall meet the building type standard that is most consistent with the lot width/lot depth of that parcel.
 - i. Setbacks shall be met, and

-
- ii. Accessory additions shall only be permitted within the side and/or rear of the parcel, and
 - iii. If front-facing elevation is changed, the landscape standards and architectural elements must be met.

Sec. 20.14. Lot Split, Assembly of Parcels, Vacation of Easements and/or Right-of-ways.

The following requirements are to be provided for any lot splits, assembly of parcels, or request to vacate easements or right-of-ways:

- (a) Assembly or parcel splits shall:
 - (1) Submit an application to the Historic Preservation Board (HPB) for a recommendation prior to review by the Board of Adjustment and City Commission, as applicable.
 - (2) The applicant shall provide documentation for the HPB to determine the compatibility and respect for the existing character of the PAGHOD, which will review:
 - a. Historical plat and scale of the overall character of PAGHOD to ensure the application is consistent with the overall intent of the district.
 - b. Determine if recommending the parcel split, assembly or vacation of easements and right of ways will support or negatively impact the overall character of the area by permitting the use and the scale of the parcel of land and/or development size.

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Sec. 20.15. Permitted building types.

Building types are permitted by the following criteria:

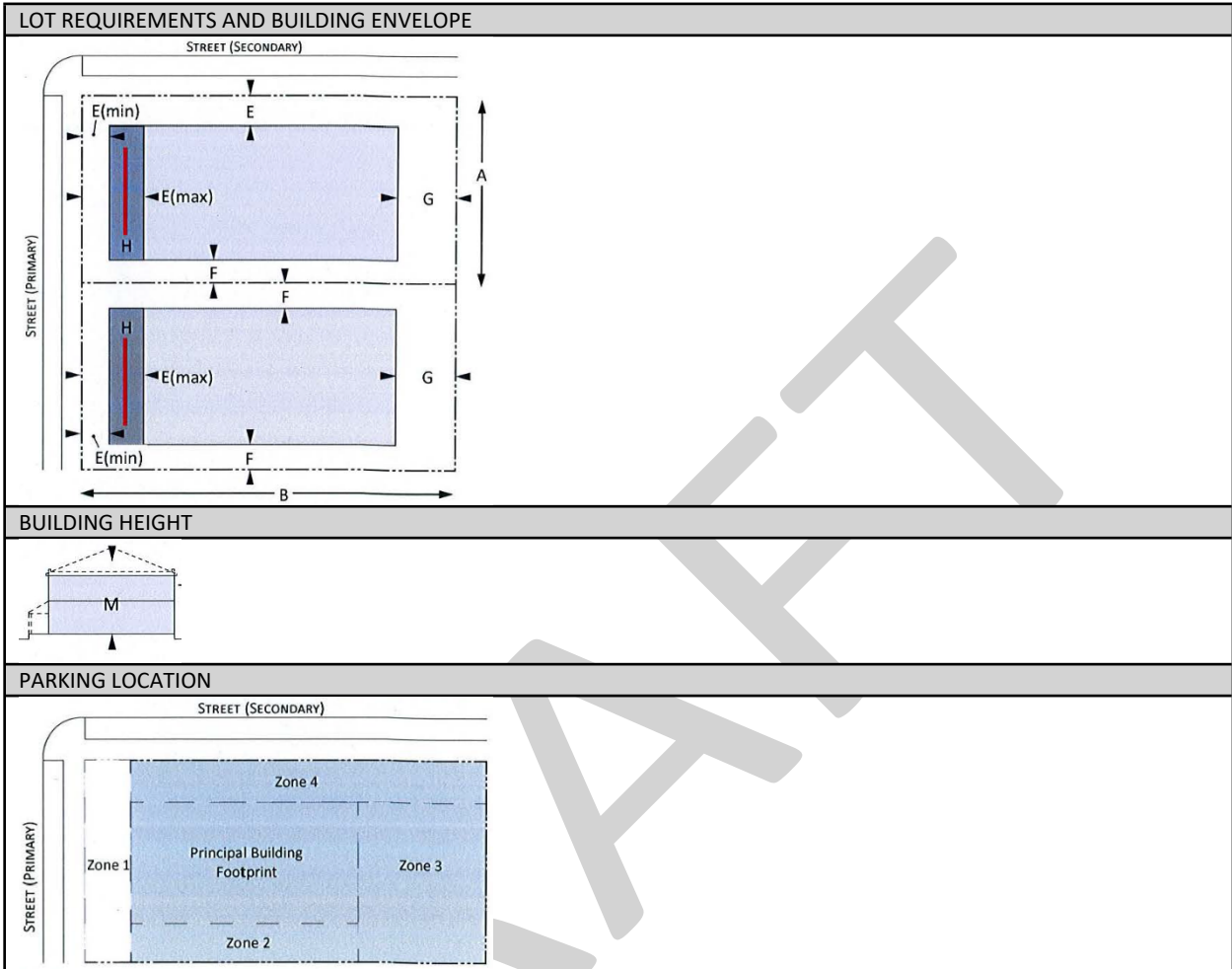
- (a) Existing Parcel Size, and
- (b) Existing Density, Units and Rooms as outlined in Sec. 20.07.

An applicant must provide a survey of the parcel to verify the actual parcel size (lot width/lot depth) or use the City's parcel data information. If the applicant believes the lot width and depth are different than the City's records, the applicant will be required to have a survey of the lot for verification.

HL	HOUSE-LARGE
A building lot located and designed to accommodate a detached building with large side, rear and front yards.	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft) (1)	60	—
B - Lot Depth (ft) (1)	100	—
C - Lot Size (sf)	6,000	—
D - Lot Coverage (%)	—	60
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft) (2)(3)	10	15
Secondary Street Setback	7	—
F - Side Setback (ft)	7	—
G - Rear Setback (ft) (interior lot)	15	—
Rear Setback (ft) (waterfront lot)	20	—
Garage Adjacent to Alley	5	—
H - Frontage Buildout (%)	50	—
BUILDING HEIGHT		
M - Principal Building (ft)	—	28-32' as defined in Sec. 20.17
PARKING PROVISIONS		
Location (3)	Zone 2,3, and 4	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	P, S	

- (1) maximum building lot width and lot size may be determined if two lots are being combined to ensure compatibility with the surrounding existing homes.
- (2) a lot that is adjacent to the bay or beach is permitted to exceed the maximum setback requirements.
- (3) when a parcel is not located with alleyway access, the maximum setback may increase up to five feet to allow for a driveway and up to one vehicle to park in Zone 1. Any Zone 1 parking space created through this provision shall be at least nine feet in width, twenty feet in depth, and located entirely out of the right of way.



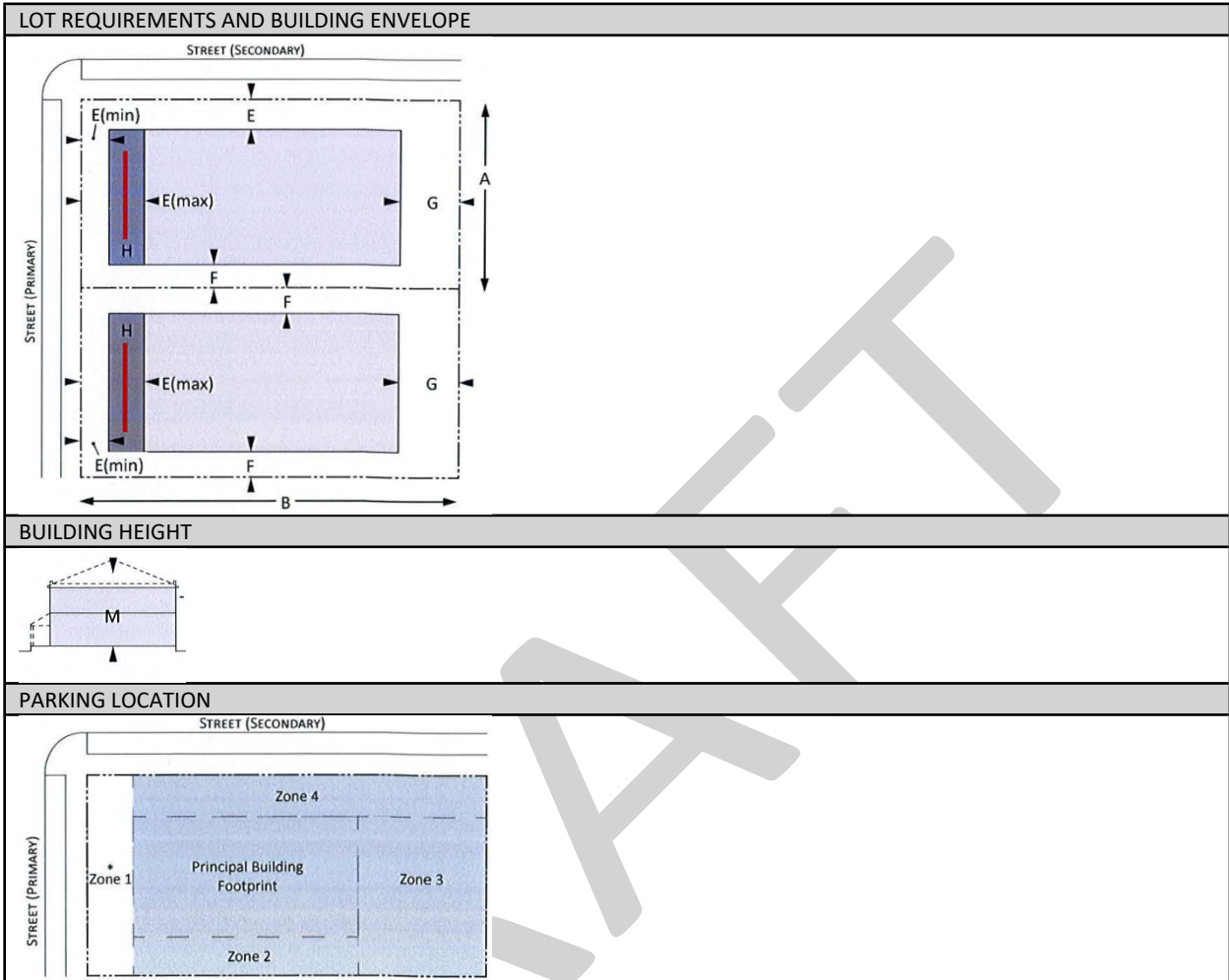
HM	HOUSE-MEDIUM
A building lot located and designed to accommodate a detached building with small side yards and a large front yard.	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft) (1)	40	55
B - Lot Depth (ft) (1)	100	—
C - Lot Size (sf)	4,000	—
D - Lot Coverage (%)	—	70
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft) (2)(3)	10	15
Secondary Street Setback	5	—
F - Side Setback (ft)	5	—
G - Rear Setback (ft) (interior lot)	15	—
Rear Setback (ft) (waterfront lot)	20	—
Garage Adjacent to Alley	5	—
H - Frontage Buildout (%)	50	—
BUILDING HEIGHT		
M - Principal Building (ft)	—	'28-32' as defined in Sec. 20.17
PARKING PROVISIONS		
Location (3)	Zone 2,3, and 4	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	P, S	

(1) maximum building lot width and lot size may be determined if two lots are being combined to ensure compatibility with the surrounding existing homes.

(2) a lot that is adjacent to the bay or beach is permitted to exceed the maximum setback requirements.

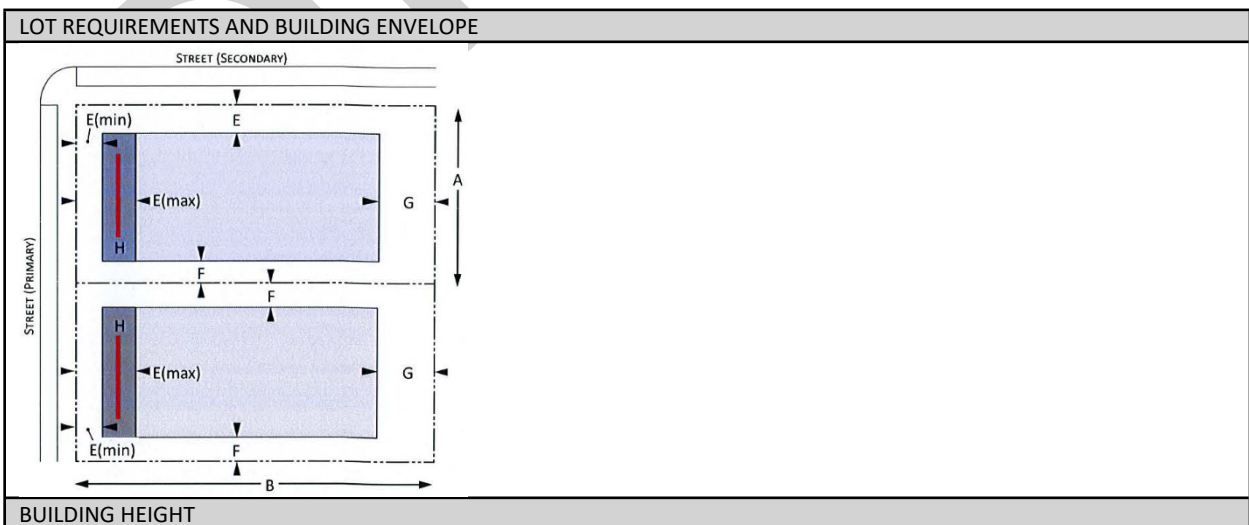
(3) when a parcel is not located with alleyway access, the maximum setback may increase up to five feet to allow for a driveway and up to one vehicle to park in Zone 1. Any Zone 1 parking space created through this provision shall be at least nine feet in width, twenty feet in depth, and located entirely out of the right of way.

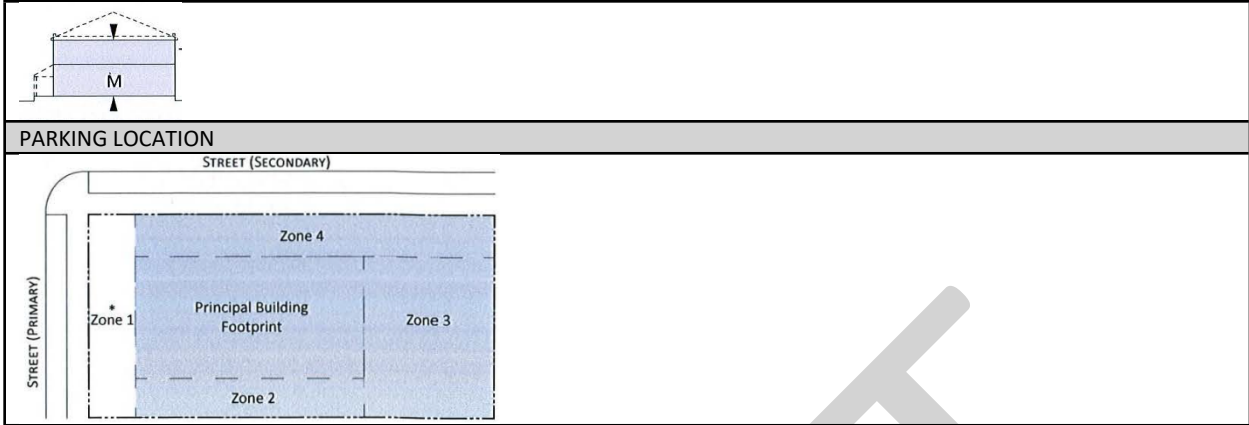


HS	HOUSE-SMALL
A building lot located and designed to accommodate a small detached building with small side and front yards. A maximum of one dwelling unit is permitted.	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft) (1)	32	40
B - Lot Depth (ft) (1)	50	120
C - Lot Size (sf)	1,600	4,800
D - Lot Coverage (%)	—	70
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft) (2)(3)	5	10
Secondary Street Setback (ft)	5	—
F - Side Setback (ft)	3	—
G - Rear Setback (ft) (interior lot)	10	—
Rear Setback (ft) (waterfront lot)	20	—
Garage Adjacent to Alley	5	—
H - Frontage Buildout (%)	50	—
BUILDING HEIGHT		
M - Principal Building (ft)	—	'28-32' as defined in Sec. 20.17
PARKING PROVISIONS		
Location (3)	Zone 2,3,4	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	P, S	

- (1) maximum building lot width and lot size may be determined if two lots are being combined to ensure compatibility with the surrounding existing homes.
- (2) a lot that is adjacent to the bay or beach is permitted to exceed the maximum setback requirements.
- (3) when a parcel is not located with alleyway access, the maximum setback may increase up to ten feet to allow for a driveway and up to one vehicle to park in Zone 1. Any Zone 1 parking space created through this provision shall be at least nine feet in width, twenty feet in depth, and located entirely out of the right of way.

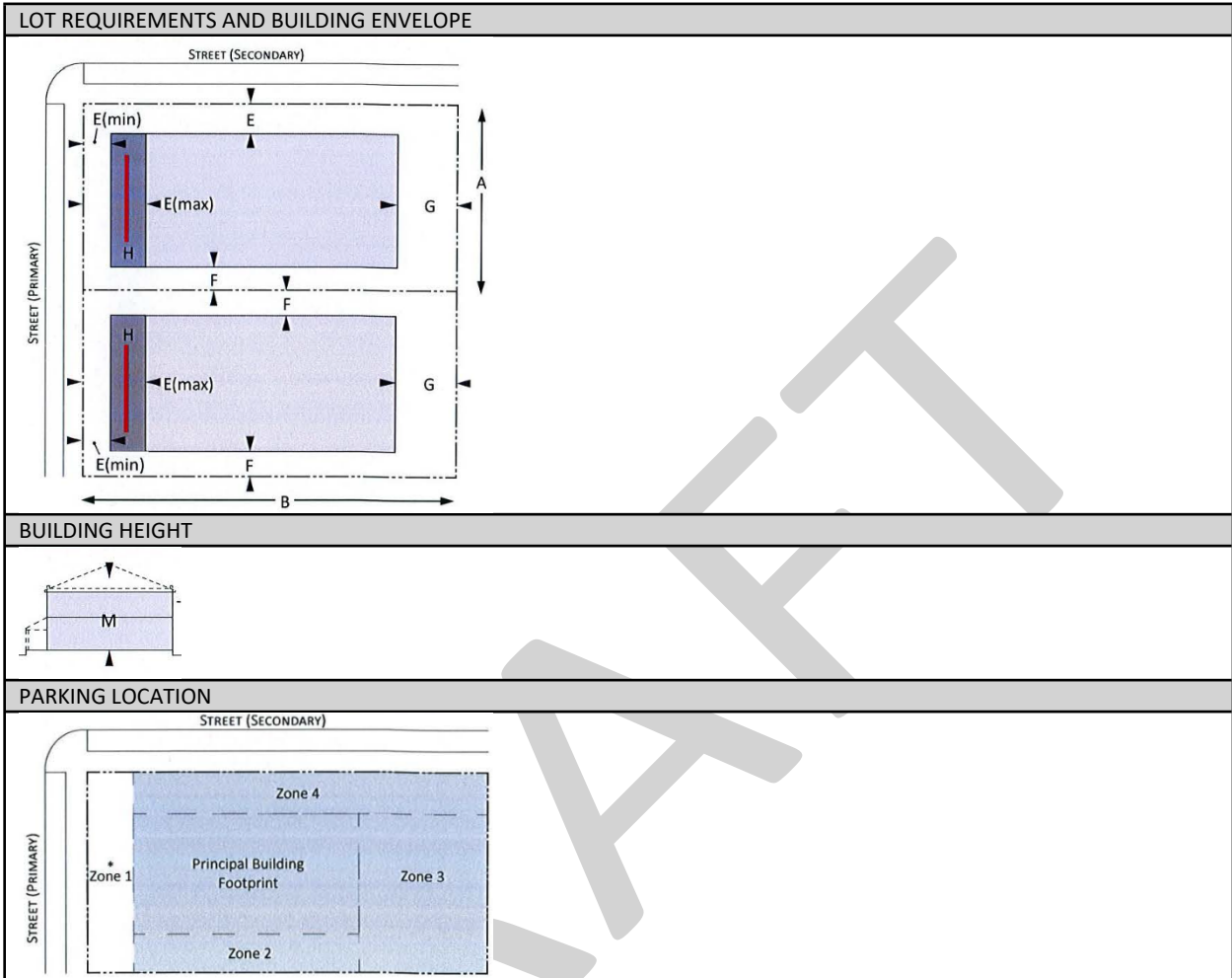




AH	APARTMENT HOUSE
<p>A building lot located and designed to accommodate a detached building which resembles a large house but which contains multiple dwellings above and beside each other. A maximum of 4 units are permitted in this building lot. (The units must be existing prior to redevelopment as stated in section 20.07 Density, intensity and assembly of parcels).</p>	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	40	55
B - Lot Depth (ft)	80	—
C - Lot Size (sf)	3,200	—
D - Lot Coverage (%)	—	70
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	10	15
Secondary Street Setback (ft)	5	—
F - Side Setback (ft)	5	—
G - Rear Setback (ft) (interior lot)	15	—
Rear Setback (ft) (waterfront lot)	20	—
Garage Adjacent to Alley	5	—
H - Frontage Buildout (%)	60	—
BUILDING HEIGHT		
M - Principal Building (ft)	—	'28-32' as defined in Sec. 20.17
PARKING PROVISIONS		
Location (1)	Zone 2, 3 and 4	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	P, S	

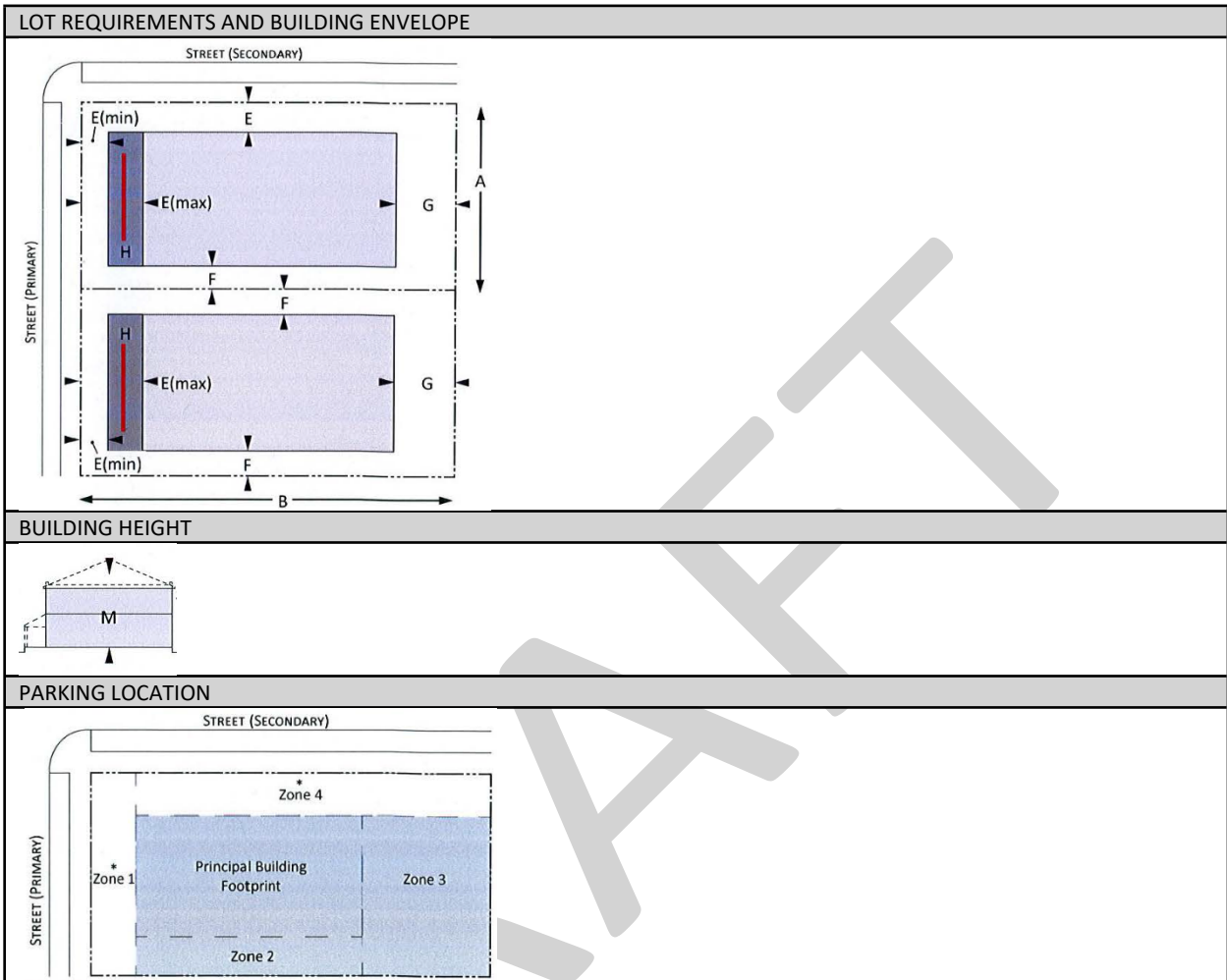
(1) when a parcel is not located with alleyway access, the maximum setback may increase up to five feet to allow for a driveway and up to one vehicle to park in Zone 1. Any Zone 1 parking space created through this provision shall be at least nine feet in width, twenty feet in depth, and located entirely out of the right of way. Any other required parking must be located outside of the Zone 1 frontage.



AS	APARTMENT BUILDING-SMALL
A building lot located and designed to accommodate multiple dwellings above or beside each other in a building that occupies most of its building lot width and is placed close to the sidewalk. (The units must be existing prior to redevelopment as stated in section 20.07 Density, intensity and assembly of parcels).	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	60	90
B - Lot Depth (ft)	100	120
C - Lot Size (sf)	6,000	10,800
D - Lot Coverage (%)	—	75
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	15	20
Secondary Street Setback (ft)	7	—
F - Side Setback (ft)	7	—
G - Rear Setback (ft) (interior and waterfront lot)	20	—
Garage Adjacent to Alley	5	—
H - Frontage Buildout (%)	60	—
BUILDING HEIGHT		
M - Principal Building (ft)	—	'28-32' as defined in Sec. 20.17
PARKING PROVISIONS		
Location (1)	Zone 2 and 3	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF.	P, F, S	

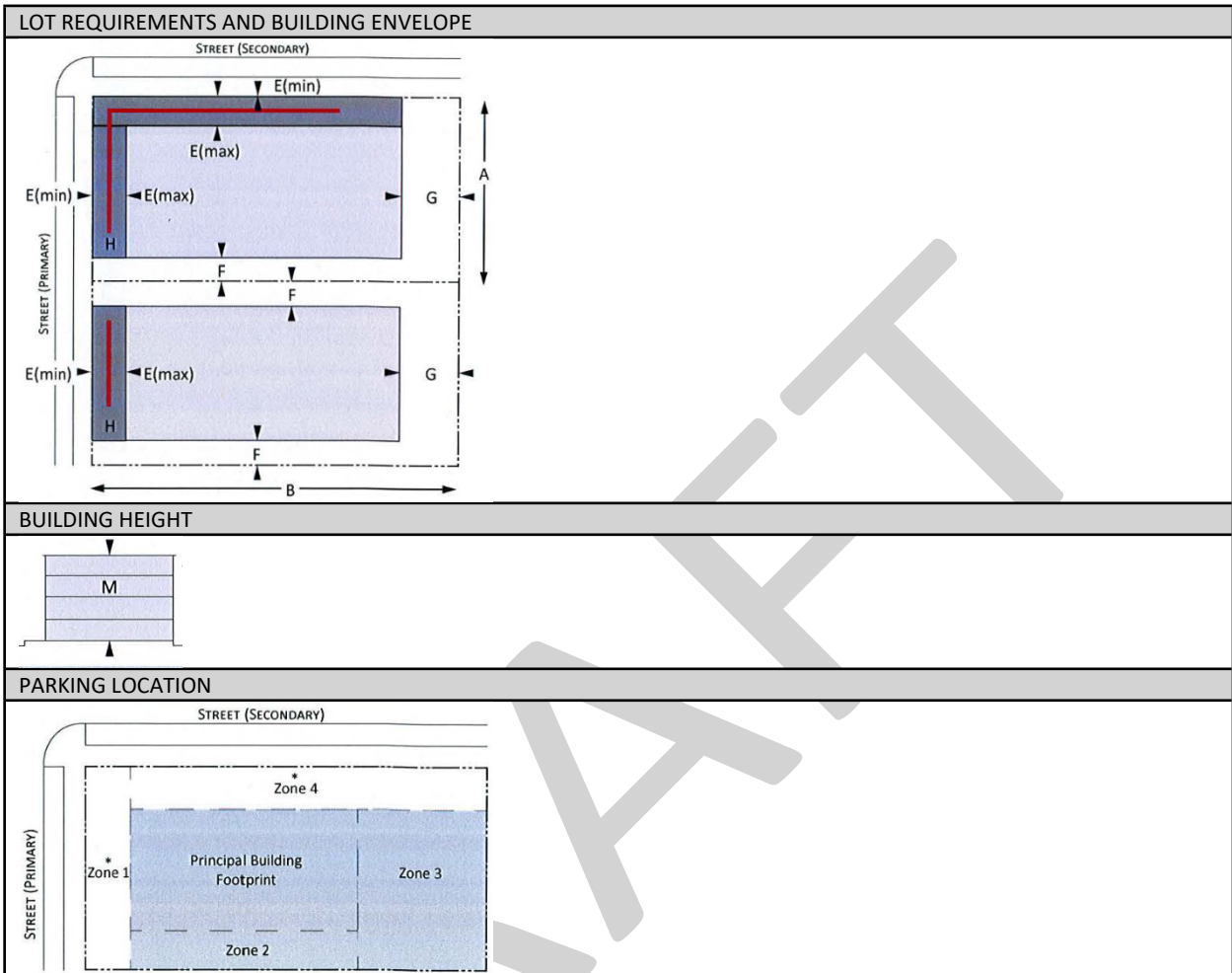
(1) when a parcel is not located with alleyway access, up to one vehicle may be permitted to park in Zone 1. Any Zone 1 parking space created through this provision shall be at least nine feet in width, twenty feet in depth, and located entirely out of the right of way. Any other required parking must be located outside of the Zone 1 frontage.



AM	APARTMENT BUILDING-MEDIUM
A building lot located and designed to accommodate multiple dwellings above or beside each other in a building that occupies most of its building lot width and is placed close to the sidewalk. (The units must be existing prior to redevelopment as stated in section 20.07 Density, intensity and assembly of parcels).	

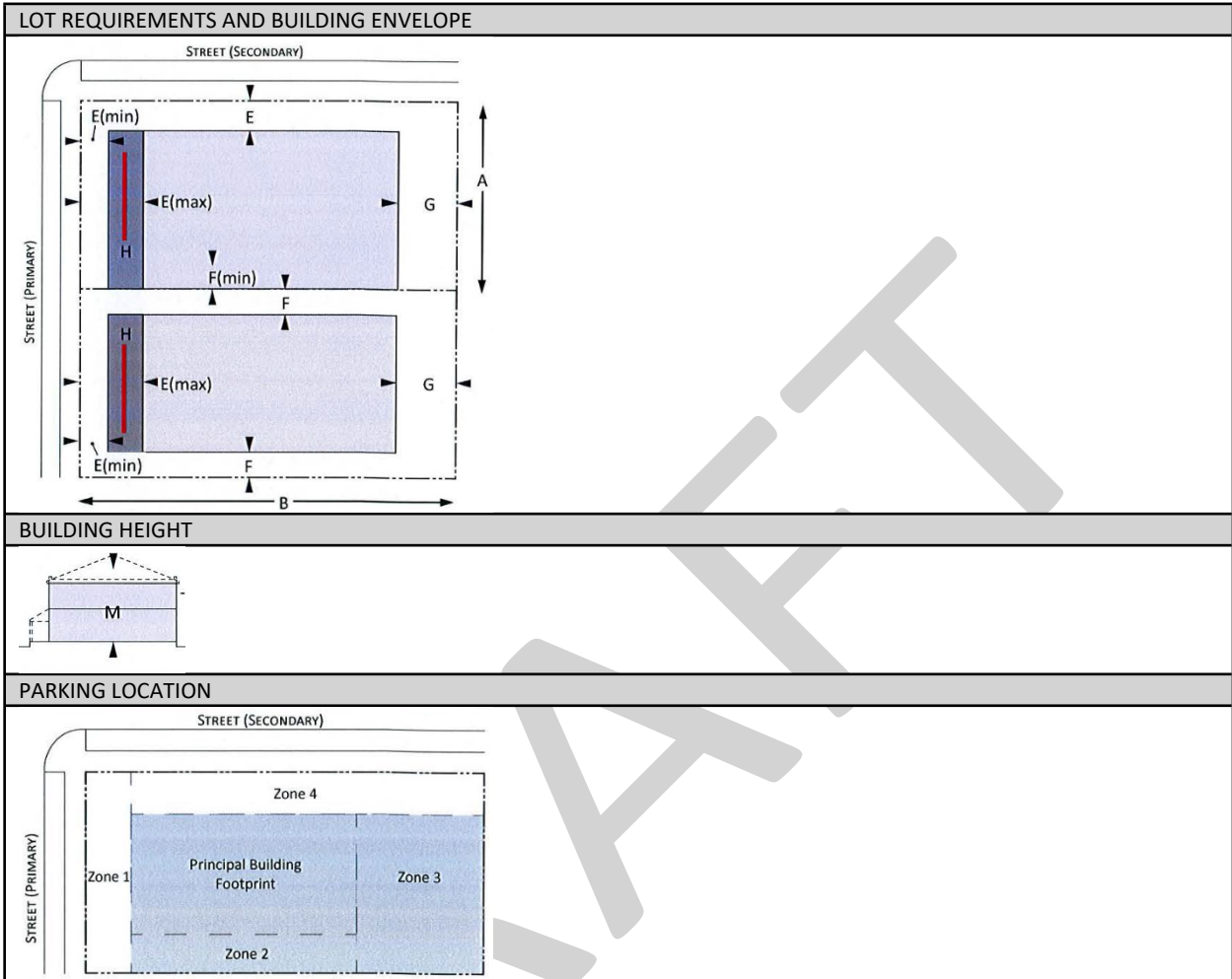
LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	90	200
B - Lot Depth (ft)	120	120
C - Lot Size (sf)	10,800	24,000
D - Lot Coverage (%)	—	75
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	15	25
Secondary Street Setback (ft)	10	—
F - Side Setback (ft)	10	—
G - Rear Setback (ft) (interior lot)	15	—
Rear Setback (ft) (waterfront lot)	20	—
Garage Adjacent to Alley	5	—
H - Frontage Buildout (%)	60	—
BUILDING HEIGHT		
M - Principal Building (ft)	—	'28-32' as defined in Sec. 20.17
PARKING PROVISIONS		
Location (1)	Zone 2 and 3	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	P, F, S	

(1) when a parcel is not located with alleyway access, up to one vehicle may be permitted to park in Zone 1. Any Zone 1 parking space created through this provision shall be at least nine feet in width, twenty feet in depth, and located entirely out of the right of way. Any other required parking must be located outside of the Zone 1 frontage.



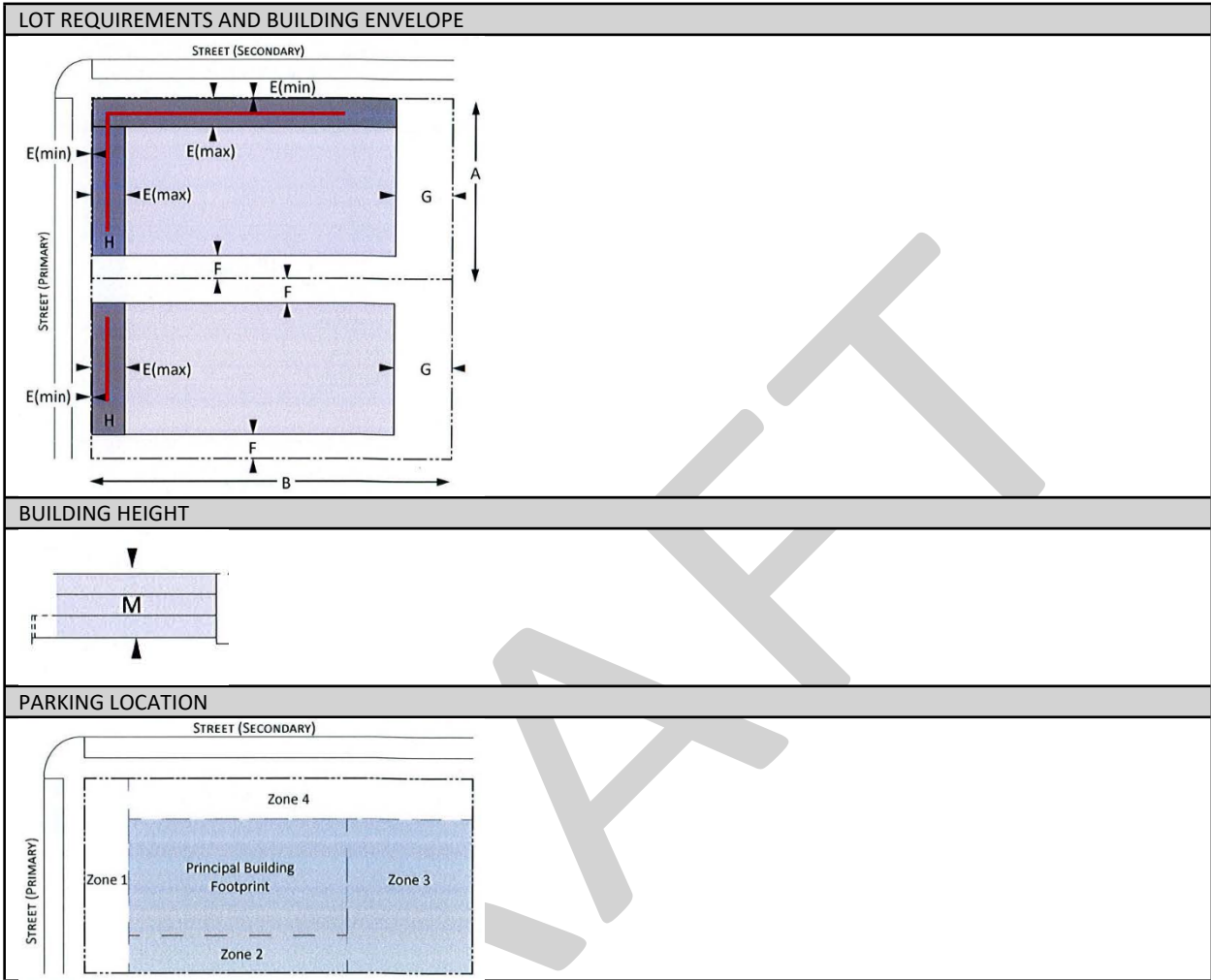
CA	COURTYARD APARTMENT
A building lot located and designed to accommodate multiple dwellings arranged around and fronting on a central garden or courtyard that may be partially or wholly open to a street and/or alleyway. (The units must be existing prior to redevelopment as stated in section 20.07 Density, intensity and assembly of parcels).	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	50	200
B - Lot Depth (ft)	80	120
C - Lot Size (sf)	4,000	24,000
D - Lot Coverage (%)	—	80
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	10	15
Secondary Street Setback (ft)	5	—
F - Side Setback (ft)	5	—
G - Rear Setback (ft) (interior and waterfront lots)	20	—
Garage Adjacent to Alley	5	—
H - Frontage Buildout (%)	60	—
BUILDING HEIGHT		
M - Principal Building (ft)	—	'28-32' as defined in Sec. 20.17
PARKING PROVISIONS		
Location	Zone 2 and 3	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	F	



CS	COMMERCIAL / MIXED-USE - SMALL
A building lot located and designed to accommodate a multi story building with commercial, office and/or multiple dwellings in any story that is designed for smaller lot sizes.	

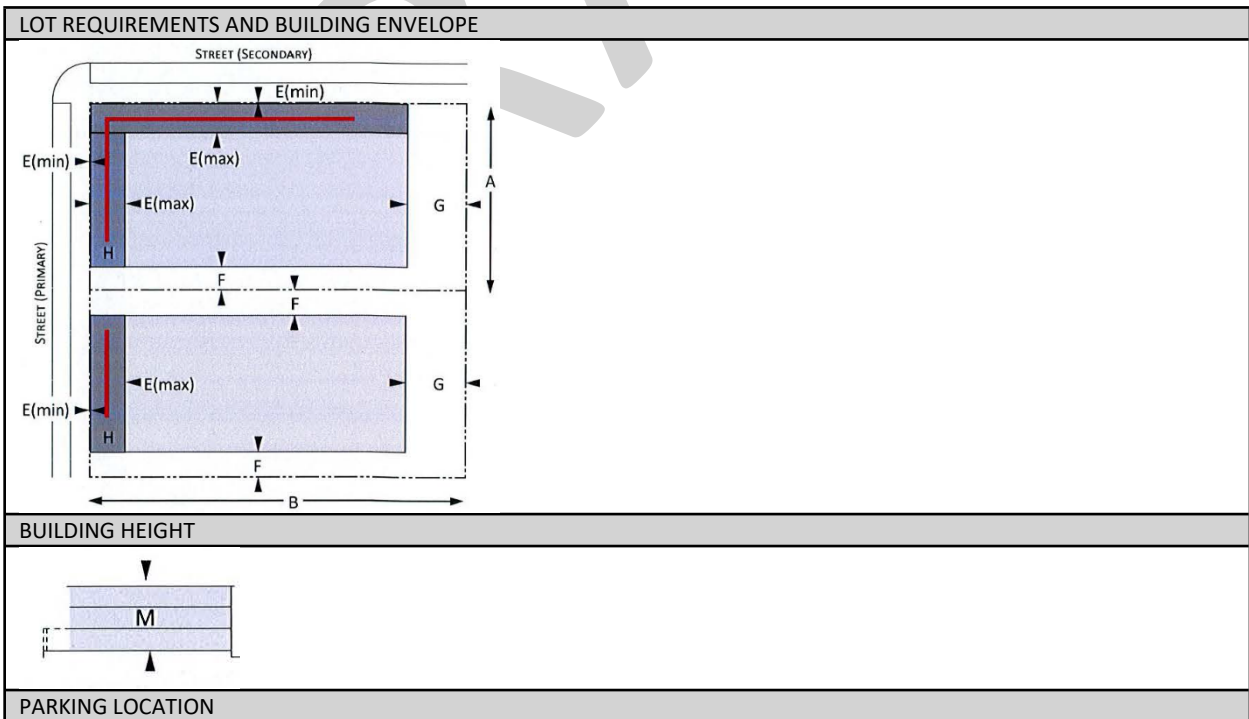
LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	20	60
B - Lot Depth (ft)	80	120
C - Lot Size (sf)	1,600	7,200
D - Lot Coverage (%)	—	80
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	10	15
Secondary Street Setback (ft)	5	—
F - Side Setback (ft)	0	—
G - Rear Setback (ft) (interior lot)	15	—
Rear Setback (ft) (waterfront lot)	20	—
Alley	5	—
H - Frontage Buildout (%)	60	—
BUILDING HEIGHT		
M - Principal Building (ft)	—	underlying zoning district
PARKING PROVISIONS		
Location	Zone 2 and 3	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	C	

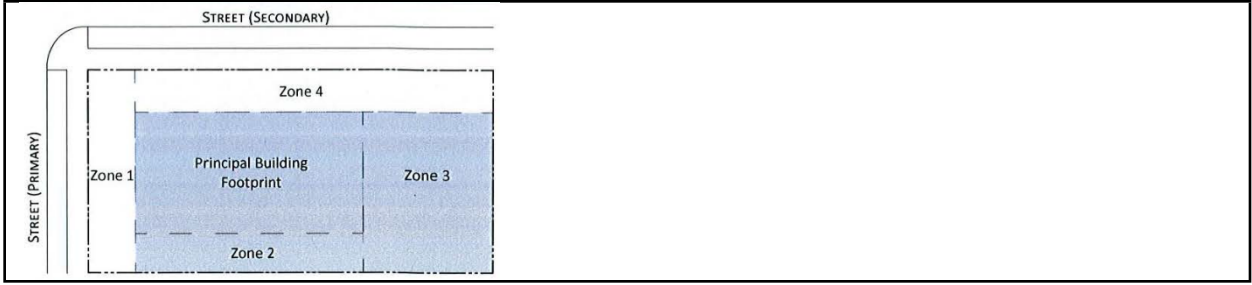


CM	COMMERCIAL / MIXED-USE - MEDIUM
A building lot located and designed to accommodate a multi story building with commercial, office and/or multiple dwellings in any story that is designed for average lot sizes.	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	60	150
B - Lot Depth (ft)	—	350
C - Lot Size (sf)	—	52,500
D - Lot Coverage (%)	—	90
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	10	15
Secondary Street Setback (ft)	5	—
F - Side Setback (ft)	0	—
G - Rear Setback (ft) (interior and waterfront lots)	20	—
Alley	5	—
H - Frontage Buildout (%)	60	—
BUILDING HEIGHT		
M - Principal Building (ft)	—	underlying zoning district(1)
PARKING PROVISIONS		
Location	Zone 2 and 3	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	C	

(1) Height will be reviewed and assessed to determine the permitted height if the parcel is being rezoned into the PAGHOD.



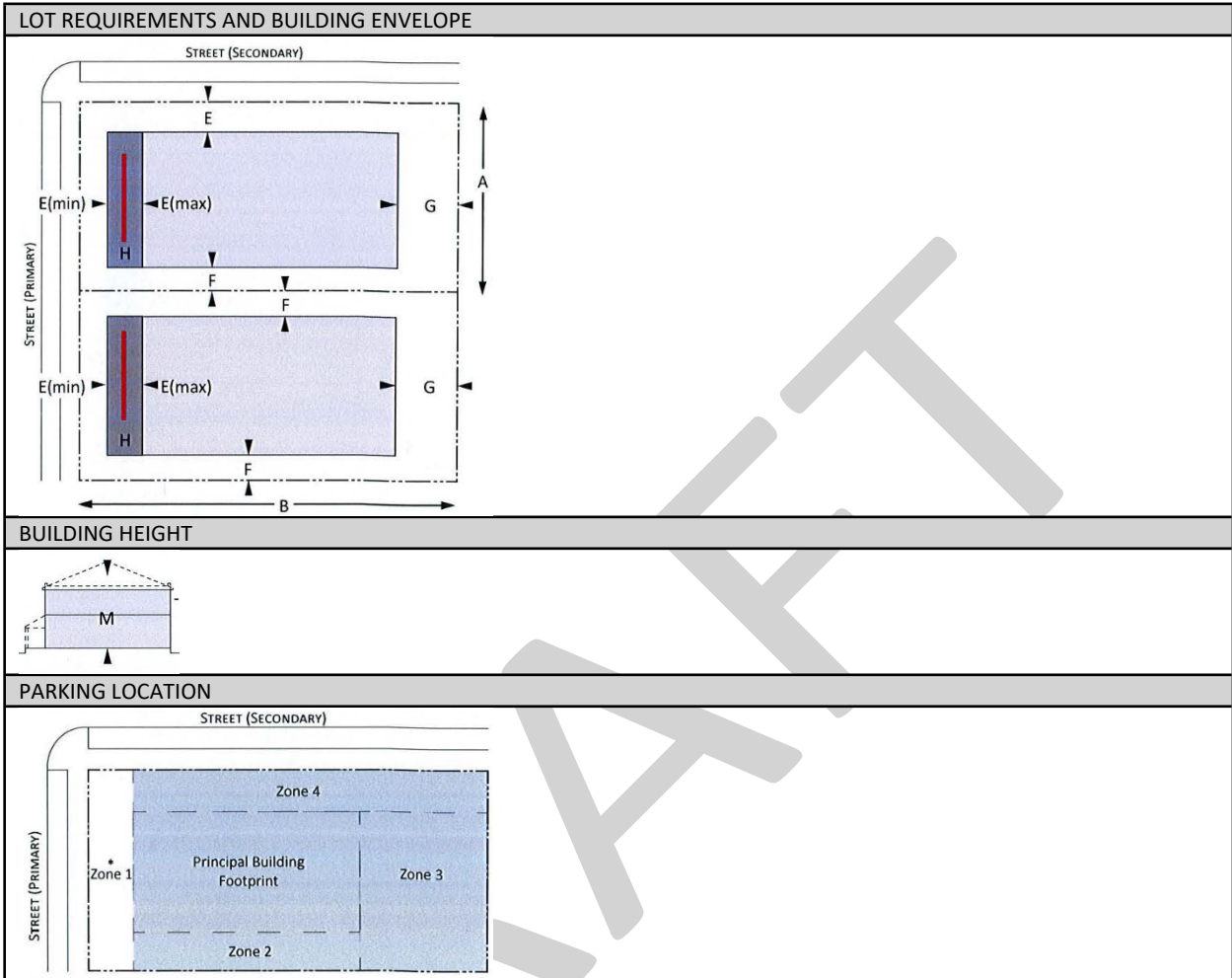



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BH	BOUTIQUE HOTEL
A building lot located and designed to accommodate lodging. The number of rooms will be confirmed by existing operating hotel rooms. (The units must be existing prior to redevelopment as stated in section 20.07 Density, intensity and assembly of parcels).	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	40	105
B - Lot Depth (ft)	90	125
C - Lot Size (sf)	—	13,125
D - Lot Coverage (%)	—	80
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	15	20
Secondary Street Setback (ft)	10	—
F - Side Setback (ft)	10	—
G - Rear Setback (ft) (interior lot)	15	—
Rear Setback (ft) (waterfront lot)	20	—
Garage Adjacent to Alley	5	—
H - Frontage Buildout (%)	60	—
BUILDING HEIGHT		
M - Principal Building (ft)(1)	—	'28-32' as defined in Sec. 20.17
PARKING PROVISIONS		
Location	Zone 2,3, and 4	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	C, P, F, S	

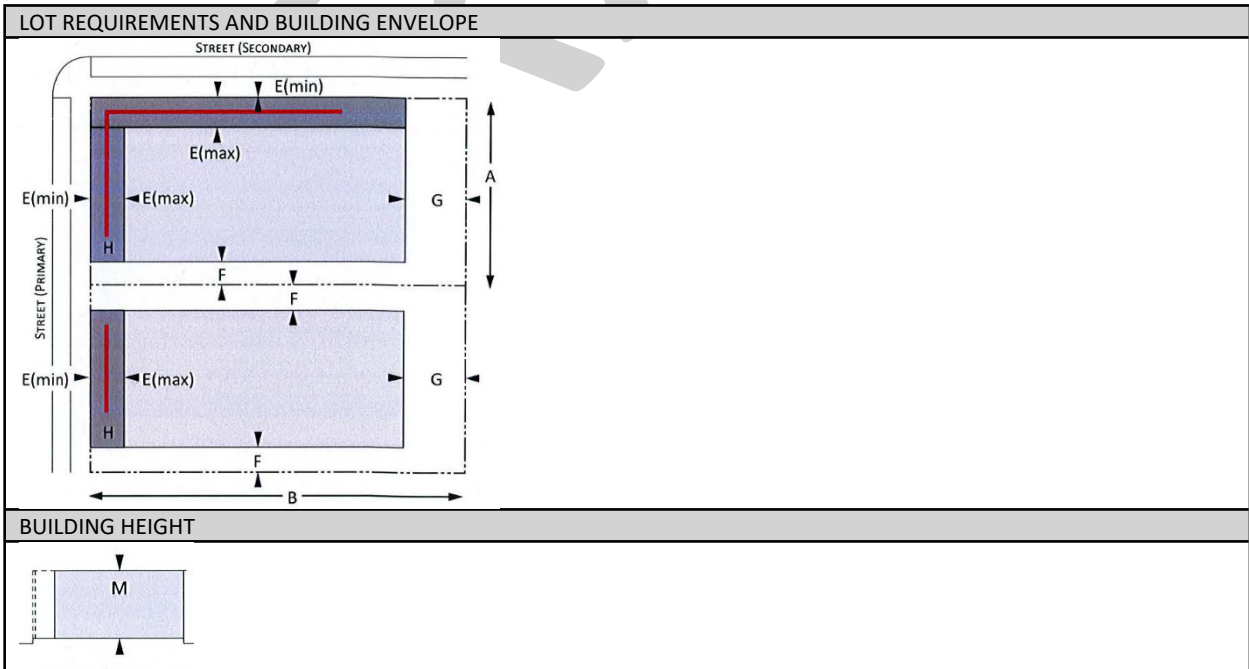
(1) may exceed the height up to 35' as outlined by the code if the property is along Gulf Way and that portion of the building that exceeds the 32' in height shall be set back an additional one foot from the front setback line for every foot in height increase.



	SINGLE STORY COMMERCIAL BUILDING-SMALL
A building lot located and designed to accommodate single use office and retail.	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	30	50
B - Lot Depth (ft)	80	120
C - Lot Size (sf)	4,000	6,000
D - Lot Coverage (%)	—	80
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	10	15
Secondary Street Setback (ft)	5	—
F - Side Setback (ft)	0	—
G - Rear Setback (ft) (interior and waterfront lots)	20	—
Alley	5	—
H - Frontage Buildout (%)	60	—
BUILDING HEIGHT		
M - Principal Building (ft)	—	underlying zoning district (1)
PARKING PROVISIONS		
Location	Zone 2,3, and 4	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	C, G, A	

(1) Height will be reviewed and assessed to determine the permitted height if the parcel is being rezoned into the PAGHOD.



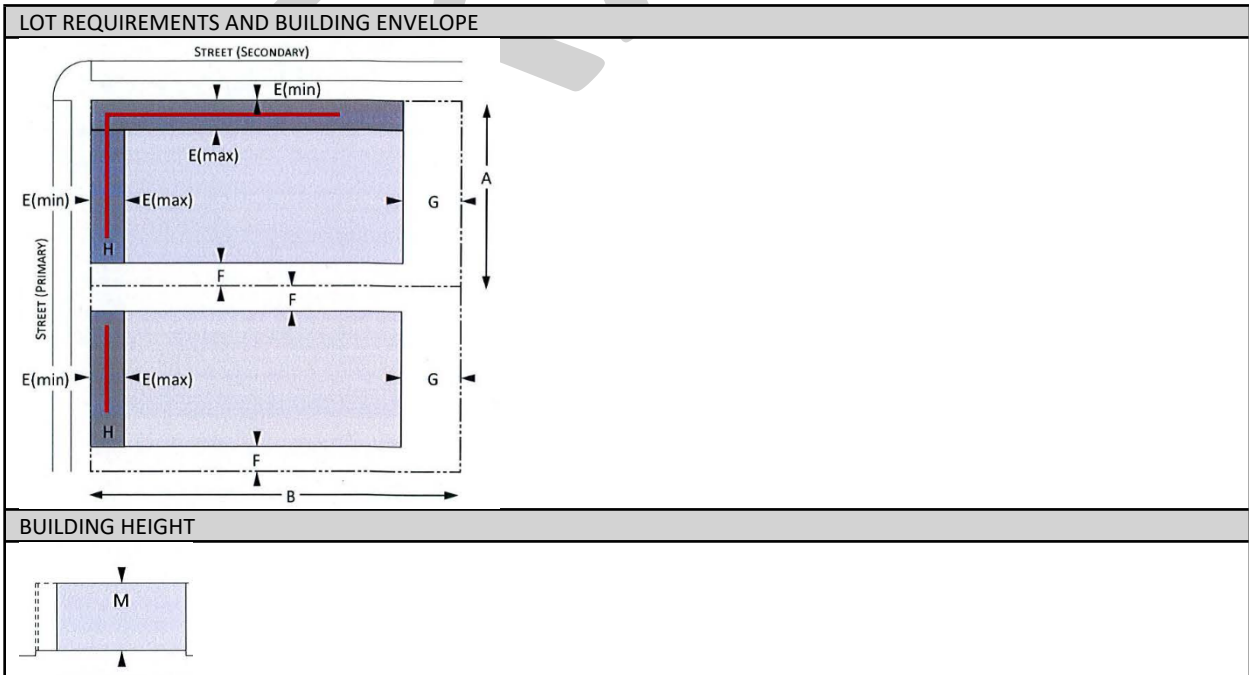


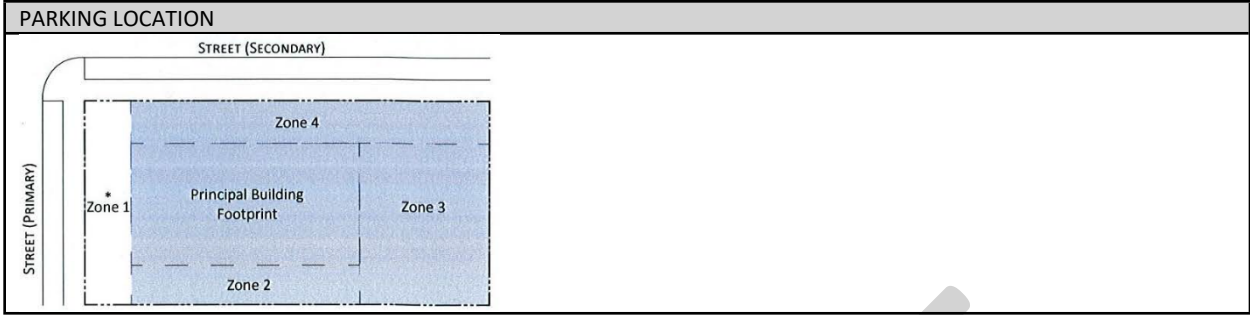
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SM	SINGLE STORY COMMERCIAL BUILDING-MEDIUM
A building lot located and designed to accommodate single use office and retail.	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	60	150
B - Lot Depth (ft)	—	350
C - Lot Size (sf)	—	52,500
D - Lot Coverage (%)	—	90
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	10	15
Secondary Street Setback (ft)	5	—
F - Side Setback (ft)	0	—
G - Rear Setback (ft) (interior and waterfront lots)	20	—
Alley	5	—
H - Frontage Buildout (%)	60	—
BUILDING HEIGHT		
M - Principal Building (ft)	—	underlying zoning district (1)
PARKING PROVISIONS		
Location	Zone 2, 3 and 4	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	C	

(1) Height will be reviewed and assessed to determine the permitted height if the parcel is being rezoned into the PAGHOD.

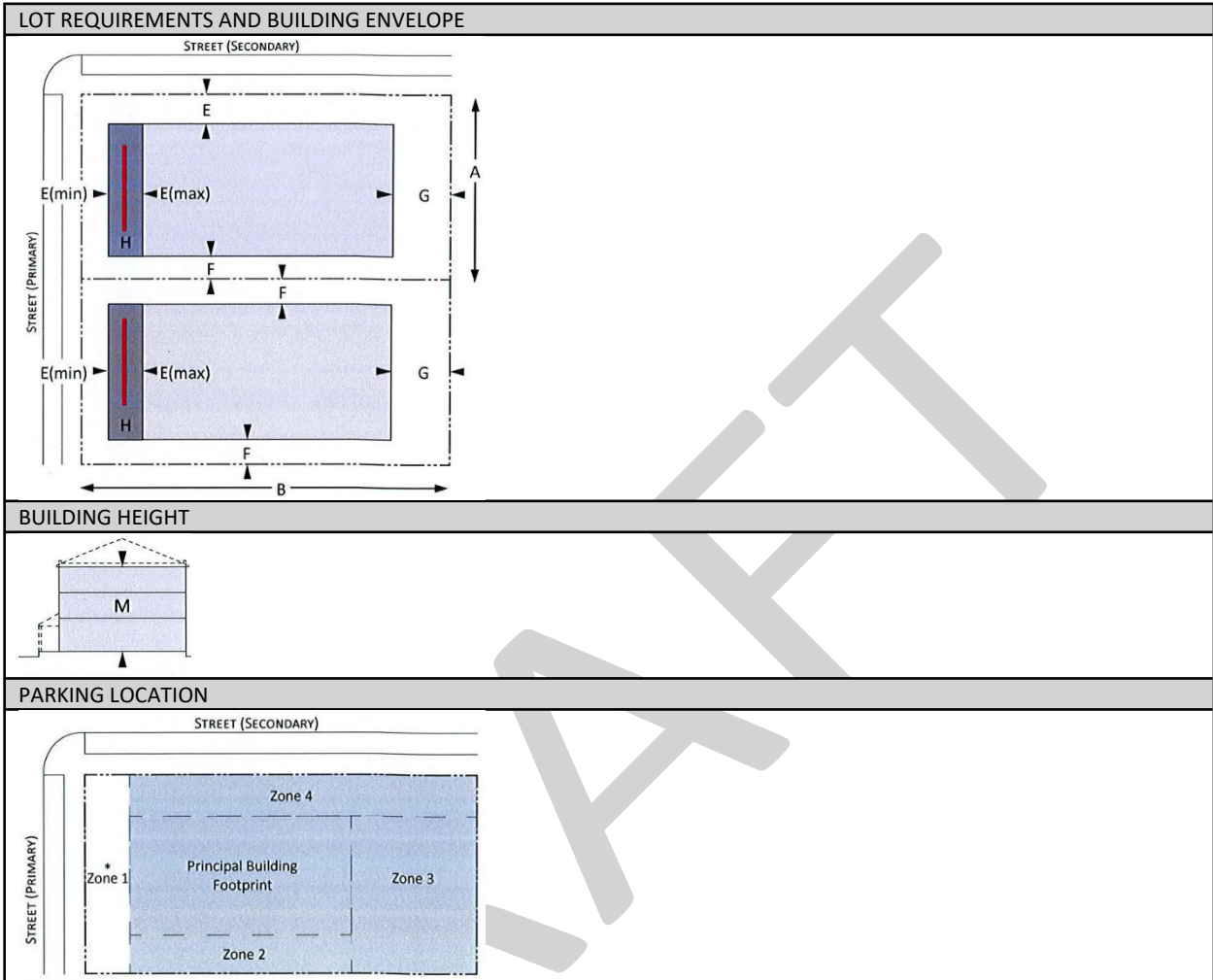




DRAFT

IN	INSTITUTION BUILDING
A building lot located and designed to accommodate a building containing public or civic uses such as community services, day care, education, government, places of worship, or social services. This typology is only for permitted and existing institutional buildings.	

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	—	—
B - Lot Depth (ft)	—	—
C - Lot Size (sf)	—	—
D - Lot Coverage (%)	—	—
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	10	25
Secondary Street Setback (ft)	10	—
F - Side Setback (ft)	10	—
G - Rear Setback (ft) (interior lot)	15	—
Rear Setback (ft) (waterfront lot)	20	—
Alley	5	—
H - Frontage Buildout (%)	50	—
BUILDING HEIGHT		
M - Principal Building (ft)	—	35'
PARKING PROVISIONS		
Location	Zone 2, 3, and 4	
PRIVATE FRONTAGES (PF)		
Select a minimum of 1 PF listed	no requirement	

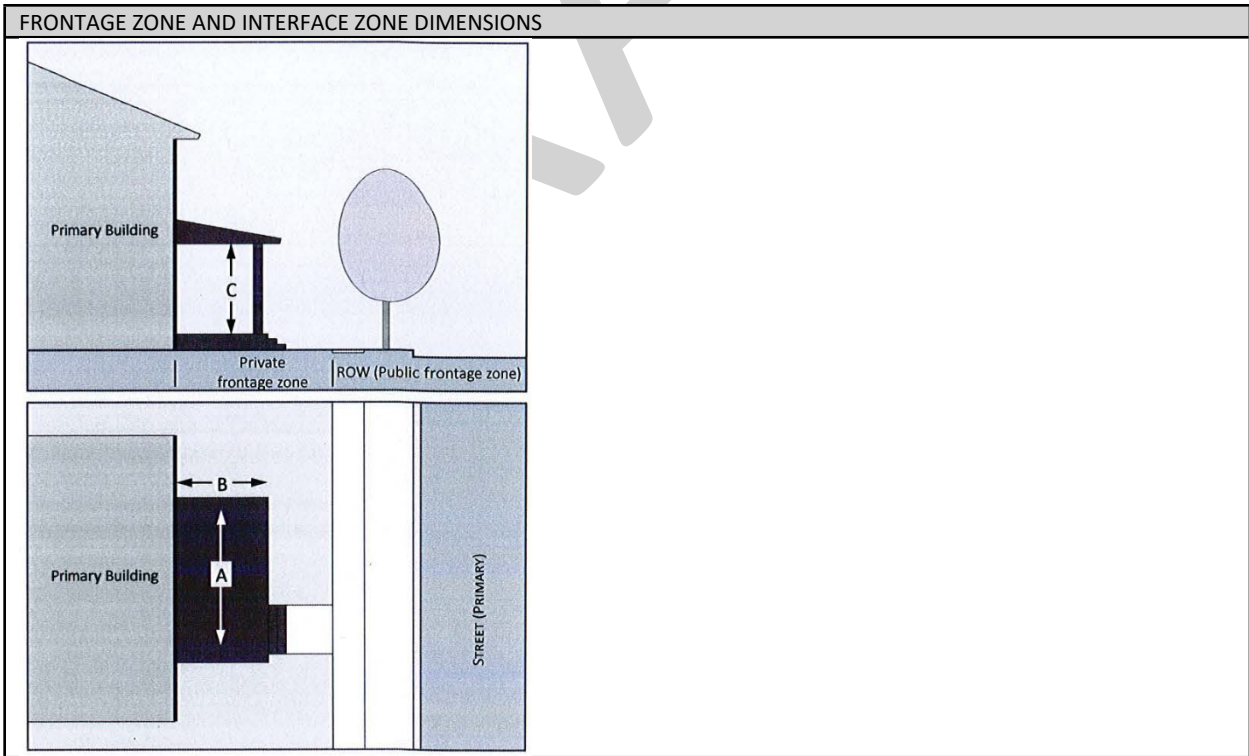


Sec. 20.16. Private frontage.

The building types in section 20.15 provide the acceptable private frontages (i.e. porches, stoops, etc.) for that building type. If there are multiple frontages provided in the table, the applicant may choose what private frontage to provide per building. A minimum of one frontage will be required for new construction or redevelopment as provided in each building summary sheet, by Building Type. The private frontage area may count towards the calculation of the frontage build out requirement under the "Building Envelope" category, by building type, in section 20.15. Private frontage details are exclusive of specific building design elements and are regulated by setbacks, mass and scale.

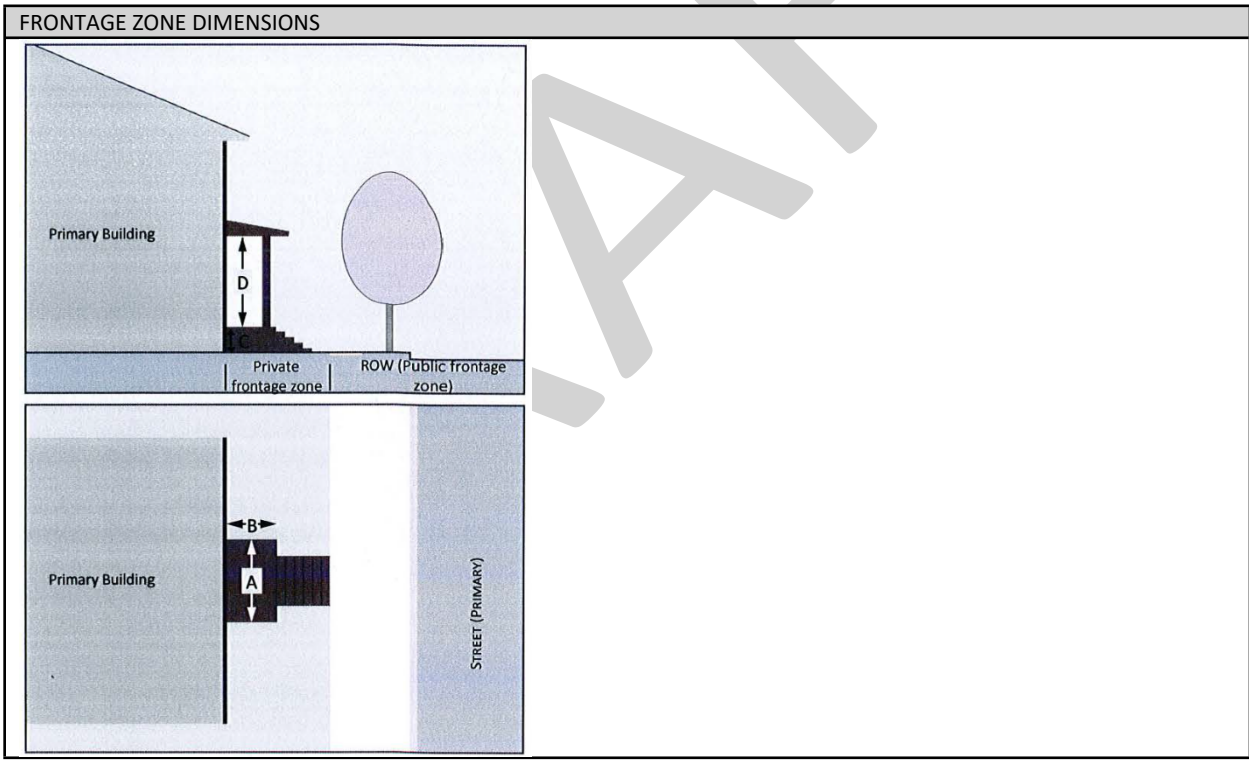
P	PORCH
<p>The façade is setback from the front lot line per applicable street setback requirements. The façade includes an attached front porch structure. A wide variety of porch designs are possible. This frontage is subject to the street setback required for the building type to which it is attached; however, stairs leading to the porch that lack an independent roof are permitted up to a three foot encroachment into the minimum street setback.</p>	

FRONTAGE ZONE (FZ)	MIN	MAX
Porch structure requirements:		
A - Width (clear) (ft)	10	—
B - Depth (clear) (ft)	5	—
C - Height (clear) (ft)	7	—
INTERFACE ZONE (IZ)		
Landscape with path (3' wide min) from sidewalk to structure		



S	STOOP
<p>The façade is set back from the front lot line per applicable street setback requirements. The façade includes an attached entry stoop (an elevated landing with stairs) that is placed near the front lot line and subject to the street setback required for the building type. Stairs leading to the stoop that lack an independent roof are permitted up to a three foot encroachment into the street setback. The ground floor is elevated to provide privacy. The stoop may include a roof; however, it is not required.</p>	

FRONTAGE ZONE (FZ)	MIN	MAX
Stoop structure requirements:		
A - Width (clear) (ft)	5	10
B - Depth (clear) (ft)	3	8
C - Height (stoop) (in)	18	24
D - Height (clear) (ft)	7	—
INTERFACE ZONE (IZ)		
Landscape with path (3' wide min) from sidewalk to structure		

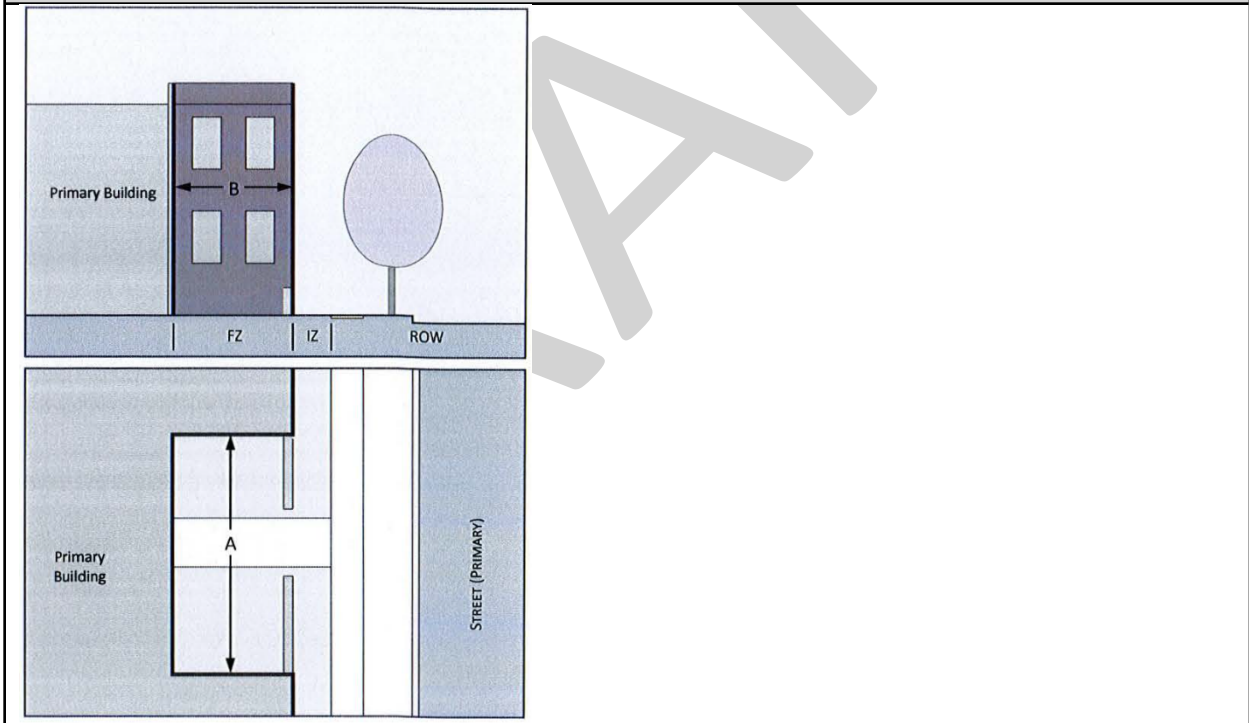


F	FORECOURT
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The façade is set back from the front lot line per applicable street setback requirements. A portion of the façade is recessed to form an uncovered court. The court is suitable for outdoor dining, gardens, vehicle drop-offs, formal entries etc. A fence or wall may be used to define the private space of the court. The court may be elevated behind a retaining wall at or near the front lot line with entry steps to the court. The forecourt area may not have a permanent roof structure. Cafe's, seating area's may provide shade, umbrella's or any temporary shelter(s) that provide shade.

FRONTAGE ZONE (FZ)	MIN	MAX
Courtyard requirements:		
A - Width (clear) (ft)	12	—
B - Depth (clear) (ft)	12	50
INTERFACE ZONE (IZ)		
Landscape with path (6' wide min) from sidewalk to structure		
OTHER REQUIREMENTS		
None		

FRONTAGE ZONE AND INTERFACE ZONE DIMENSIONS

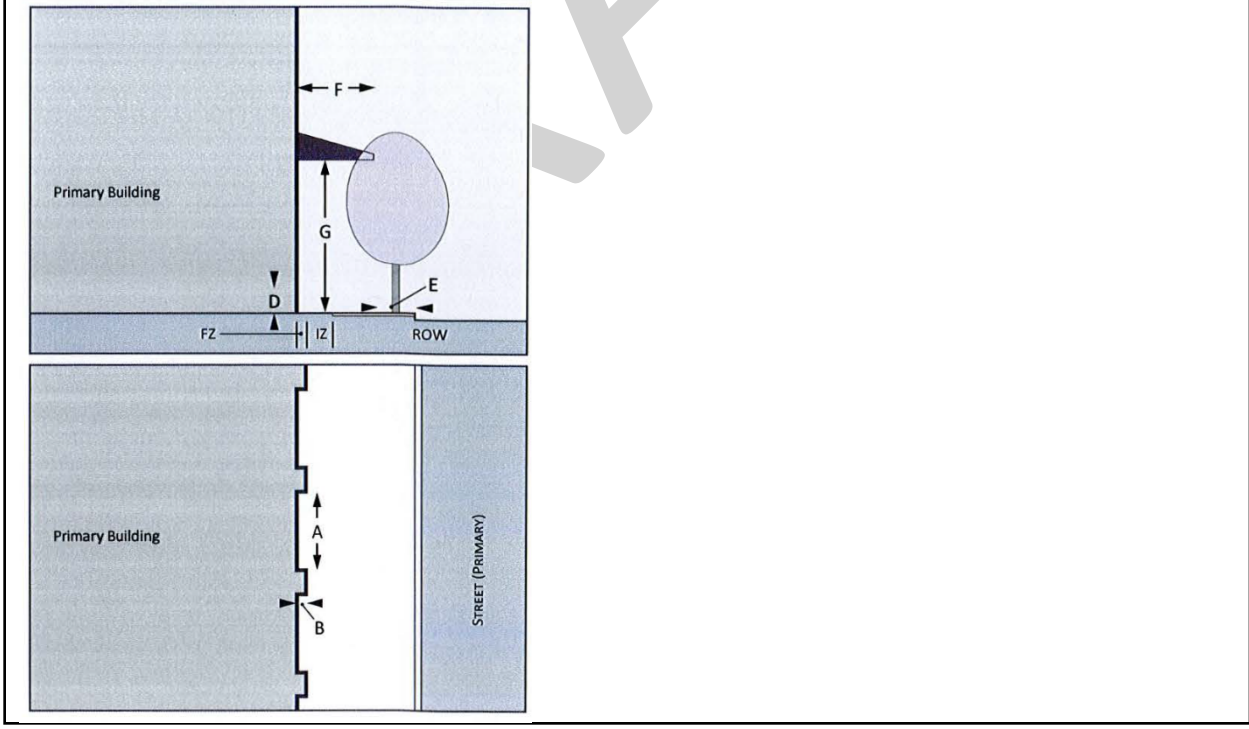


C	COMMERCIAL
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The façade is setback from the front lot line per applicable street setback requirements, typically at or near the front lot line with the entrance at sidewalk grade. The façade may include an awning, shed roof, or gallery (a lightweight colonnade with no habitable building space above it) that covers the sidewalk and may extend into the right-of-way. The facade has a substantial amount of glazing at the sidewalk level. Recessed entrances are acceptable.

FRONTAGE ZONE (FZ)	MIN	MAX
Building facade requirements:		
A - Distance between openings (ft)	10	20
B - Door recess (ft)	—	5
C - Ground floor transparency (%)	60	—
D - Height to bottom of window (ft)	—	2.5
INTERFACE ZONE		
Extended sidewalk from right-of-way edge to structure		
OPTIONAL ELEMENTS	MIN	MAX
AWNING or GALLERY		
E - Setback from curb (ft)	2	—
F - Depth (clear) (ft)* (Gallery min 8')	4	10
G - Height (clear) (ft)	8	—
OTHER REQUIREMENTS		
None		

FRONTAGE ZONE AND INTERFACE ZONE DIMENSIONS



Sec. 20.17. Building height.

Each building lot typology in section 20.15 provides the range of height appropriate for the building type. No new or substantially improved building within the PAGHOD and having the underlying zoning designation of THD, RU-2 Residential, RLM-2 Residential, or RM Residential shall be constructed to exceed twenty-eight (28) feet in height to the midpoint of a sloped roof or top of the parapet of a flat or low sloped roof, or thirty-two (32) feet overall, as defined below:

- a. For any structure with habitable space located less than eight feet above natural grade, height shall be measured from the property's required Design Flood Elevation.
- b. For any structure with habitable space beginning at or higher than eight feet above natural grade, height shall be measured from eight feet above natural grade.

	MIN	MAX
Height requirements:		
A - Required Design Flood Elevation (required DFE) refer to Code of Ordinances Sec. 98-33		
B - Finished Grade (FG)	As defined in Division 2.	
C - Height of Floors (liveable)	8	14
D - Total Height (Measurement from the required DFE or eight feet above natural grade as defined above)	—	—
Residential*	—	28-32*
Commercial (non-residential)	—	Refer to Underlying Zoning District
* Not to exceed 28 feet in height to the midpoint of a sloped roof or top of the parapet of a flat or low sloped roof, and measured from the location specified above, further provided that the overall roof height shall not exceed 32 feet.		

Sec. 20.18. Minimum off-street parking requirements.

- (a) *Residential*: Shall be in accordance with the requirements of Division 23 of the Land Development Code, Off Street Parking and Loading.
- (b) *Nonresidential*: may reduce the number of spaces, if on-street parking is available, then an applicant can count any on-street parking spaces within 500 feet of the parcel that are metered or otherwise available, without reservation, to the general public. Spaces limited to holders of 4R, 3R-D, and 4B-H permits shall not be counted toward this reduction, unless the business is and will remain a recipient of such permits.
- (c) Access to and location of parking areas:
 - (1) Parcels abutting a public alley shall not have parking placed in the front yard of the zoning lot, nor will be provided driveway access from the primary street. Parking may be placed in the rear or side yard. Access shall be provided via the alley.
 - (2) When a parcel is located on a public alleyway of less than 15 feet in width, and the applicant for development can demonstrate that requiring access from the alley would constrain their ability to reasonably maneuver a vehicle onto the property due to the proposed layout of development, the applicant may provide one curb cut along the primary street if such waiver is accepted through design review by the Historic Preservation Board. Failure to maintain an alleyway shall not be construed as justification for this waiver.

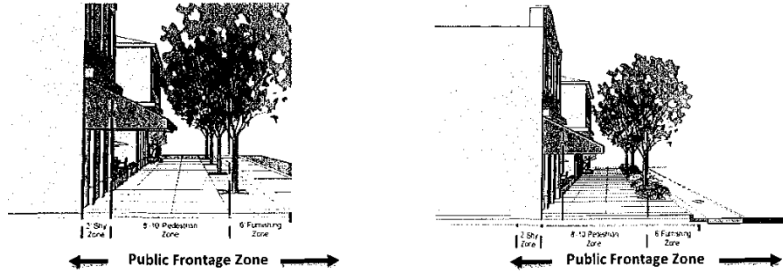
(2) Parcels without alley access shall be granted a curb cut from the primary street and may provide parking in the front yard with an additional setback for the garage and/or principal structure as provided for the building type chosen from section 20.15.

Sec. 20.19. Alleyways and Driveways.

- (a) The PAGHOD has existing alleyways that shall be maintained and used as an alleyway for access to parcels located along an alleyway.
- (b) Under no circumstance shall an existing alley be reduced in width and length.
- (c) Parking is permitted adjacent to an alleyway or where the City has identified, through signage, that vehicles may park within the alleyway. Under no circumstance shall a parked vehicle impede the vehicular movement.
- (d) Alleyways shall not be permanently closed or vacated.
- (e) One driveway is permitted for each parcel. When a parcel has access to an alleyway, that alleyway shall be the primary access to the parcel's driveway and parking area that is consistent with the parking area placement as outlined in Sec. 20.15, Permitted Building Types. If a circular driveway is proposed and/or more than one driveway access point is requested, the applicant must provide:
 - (1) Overall landscape plan for the primary frontage of the building to ensure Sec. 20.21. - Screening of elevated building criteria is met prior to considering multiple access point(s).
 - (2) Justification, when landscape and/or elevated building criteria need to be reduced, that demonstrates a need for the additional driveway connection(s). The priority shall be transportation circulation and safety, as reviewed and determined by the City.

Sec. 20.20. Landscaping standards.

- (a) *Streetscape standards.* When the City requires improvements to the "Public Frontage" Zone which includes: Furnishing zones, pedestrian zones and a shy zone, the following standards shall apply.
 - (1) *Furnishing Zone that is a minimum of six feet in depth and may include street lights, benches and canopy trees.* A furnishing zone shall include one of the following: Tree Grate Standards. One canopy tree per 30 feet in lineal building shall be provided the entire length of the parcel the building is fronting.
 - (2) *Planter Beds.* A minimum width of 6 feet with a maximum length of 25 feet that contains 1 canopy tree per bed and 100 percent ground cover.
 - (3) *Pedestrian Zone.* 8—10 feet of unobstructed sidewalk
 - (4) *Shy zone.* Comprised of 12 inches to 2 feet that includes the area from the edge of the building to the edge of the pedestrian zone.



- (b) Landscape Buffers may be required between any uses within the PAGHOD.
- (c) Front Buffers (common yard) for all residential building types, excluding the Apartment Building, shall provide the following:
 - (1) The common yard is located between the front lot line and primary addressed build-to-line of the parcel. Pools and accessory structures may not be located in the common yard area. The following is the minimum that shall be provided within the common yard:
 - a. An opaque hedge, height not to exceed 3 feet when fully matured and/or
 - b. *Knee wall and/or fence.* Permitted materials are wood, shell or concrete material consistent with the overall architecture and design of the primary residence with a minimum height of two feet and a maximum of four feet. The fence setback and visibility standards of section 20.15 shall apply to the building type selected for development, except that no fence exceeding four feet in height may be installed closer to the front lot line than the principal structure to which it is ancillary.
 - c. Landscaping shall be provided as indicated in the table below.

COMMON YARD FRONT BUFFER	MIN	MAX
A - Landscape	grass and or ground cover	
B - Shrubs, ground cover	10 (3 gallon) 3' height	—
C - Tree (canopy tree)	1	—
D - Front/Sideyard Fence Height (feet)	2'	4'

Sec. 20.21. Screening of elevated buildings.

A building required by section 98-33 of the City's Code of Ordinances, to be elevated more than three feet above grade shall mask the fact that it is elevated through the use of appropriate architectural screening so that the building, when viewed from public rights-of-way, appears to have been constructed at, or near, natural grade as follows:

- (a) Architectural screening shall:
 - (1) Create a visual continuity that is integrated with the overall design and architecture of the home using doors, garage doors, entryways, staircase and/or archways.
 - (2) No more than 20 percent of the area being screened can be transparent.
- (b) Landscape screening shall be installed around the portions of the buildings (accessory and principal) that are elevated and facing the public street:

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- (1) A minimum 3-foot-wide landscape area along the length of the principal building and garage (if visible from the street) except where driveways are approved. The square footage of landscaping displaced by driveways shall be relocated elsewhere in the front yard.
 - (2) One understory tree per 20 linear feet (or portion thereof) of the elevated building length/width viewed from public rights-of way. This requirement is in addition to the common yard standards listed in Section 20.20., as applicable.
 - (3) Planted with shrubs, ornamental grasses and groundcovers to provide 100 percent coverage of the landscape area within one growing season. The landscape design shall (unless spatially impractical) provide layering of plant materials that includes larger background shrubs and low foreground groundcovers. All plant material should be Florida friendly plantings as defined and identified by University of Florida/IFS horticulture experts.
 - (4) Permanent mulch materials, such as organic mulches, stones, and recycled inorganic groundcover materials are not permitted in lieu of vegetation, unless they are provided as accent or focal points that enhance the landscape design.
- (c) Apartment building types (apartment house, apartment building small and apartment building medium shall also meet the following standards:
- (1) Parking may only be accessed from the side or rear of the building.
 - (2) No portion of the principal building shall have garage doors facing any street.
 - (3) Parking may be located within the BFE provided the primary face of the building is architecturally designed to be consistent with front entryways of homes that are integrated and not visually seen from any street.

Sec. 20.22. General building design (residential).

In addition to the required private frontages and the standards provided in each frontage, the following standards shall be applied to all residential building types (house and apartment building types) in order to maintain the overall mass and scale, of the PAGHOD community's existing housing stock.

The following standards are included to provide a minimum criteria needed to review the overall design, mass and scale as outlined below while allowing an applicant flexibility in the design of the building. The design criteria are typical design elements used by architects to ensure a higher quality development and include specific building design elements.

Any single family or attached residential structure that follows the criteria outlined in section 20.15, Permitted Building Types, must design the building with the following architectural elements:

- (a) The mass of a building must include:
 - (1) *Primary mass.* The building shall have a distinct primary mass.
 - (2) *Secondary mass.* A building should also include secondary mass (private frontage requirements) that form the façade of the building.
 - (3) Voids that allow for natural breaks in the mass.
- (b) Proportional design elements shall include:
 - (1) Windows in varying, yet similar arrangements.
 - (2) Appropriate vertical visual consistency at the centerline of the façade.
 - (3) Appropriate ratios of visual width between top and bottom halves of the elevation (bottom ½ clearly supports the top).

-
- (4) Overall design shall be symmetrically or asymmetrically balanced.
 - (c) Design must include the following rhythms:
 - (1) Proximity (objects close together complement each other).
 - (2) Similarity- common textures, colors or features.
 - (d) Garage Design elements shall include:
 - (1) Garage, attached to the principal structure and visible from the public right-of-way, shall be designed and integrated into the overall design elements of the principal structure. Garage doors shall not “dominate” the front façade or be the focal point of the building by the use of contrasting colors, textures that are not part of the overall design of the primary structure. Using elements that are consistent with this subsection, (a), (b) and (c) are required. Height of a garage shall not exceed more than one story of the principal building.
 - (2) Garage, detached from the principal structure, shall have a complementary appearance to that of the principal structure such as wood, stone, and/or manufactured products such as brick, stucco, or decorative concrete block. Architectural elements such as awnings, parapets, decorative molding, and windows should be utilized to create compatibility and consistency between the appearance of the principal dwelling unit and the detached garage.
 - (e) *Pool location.* Pools shall not be permitted in the front yard setback area or be considered subject to the principal building setback area. Pools may be constructed in the front of the residence provided they extend no closer to the front property line than the primary structure to which they are accessory, and the primary structure meets frontage buildout requirements.

Sec. 20.23. General building design (non-residential and mixed-use buildings).

In addition to the required private frontages and the standards provided in each frontage, the following standards shall be applied to non-residential and mixed-use building types only.

- (a) *Public entrance.* Buildings that are open to the public shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be a distinctive and prominent element of the architectural design, and shall be open to the public during business hours. Buildings shall incorporate lighting and changes in mass, surface or finish which places an emphasis to the entrance.
- (b) *Building orientation.* The principal building entrances shall be visible and directly accessible from a street or park space that has a sidewalk or pedestrian path.
- (c) *Storefront character.* Buildings shall express a "storefront character". This guideline is met by providing all of the following features along the building frontage as applicable.
 - (1) Regularly spaced and similar-shaped windows with window hoods or trim (all building stories).
 - (2) *Large display windows on the ground floor.* All street-facing, park-facing and plaza-facing structures shall have windows covering a minimum of 40 percent and a maximum 80 percent of the ground floor of each storefront's linear frontage. Blank walls shall not occupy over 50 percent of a street-facing frontage and shall not exceed 20 linear feet without being interrupted by a window or entry. Mirrored glass, obscured glass and glass block cannot be used in meeting this requirement. Display windows may be used to meet this requirement if the first floor has not been designed as a flood proof first floor.
- (d) *Building façade.* A clear visual division shall be maintained between the ground level floor and upper floors with either a cornice line or awning from 12 feet to 16 feet above grade, whichever applies to

the proposed development. No more than 20 feet of horizontal distance of wall shall be provided without architectural relief for building walls and frontage walls facing the street. All buildings excluding single family detached homes shall utilize at least three of the following design features to provide visual relief along all elevations of the building:

- (1) Divisions or change in materials (materials should be drawn from a common palette).
 - (2) Window bays.
 - (3) Separate entrances and entry treatments, porticoes extending at least five (5) feet.
 - (4) Variation in roof lines.
 - (5) Balconies: 6 feet maximum may project into the front or side street setbacks.
 - (6) Dormers.
 - (7) Canopies, extending at least five (5) feet.
 - (8) Gables.
 - (9) Overhang extending at least five (5) feet.
 - (10) Recessed entries (at least three [3] feet from the primary façade).
 - (11) Protruding entries (at least three [3] from the primary façade).
 - (12) Covered porch entries.
 - (13) Cupolas shall be permitted on sloped roofs and are exempt from the height limitations up to twelve feet above the roof line.
 - (14) Buildings shall provide a foundation or base, typically from ground to bottom of the lower windowsills, with changes in volume or material.
- (e) *Roof-Based Mechanical Equipment and Other Roof Penetrations.* All roof-based mechanical equipment, as well as vents, pipes, antennas, satellite dishes, and other roof penetrations (except chimneys), shall be located on the side or rear elevations. These penetrations shall be configured and screened with similar architectural details that are consistent with the overall building design which should blend into the overall architectural design of the building that shields view, as seen from a pedestrian, vehicle or vessel from a waterway, street, sidewalk, alleyway, and other public right-of-way.

Sec. 20.24. Design review and required drawings.

An applicant shall be subject to the City's permit process. In addition, any development within the PAG Overlay District using the building types, as provided in this division, and which is subject to design review under section 20.13., shall submit:

- (a) Architectural elevations of all facades of all structures subject to this division shall be a required exhibit for plan approval which does not subrogate any requirements outlined in Division 5, Site plan approval procedures, and building permit process.
 - (1) Such exhibits shall include colors, materials, building dimensions, mass and scale proportions, location of service areas and mechanical equipment, screening devices, parking, site furnishings, lighting fixtures, all signage, and any other information as determined necessary to ensure consistency with the intent of this division and the PAGHOD Design Book.
 - (2) All elevations and overall design must provide a summary and illustrations that identify each standard listed in section 20.22 or 20.23 of this division. Provide 11x17 architectural design

packet that clearly illustrates the building elevations, mass and scale, screening of elevated portion(s) of the building (landscape or architectural elements).

- (3) The City's architect or design review designee shall review to determine if the applicant has met the criteria in this Division and provide a summary of approval or recommended changes to the submitted architectural design and/or landscape of the project.
 - (4) After the completion of the design review in (4) above, the Historic Preservation Board shall review to ensure compatibility of any project that constitutes new construction, exterior renovations, or additions within the PAGHOD.
- (b) Landscape and Elevation screening plan(s) shall be submitted as part of the site plan.
 - (c) Identify, through the use of the design book, how the proposed project is meeting the intent of the PAGHOD District.
 - (d) Waste Management Plan shall be provided for all development, excluding freestanding quadplex, triplex, duplex and single-family residential, to ensure an overall strategy for recycling and trash collection has been implemented that includes:
 - (1) The Site Plan shall include the area(s) for outdoor storage of recycling and/or trash receptacles, location and design. It is encouraged to have joint dumpsters and/or compactors in alleys to serve groups of businesses to the extent possible.
 - i. If storage area is located outside, provide the overall design and location of such receptacles and overall screening from public rights-of way (excluding alleys), waterways.
 - ii. If the storage area is located in an alley and not visible from the public street, screening will not be required. Screening of storage areas shall be required in all alleyways where the area is not obscured by a permanent structure from the street.
 - (2) *Restaurant requirements.* Provide a description of how fats, oils and grease generated by the restaurants is being stored. If outside of the facility, provide the design and storage area to be used for review and approval by the City.
 - (3) City will review the waste management plan to ensure the access is sufficient for garbage pickup and will approve and/or deny the location, design and type of storage permitted.

Section 20.25. Pass-A-Grille Historic Overlay Design Guidebook

- (a) *Design Guidebook.* The design guidebook shall be used for both non-residential, mixed-use and residential development as a tool to assess compatibility within the PAGHOD, provide design concepts that reflect and support the historic character of the district.
- (b) A design guidebook for the PAGHOD, provides for overall design concept ideas for implementation of design within the district for all development. Specific materials, color, textures, and architectural style are not required, but will be provided as context and character of the area itself and every effort to compliment the overall historic design of the area should be made for new development.

**PLANNING BOARD MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Recommendation of Ordinance 2025-08: Amendments to Land Development Code DIVISION 40 - COMMUNITY REDEVELOPMENT DISTRICT—EIGHTH AVENUE (CRD-EA), to the City Commission

Action Request: Motion to find Ordinance 2025-08 consistent with the Comprehensive Plan and recommend approval to the City Commission.

Strategic Objective:

Date: April 21, 2025

Prepared By: Tara Salmieri
Brandon Berry, Senior Planner

Through: Laura Canary, Community Development Director

Summary of Issue: These proposed amendments make major modifications to the Community-Redevelopment District - Eighth Avenue zoning district, which comprises the zoning of most commercial properties between 7th and 9th Avenues in Pass-A-Grille. These amendments were initiated by the Historic Preservation Board in 2022 in response to concerns that current permissions and restrictions are not adequately resulting in developments of the scale, character, and caliber desired for the City's National Register Historic District.

Proposed changes to Division 40 - COMMUNITY REDEVELOPMENT DISTRICT—EIGHTH AVENUE (CRD-EA) include the following:

- 1) Requiring Historic Preservation Board review of lot splits and assembly to ensure compatibility with adjacent property.
- 2) Providing design requirements for new development, including minimum feature count, elimination of significant blank wall facades, and screening of above-roof penetrations.

3) Providing for a maximum building length of eighty feet before relief must be provided.

4) Revising height to be more in line with the understood intent of the building height definition prior to 2015, by measuring new commercial buildings from the required lowest floor elevation, and requiring those structures for which the lowest floor must be elevated to step back floors above 35 feet in height.

5) Requiring architectural elevations with architect or staff design review, design book identification of how the project meets the CRD-EA District standards, and requiring a waste management plan for large residential and commercial developments.

Staff finds the following Goals, Objectives and Policies of the Comprehensive Plan to be supportive of these amendments:

Element II: Future Land Use

Policy 1.3.4: The Land Development Code shall ensure that commercial land uses are located in a manner which ensures their compatibility with the type and scale of surrounding land uses and where existing or programmed public facilities shall not be overburdened.

Objective 1.4: Consistent with this Comprehensive Plan, as amended, the City shall enhance and protect the City's character through the encouragement of redevelopment which supports an orderly and aesthetic mixture of land uses.

Policy 2.3.4: The City shall develop and implement Land Development Standards which preserve and promote the continuance of the existing development pattern and architectural aesthetic of Special Planning Area Eighth Avenue commercial district in the Pass-a-Grille area.

Funding:

N/A

Attachments:

1. Ordinance 2025-08
2. Exhibit A - Markup
3. Exhibit A - Clean

ORDINANCE NO. 2025-08

AN ORDINANCE OF THE CITY OF ST. PETE BEACH AMENDING THE ST. PETE BEACH LAND DEVELOPMENT CODE DIVISION 40 – COMMUNITY REDEVELOPMENT DISTRICT – EIGHTH AVENUE (CRD-EA), SECTIONS 40.1. PURPOSE AND INTENT. AND 40.9. SETBACKS.; ADOPTING SECTIONS 40.13. ASSEMBLY OR LOT SPLIT OF A PARCEL(S), VACATION OF EASEMENTS OR RIGHT-OF-WAYS., 40.14. GENERAL BUILDING DESIGN, 40.15. DESIGN REVIEW AND REQUIRED DRAWINGS, AND 40.16. PASS-A-GRILLE HISTORIC OVERLAY DESIGN GUIDEBOOK; TO AMEND AND ADOPT DEVELOPMENT STANDARDS TO PRESERVE THE HISTORIC CHARACTER OF PASS-A-GRILLE’S EIGHTH AVENUE AND VICINITY AND INCREASE COMPATIBILITY OF NEW DEVELOPMENT WITH THAT CHARACTER; PROVIDING FOR SEVERABILITY, CODIFICATION AND SCRIVENER’S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of St. Pete Beach supports preservation and protection of its historic neighborhoods.

WHEREAS, as Eighth Avenue is historic Pass-a-Grille’s main commercial corridor, which has numerous structures that are significant contributors to the historic character of the neighborhood and which itself has retained its neighborhood-level commercial function and appearance for over a century, the preservation of the scale, massing and uses of Eighth Avenue is essential to the historic district as a whole.

WHEREAS, these amendments modify the Community Redevelopment District – Eighth Avenue zoning standards passed in 2010 to solicit greater compatibility of new development with existing development and strengthen design requirements for new development.

WHEREAS, the Historic Preservation Board reviewed these amendments on April 3, 2025 and recommended them at a vote of 5 – 0 to the City Commission.

WHEREAS, the Planning Board, sitting as the Local Planning Agency, reviewed these amendments on _____ and recommended them at a vote of ____ to _____ to the City Commission.

The symbol *** constitutes code sections not shown for purposes of brevity. Remaining provisions are now in effect and remain unchanged.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:

SECTION 1. Recitals. The above recitals (“Whereas” clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. The Land Development Code Division 40 – COMMUNITY REDEVELOPMENT DISTRICT EIGHTH AVENUE (CRD-EA) is amended as shown in EXHIBIT A to this Ordinance.

SECTION 3. Codification. This Ordinance shall be codified in the Land Development Code of the City of St. Pete Beach.

SECTION 4. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. Scrivener’s Error. The City Attorney may correct scrivener’s errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. Effective Date. This Ordinance shall take effect immediately upon adoption.

FIRST READING: _____
PUBLISHED: _____
SECOND READING: _____
PUBLIC HEARING: _____

The symbol *** constitutes code sections not shown for purposes of brevity. Remaining provisions are now in effect and remain unchanged.

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.

Adrian Petrilă, Mayor

I, Amber LaRowe, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2025.

Amber LaRowe, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Ralf Brookes, City Attorney

The symbol *** constitutes code sections not shown for purposes of brevity. Remaining provisions are now in effect and remain unchanged.

DIVISION 40 COMMUNITY REDEVELOPMENT DISTRICT—EIGHTH AVENUE (CRD-EA)¹

Sec. 40.1. Purpose and intent.

~~The CRD-EA district is intended to encourage and promote the continuance of the existing mixed use development pattern and architectural aesthetic of the area, as well as encourage the infill of vacant or under-developed lots. The City recognizes that the CRD-EA was developed prior to the development of suburban zoning regulations and is intended to allow for structures that are considered contributing to the National Register Historic District to be considered conforming regarding base flood elevations and uses of property within the boundaries of the CRD-EA. The CRD-EA intends to ensure that new and redevelopment of any structures and uses shall be compatible with the scale and character of existing historic structures within the CRD-EA district.~~

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.2. Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses in the CRD-EA district are as follows:

- (a) Residential uses as a component of a vertically mixed-use development;
- (b) Temporary Lodging;
- (c) Eating and drinking establishments, specialty food such as gourmet take out, catering, coffee shops, etc. and sit-down restaurants;
- (d) Offices;
- (e) Retail sales;
- (f) Private, specialized instruction, such as computer training, real estate courses, self-improvement classes, career training or fitness instruction;
- (g) Artist studios, art galleries, and museums;
- (h) Personal service businesses such as barbershops, beauty shops, tailoring, garment alteration and repair, shoe repair, dry cleaning drop-off and pick-up and other personal service uses similar in character and impact;
- (i) Vehicle for hire—limited to rental of bicycles and individual motorized vehicles such as segways, mopeds/scooters;
- (j) On-site parking facilities;

¹Editor's note(s)—Ord. No. 2013-06, § 1(Exh. A), adopted Jan. 22, 2013, repealed the former Div. 40, §§ 40.1—40.11, and enacted a new Div. 40 as set out herein. The former Div. 40 pertained to Community Redevelopment District—Eighth Avenue (CRD-EA) and derived from Ord. No. 2010-18, § 1(Exh. A), adopted 11-8-11.

-
- (k) Other uses similar in character, nature and impact to permitted uses listed above.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.3. Permitted secondary uses and structures.

- (a) Transit facilities;
- (b) Public recreation and other governmental or civic uses.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.4. Allowable conditional uses and structures:

The purpose of this section is to allow for single-family and two-family residential uses and structures for only saving and/or moving locally designated historic structures, as well as address rooftop uses. In no case shall a new construction single-family home be allowed in the 8th Avenue CRD.

- (a) Single-family residential, subject to the following conditions:
 - (1) The structure is eligible for local historic designation pursuant to Section 28.22 of the Land Development Code;
 - (2) The applicant applies for designation of the structure as historic and the Historic Preservation Board approves the request;
 - (3) The applicant applies for and is granted a certificate of appropriateness for any alterations to the exterior of the structure and moving the structure if a structure is proposed to be moved to the 8th Ave District, consistent with the Secretary of the Interior's Standards and Guidelines for Rehabilitation or Preservation of Historic Structures and Division 28 of the Land Development Code;
 - (4) The applicant applies for and is granted the conditional use pursuant to Section 4.4 of the Land Development Code;
- (b) Roof dining and/or drinking areas, subject to section 6.24 of this Code as may be applicable.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13; Ord. No. 2020-24, § 2, 12-1-20)

Sec. 40.5. Permitted accessory uses and structures.

- (a) Uses and structures, as regulated in sections 6.12 and 6.13, which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures. Where setbacks of accessory uses in sections 6.12 and 6.13 conflict with this section, the standards in this section shall apply;
- (b) Home occupations, subject to the conditions set forth in section 6.5 of this Code.
- (c) Temporary uses under the provisions of section 6.11 of this Code.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.6. Prohibited uses and structures.

Existing non-historic single family residences currently located in the 8th Avenue district may continue as legal non-conforming uses or can be adaptively reused as uses permitted in Sections 40.2 and 40.3.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.7. Density and intensity.

Density and intensity of use for commercial and residential components shall be inclusive, i.e. the same land area on a zoning lot may be used to support both use types without proration. For the purpose of determining mixed uses, transient accommodations shall be considered residential uses and may be combined with ground floor commercial within a mixed-use project. The intensity of the commercial use shall be determined by floor area ratio and the density of the transient accommodation shall be determined by units per acre.

Residential use - Shall not exceed 24 dwelling units per acre.

Transient accommodation use - Shall not exceed 50 units per acre.

Non-residential use - Shall not exceed a floor area ratio (FAR) of 1.0 for single use commercial structures or 1.50 for mixed-use development. Projects that consist of a non-residential uses mixed with a transient accommodation or residential use shall provide a minimum FAR of .40 for the non-residential use.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.8. Building height.

Height shall not exceed 35 feet above the required lowest floor elevation of the structure permissible under the City's floodplain management regulations or the Florida Building Code, whichever is stricter. When this results in a structure greater than 35 feet in height measured from grade, a minimum stepback of 10 feet on each side of that floor over 35 feet in height above grade shall be provided.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.9. Setbacks.

For structures that front 8th, 9th or Gulf Way:

Front yard: A minimum of 75 percent of the building frontage shall be built in line with the buildings adjacent to it, or set back no greater than two (2) feet, whichever distance from the front property line is less. In cases where vacant lots are adjacent to the lot which is proposed for development, no more than 75 percent of the building frontage shall be set back more than two (2) feet from the front property line. In the event there are existing buildings on both sides of the proposed building, and the adjacent buildings are not set back the same distance from the front property line, then the proposed structure may be built to the average frontage of the two adjacent buildings.

~~Marquees, canopies, colonnades, arcades, or fixed awnings may project over the public right-of-way, provided such projection does not extend over the back of curb line. Foundational structures, that support such projections, may be placed in the public right-of-way provided that such items and overhangs are subject to a development and public right-of-way use agreement with the city.~~ The second story of the primary structure may extend over the public right-of-way, provided such projection does not extend over the back of curb line. That portion of the second story which projects over the public right-of-way may not be enclosed but may be roofed and screened as a porch or open balcony. A third story shall extend no more than the second floor structural face and may provide an open balcony. A third story shall not be enclosed by solid walls or windows and may not contain a roof, but may contain a pergola structure which does not provide more that 50% opacity. Structures may not project over alleys.

(Supp. No. 47)

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Public right of way projection standards for marquees, arcades, and similar elements can be found in Section 40.14.

Structural face, as used in this section, is defined as those portions of the principal structure and accoutrements which protrude toward the lot line and are most closely parallel to the front lot line. Pergola as defined herein is garden feature forming a shaded walkway, passageway, or sitting area of vertical posts or pillars that usually support cross-beams and a sturdy open lattice.

Secondary front yard: No secondary front yard setback for primary structure; ~~Marquees, canopies, colonnades, arcades, or fixed awnings may project over the public right of way provided such projection does not extend over the back of curb line. Foundational structures, that support such projections, may be placed in the public right of way provided that such items and overhangs are subject to a development and public right of way use agreement with the city.~~ Structures may not project over alleys.

Side yard: None

Rear yard: 10 feet minimum. Parking may be placed in the rear setback.

For structures that front Pass-a-Grille Way:

Front yard: 10 feet

Secondary front yard: 5 feet

Sidyard: 5 feet

Rear yard: 10 feet. Parking can be placed in the rear yard setback.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13; Ord. No. 2015-16, § 1, 8-25-15; Ord. No. 2017-30, § 2, 2-27-18)

Sec. 40.10. Maximum impervious surface ratio.

Maximum impervious surface ratio (ISR) for all uses: 0.90

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.11. Minimum off-street parking requirements and access requirements.

- (1) *Number of parking spaces required:* Subject to Division 23 of the Land Development Code.
- (2) *Access to and location of parking areas:*
 - a. Parcels abutting an alley shall not place parking in the front yard of the zoning lot, nor will be provided driveway access from the main thoroughfare. Parking may be placed in the rear or side yard. Access shall be provided via the alley.
 - b. Parcels without alley access shall be granted a curb cut from the main thoroughfare and may provide parking in the front yard.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.12. Landscaping and buffering.

In order to accommodate the form and scale of historic development patterns on 8th Avenue, the CRD-EA District shall be exempt from the buffering and landscaping requirements in Division 22 of this Code.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.13. Assembly or Lot Split of a Parcel(s), Vacation of Easements or Right-of-ways.

The following requirements are to be provided for any lot splits, assembly of parcels, request to vacate easements or right-of-ways:

- (a) Submit an application to the Historic Preservation Board for a recommendation prior to the Board Of Adjustment (where necessary) and City Commission.
- (b) The applicant shall provide documentation for the Historic Preservation Board to determine the compatibility and respect for the existing character of the CRDEA District, which will review:
 - (1) Historical plat and scale of the overall character of Pass-a-Grille (PAG) to ensure the application is consistent with the overall intent of the PAG area.
 - (2) Determine if recommending the parcel split or assembly will support or negatively impact the overall character of the area by permitting the use and the scale of the parcel of land and/or development size.

Sec. 40.14. General Building Design

General building desing element criteria is provided in this section and additional design guidelines are addressed in Sec. 40.16 Pass A Grille Historic Overlay Design Guidebook. The following standards shall be applied to new developments within the CRD-EA District that do not involve relocation of a historic structure as may be permitted in Sections 40.2 and 40.4.

- (a) Public entrance. Buildings that are open to the public shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be a distinctive and prominent element of the architectural design, and shall be open to the public during business hours. Buildings shall incorporate lighting and changes in mass, surface or finish which places an emphasis to the entrance.
- (b) Building orientation. The principle building entrances shall be visible and directly accessible from a street or park space that has a sidewalk or pedestrian path.
- (c) Storefront character. Buildings shall express a "storefront character". This guideline is met by providing all of the following features along the building frontage as applicable.
 - (1) Regularly spaced and similar-shaped windows with window hoods or trim (all building stories).
 - (2) Large display windows on the ground floor. All street-facing, park-facing and plaza-facing structures shall have windows covering a minimum of 40 percent and a maximum 80 percent of the ground floor of each storefront's linear frontage. Blank walls shall not occupy over 50 percent of a street-facing frontage and shall not exceed 20 linear feet without being interrupted by a window or entry. Mirrored glass, obscured glass and glass block cannot be used in meeting this requirement. Display windows may be used to meet this requirement if the first floor has not been design as a flood proof first floor.
- (d) Building façade. A clear visual division shall be maintained between the ground level floor and upper floors with either a cornice line or awning from 12 feet to 16 feet above grade, whichever applies to the proposed development. No more than 20 feet of horizontal distance of wall shall be provided without architectural relief for building walls and frontage walls facing the street. All buildings excluding single family detached homes shall utilize at least three of the following design features to

provide visual relief along all elevations of the building with arcades being one of the preferred design features:

- (1) Divisions or change in materials (materials should be drawn from a common palette).
 - (2) Window bays.
 - (3) Separate entrances and entry treatments, porticoes extending at least five (5) feet.
 - (4) Variation in roof lines.
 - (5) Balconies, not to exceed six feet in depth. Balconies may extend into front or secondary front setbacks.
 - (6) Dormers.
 - (7) Canopies, extending at least five (5) feet.
 - (8) Arcades.
 - (9) Overhang extending at least five (5) feet.
 - (10) Recessed entries (at least three [3] feet from the primary façade).
 - (11) Protruding entries (at least three [3] from the primary façade).
 - (12) Covered porch entries.
 - (13) Cupolas shall be permitted on sloped roofs and are exempt from the height limitations up to twelve feet above the roof line.
 - (14) Buildings shall provide a foundation or base, typically from ground to bottom of the lower windowsills, with changes in volume or material.
- (e) Projection standards for arcades, marquees, and similar elements. Marquees, canopies, colonnades, arcades, or fixed awnings may project over the public right-of-way, provided such projection does not extend over the back of curb line. Foundational structures, that support such projections, may be placed in the public right-of-way provided that such items and overhangs are subject to a development and public right-of-way use agreement with the city. However, no structure described herein shall overhang a public alleyway.
- (f) Roof-Based Mechanical Equipment and Other Roof Penetrations. All roof-based mechanical equipment, as well as vents, pipes, antennas, satellite dishes, and other roof penetrations (except chimneys), shall be located on the rear elevations and be configured and screened with similar architectural details that are consistent with the overall building design.
- (g) Maximum Building Length. The maximum building length on a parcel shall not exceed eighty (80) feet. If more than one building is located on a parcel of land, a minimum separation for each building shall be ten (10) feet. The building separation area may include walkways, seating areas, and/or landscape/hardscape.
- (h) Balconies/outdoor and rooftop seating areas. Balconies/seating area(s) shall be reviewed by the Historic Preservation Board, to ensure compatibility of the existing uses and structures is maintained. Hours of access, and restrictions on seating, may be outlined at the time of the HPB review.

Sec. 40.15. Design Review and Required Drawings

An applicant shall be subject to the City's permit process. In addition, any development within the CRDEA, shall submit:

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- (a) Architectural elevations of all facades of all structures subject to this division and shall be a required exhibit for plan approval which does not subrogate any requirements outlined in Division 5, Site plan approval procedures, and building permit process.
- (1) Such exhibits shall include colors, materials, building dimensions, mass and scale proportions, location of service areas and mechanical equipment, screening devices, parking, site furnishings, lighting fixtures, all signage, and any other information as determined necessary to ensure consistency with the intent of this division.
 - (2) All elevations and overall design must be signed and sealed by a licensed architect registered in the State of Florida.
 - (3) Provide 11x17 architectural design packet that clearly illustrates the building elevations, mass and scale, screening of elevated portion(s) of the building (landscape or architectural elements).
 - (4) The City's Architect, or design review designee, shall review to determine if the applicant has met the criteria in this Division and provide a summary of approval or recommended changes to the submitted architecture design and/landscape of the project.
 - (5) After the completion of the design review in (4) above, the Historic Preservation Board shall review to ensure compatibility of new construction, renovations or additions within the CR-EA district.
- (b) Identify, through the use of the design guidebook as described in Section 20.25, how the proposed project is meeting the intent of the PAGHOD district.
- (c) Waste Management Plan shall be provided for all development, excluding freestanding quadplex, triplex, duplex and single-family residential, to ensure an overall strategy for recycling and trash collection has been implemented that includes:
- (1) The Site Plan shall include the area(s) for outdoor storage of recycling and/or trash receptacles, location and design. It is encouraged to have joint dumpsters and/or compactors in alleys to serve groups of businesses to the extent possible.
 - a. If storage area is located outside, provide the overall design and location of such receptacles and overall screening from public rights-of way (excluding alleys) and waterways.
 - b. If the storage area is located in an east-west alley and not visible from a public street, screening will not be required. Screening of storage areas shall be required in all north-south alleys when the area is not obscured by a permanent structure.
 - (2) Restaurant requirements. Provide a description of how fats, oils and grease generated by the restaurants is being stored. If outside of the facility, provide the design and storage area to be used for review and approval by the City.
 - (3) City will review the waste management plan to ensure the access is sufficient for garbage pickup and will approve and/or deny the location, design, gate style and type of storage permitted.

Section 40.16. Pass-A-Grille Historic Overlay Design Guidebook

- (a) Design Guidebook. The design guidebook shall be used for both non-residential, mixed-use and residential development as a tool to assess compatibility within the CRD-EA and the overall area of Pass-A-Grille, provide design concepts that reflect and support the historic character of the district.
- (b) A design guidebook provides for overall design concept ideas for implementation of design within the district for all development. Specific materials, color, textures, and architectural style are not

required, but will be provided as context and character of the area itself and every effort to compliment the overall historic design of the area should be made for new development.

DRAFT

DIVISION 40 COMMUNITY REDEVELOPMENT DISTRICT—EIGHTH AVENUE (CRD-EA)¹

Sec. 40.1. Purpose and intent.

The City recognizes that the CRD-EA was developed prior to the development of suburban zoning regulations and is intended to allow for structures that are considered contributing to the National Register Historic District to be considered conforming regarding base flood elevations and uses of property within the boundaries of the CRD-EA. The CRD-EA intends to ensure that new and redevelopment of any structures and uses shall be compatible with the scale and character of existing historic structures within the CRD-EA district.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.2. Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses in the CRD-EA district are as follows:

- (a) Residential uses as a component of a vertically mixed-use development;
- (b) Temporary Lodging;
- (c) Eating and drinking establishments, specialty food such as gourmet take out, catering, coffee shops, etc. and sit-down restaurants;
- (d) Offices;
- (e) Retail sales;
- (f) Private, specialized instruction, such as computer training, real estate courses, self-improvement classes, career training or fitness instruction;
- (g) Artist studios, art galleries, and museums;
- (h) Personal service businesses such as barbershops, beauty shops, tailoring, garment alteration and repair, shoe repair, dry cleaning drop-off and pick-up and other personal service uses similar in character and impact;
- (i) Vehicle for hire—limited to rental of bicycles and individual motorized vehicles such as segways, mopeds/scooters;
- (j) On-site parking facilities;
- (k) Other uses similar in character, nature and impact to permitted uses listed above.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

¹Editor's note(s)—Ord. No. 2013-06, § 1(Exh. A), adopted Jan. 22, 2013, repealed the former Div. 40, §§ 40.1—40.11, and enacted a new Div. 40 as set out herein. The former Div. 40 pertained to Community Redevelopment District—Eighth Avenue (CRD-EA) and derived from Ord. No. 2010-18, § 1(Exh. A), adopted 11-8-11.

Sec. 40.3. Permitted secondary uses and structures.

- (a) Transit facilities;
- (b) Public recreation and other governmental or civic uses.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.4. Allowable conditional uses and structures:

The purpose of this section is to allow for single-family and two-family residential uses and structures for only saving and/or moving locally designated historic structures, as well as address rooftop uses. In no case shall a new construction single-family home be allowed in the 8th Avenue CRD.

- (a) Single-family residential, subject to the following conditions:
 - (1) The structure is eligible for local historic designation pursuant to Section 28.22 of the Land Development Code;
 - (2) The applicant applies for designation of the structure as historic and the Historic Preservation Board approves the request;
 - (3) The applicant applies for and is granted a certificate of appropriateness for any alterations to the exterior of the structure and moving the structure if a structure is proposed to be moved to the 8th Ave District, consistent with the Secretary of the Interior's Standards and Guidelines for Rehabilitation or Preservation of Historic Structures and Division 28 of the Land Development Code;
 - (4) The applicant applies for and is granted the conditional use pursuant to Section 4.4 of the Land Development Code;
- (b) Roof dining and/or drinking areas, subject to section 6.24 of this Code as may be applicable.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13; Ord. No. 2020-24, § 2, 12-1-20)

Sec. 40.5. Permitted accessory uses and structures.

- (a) Uses and structures, as regulated in sections 6.12 and 6.13, which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures. Where setbacks of accessory uses in sections 6.12 and 6.13 conflict with this section, the standards in this section shall apply;
- (b) Home occupations, subject to the conditions set forth in section 6.5 of this Code.
- (c) Temporary uses under the provisions of section 6.11 of this Code.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.6. Prohibited uses and structures.

Existing non-historic single family residences currently located in the 8th Avenue district may continue as legal non-conforming uses or can be adaptively reused as uses permitted in Sections 40.2 and 40.3.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.7. Density and intensity.

Density and intensity of use for commercial and residential components shall be inclusive, i.e. the same land area on a zoning lot may be used to support both use types without proration. For the purpose of determining mixed uses, transient accommodations shall be considered residential uses and may be combined with ground floor commercial within a mixed-use project. The intensity of the commercial use shall be determined by floor area ratio and the density of the transient accommodation shall be determined by units per acre.

Residential use - Shall not exceed 24 dwelling units per acre.

Transient accommodation use - Shall not exceed 50 units per acre.

Non-residential use - Shall not exceed a floor area ratio (FAR) of 1.0 for single use commercial structures or 1.50 for mixed-use development. Projects that consist of a non-residential uses mixed with a transient accommodation or residential use shall provide a minimum FAR of .40 for the non-residential use.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.8. Building height.

Height shall not exceed 35 feet above the required lowest floor elevation of the structure permissible under the City's floodplain management regulations or the Florida Building Code, whichever is stricter. When this results in a structure greater than 35 feet in height measured from grade, a minimum setback of 10 feet on each side of that floor over 35 feet in height above grade shall be provided..

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.9. Setbacks.

For structures that front 8th, 9th or Gulf Way:

Front yard: A minimum of 75 percent of the building frontage shall be built in line with the buildings adjacent to it, or set back no greater than two (2) feet, whichever distance from the front property line is less. In cases where vacant lots are adjacent to the lot which is proposed for development, no more than 75 percent of the building frontage shall be set back more than two (2) feet from the front property line. In the event there are existing buildings on both sides of the proposed building, and the adjacent buildings are not set back the same distance from the front property line, then the proposed structure may be built to the average frontage of the two adjacent buildings.

The second story of the primary structure may extend over the public right-of-way, provided such projection does not extend over the back of curb line. That portion of the second story which projects over the public right-of-way may not be enclosed but may be roofed and screened as a porch or open balcony. A third story shall extend no more than the second floor structural face and may provide an open balcony. A third story shall not be enclosed by solid walls or windows and may not contain a roof, but may contain a pergola structure which does not provide more than 50% opacity. Structures may not project over alleys.

Public right of way projection standards for marquees, arcades, and similar elements can be found in Section 40.14.

Structural face, as used in this section, is defined as those portions of the principal structure and accoutrements which protrude toward the lot line and are most closely parallel to the front lot line. Pergola as defined herein is garden feature forming a shaded walkway, passageway, or sitting area of vertical posts or pillars that usually support cross-beams and a sturdy open lattice.

Secondary front yard: No secondary front yard setback for primary structure. Structures may not project over alleys.

Side yard: None

Rear yard: 10 feet minimum. Parking may be placed in the rear setback.

For structures that front Pass-a-Grille Way:

Front yard: 10 feet

Secondary front yard: 5 feet

Sidyard: 5 feet

Rear yard: 10 feet. Parking can be placed in the rear yard setback.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13; Ord. No. 2015-16, § 1, 8-25-15; Ord. No. 2017-30, § 2, 2-27-18)

Sec. 40.10. Maximum impervious surface ratio.

Maximum impervious surface ratio (ISR) for all uses: 0.90

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.11. Minimum off-street parking requirements and access requirements.

- (1) *Number of parking spaces required:* Subject to Division 23 of the Land Development Code.
- (2) *Access to and location of parking areas:*
 - a. Parcels abutting an alley shall not place parking in the front yard of the zoning lot, nor will be provided driveway access from the main thoroughfare. Parking may be placed in the rear or side yard. Access shall be provided via the alley.
 - b. Parcels without alley access shall be granted a curb cut from the main thoroughfare and may provide parking in the front yard.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.12. Landscaping and buffering.

In order to accommodate the form and scale of historic development patterns on 8th Avenue, the CRD-EA District shall be exempt from the buffering and landscaping requirements in Division 22 of this Code.

(Ord. No. 2013-06, § 1(Exh. A), 1-22-13)

Sec. 40.13. Assembly or Lot Split of a Parcel(s), Vacation of Easements or Right-of-ways.

The following requirements are to be provided for any lot splits, assembly of parcels, request to vacate easements or right-of-ways:

- (a) Submit an application to the Historic Preservation Board for a recommendation prior to the Board Of Adjustment (where necessary) and City Commission.

-
- (b) The applicant shall provide documentation for the Historic Preservation Board to determine the compatibility and respect for the existing character of the CRDEA District, which will review:
 - (1) Historical plat and scale of the overall character of Pass-a-Grille (PAG) to ensure the application is consistent with the overall intent of the PAG area.
 - (2) Determine if recommending the parcel split or assembly will support or negatively impact the overall character of the area by permitting the use and the scale of the parcel of land and/or development size.

Sec. 40.14. General Building Design

General building design element criteria is provided in this section and additional design guidelines are addressed in Sec. 40.16 Pass a Grille Historic Overlay Design Guidebook. The following standards shall be applied to new developments within the CRD-EA District that do not involve relocation of a historic structure as may be permitted in Sections 40.2 and 40.4.

- (a) *Public entrance.* Buildings that are open to the public shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be a distinctive and prominent element of the architectural design, and shall be open to the public during business hours. Buildings shall incorporate lighting and changes in mass, surface or finish which places an emphasis to the entrance.
- (b) *Building orientation.* The principle building entrances shall be visible and directly accessible from a street or park space that has a sidewalk or pedestrian path.
- (c) *Storefront character.* Buildings shall express a "storefront character". This guideline is met by providing all of the following features along the building frontage as applicable.
 - (1) Regularly spaced and similar-shaped windows with window hoods or trim (all building stories).
 - (2) *Large display windows on the ground floor.* All street-facing, park-facing and plaza-facing structures shall have windows covering a minimum of 40 percent and a maximum 80 percent of the ground floor of each storefront's linear frontage. Blank walls shall not occupy over 50 percent of a street-facing frontage and shall not exceed 20 linear feet without being interrupted by a window or entry. Mirrored glass, obscured glass and glass block cannot be used in meeting this requirement. Display windows may be used to meet this requirement if the first floor has not been design as a flood proof first floor.
- (d) *Building façade.* A clear visual division shall be maintained between the ground level floor and upper floors with either a cornice line or awning from 12 feet to 16 feet above grade, whichever applies to the proposed development. No more than 20 feet of horizontal distance of wall shall be provided without architectural relief for building walls and frontage walls facing the street. All buildings excluding single family detached homes shall utilize at least three of the following design features to provide visual relief along all elevations of the building with arcades being one of the preferred design features:
 - (1) Divisions or change in materials (materials should be drawn from a common palette).
 - (2) Window bays.
 - (3) Separate entrances and entry treatments, porticoes extending at least five (5) feet.
 - (4) Variation in roof lines.

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- (5) Balconies, not to exceed six feet in depth. Balconies may extend into front or secondary front setbacks.
 - (6) Dormers.
 - (7) Canopies, extending at least five (5) feet.
 - (8) Arcades.
 - (9) Overhang extending at least five (5) feet.
 - (10) Recessed entries (at least three [3] feet from the primary façade).
 - (11) Protruding entries (at least three [3] from the primary façade).
 - (12) Covered porch entries.
 - (13) Cupolas shall be permitted on sloped roofs and are exempt from the height limitations up to twelve feet above the roof line.
 - (14) Buildings shall provide a foundation or base, typically from ground to bottom of the lower windowsills, with changes in volume or material.
- (e) *Projection standards for arcades, marquees, and similar elements.* Marquees, canopies, colonnades, arcades, or fixed awnings may project over the public right-of-way, provided such projection does not extend over the back of curb line. Foundational structures, that support such projections, may be placed in the public right-of-way provided that such items and overhangs are subject to a development and public right-of-way use agreement with the city. However, no structure described herein shall overhang a public alleyway.
- (f) *Roof-Based Mechanical Equipment and Other Roof Penetrations.* All roof-based mechanical equipment, as well as vents, pipes, antennas, satellite dishes, and other roof penetrations (except chimneys), shall be located on the rear elevations and be configured and screened with similar architectural details that are consistent with the overall building design.
- (g) *Maximum Building Length.* The maximum building length on a parcel shall not exceed eighty (80) feet. If more than one building is located on a parcel of land, a minimum separation for each building shall be ten (10) feet. The building separation area may include walkways, seating areas, and/or landscape/hardscape.
- (h) *Balconies/outdoor and rooftop seating areas.* Balconies/seating area(s) shall be reviewed by the Historic Preservation Board, to ensure compatibility of the existing uses and structures is maintained. Hours of access, and restrictions on seating, may be outlined at the time of the HPB review.

Sec. 40.15. Design Review and Required Drawings

An applicant shall be subject to the City's permit process. In addition, any development within the CRDEA, shall submit:

- (a) Architectural elevations of all facades of all structures subject to this division and shall be a required exhibit for plan approval which does not subrogate any requirements outlined in Division 5, Site plan approval procedures, and building permit process.
 - (1) Such exhibits shall include colors, materials, building dimensions, mass and scale proportions, location of service areas and mechanical equipment, screening devices, parking, site furnishings, lighting fixtures, all signage, and any other information as determined necessary to ensure consistency with the intent of this division.

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- (2) All elevations and overall design must be signed and sealed by a licensed architect registered in the State of Florida.
 - (3) Provide 11x17 architectural design packet that clearly illustrates the building elevations, mass and scale, screening of elevated portion(s) of the building (landscape or architectural elements).
 - (4) The City's Architect, or design review designee, shall review to determine if the applicant has met the criteria in this Division and provide a summary of approval or recommended changes to the submitted architecture design and/landscape of the project.
 - (5) After the completion of the design review in (4) above, the Historic Preservation Board shall review to ensure compatibility of new construction, renovations or additions within the CR-EA district.
- (b) Identify, through the use of the design guidebook as described in Section 20.25, how the proposed project is meeting the intent of the PAGHOD district.
- (c) Waste Management Plan shall be provided for all development, excluding freestanding quadplex, triplex, duplex and single-family residential, to ensure an overall strategy for recycling and trash collection has been implemented that includes:
- (1) The Site Plan shall include the area(s) for outdoor storage of recycling and/or trash receptacles, location and design. It is encouraged to have joint dumpsters and/or compactors in alleys to serve groups of businesses to the extent possible.
 - a. If storage area is located outside, provide the overall design and location of such receptacles and overall screening from public rights-of way (excluding alleys) and waterways.
 - b. If the storage area is located in an east-west alley and not visible from a public street, screening will not be required. Screening of storage areas shall be required in all north-south alleys when the area is not obscured by a permanent structure.
 - (2) *Restaurant requirements.* Provide a description of how fats, oils and grease generated by the restaurants is being stored. If outside of the facility, provide the design and storage area to be used for review and approval by the City.
 - (3) City will review the waste management plan to ensure the access is sufficient for garbage pickup and will approve and/or deny the location, design, gate style and type of storage permitted.

Section 40.16. Pass-A-Grille Historic Overlay Design Guidebook

- (a) *Design Guidebook.* The design guidebook shall be used for both non-residential, mixed-use and residential development as a tool to assess compatibility within the CRD-EA and the overall area of Pass-A-Grille, provide design concepts that reflect and support the historic character of the district.
- (b) A design guidebook provides for overall design concept ideas for implementation of design within the district for all development. Specific materials, color, textures, and architectural style are not required, but will be provided as context and character of the area itself and every effort to compliment the overall historic design of the area should be made for new development.

**PLANNING BOARD MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Recommendation of Ordinance 2025-12: Amendments to Land Development Code Divisions 16 - CG-2 COMMERCIAL DISTRICT and 33 - CC2 COMMERCIAL CORRIDOR GULF BLVD DISTRICT, to the City Commission

Action Request: Motion to find Ordinance 2025-12 consistent with the Comprehensive Plan and recommend approval to the City Commission.

Strategic Objective:

Date: April 21, 2025

Prepared By: Brandon Berry, Senior Planner

Through: Laura Canary, Community Development Director

Summary of Issue: This ordinance is corrective in nature and intended to address development-related interpretation issues encountered by Staff in the wakes of Hurricane Helene and Milton. The ordinance accomplishes two purposes:

- 1) Permits full-service restaurant development and redevelopment in the CG-2 zoning district, which was intended during 2015 amendments but excluded by error.
- 2) Removing conflicting density language from the CC-2 zoning district regulations to reduce ambiguity in allowing for single-family residential development.

Staff finds the following goals, objectives and policies of the Comprehensive Plan to be supportive of these amendments:

Element II - Future Land Use Element

GOAL 1: Ensure that the residential character of the City is maintained and protected while:

- a. Maximizing the potential for economic benefit

resulting from the tourist trade and the enjoyment of natural and man-made resources by residents and visitors alike;

b. Minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation; and

c. Maintaining the community's recreational resources, open spaces, and beaches.

Objective 1.5: Existing land uses or structures which are either incompatible or inconsistent with the adopted Future Land Use Element shall be deemed non-conforming as of the effective date of this Comprehensive Plan and be encouraged to be eliminated through redevelopment of such uses or structures; however, existing residential and temporary lodging use densities and intensities shall be grandfathered except when abandoned voluntarily as defined by the Land Development Code.

Policy 1.5.1: Those residential uses and structures existing as of the effective date of this Comprehensive Plan, as amended, which were built and were conforming prior to such adoption, and which are hereby rendered non-conforming, shall be considered to be grandfathered, as defined in the Land Development Code.

Policy 1.5.2: Those temporary lodging uses and structures existing as of the effective date of this Comprehensive Plan, as amended, which were built prior to such adoption, and which are hereby rendered non-conforming, shall be considered to be grandfathered, as defined in the LDC Land Development Code.

Funding: N/A

Attachments:

1. Ordinance 2025-12 - Markup
2. Ordinance 2025-12 - Clean

Ordinance 2025-12

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA CORRECTING ERRORS IN PRIOR ORDINANCES BY AMENDING THE CITY’S LAND DEVELOPMENT CODE DIVISION 16 CG-2 COMMERCIAL DISTRICT, SECTION 16.2 PERMITTED PRINCIPAL USES AND STRUCTURES TO RECOGNIZE AND ALLOW FULL-SERVICE RESTAURANTS, AND DIVISION 33 CC2 COMMERCIAL CORRIDOR GULF BLVD DISTRICT, SECTION 33.7 DENSITY AND INTENSITY TO CLARIFY THAT SINGLE-FAMILY RESIDENCES ARE PROHIBITED; AND PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, CORRECTION OF SCRIVENER’S ERRORS, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

WHEREAS, Staff, from time to time, finds errors or ambiguous standards in the Land Development Code that are in need of correction.

WHEREAS, as adopted, Ordinance 2015-21 intended to amend the permitted uses section of the CG-2 District regulations to allow for both full-service and limited-service restaurants, but erroneously left out full-service restaurants from the text amendments to that section.

WHEREAS, as adopted, Ordinance 2017-30 successfully removed single-family residential development from the permitted uses section of the CC-2 District in alignment with the Future Land Use regulations, but left in ambiguous references to allowable single-family development in the density and intensity section within the District Division that have led to confusion in interpretation.

WHEREAS, the effects of Hurricanes Helene and Milton have accelerated development and redevelopment interest in most areas of the City, including the CG-2 and CC-2 Districts, and these amendments are important to provide clarity to existing and future residents and businessowners in pursuing such projects.

WHEREAS, the City finds these amendments exceed what is typically classified as a scrivener’s error correction.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:

SECTION 1. Recitals. The above recitals (“Whereas” clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. The Land Development Code is amended as shown in EXHIBIT A to this Ordinance.

SECTION 3. Codification. This Ordinance shall be codified in the Land Development Code of the City of St. Pete Beach.

SECTION 4. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. Scrivener’s Error. The City Attorney may correct scrivener’s errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. Effective Date. This ordinance shall take effect immediately upon adoption.

FIRST READING: _____
PUBLISHED: _____
SECOND READING: _____
PUBLIC HEARING: _____

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.

Adrian Petrila, Mayor

I, Ginny Bodkin, Acting City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2025.

Words ~~stricken~~ through shall be deleted. Words underscored constitute the amendment proposed. The symbol *** constitutes code sections not shown for purposes of brevity.

Amber LaRowe, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Ralf Brookes, City Attorney

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EXHIBIT A

LAND DEVELOPMENT CODE

Sec. 16.2. Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the CG-2 Commercial District are as follows:

- (a) Commercial kitchen.
- (b) Eating and drinking establishments – Full-service restaurant, limited-service restaurant, or outdoor dining and/or drinking areas that do not provide for outdoor music, subject to Section 6.24 of this Code as may be applicable.
- (c) Financial institutions without drive-through service.
- (d) Offices.
- (e) Printing and copying services.
- (f) Retail sales.
- (g) Services, personal/business.

Sec. 33.7. Density and intensity.

- (a) Existing, legally-nonconforming residences on single residential lots that do not abut Gulf Blvd shall be limited to a density of 7.5 units per acre and regulated pursuant to Sec. 3.10.(c). Minimum lot width is 50 feet. ~~Lots of record that do not meet the minimum density standards may construct one single family residential unit.~~
- (b) The multi-family residential density of mixed-use developments shall not exceed 12 units per acre, except as may be provided for in section 39.18 of this Code. Residential uses may only be established on lots that are a minimum of one-half acre in area, with commercial or office on the first floor at street level and residential use permitted on the second and third floors only shall not exceed a FAR of 0.90.
- (c) Single use or multi-tenant non-residential uses shall not exceed a FAR of 0.70.
- (d) Both maximum commercial FAR and maximum residential density shall be available based upon the entire site area, and the presence of one shall not limit the density or intensity of the other.

Ordinance 2025-12

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