


MEMORANDUM

TO: Mayor and City Council Members
FROM: Chester Murray, Interim City Manager 
DATE: June 23, 2009
SUBJECT: Sign Ordinance

JUN 16 2009

PURPOSE

To review and discuss Orange City's current Sign Ordinance.

BACKGROUND

At the June 9, 2009 City Council Meeting, gave direction to the City Manager to bring forth a discussion at the June 23rd Council Meeting Council to review and discuss the current Sign Ordinance.

Attached with this cover memo are the definitions and the sign regulations.

CHAPTER 2

DEFINITIONS

2.1 General meaning and interpretation.

For the purpose of this Code, certain terms or words used herein shall be interpreted as follows:

A. The word "person" includes an individual, firm, association, organization (whether social, fraternal or business), partnership, joint venture, trust, company, corporation, receiver, syndicate, business trust, or other group or combination acting as a unit.

B. The present tense includes the future tense, the singular number includes the plural and the plural number includes the singular.

C. The word "shall" is mandatory; the word "may" is permissive.

D. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."

E. The word "lot" includes the words "plot," "parcel" or "tract."

F. The word "land" includes the words "water," "marsh" or "swamp."

G. The latest edition of Merriam-Webster's Collegiate Dictionary shall be used to define any words not defined in this Code.

2.2 Specific terms defined.

Abandon. Any cessation of an existing use of land or of any structure thereon, other than the cessation necessarily incident to probate or mortgage foreclosure proceedings, or to the temporary absences of part-time residents.

Accessory use or structure. A use or structure of a nature customarily incidental and subordinate to the principal use or structure and, unless otherwise provided, on the same premises. On the same premises with respect to accessory uses shall be construed as meaning on the same lot or on a contiguous lot having the same zoning district and in the same ownership, provided that the lot shall meet the minimum requirements as specified in Chapter 8 of this Code. Where a building is attached to the principal building, it shall be considered a part thereof and not an accessory building. Outdoor storage of materials and equipment used in an enterprise and outdoor display of merchandise for sale shall be considered accessory uses where the principal business activity or enterprise is conducted in a building.

Addition (to an existing building). Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load bearing wall other than a firewall. Any walled and roofed addition that is connected by a firewall or is separated by independent perimeter load bearing walls is new construction.

Adult family-care home. A full time, family-type living arrangement, in a private home as regulated by F.S. Ch.400, Part V, under which a person who owns or rents the home provides room, board, and personal care, on a 24 hour basis, for no more than 5 disabled adults or frail elders who are not relatives.

Alley. A right-of-way primarily designated to serve as a secondary means of access to the side or rear of abutting properties having principal access from a street.

Alteration. Any changes in structural parts, types of construction or class of occupancy. The word "alteration" shall include the words "alter" and "reconstruct."

Apartment, garage. An accessory building containing a storage area for one or more motor vehicles and one dwelling unit. Said dwelling unit shall not have more than 575 square feet of living space and shall not be marketed as a rental unit.

Aquifer. An underground formation, group of formations, or part of a formation that is permeable enough to transmit, store or yield usable quantities of water.

Area of special flood hazard. The land in the floodplain within the City of Orange City subject to a one percent or greater chance of flooding in any given year.

Artificial drainage system. Any canal, ditch, culvert, dike, storm sewer or other manmade facility that tends to control the surface flow of water.

As-built plans. The amended plans and/or plats specifying the locations, dimensions, elevations, capacities and capabilities of structures or facilities as they have been constructed.

Assembly. The fitting together of manufactured parts into a complete machine, structure, unit of a machine or product.

Assisted living facility (ALF). Any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not as regulated by F.S. Ch. 400, Part III, which undertakes through its ownership or management to provide housing, meals and 1 or more personal services for a period exceeding 24 hours to 1 or more adults who are not relatives of the owner or administrator.

Automobile. See definition of "Vehicle."

Automobile oriented use. An establishment that is designed with a drive-up window or other type of drive-up facilities for the purpose for providing customer services at said window or facilities.

Automobile parts store. An establishment that sells automobile parts and related accessories but does not service or repair any type of motor vehicle.

Availability. With regard to the provision of facilities and services concurrent with the impacts of development said terms mean that at a minimum the facilities and services will be provided in accordance with the standards set forth in Rule 9J-5.0055(2), Florida Administrative Code. The term availability includes the term available.

Available capacity of public facilities. Unused or unallocated portion of the total capacity of a public facility (i.e., potable water, sanitary sewer or road system) based on current levels of demand, to be considered through the concurrency management system for the approval and/or permitting of new development as required by this Code.

Average ground elevation. The average level of the natural surface grade of the ground at a distance of 20 feet perpendicular from the linear midpoint of the exterior wall or face of each

structure or building (or at cardinal directions from each structural support for structures lacking faces), or at the property line, whichever is less.

Backlogged roads. Roads that operate below the adopted level-of-service, are not in the FDOT 3 year work program and are not “constrained.”

Bar. Premises devoted primarily to the retailing and drinking of malt, vinous and other alcoholic beverages, or any other premises where any sign is exhibited or displayed indicating that alcoholic beverages are obtainable for consumption inside the principal structure on the premises. The word "bar" shall include any establishment dispensing alcoholic beverages as a principal activity. Under Chapter 8 of this Code, the Planning Commission may, at its discretion, deny an application for conditional use for a bar located within 1,000 feet of a school, as measured by straight line from property line to property line, where, in its opinion, such denial is necessary to protect the public health, safety and welfare of the community. The term bar includes cocktail lounges and saloon.

Base flood. The flood having a one percent chance of being equaled or exceeded in any given year.

Basement. That portion of a building having its floor subgrade (below ground level) on all sides.

Bed and breakfast homestay. An owner-occupied building used as a single-family residential dwelling that provides overnight lodging and breakfast to transient, paying guests. The homestay use shall be incidental to the primary use as a private residence.

Best management practice (BMP). A practice or combination of practices that are determined to be the most effective, practical means of preventing or reducing pollution.

Bicycle and pedestrian ways. Any road, path or way that is open to bicycle travel and foot traffic and from which motor vehicles are excluded.

Block. A group of lots existing within well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers and having an assigned number, letter or other name through which it may be identified.

Boardinghouse. An establishment, other than an assisted living facility, group home, nursing home, with lodging for 4 but not more than 9 persons. There shall be no provision for cooking in individual sleeping rooms but meals may be regularly prepared and served for compensation, provided that food is placed upon the table family-style without service or ordering individual portions from a menu. The term boardinghouse includes the term rooming house.

Building. A structure having an impervious roof, enclosed by vertical walls, and constructed upon a fixed base or foundation that is designed or used as an enclosure or shelter for persons, animals or property.

Building elevation. See Elevation, architectural.

Building height. The vertical distance from the mean finished grade along the front of the building to the highest point of the roofline, exclusive of chimneys, roof-mounted structures and the like.

Building line. A line on a lot, generally parallel to a lot line or right-of-way line, located a

sufficient distance therefrom to provide the minimum yards required by this Code. The building line delineates the area of a lot in which buildings are permitted subject to all applicable provisions of this Code. The term building line includes the term setback line.

Cafeteria. Premises where a variety of foods and beverages are prepared in advance and then selected by customers from a buffet for consumption on the premises.

Camouflaged communication tower. A tower designed to unobtrusively blend into the existing surroundings and disguised to not have the appearance of a communication tower. Such structures shall be considered communication towers and not spires, belfries, cupolas or other appurtenances usually required to be placed above the roof level for purposes of applying height limitations. It is recognized that due to their height, such structures must be designed with sensitivity to elements such as building bulk, massing and architectural treatment of both the tower and surrounding development. Camouflaged towers on developed property must be disguised to appear as either a part of the structure housing the principal use or an accessory structure that is normally associated with the principal use occupying the property. Camouflaged towers developed on unimproved property must be disguised to blend in with the existing vegetation.

Capacity. Refers to the availability of a transportation facility to accommodate vehicle trips.

Capital Improvements Element (CIE). The Capital Improvements Element of the Comprehensive Plan required pursuant to sec. 163.3177 (3)(a), F.S.

Capital Improvements Program (CIP). A 5-year schedule of capital improvements that is required to be adopted annually by Chapter 163 F.S. The CIP is part of the adopted CIE.

Car detailing. An area of land with a structure that involves machine or hand operated facilities used principally for the cleaning, polishing or waxing of motor vehicles. Washing of said vehicles is accessory to the facility.

Carwash. A structure containing specialized mechanical apparatus and facilities for washing motor vehicles. Detailing is accessory to the facility.

Carport. An unenclosed accessory structure or portion of a principal building, consisting of a roof and designed or used for the storage of motor vehicles owned and used by the occupants of the premises and/or their guests and customers.

Child Care Center. A facility or center which provides, for any portion of the day, child care services to more than five (5) children unrelated to the owner or operator and which receives payment, fee or grant for any of the children receiving care, whether or not operated for profit. This term includes daycare centers, nursery schools and kindergartens, when not accessory to an elementary school; but does not include any center under the jurisdiction of the State Board of Public Instruction, or any private school except those solely below first-grade level.

Church. See "House of Worship."

City. The City of Orange City, Florida.

City Clerk. The City Clerk of Orange City, Florida.

City Council, or Council. The duly constituted members of the City Council of the City of Orange City as prescribed by the City Charter.

City engineer. A professional engineer registered in the state of Florida appointed by the City Manager to assist in the review of certain applications for development. The City Engineer may be an employee of the City of Orange City, a consulting firm, or staff member thereof.

Clearing. The removal of trees and brush from a part of the land, but shall not include mowing.

Clinic, medical or dental. A medical, mental health or dental clinic is an establishment where patients, who are not lodged overnight, are admitted for examination and treatment by one person or a group of persons practicing any form of the healing arts, whether such persons be medical doctors, chiropractors, osteopaths, chiropodists, naturopaths, optometrists, dentists or any such professional; the practice of which is regulated by the State of Florida. A public clinic is one operated by any governmental organization for the benefit of the general public. All other clinics are private clinics.

Club, night. Commercial premises where food, alcoholic beverages or other refreshments may be obtained for consumption on the premises and where floorshows or other forms of entertainment may be provided for the customers.

Club, private. Private clubs shall pertain to and include those associations and organizations of a civic, fraternal or social character not operated or maintained for profit and to which there is restricted public access or use. The term "private club" shall not include casinos, nightclubs, bottle clubs or other establishments operated or maintained for profit.

Communication antenna. An antenna designed to transmit or receive communications as authorized by the Federal Communications Commission.

Communication tower. A tower greater than 35 feet in height (including antenna) that supports communication (transmission or receiving) equipment. The term communication tower shall not include amateur radio operators' equipment, as licensed by the Federal Communications Commission (FCC). Communication towers are generally described as either monopole (freestanding), guyed (anchored with guy wires), or self-supporting (square, triangular or pyramidal in plain view and constructed of steel lattice, tubular steel, reinforced concrete, or wood).

Community residential home. A dwelling unit licensed to serve clients of the Department of Children and Family Services as regulated by the F.S. Chapter 419, which provides a living environment for 7 to 14 unrelated residents who operate as a functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

Comprehensive plan. The official guide for the physical, social and economic growth of the City or its constituent parts, properly enacted by the City Council pursuant to F.S. Ch. 163.

Concurrency determinations. An evaluation based on adopted LOS standards to ensure that public facilities and services needed to support development are available concurrent with the impacts of such development.

Concurrency Management System (CMS). The adopted procedures and/or process used to

assure that public facilities that support development are available “concurrent” with the impact of such development consistent with Chapter 163 F.S.

Conditional use. A certain use that would generally not be appropriate throughout a particular zoning district, but which, if controlled as to number and magnitude, area coverage, location or relation to the neighborhood, buffering, and/or hours of operation and the like, may not adversely impact the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare. Only those uses specifically listed as conditional uses within Chapter 8, Section 8.6.1 may be considered for approval by the Planning Commission.

Concurrency. The necessary public facilities and services to maintain the adopted level of service standards are provided as required in Chapter 4.

Construction plan. The maps or drawings showing the specific location and design of improvements to be installed as a condition of approval.

Convenience food store. A small retail store that sells grocery and deli items, and other day-to-day goods and stocks such goods on the premises, all on a limited basis. A convenience store may offer the retail sale of motor fuels.

Cluster subdivision. A subdivision in which building lot sizes are reduced below the minimum lot size of the zoning district in which the subdivision is located provided that the total number of dwelling units shall not exceed the number of dwelling units permitted within the zoning district in which the subdivision is located; and further provided that the subdivision is designed and developed in accordance with the requirements of Chapter 8, Section 8.7.17.B of this Code.

De Minimis impact. An impact that would not affect more than one percent of the maximum volume at the adopted level of service of the affected transportation facility as determined by the local government. No impact will be de minimis if the sum of existing roadway volumes and the projected volumes from approved projects on a transportation facility would exceed 110 percent of the maximum volume at the adopted level of service of the affected transportation facility; provided however, that an impact of a single family home on an existing lot will constitute a de minimis impact on all roadways regardless of the level of the deficiency of the roadway.

Demolition. The complete or constructive removal of any part or whole of a building or structure upon any site when same will not be relocated intact to a new site.

Density. The number of dwelling units per acre of land, based on the total area of a tract of land, less water area, but inclusive of areas proposed for streets and other public use areas. In determining the number of dwelling units allowed, fractions shall be rounded up or down in accordance with standard mathematical fraction rounding methodologies.

Developer. Any person or legal entity engaged in development of or the subdivision of land.

Development. Development includes, but is not limited to, the following:

A. Any manmade change to unimproved property unless exempted by this Code.

B. A reconstruction; alteration of the size; change in the intensity of use of land such as an increase in the number of dwelling units in a building, expansion of an existing non-residential use or a material increase in the number of non-residential uses on a parcel or

structural change in the external appearance of an existing building or structure except that for the purposes of Chapter 10 of this Code this item is not included in the definition of the term “development”. Refer to the definition of the term “redevelopment”.

C. Alteration of a shore or bank of a river, stream, lake, pond, or canal, or stormwater management facilities.

D. Mining, dredging, filling, grading, or excavating.

E. Demolition or removal of a structure.

F. Clearing of land as an adjunct of construction.

G. Deposit of refuse, solid or liquid waste or fill on a parcel of land or permanent storage of materials.

H. Dividing of land into two or more parcels.

Development order. Any order granting, denying or granting with conditions an application for approval of a development project or activity.

Development permit. Any official City document which authorizes the commencement of construction or land alteration without need for further application and approval. Development permits include all types of construction permits (plumbing, electrical, foundation, mechanical

and so forth, in addition to the building permit itself), grading and clearing permits, tree removal permits, street graphic permits, etc.

Development services director. An employee of the City appointed by the City Manager having responsibilities to administer and coordinate the activities of the Development Services Departments and all applicable provisions of this Code.

Diameter at breast height (DBH). The trunk diameter of a tree measured 4½ feet above the average ground level at the base of the tree. However, if the tree forks 4½ feet above ground level it is measured below the swell resulting from the double stem. Stems that fork below 4½ feet above ground level should be considered separate trees.

Discharge; discharge point. The outflow of water from a project, aquifer, drainage basin or facility.

Drainage system. A manmade system that conveys water to a point of discharge.

Dripline. An imaginary perpendicular line that extends downward from the outermost tips of the tree branches to the ground.

Driveway. That minimum area of land required to provide reasonable vehicular access from the street to an off-street parking area.

Drought-tolerant plants. Plants or trees capable of surviving extended periods with little or no rainfall.

Dwelling, multifamily. A building containing 3 or more dwelling units intended to be occupied

primarily by permanent residents.

Dwelling, single-family. A building containing only 1 dwelling unit.

Dwelling, two-family. A building containing only 2 dwelling units. The term two family dwelling includes the term duplex.

Dwelling unit. A room or rooms in a building forming a separate and independent housekeeping establishment, designed to be occupied by 1 family and containing sleeping facilities, sanitary facilities and only 1 kitchen.

Dwelling unit, attached. A dwelling unit attached to another dwelling unit's foundation, wall or roof.

Dwelling unit, detached. A dwelling unit entirely surrounded by open space and not attached to another dwelling unit's foundation, wall or roof.

Dwelling unit, manufactured. A single-family, two-family or multifamily dwelling which is either wholly manufactured or is in substantial part manufactured in manufacturing facilities and bearing a seal certifying that it is constructed to standards under the authority of F.S. Chapter 553.35 et seq. and rules adopted, by the Florida Department of Community Affairs under Chapter 9B-1 et seq., Florida Administrative Code.

Dwelling unit, mobile home. A single-family dwelling fabricated in a manufacturing facility, having a width of more than eight feet and a minimum floor area of 600 square feet and bearing a seal certifying it is constructed either to the Federal Manufactured Housing Construction and Safety Standards Code or to the obsolete ANSI 119.1, Mobile Home Design and Construction Standards.

Dwelling unit, model. Any new dwelling unit temporarily used by the builder/developer for the purpose of on-site sales, construction or security, of the type of unit being constructed only in the development in which it is located.

Dwelling unit, standard. A single-family, two-family or multifamily dwelling built on the site where it is to be occupied and constructed to the Standards of the Florida Building Code.

Easement. A strip of land for public or private utilities, drainage, sanitation or other specified uses having limitations, the title of which shall remain in the name of the property owner, subject to the right of use designated in the reservation of the servitude.

Efficiency unit. A dwelling unit consisting of not more than 1 room in addition to kitchen and bath. The term efficiency unit includes the term studio unit.

Elevated building. A non-basement built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls or breakaway walls.

Elevation. The vertical distance above or below sea level based on United States Geological Service (USGS) system measurements.

Elevation, architectural. A fully dimensioned drawing of the front, rear, sides, and overhead view (sometimes called roof view) of a structure. The 5 separate views together constitute a full

set of Architectural Elevation. An elevation provides a view of one exterior face of a structure. The elevations shall include all projections and features or ornaments that would be visible from the outside when built. Elevations are required to be labeled to clearly convey dimensions, color and materials.

Elevation, finished floor. The vertical distance of a structures' finished floor above sea level that is based on USGS system measurements.

Elevation, floor. The vertical distance of a structures floor above sea level that is based on USGS system measurements.

Elevation, ground. The vertical distance of the ground above sea level that is based on USGS system measurements.

Emergency services. Emergency services include police, fire, rescue or ambulance (but not funeral home) services, whether operated by a government agency or by a quasipublic agency performing a public service.

Enforcement official. An employee of the City appointed by the City Manager having responsibility for the enforcement of this Code.

Engineer, city. See definition of "City Engineer."

Engineer of record. A registered Florida professional engineer representing the applicant.

Entertainment and recreational uses. For-profit entertainment and recreational uses such as bowling alleys, skating rinks, movie theaters, game rooms and the like.

Essential services. The erection, construction or alteration or maintenance by public utilities or publicly regulated utilities of distribution systems for gas, water, sewer, telephone, television, radio or electricity of less than 230 kilovolts, including poles, wires, mains, drains, sewers, pipes, conduits, cable towers, antennas less than 70 feet in height and other similar equipment and accessories, which are necessary for furnishing of service by such public utilities, but not including electric power plants, substations, water tanks, gas transfer stations, and water and sewage treatment plants.

Exterior reconstruction. A change that alters or expands the exterior of an existing structure, and/or increases the number of parking spaces or accessways required by the zoning ordinance.

Façade. The face of a building.

Family. One or more persons occupying a single dwelling unit, provided that, unless all members are related by law, blood, adoption or marriage, no such family shall contain more than 6 non-related persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a separate or additional family or families. The term "family" shall not be construed to mean a fraternity, sorority, club, monastery or convent, or institutional group.

Family Day Care Home. An occupied residence in which child care services for children from at least two (2) unrelated families is regularly provided to no more than five (5) children unrelated to owner or operator, when such owner or operator receives a payment, fee, or grant for any of the children receiving care whether or not operated for profit.

Farm market. Permanent location for the retail sale of agricultural produce, but not animal products, from a temporary structure or vehicle on a lot.

Fascia. A band located at the top edge of a building but below the actual roofline and above the building wall. Fascia material is typically of a different type than either the actual roof or the building wall.

Finish grade elevation. The finished ground level shown or stated on any building plan or application.

Flea market. Permanent location for the sale of merchandise at retail from individually rented tables or spaces. This term does not include a homeowner's garage sale or church charity event.

Flood or flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from:

- A. The overflow of inland or tidal waters; or
- B. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood hazard boundary map (FHBM). The official map issued by the Federal Emergency Management Agency, where the areas of special flood hazard have been designated as Zone A.

Flood insurance rate map (FIRM). The official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community

Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor. The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Floor area. The total horizontal floor area of a building based on exterior dimensions and applied to all full stories designed or intended for occupancy or use, but excluding open or screened porches and entries, attached or detached structures that enclose mechanical or electrical equipment, attic areas with a headroom of less than 7 feet, parking structures, and basement space where the ceiling is not more than an average of 48 inches above the finished grade elevation of the lot.

Floor area ratio (FAR). The floor area as defined above, divided by the lot area.

Frontage. The length of the property line of a lot abutting any street. The term frontage includes the term lot frontage.

Frontage, building. The length of an exterior building wall measured along the main entry side of a building. Where buildings form an "L" or "U," all main entry sides are measured.

Frontage, property. Each foot, or major portion thereof, measured along the public right-of-way where the subject property abuts said right-of-way.

Frontage, tenant. Each foot, or major portion thereof, measured along the main entry side of a tenant space.

Garage, parking. A building or portion thereof designed or used for temporary parking of automobiles.

Garage, private. A structure designed or used for inside parking of private passenger vehicles, recreation vehicles or boats by the occupants of the main building. A private garage attached to or a part of the main structure is to be considered part of the main building. A detached private garage shall be considered as an accessory building.

Gas station. Refer to definition of vehicle repair station.

Groundwater. Water beneath the surface of the ground, whether or not flowing through known and definite natural channels.

Group home. A facility, which is subject to licensing and approval by Florida Department of Health and Rehabilitative Services. A group home may be, but is not limited to: an adult congregate living facility as defined in Chapter 10A-5, Florida Administrative Code (F.A.C.); and adult foster home as defined in Chapter 10A-114, F.A.C.; and a residential treatment facility as defined in Chapter 10E-4, F.A.C. A group home consists of 7 or more persons.

Guesthouse or cottage. Detached accessory building located on the same premises as a principal residential building but not exceeding 50 percent of the floor area of said principal residential building, intended for intermittent or temporary occupancy. Such dwelling unit shall not be marketed as a rental unit.

Height, structure. The vertical distance measured from the average finished ground elevation of the structure foundations highest point of such structure.

Home occupation. An occupation conducted entirely within a dwelling unit that meets the standards and requirements set forth in Chapter 8 of this Code.

Hospital. A building or group of buildings having facilities for overnight care of one or more human patients, providing services to inpatients and medical care to the sick and injured, and which may include as related facilities laboratories, outpatient services, training facilities, central service facilities, and staff facilities. Any related facility shall be incidental and subordinate to principal hospital use and operation.

Hospital, veterinary. Any structure or premises used primarily and essentially for the medical and surgical care of ill, injured or disabled animals other than humans. A kennel shall not be included in this definition.

Hotel. These terms are considered synonymous and mean a building or a group of buildings in which sleeping accommodations are offered to the public and intended primarily for rental to transients with daily charge, as distinguished from multiple-family dwellings (apartments) and rooming or boarding houses, where rentals are for periods of a week or longer and occupancy is generally by residents rather than transients. The term hotel includes the terms motel, motor hotel, motor lodge, and tourist court.

Hydrograph. A graph of the flow of water over a certain period of time for a selected point.

Hydrologic cycle. The movement of water through the environment on, above and below the surface of the earth.

House of worship. Premises used for worship and permitted accessory uses as may be held by an organization of religious believers. The term house of worship includes the term church.

Improvements. Physical changes made to land and structures placed on or under the land surface to make the land more usable. Typical improvements would be grading, street pavements, storm and sanitary sewer facilities, drainage ditches, water mains, sidewalks, planting strips, off-street parking areas, utility lines of all types, street name signs, permanent control points (PCPs), permanent reference monuments (PRMs) or other facilities required by this Code.

Industry. Any activity involving the manufacturing of any commodity including the assembly, packaging, canning, bottling or processing of any items, but not including retail sales and services on the premises of products manufactured. To change any commodity in composition, form, size, shape, texture or appearance is deemed to be an industrial process. The term industry shall include the term manufacture.

Industry, light. A use engaged in the manufacture, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and warehousing and distribution of such products, but excluding basic industrial processing. All manufacturing activities and associated equipment and storage occur inside a completely enclosed building unless otherwise authorized by the City.

Industry, heavy. A use engaged in the basic processing and manufacture of materials or products predominately from extracted or raw materials, or a use engaged in storage of or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

Infill tract. A parcel of land large enough to accommodate up to 5 standard size single-family residence lots, some of which will have to be internal lots, and shall comply with the requirements of Chapter 6 Section 6.4.8.

Internal lot. A lot located inside an infill tract which contains the minimum lot and yard dimensions as specified in section 8.6.2 of this Code and fronts the public right-of-way through a fingerlike extension that meets the requirements of Chapter 6 Section 6.4.8.

Infrastructure. Man-made structures which serve the common needs of the population, including but not limited to roadways, water and wastewater treatment systems, solid waste facilities, drainage and retention facilities, and wellfields.

Inoperable motor vehicle. Any unregistered motor vehicle or one that is unable to be driven under its own power.

Institution, educational. Any premises upon which there is an institution of learning for minors, whether public or private, which conducts regular classes and/or course of study for eligibility to certification by, accreditation to, or membership on the State Department of Education, the Southern Association of Colleges and Secondary Schools, or the Florida Council of Independent Schools. The term educational institution includes the terms elementary school, middle school, senior high school, any special institute of learning, vocational school,

community college, junior college, 4 year college or university.

Institution, religious. Any premises which is used primarily or exclusively for religious worship and related religious activities.

Institution, financial. Any premises where a variety of banking and financial services are offered, such as but not limited to checking accounts, saving accounts, trust accounts, loans, certificate of deposit, safe deposit compartments and notarization services.

Internally accessed building. An enclosed structure usually having one or two main entrances and having individual tenants with entrances on an internal corridor or hallway.

Junkyard. Premises where scrap materials are bought, sold, exchanged, stored, baled, packaged, packed, disassembled or handled. It is synonymous with "automobile wrecking yard," "salvage yard" and "automobile recycling."

Kennel. Any premises, except where accessory to an agricultural use, where five or more dogs or other domestic animals that are not sick or injured, and are four months in age or older are boarded for compensation, cared for, trained for hire, kept for sale or bred for sale, but not including veterinary hospital.

Kitchen. Any room or portion thereof that is primarily used or designed for cooking and/or the preparation of food, and contains a sink with counter working space, adequate space and wiring or connections for installing cooking and refrigeration equipment, and space for the storage of cooking utensils.

Level of service (LOS). Level of service is the standard of measurement indicating the degree of service provided by, or proposed for, a designated public facility based on the operational characteristics of such facility.

Lot. A parcel of land contained within property lines of a specific area, including land within easements and building setback lines of said area, but excluding any land within street rights-of-way, and intended as a unit for building development, or for transfer of ownership, or both. The term lot includes the term plot, parcel and tract. A lot shall have frontage on a public street or on an approved private street, and may be of the following types.

A. Corner lot. A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees. A corner lot shall be deemed to have two front yards.

B. Interior lot. A lot other than a corner lot with only one street frontage.

C. Reversed frontage lot. A lot on which the frontage is at right angles or approximately right angles (interior angle less than 135 degrees) to the general pattern of the area. A reversed frontage lot may also be a corner lot, an interior lot or a through lot.

D. Through lot. A lot, other than a corner lot, which has frontage on more than one street. Through lots abutting two streets may be referred to as double-frontage lots.

Lot coverage. That area of a lot that is occupied by principal and accessory buildings.

Lot depth. The average horizontal distance between the front and rear lot lines.

Lot frontage. That portion of a lot adjoining a street right-of-way. Corner lots and through lots have two street frontages. The term lot frontage includes the term frontage.

Lot line. A line bounding a lot that divides one lot from another or from a street or any other public or private space.

Lot width. The horizontal distance between the side lot lines measured along the front building line.

Lot of record. A lot of record is a lot which is part of a subdivision recorded in the office of the Clerk of the Circuit Court of Volusia County or a lot or parcel described by metes and bounds, the description of which has been so recorded in the office of the Clerk of the Court.

Manufactured home. See Dwelling Unit, manufactured.

Mean sea level. The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this article, the term is synonymous with National Geodetic Vertical Datum (NGVD).

Mitigation method. The method by which the applicant for a proposed development proposes to improve or undertake transportation improvements to mitigate the impacts of the applicant's proposed development.

Mobile home. See Dwelling unit, mobile home.

Mobile home park. An area of land under unified ownership where designated spaces for mobile homes are rented. The overall operation is managed on a full or part time basis and provides various services and facilities for common use.

Multiple frontage property. A lot or parcel that is contiguous to more than one public right-of-way being either a corner lot or a through lot.

Multi-tenant. Any development containing three or more business or industrial tenants that are under common land ownership or that share common property frontage.

Natural drainage system. Surface streams or swamps that convey water to natural points of discharge.

Natural flow pattern. The rate, volume and direction of the surface water flow or groundwater flow, or both, occurring under natural conditions for any given portion of the City.

New construction. Structures for which the "start of construction" commenced on or after the effective date of this Code.

Nonconforming lot, structure or use. These terms are defined as follows:

A. Nonconforming lot. A lot that does not meet the minimum area and width requirements of its zoning district.

B. Nonconforming structure. A structure that does not meet required parking and loading regulations, height regulations, area and yard regulations, floor area regulations or other applicable regulations for the zoning district in which it is located.

C. Nonconforming use. Any use of land or structure that does not conform to the use regulations of this Code for the zoning district in which it is situated.

Nursing home. A private home, institution, building, residence or other place, whether operated for profit or not, including those places operated by units of government, that undertakes through its ownership or management to provide, for a period exceeding 24 hours, maintenance, personal care or nursing for 6 or more persons not related by blood, marriage, or adoption to the operator, who by reason of illness, physical infirmity or advanced age, are unable to care for themselves. The term “nursing home” includes the term extended care.

Office, business. A place of business for such uses as real estate agencies, advertising agencies (but not sign shop), insurance agencies, travel agencies, chamber of commerce, abstract and title agencies, insurance companies, stockbrokers, telemarketers and the like.

Office, home. The use of a portion of a residential dwelling as an office for contractors, subcontractors, consultants, computer repair, desktop publishing, professional and business office activities and the like that do not involve clients, customers, or employee visits to the premises, or a business that provides off-site services to homeowners or businesses that do not involve the use of tools and machinery in size and or numbers beyond that customarily found in a residential dwelling unit.

Office, professional. A place of business for persons generally classified as professionals, such as architects, engineers, attorneys, accountants, doctors, lawyers, dentists, psychiatrists, psychologists and the like.

Official zoning map. The map that graphically illustrates the zoning boundaries and districts as required by Chapter 8 Section 8.4 of this Code.

Off-street loading and unloading space. A permanently located off-street space for the temporary parking of vehicles that pick up, deliver, load or unload goods, supplies and merchandise.

Off-street parking space. A permanently located off-street space for the temporary parking of vehicles.

Opaque. Not reflecting or giving out light, obscure.

Open space. That portion of a lot not used for buildings, street rights-of-way or off-street parking and loading and maneuvering areas. Open space areas are naturally vegetated or landscaped areas not covered by impervious surfaces.

Open space, common. Open space as required by this Code that is reserved for the use of residents within a development in perpetuity.

Package store. A licensed place of business where alcoholic beverages are sold in sealed containers only for consumption off the premises.

Park trees. Trees, shrubs, bushes and all other woody vegetation in designated public parks and all areas owned by the City or to which the public has free access as a park.

Parking bays. Parking areas subdivided into uninterrupted rows of parking spaces and their adjoining accessways, the individual spaces of which are generally separated by only a painted

line.

Parking, covered. An accessory structure for the protection of motor vehicles from the elements and having an external surface, appearance, architectural definition or type of construction resembling that of the principal building. Use of aluminum or other sheeting shall not qualify as covered parking unless the principal building is similarly constructed.

Peak Hour. The vehicle trips travel demand on a road during the morning and evening peak commuting period.

Permitted principal use. A principal use of a parcel of land or a structure permitted by right in a particular zoning district.

Personal services. Beauty parlor, shop or salon, barbershop, tanning salon and similar uses.

Planned unit development. An area of land consisting of 1 or more principal use or buildings, which are planned and developed as a single unified project. Such a project may be developed in phases or increments subject to a plan for the entire development. Regulations governing planned unit developments are set forth in Chapter 8 of this Code.

Planning commission. The Planning Commission of the City of Orange City.

Plants. Any of a kingdom (Plantae) of living beings, excluding grass, typically lacking locomotive movement or obvious nervous or sensory organs and possessing cellulose cell walls, such as young trees, vines, shrubs, or herbs planted or suitable for planting.

Plat. A map or delineated representation of a subdivision of lands, being a completed exact representation of the subdivision and other information in compliance any applicable local regulations, as hereafter amended, and F.S. Ch. 177. The term may include the terms "replat," "amended plat" or "revised plat." The following types of plats are defined:

A Sketch plat. A conceptual plan of the proposed subdivision drawn with reasonable scale accuracy, including such other information as may provide a general description of the proposed subdivision.

B. Preliminary plat. A plan drawn to scale and other supporting data required hereunder indicating and describing the layout of the proposed subdivision, the type and nature of improvements to be installed or provided, and provisions for dedication and maintenance with respect to all lots, streets, drainage facilities, utilities, and other areas and improvements.

C. Final plat. A plan drawn to scale acceptable for recording in the official public records of the County and containing all supporting data, certifications, dedications and other information required.

Premises. A lot, together with all buildings and structures thereon.

Principal use or structure. The primary purpose for which the premises are intended to be used, including the structure in which the principal use is conducted or located.

Project. The particular structures and improvements proposed by the applicant on a particular land area that are part of a common plan of development, and shall include the subdivision of land.

Project initiation. All acts prior to actual construction activities, and includes, but is not limited to, land clearing, utility construction and the like.

Public notice. Public notice, if any is required, shall be in accordance with State law and Chapter 3 of this Code.

Public use. A use of any premises by a public body, board, commission or authority, such as municipal, county, state or federal government, or any agency or department thereof for governmental or proprietary purpose.

Public utility buildings and structures. Publicly owned or regulated electric power plants, substations, water tanks, gas transfer stations, water and sewage treatment plants, and other buildings and structures not classified as "essential services."

Rate. The volume of water per unit of time.

Recreational vehicle. A vacation trailer or other vehicular or portable unit that is either self-propelled, towed or carried by a motor vehicle and that is intended for human occupancy, and is designed for vacation or recreation purposes (not permanent residential use), including, but not limited to, travel trailers, camping trailers, truck campers and motor homes.

Recreational vehicle park. An area of land under unified ownership and divided into rental spaces for the placement of mobile recreational shelters or recreational vehicles as temporary living quarters for purposes of recreation or vacation.

Redevelopment. For the purposes of Chapter 10 of this Code, the term "redevelopment" means any proposed change to an existing multifamily and/or non-residential building or structure that either increases the gross floor area of said building or structure by more than 35% of its gross floor area or exceeds 50% of the value of the existing structure or building as of the effective date of this Code. This definition does not apply to accessory structures or accessory buildings.

Religious display. An exhibit as may be presented by an organization of religious believers to commemorate a sacred holiday or event.

Remove or removal of trees. The actual removal of a tree by digging up or cutting down, or the effective removal through damage.

Replacement tree. An immature tree having an overall diameter at breast height (DBH) of at least two inches. A replacement tree cannot be of any species listed as exempt in Chapter 11. A list of acceptable replacement trees is available from the Development Services Department. All trees must be State Department of Agriculture Nursery Grade 1 or better.

Restaurant. Premises where meals, including beverages or confections are served to customers. Restaurants are classified as:

Type A: Buildings where the customers normally order from individual menus while seated at a table. The order is then normally served by a restaurant employee to the same table and there consumed by the customer. Type A restaurants also include cafeterias.

Type B: Any building containing a restaurant other than type A.

Retail sales & services. Those business activities customarily providing retail goods and

household services. Such uses shall include daily needs retail sales and services, department stores, variety stores, convenience food stores, drug and sundry stores, laundromats, dry cleaning (pick-up only), pharmacies, grocers and markets, gift shops, wearing apparel, home and auto supply, hardware stores, furniture stores, stationery stores, shoe repair shops, printing shops (limited to copying and duplicating), luggage shops, bakeries and candy shops (provided that all products made on the premises are sold on the premises), camera and photo supply shops, radio and television sales and service, floor coverings, sporting goods, florists, jewelers, music and musical instrument sales and service, art shops, electrical and lighting fixtures, and wine, beer and liquor stores (when included as an integral part of a supermarket or located within a shopping center) and similar uses.

Right-of-way. Land dedicated, deeded, used or intended to be used for a street, alley, walkway, drainage facility, electric transmission line, sanitary sewer or water facility, access for ingress or egress, or other purposes by the public, certain designated individuals or governing bodies.

Section. A dimensioned drawing produced “to scale” of a detail, from the view of a cross-section of the structure or feature depicted.

Self-service laundry. Premises where equipment for washing and drying laundry is made available to retail customers for a charge. The term self-service laundry includes the term laundromat.

Service establishment. Businesses primarily engaged in providing services to persons and property, where the sale of merchandise is nonexistent or is clearly incidental to the services provided, but not including those services customarily housed in business and professional offices, as defined herein. For purposes of this definition, service establishments include, but are not limited to, barber and beauty shops, tailors, shoe repair, self-service laundries and dry cleaners, funeral homes, plumbing and electrical contractors, and the like.

Setback line. The depth of required front and rear yards and width of side yards as measured on the perpendicular from the street or lot lines that define a lot or parcel. The term setback line includes the term building line.

Shopping center. Premises containing a group of retail sales, service or other commercial establishments planned, developed and organized as a unit.

Sign. Any object, device, display, structure, supporting structure or part thereof situated outdoors or indoors that is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, religious group, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images. Signs do not include the flag or emblem of any nation, organization of nations, state, county, city, religious, fraternal or civic organization; or merchandise and pictures, or models of products or services incorporated in a window display, works of art that in no way identify a product or scoreboards located on athletic fields.

Sign, abandoned. A sign which no longer correctly advertises a bona fide business, lessee, owner, product or activity conducted or product available on the premises where the sign is displayed.

Sign, advertising. Sign copy intended to promote directly or indirectly the sale or use of a product, service, commodity, entertainment or real personal property.

Sign, area of. The total surface of a sign including its background and frame but not structural supporting elements outside its frame. The area of a sign includes corporate colors and logo, when such are used as building decorations. Where a sign is composed of letters, characters or symbols applied to a frame or to a background that provides no border or frame, the area of the sign shall be the smallest rectangle, triangle or circle which will include the sign display.

Sign, auxiliary. A sign that provides special information such as price, sales information, hours of operation or warning, and that does not include names, brand names or information regarding product lines or services. Examples of such signs include directories of tenants in buildings, "no trespassing" signs and signs listing prices of gasoline.

Sign, awning or canopy. A sign that is fastened to an awning or canopy including signs which are attached by metal screws or metal bands and that are hung from, or attached to, the underside and made of any material.

Sign, awning illuminated. A structure, as described previously, that is illuminated from the reverse side with artificial light emanating from an interior light source to the extent that such artificial light is visible through the exterior.

Sign, balloon. A sign supported by wind or air and attached to the ground, a building, structure or other sign.

Sign, banner. See definition of "temporary sign."

Sign, billboard. See definition of "Sign, off-site or off-premises."

Sign, construction. A temporary sign identifying an architect, contractor, subcontractor and/or material supplier participating in construction on the property on which the sign is located.

Sign, copy. The wording on a sign surface in either permanent or removable letter form.

Sign, copy, changeable. A sign message such as a manual, electronic or electric-controlled time and temperature message, message center or reader board, whether electronic, electric or manual, where copy changes but shall not have any flashing, fluttering, undulating, swinging, rotating or scrolling lights or messages.

Sign, development. A sign that by symbol or name identifies a development. It may also provide an index of uses (tenants) included in the development.

Sign, directional. Any sign used to indicate the direction to entrances, exits, parking areas, restrooms or other nonbusiness-related facilities on the site.

Sign, directory. A sign used to identify the tenants of a shopping center and office and industrial parks.

Sign, door. A sign that is located on a door of a building.

Sign, election campaign. Signs that support a candidate for public office or measures on an election ballot.

Sign face. The part of a sign that is or may be used for copy.

Sign, fascia. A sign that is located on the fascia of the building.

Sign, fence. A sign that is located, placed upon or attached to a fence.

Sign, flags. Devices generally made of flexible materials, such as cloth, paper or plastic, and displayed on strings, ropes or wires.

Sign, freestanding. A self-supporting sign resting on or supported by means of poles, standards or any other type of base on the ground and not supported by or attached to a building. This definition shall include the term "ground sign."

Sign, governmental. Any sign used for posting legal notices, identification of streets, traffic regulations, notices of danger or other emergencies by a governmental authority.

Sign, ground. See definition of "Sign, freestanding."

Sign height. The vertical distance as measured from the grade of the closest street right-of-way that accesses the site where the sign is located to the highest point of such sign.

Sign, historical. A permanent sign, plaque, inscription or similar group of symbols recording historical data relating to the building to which it is affixed.

Sign, identification. A sign that indicates the name and type of business or service, or the name of the development located on the site where the sign is located, including street address, phone number and graphic of business logo. Sizes shall be governed by the zoning district in which the sign is located.

Sign, illuminated. A sign that has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes designed and provided for such illumination.

Sign, inflatable. See definition of "Sign, balloon."

Sign, institutional. A sign identifying the premises of a church, school, hospital, rest home or similar institutional facility.

Sign logo. A symbol representing a whole word or phrase including trademarks and corporate or business identity symbols.

Sign luminaire. A complete lighting unit consisting of a light source and all necessary mechanical, electrical and decorative parts.

Sign maintenance. The cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not change or alter the basic copy, design or structure of the sign.

Sign, marquee. A structure projecting from and supported by a building that may or may not extend beyond the building line or property line and that may or may not fully or partially cover a sidewalk, public entrance or other pedestrian way, often containing a changeable copy signboard that is used to announce special events or information. A portable sign or a temporary sign shall not be considered a marquee or changeable copy sign.

Sign, maximum permitted illumination. The maximum illumination measured in foot candles at the interior buffer yard line at ground level.

Sign, membership. A sign identifying affiliation with a travel club, business association, credit card company or professional association.

Sign, memorial and plaques. Any sign or tablet used for the purpose of identifying the names of buildings and the date of erection and which are cut into any masonry surface or inlaid so as to be part of the building or structure, or are attached to a building or structure and are constructed of bronze or other noncombustible material.

Sign, model. A sign that designates a particular dwelling unit, which is not for sale, but does but does represent other units of a similar design that are for sale within the development.

Sign, monument. An independent structure supported from grade to the bottom of the sign with the appearance of having a solid base.

Sign, mural. A picture or photograph painted or applied directly on a wall and which in no way identifies a product.

Sign, neon decorative. Neon used as an accent feature on a roof, on or around openings, which does not contain copy or any identifiable design logo or symbol.

Sign, nonconforming. A sign that does not meet the requirements of Chapter 9 of this Code.

Sign, nonilluminated. A sign that is not illuminated by lights, designed and provided for the purpose, either external or internal.

Sign, off-site directional. A sign that provides off-site directional information following a standard format for important municipal, emergency or educational uses.

Sign, off-site or off-premises. A sign that is not located on the same property as the establishment that the sign's message pertains to, or where the product, service or activity is not present, or where the message does not pertain to the use of the site.

Sign, on-site directional. A sign indicating the direction or location of some on-site facility or service incidental to a use and not advertising the use in any way. Such signs shall include vehicular entrance and exit signs, vehicular flow signs and instructional signs. (See definition of "Sign, directional.")

Sign, on-site or on-premises. A sign that is located on the same property as the establishment that the sign's message pertains to, or where the product, service or activity is present, or where the message pertains to the use of the site upon which the sign is located.

Sign, painted wall. Any sign that is applied with paint or similar substance on the face of a building wall.

Sign, parasite. Any sign not exempted by this Chapter, which has been installed without a permit being issued and which is attached to another sign.

Sign, pennant. Any flag-like piece of cloth, plastic or paper attached to any staff, cord, building or other structure that hangs loosely for the purpose of attracting attention to its site.

Sign, permitted. A sign permitted and approved under this Code.

Sign, political. A sign that is relating to the election of a person to public office, to a political party or to a matter to be voted upon at an election called by a public body.

Sign, portable. A permanent sign mounted on a frame and/or chassis that is designed for easy and repeated relocation. Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to "A" or "T" frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

Sign, projecting. A sign supported by a wall of a building, projecting away from that wall 12 inches or more and designed with a face or faces reading at an angle to that wall.

Sign, real estate. A temporary sign advertising the real estate upon which the sign is located as being for rent, lease or sale.

Sign, roof. Any sign erected upon, against or above the roof of any building or structure.

Sign, sandwich. A sign that is movable and not secured or attached directly or indirectly to the ground, structure or building.

Sign setback. The setbacks for signs specified in Chapter 9 of this Code shall be measured horizontally from the vertical plane of the property line or right-of-way line to the closest point of the sign.

Sign, shingle. A projecting, hanging or wall sign not more than 1.5 square feet in area.

Sign, snipe. Any sign that is tacked, nailed, glued, or in any way affixed to a pole, tree, fence, or other objects.

Sign strip lighting. Lighting that consists of either exposed tubing or strings of lights outlining any part of a building or affixed to any feature thereof.

Sign structure. Any device or material that supports has supported or is capable of supporting a sign in a stationery position, including decorative covers or sign roofs.

Sign, subdivision entrance or identification. Any sign exclusively intended for the identification of a platted subdivision or residential area, which names such subdivision or area without further elaboration, display or advertisement.

Sign, temporary. A sign or advertising display constructed of cloth, canvas, fabric, paper, plywood or other light material and intended to be displayed for a short period of time (30 or fewer consecutive days). Included in this category are retailers' signs temporarily displayed for the purpose of informing the public of a sale or "special" offer or used as a temporary display for a special announcement of an upcoming event.

Sign, trespassing. A sign intended to warn off trespassers from the property on which the sign is located.

Sign, under-canopy. A sign suspended beneath a canopy or awning, or overhangs that are designed to provide sheltered pedestrian walkways along business storefronts.

Sign, wall. A sign mounted parallel to a building facade or other vertical building surface. Wall signs shall also include those signs that are placed below the outside edge of a building overhang and those that are placed below the lowest roofline. Parallel signs shall neither extend beyond the edge of any wall or other surface to which they are mounted nor shall they project more than 18 inches from the wall surface.

Sign, window. A sign painted or installed on a window surface for purposes of viewing from outside the premises.

Site plan. The plan required to obtain a development, construction, building or stormwater permit, which shows the means by which the developer will conform to applicable provisions of this Code or other applicable regulations.

Start of construction. For other than new construction or substantial improvements under the Coastal Barrier Resources Act (PL 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, the installation of streets and/or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms, the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

Strategic intermodal system (SIS) transportation facilities. State maintained highways that are identified as SIS facilities on the Florida Department of Transportation's SIS facilities map.

Street. A public or private right-of-way that affords a primary means of vehicular access to abutting lots or rental spaces. The term street includes the terms avenue, highway, road, boulevard, lane, thoroughfare or other similar term

Street trees. Trees, shrubs, bushes and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the City.

Story. That part of a building contained between any floor and the floor or roof next above.

Structure. Anything constructed or erected on or in the ground or attached to anything constructed or erected on or in the ground. Signs are not to be included in this definition.

Subdivision. Any division of a parcel of land, whether improved or unimproved, for the purpose, whether immediate or future, of transfer of ownership. The term includes a resubdivision and, where appropriate to the context, relates to the process of subdividing and to the land subdivided. The subdivision of land shall meet the minimum lot requirements established in Chapter 8 of this Code. A subdivision includes the following types only:

A. Major subdivision. A subdivision into six or more contiguous lots or parcels abutting an existing street or any subdivision that requires the establishment of a new street or streets and/or public water and/or sewer facilities.

B. Minor subdivision. A subdivision into five or fewer contiguous lots or parcels that

requires the establishment of a new street or streets and/or public water and/or sewer facilities.

Substantial improvement. Any repair, reconstruction, or improvement of a structure the cost of which equals or exceeds 50 percent of the market value of the structure either (1) before the improvement or repair is started; or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety Code specifications that are solely necessary to assure safe living conditions.

Technical review committee. An advisory committee consisting of City staff and advisers appointed by the City Manager for the purpose of reviewing applications for development under this Code and advising the Planning Commission and other City officials, as appropriate, of its findings.

Thoroughfare map. The map adopted by the City Council showing the streets, highways, and parks thereafter laid out, adopted and established by law and any additions resulting from the approval of subdivision plats.

To plat. To divide or subdivide land into lots, blocks, parcels, tracts, sites or other divisions, however the same may be designated, and record the plat in the public records of the county.

Townhouse. Three or more attached dwelling units separated by common walls in which the dwellings are generally owned rather than rented and land may be owned in condominium or fee simple. The term townhouse includes the term rowhouse.

Trailer. A vehicle without motor power of its own, designed for carrying property and drawn by an automobile, truck or tractor. It is intended to include the term "tractor-trailer" and "semi trailer" but not to include "mobile home" or "recreational vehicle."

Transportation Regional Incentive Program (TRIP). A Florida Department of Transportation program for the purposes of improving regionally significant transportation facilities in "regional transportation areas."

Tree. Any self-supporting woody plant of a species that measures no less than six inches diameter at breast height (DBH).

Tree survey. A survey that is prepared by a registered land surveyor and meets the requirements of Chapter 11 of this Code.

Undeveloped area. Total area of property not considered to be a covered area or a landscaped area by this article.

Utilities. Includes, but is not limited to, water systems, electrical power, sanitary sewer systems, stormwater management systems, gas systems, telephone and television cable systems, and street lighting.

Variance. A variance is a modification of the terms of the zoning regulations contained with Chapter 8 of this Code such variance will not be contrary to the public interest and where, owing

to conditions peculiar to the property and not the result of the actions of the applicant including an economic hardship, a literal enforcement of zoning regulations would result in unnecessary and undue hardship. Variances may be granted only as authorized by Chapter 3, Section 3.6 of this Code.

Vehicle. Any motorized conveyance for transporting passengers, goods or apparatus.

Vehicle repair station. An establishment involved in the following types of motorized vehicle repair:

Type "A": A business primarily engaged in servicing of motorized vehicles entirely within an enclosed building, including the sales and installation of automotive accessories, tires, batteries, engine tune-ups and repairs, detailing, upholstery, wheel balancing and alignment, and brake service, but not including the sale of motor vehicles or Type "B" uses, other than those that inadvertently result from the initiation of permitted repair activities. Vehicle repair Type "A" includes the term "gas station" provided it does not meet the definition of vehicle repair station Type "B"

Type "B": A business primarily engaged in rebuilding or reconditioning of engines, motor vehicles or trailers, and providing collision service, including body, frame or fender straightening or repair, painting, or repairs of automobiles, trucks and other large vehicles and includes vehicle compound and storage area.

Vehicle dealerships. A premise for the outdoor sale or storage of new or used automobiles, motorcycles or other motorized vehicles, and may include an on-premise body repair and paint shop, and the sales and service of any automotive component.

Vehicle sales area. An area of land used for the display, sale or rental of new or used motor vehicles in operable condition and where no repair work is done.

Vines. Plants normally requiring support to reach mature form.

Volume. Occupied space measured in cubic units.

Wall. An upright surface of a building or structure (not including fences) serving to enclose, divide, support or protect the building. Such upright surface shall be the furthest extension of the building's edges and include overhangs covering a boardwalk, false roofs and unenclosed porches.

Warehouse, business. A use that is predominantly intended for storage, but may contain an area for an office and/or assembly of products primarily related to building supplies and equipment, including but not limited to plumbing, air-conditioning, roofing, flooring, glazing and the like, provided that no manufacturing, retail sales or customer drop-off/pick-up or repair services are conducted. Each business unit within a structure must have adequate bathroom facilities, direct access to an interior loading area, and a separate pedestrian entryway.

Warehouse, mini. A 100 percent enclosed storage building containing more than one individually rented compartment for temporary storage only. No sales, service or repair activities are permitted on the premises. Individually rented compartment for temporary storage shall not be used as a place of business address for the purpose of obtaining an occupational license.

Warehouse, storage. A building used for storage. Moving and transfer companies are specifically included within this definition. This shall not be deemed to include the storage area in connection with a purely retail business when located on the same property or within the same structure except for purposes of computing parking requirements for such uses such as furniture stores which generally have high storage-to-sales-area ratios. No business activity, such as sales or service, shall be conducted on the premises. A storage warehouse shall not be used as a place of business address for purposes of obtaining an occupational license.

Water. All water on or beneath the surface of the ground or in the atmosphere, including natural or artificial watercourses, lakes, ponds or diffused surface water, and water standing, percolating or flowing beneath the surface of the ground.

Water detention structure. A facility that provides for storage of stormwater runoff and the controlled release of such runoff during and after a flood or storm. The term water detention structure includes water management structure.

Water retention structure. A facility that provides for storage of stormwater runoff.

Wetlands. Freshwater marshes, swamps and wet woodlands characterized by specific vegetation types and plant communities that are flooded at all times; are flooded only seasonally; or have a water table within 6 inches of the general surface for at least 3 months of the year.

Yard. That minimum area of land required by this Code within which no structures or portion thereof shall be erected, unless otherwise expressly permitted by this Code

Yard, front. A yard extending across the front of a lot. It is bounded on the front by the front lot line, on the side by the side lot line and on the rear by the line parallel to and located the minimum distance from the front lot line permitted by the applicable zoning district. A corner lot shall be deemed to have two front yards.

Yard, rear. A yard extending across the rear of a lot. It is bounded on the rear by the rear lot line, on the side by the side lot line and on the front by the line parallel to and located the minimum distance from the front lot line permitted by the applicable zoning district.

Yard, side. A yard between the side lot line and parallel to and located the minimum distance from the side lot line permitted by the applicable zoning district.

CHAPTER 9

SIGN REGULATIONS

Section 9.1 Purpose.

The purpose of this Chapter is to establish requirements for the placement, installation and maintenance of signs, in order to preserve and protect the health, safety, welfare and general well being of Orange City residents. The regulation of the placement, installation and maintenance of signs is further justified by their innate scheme and primary purpose to draw mental attention to them, potentially to the detriment of sound driving practices and the safety of the motoring public to which a majority of signs is oriented. Therefore, it is the intent of this Chapter to regulate the size and location of signs so that their purpose can be served without unduly interfering with motorists and causing unsafe conditions. The fact that such signs are intended to command visual contact grants to signs a proportionately greater role than other structures in determining the overall aesthetic quality of the community.

It is the further intent of this Chapter to authorize the use of signs which are:

- A. Compatible with their surroundings and appropriate, and within the parameters of the Comprehensive Plan.
- B. Appropriate to the type of activity to which they pertain.
- C. Expressive of the identity of the individual proprietors or of the community as a whole.
- D. Large enough to sufficiently convey a message about the owner or occupants of a particular property, the products or services available on such property, or the business activities conducted on such property, yet small enough to preserve and protect the natural beauty of the City and limit distractions to motorists.
- E. To reduce the concentration of signs that result in clutter and unnecessary distraction to motorists.
- F. To regulate the placement, height and size of signs that are compatible to a pedestrian and motorist scale.

Section 9.2 General regulations.

9.2.1 Sign standards and area determination. Sign area shall be defined by the following. Illustration 1 graphically illustrates sign standards.

- A. In the case of freestanding, awning or canopy and changeable copy signs, the entire surface area of the sign designed for the placement of the message is the sign area. The supporting structure or bracing of a sign shall not be counted as a part of the sign area.

Where a sign has 2 display faces back to back, the area of only 1 face shall be considered the sign area. The area of only 1 face shall be considered the sign area where double-faced signs with opposing faces have an interior angle of 15 degrees or less.

B. For wall, fascia and graphic signs whose message is fabricated together with the background including corporate colors which borders or frames that message, the sign area shall be the total area of the entire background.

9.2.2 Sign location and setbacks. All signs shall comply with the following requirements:

A. Signs shall be set back from any property line a distance equal to or greater than the sign height. Signs may be located within a required setback along a public street right-of-way, except where otherwise prohibited by this Chapter. No signs, however, shall be located along any side or rear lot line within a required setback.

B. No signs, including traffic signs and similar regulatory notices, except those of a duly constituted governing body, shall be allowed to project or be located neither within a road right-of-way nor upon any portion of City owned property.

C. No sign shall obstruct a clear view to and from traffic along any street right of way entrance or exit. On any intersection of driveway or street on which a front and side yard is required, no sign which obstructs sight lines at elevations between 3 feet and 10 feet above any portion of the crown of the adjacent roadway shall be maintained within a triangle formed by a measuring 25 feet along the front and side lot lines from the point of intersection of the local and collector streets. The same distance for the intersection of any street within an arterial street as defined in the comprehensive plan shall be 40 feet.

9.2.3 Sign permits required and exemptions; No person shall erect, alter, or relocate any sign within the City without first obtaining a sign permit, with the following exemptions;

A. Memorial signs and tablets displayed in cemeteries and on public property, except not within public rights-of-way.

B. Address numerals and signs not exceeding 1 square foot in area and bearing the names of occupants of the premises.

C. Legal notices.

D. Traffic-control and directional signs and off-street parking signs. The maximum size of such signs shall not exceed 3 square feet in area each and shall bear no advertising.

E. Governmental signs.

F. "No trespassing" and "no dumping" signs, provided that no such sign shall exceed 2 square feet in surface area.

- G. Combined on-site nameplates and addresses for residences, provided that no such combined nameplate and address sign shall exceed 3 square feet of combined area.
- H. No more than 1 "open/closed" and 1 "vacancy/no vacancy" sign, not to exceed 2 square feet in area each, may be displayed for each business.
- I. The change of copy on permitted changeable copy signs.
- J. Real estate signs that comply with the provisions of Section 9.7.4.B of this Chapter.
- K. Temporary development signs, that comply with the provisions of Section 9.7.4.D of this Chapter.
- L. Window and door opening signs that comply with the provisions of Section 9.2.4.of this Chapter.
- M. Decorative flags and bunting, etc., for a celebration, convention or commemorative of significance to the entire community when authorized by the City Council for a prescribed period of time.
- N. Temporary election campaign signs that comply with the provisions of Section 9.7.4.A of this Chapter.
- O. Holiday lights and decorations.
- P. Off-site signs for garage sales and other temporary directional signs not to exceed 6 square feet.
- Q. Signs incorporated into machinery or equipment by a manufacturer or distributor, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths and gasoline pumps.
- R. Instructional signs to indicate the dangers of trespassing, swimming, animals or similar hazards, subject to the size requirements in the zoning district wherein the sign is located.
- S. Signs carried by a person.
- T. Religious displays.

9.2.4 Window and door signs.

Window and door signs shall only identify the business name, services and/or products; address; hours of operation and telephone number only and shall consist of lettering affixed directly to the window or door surface without a background. The total area of all window and door signs on

any side of a building shall not cover more than 15 percent of the window or door area. (See Illustration No. 3)

9.2.5 Maintenance.

Signs shall be maintained as follows:

A. The repainting, changing of parts and preventive maintenance of signs not normally requiring a building permit shall be permitted; provided, however, that such maintenance is consistent with the originally approved sign plan and is otherwise in conformance with this Chapter.

B. The owner of any sign shall keep it in good maintenance and repair, which includes restoring, repainting or replacement of a worn or damaged legally existing sign to its original condition, and shall maintain the premises on which the sign is erected in a clean, sanitary and inoffensive condition, free and clear of obnoxious substances, rubbish and weeds.

9.2.6 Spotlights. Any spotlights permitted to illuminate signs shall be shielded such that their light source cannot be seen from adjoining roads or property.

9.2.7 Height/clearance. Sign height and clearance shall be measured as follows:

A. The height of a freestanding sign shall be measured as indicated by the definition of "sign height" in Chapter 2 of this Code.

B. The clearance of a projecting sign shall be measured from the bottom of the sign area to the ground below.

C. The height of a wall sign shall be measured from the grade level of the base of the building below the sign to the top of the sign area. The top of the sign area shall be no higher than the roof eave line.

9.2.8 Signs prohibited in all zoning districts. The following signs are inconsistent with the purpose and intent and the sign standards set forth in this Chapter and are therefore prohibited. (See Illustration No. 1.

A. Flashing, fluttering, undulating, swinging, rotating or otherwise moving signs or other decorations such as banners, pennants, ribbons, spinners, streamers or captive balloons or other inflatable signs or devices designed to attract attention unless permitted as a temporary sign.

B. Any sign which, or any part of which, is in motion by any mechanical or electrical means, including fluttering, rotating or other signs, except for traditional barber poles.

C. Any sign or message board displaying flashing, fluttering, undulating, swinging,

rotating or scrolling lights; alternating or intermittent lights or lights of changing degrees of intensity or changes.

D. Lighting, either by exposed tubing or strings of lights, either outlining any part of a building or affixed to any ornamental feature thereof except strings of lights used for the celebration of the December holidays.

E. Any sign that obscures or interferes with a sign displayed by public authority for the purpose of giving traffic instructions or direction or other public information.

F. Any sign that uses the word "stop" or "danger" or otherwise presents or implies the need or requirement of stopping or caution because of the existence of danger or which is a copy or imitation of or which, for any reason, is likely to be confused with any sign displayed by public authority.

G. Any sign that obstructs any window, door, fire escape, stairway, ladder or opening intended to provide light, air, ingress or egress for any building as required by law. No sign shall be attached to a standpipe.

H. Any sign or illumination that causes any direct glare into or upon any building, other than the building to which the sign may be related.

I. Off-site signs which advertise businesses, establishments, activities, goods, products, facilities or services or other message not made, produced, sold or present on the premises or site where the sign is installed and maintained. Additionally, it shall be unlawful to erect, construct or reconstruct a billboard sign in any area of the City. A sign permit, to be renewed annually, must be obtained for each existing billboard sign location.

J. Portable trailer signs, either fixed or movable.

K. Off-site directional signs, except as permitted by Section 9.7.2 of this Chapter.

L. Sandwich signs.

M. Any sign located within a public right-of-way, except as may be allowed by this Chapter.

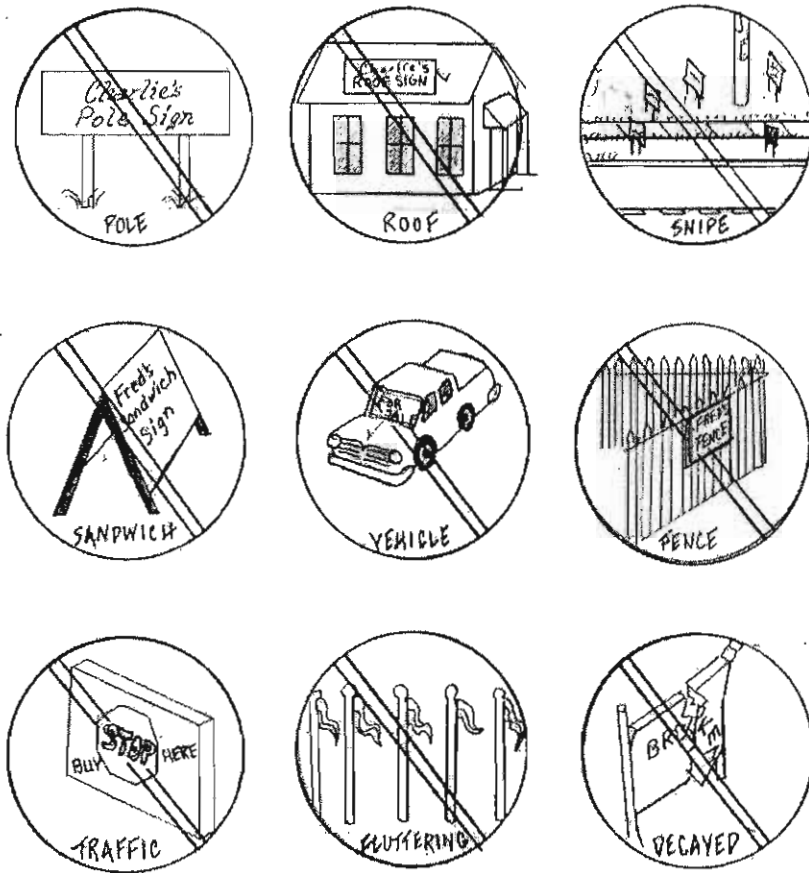
N. Signs as a principal use in any zoning district, except as may be allowed by this Chapter.

O. The posting of any signs on any permanent or temporary structure or building, pole or tree located in any public street right-of-way, public park or public way or place within the City without City approval.

P. Vehicles or other property with "For Sale" signs when located on any public property.

Q. Snipe signs.

- R. Roof signs.
- S. Billboard signs.
- T. Signs mounted to fences except as permitted under Section 9.7.4.F of this Chapter.
- U. Temporary signs affixed to permanent signs for a period of 30 days.
- V. Signs that are painted or mounted on rocks or other natural features or affixed to trees.
- W. No sign of any character, including any sign advertising the exact nature and kind of business conducted on the premises, shall be permitted for the exhibition, by posting, painting or in any other manner displaying, of any statement, word, character or illustration of any obscene, indecent or immoral nature.
- X. Signs shall not resemble, imitate or approximate the shape, size form or color of railroad or traffic signs, signals or devices. Signs shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals or devices, nor be lighted in such a way so as to cause glare or impair driver visibility upon public ways.
- Y. Any live and/or animated character except as permitted by Section 9.7.4.E of this Chapter.
- Z. Vehicle signs or any signs attached thereto or placed thereon subject to the following exceptions:
 1. Any vehicle parked on private property when parked within the confines of a building or in some manner that provides for effective screening so as not to allow the sign or signs on the vehicle to be viewed from the public street.
 2. Any vehicle upon which is placed a sign identifying the firm or its principal if such vehicle is one that is operated during the normal course of business; provided, however, that no such vehicle shall be routinely parked in a location where it serves as or constitutes additional signage.
 3. Buses, taxicabs and similar common carrier vehicles that are licensed or certified by the City of Orange City and/or Florida Public Service Commission.

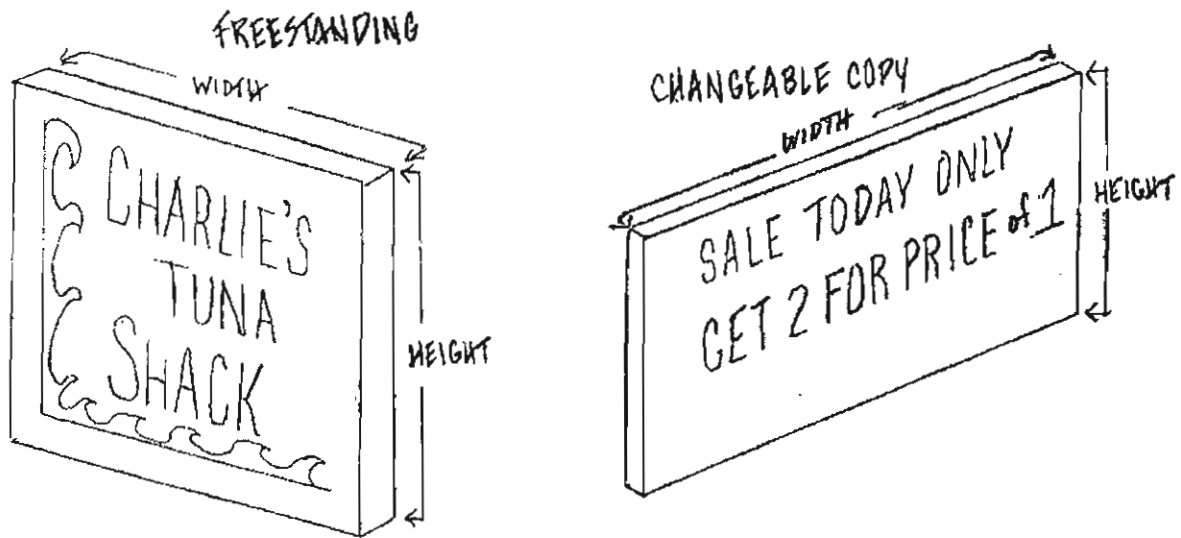


PROHIBITED SIGNS

ILLUSTRATION NO. 1

PROHIBITED SIGNS

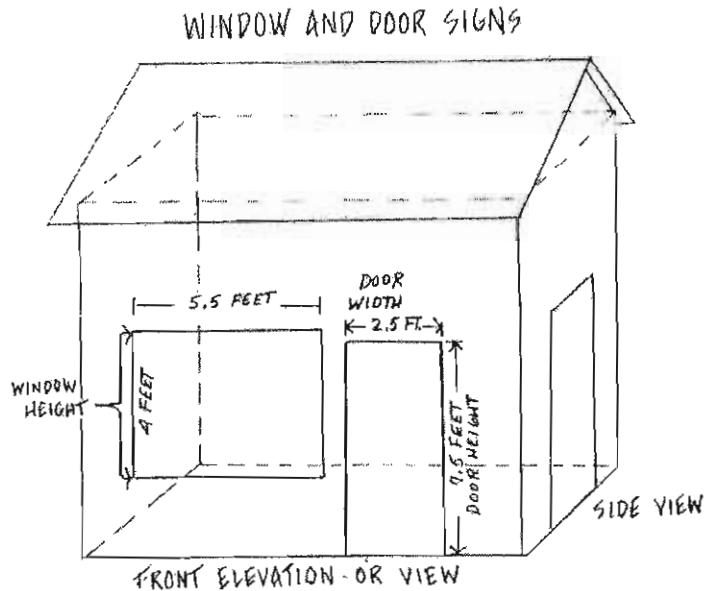
9.2.9 Abandonment. All signs and sign messages shall be removed by the owner or lessee to the premises upon which an on-site sign is located when the business it advertises is no longer conducted. All sign messages shall be removed by the owner or lessee from the premises upon which an on-site message or sign is located within 30 days of the vacation of the premises. If the owner or lessee fails to remove the sign or sign message, the sign or sign message shall be deemed in violation of this Code.



MEASURE ENTIRE SURFACE DESIGNED FOR MESSAGE OF FREESTANDING, CHANGEABLE COPY, AWNING, CANOPY, WALL, FASCIA, AND GRAPHIC SIGNS, INCLUDING CORPORATE COLORS WHICH BORDER OR FRAME MESSAGE.



ILLUSTRATION NO. 2



PROVIDE A VIEW DEPICTING DOOR & WINDOW LOCATIONS, WITH DIMENSIONS, PER BUILDING SIDE. ADD MEASUREMENTS AND MULTIPLY X 15%. RESULT IS MAXIMUM DOOR / WINDOW SIGN AREA COVERAGE ALLOWED, PER BUILDING SIDE.

EXAMPLE:

DOOR IS 9.5' HIGH BY 2.5' WIDE OR 18.75 SQUARE FEET
 WINDOW IS 4' HIGH BY 5.5' WIDE OR 22.0 SQUARE FEET
 SUM IS 40.75 S.F. TIMES 15%, OR 6.11 S.F. ALLOWED.

ILLUSTRATION NO. 3

9.3 Sign lighting and illumination and graphics

Permitted methods of sign lighting and illumination may be divided into several types as described below. Illustration 2 demonstrates how signs shall be illuminated.

9.3.1 Generally. The sign has neither an internal light nor an external light source which is intended to specifically light that sign. Rather, the sign depends on the general lighting of the area (i.e., parking lot, street or pedestrian area lighting) for illumination.

9.3.2 Internal illuminated message. The sign is made of metal, wood or other material that is not translucent, and the message is cut out of the material and replaced with translucent material. The sign's light source is located inside the sign.

9.3.3 Internal illuminated sign. The sign face is made of translucent material with internal light source.

9.3.4 Backlighting. The message is raised beyond the sign's background and the lighting illuminates the sign from behind in the form of backlighting or reverse channel lighting.

9.3.5 Shielded spotlight. The sign is lighted by spotlights specifically directed at it. The spotlights are fully shielded so that they are not visible from streets or adjoining property.

9.3.6 Neon signs. The message is conveyed through the use of neon tubing; not to be considered sign strip lighting.

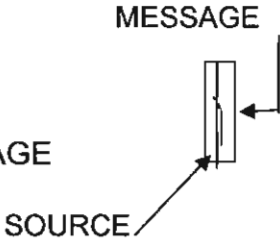
9.3.7 Graphic signs. Logos are permitted on wall signs pursuant to the provisions of Section 9.4.1 of this Chapter. However, this Section does not provide the incorporation of graphics into freestanding signs or wall signs not subject to the limitations of Section 9.4.1 Said graphics shall count towards the maximum permitted sign area pursuant to Sections 9.2.1 and 9.5 of this Chapter.



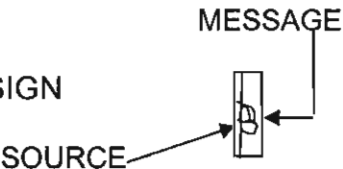
NO ILLUMINATED AREA



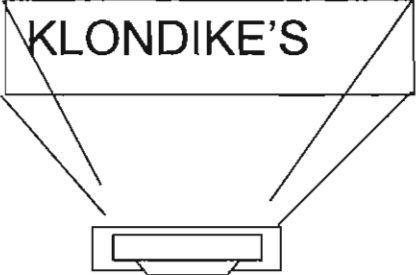
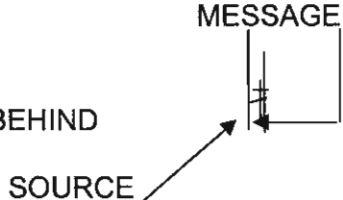
INTERNAL ILLUMINATED MESSAGE



INTERNAL ILLUMINATED SIGN
ENTIRE FACE ILLUMINATED



BACK LIGHTING
SIGN ILLUMINATED FROM BEHIND



SHIELDED SPOTLIGHT
SIGN ILLUMINATED BY EXTERNAL SPOTLIGHT



NEON TUBING
SIGN ILLUMINATED BY GLASS NEON TUBING

ILLUSTRATION NO. 4

SIGN ILLUMINATIONS

Section 9.4 Signs in shopping centers and office and industrial parks.

In shopping centers and office and industrial parks, all signage shall be designed in accordance with an approved signage plan for the development that sets a standard sign design for the entire center or park. The signage plan shall include, at minimum, the following components: limitations on the colors of lettering and background, method of illumination, materials and sign placement. For the purpose of this Chapter, white shall be considered a color. The signage plan shall be filed as part of the land development approval process, shall be enforced by the City as well as by the developer or his legal assignee and shall conform to the following requirements:

9.4.1 Shopping center typical tenant signage.

- A. Background and border colors on all shopping center tenant signs, except anchor signs, shall be on a background of a single color. The same color shall be used throughout the development. One or 2 colors may be used in the same relationship on all signs as a sign border.
- B. No more than 2 colors shall be used for lettering in addition to the background and border colors, except as provided for in Section 9.4.1.D of this Section for anchor signs. A sign may include a logo which shall not encompass more than 15 percent of the total allowed sign area. Logos are not subject to color restrictions.
- C. Sign lighting shall conform to the requirements of Sections 9.3 and 9.6 of this Chapter.
- D. Anchor store signs shall include those of the anchor store tenants in the shopping center. All such anchor store tenants signs shall be located in buildings that are either freestanding or accentuated by their height, staggered building lines or other architectural detailing and be of a uniform color scheme so that the use of different signage does not disrupt the visual continuity of the center.
- E. Service entrance and/or rear access to a business shall be identified by address numerals and name of business signs not to exceed 4 square feet in area.

9.4.2 Shopping center ground and on-site directory signage.

- A. Ground signs, as permitted pursuant to Section 9.6.6 of this Chapter shall be part of the signage plan approved for the center and shall be compatible with the approved typical tenant sign. Ground signs, entrance signs shall comply with requirements of Section 9.5 and 9.6 of this Chapter.
- B. On-site directory signs, not visible from the public right-of-way, may be permitted within the development as a freestanding or wall sign. A maximum of 1 on-site directory sign may be permitted per roadway entrance, and each sign shall be limited to a maximum of 32 square feet in size. Such directory signs shall be compatible with the signage plan approved for the center.

9.4.3 Office and industrial park typical tenant signage.

A. Office and industrial signs do not have limited signage colors except where buildings are divided into a series of units with individual outside access and signage. In such cases, signage shall follow the shopping center regulations without the sign logo exemption.

B. The signage plan shall set forth the permitted mix, in percent of the total sign area allocated to each of the used sign types, between freestanding, wall and fascia signs as permitted in Section 9.6 of this Chapter.

C. Each service entrance or rear access to a business shall be identified by address numerals and name of business; said identification shall not exceed 4 square feet in size.

D. Sign lighting shall conform to the requirements of Sections 9.3 and 9.6 of this Chapter.

9.4.4 Office and industrial park ground and on-site directory signage.

A. Ground signs, as may be permitted pursuant to Section 9.6 of this Chapter shall be part of the signage plan approved for the park and shall be compatible with the approved typical tenant sign.

B. On-site directory signs, not visible from the public right-of-way, may be permitted within the park as a freestanding or wall sign. A maximum of 1 on-site directory sign may be permitted per roadway entrance and each sign shall be limited to a maximum of 32 square feet in size. Such directory signs shall be compatible with the signage plan approved for the park.

C. Sign lighting shall conform to the requirements of Section 9.3 and 9.6 of this Chapter.

Section 9.5 Permitted signs.

No signs shall be permitted for any use except as provided in Table 1 and the legend below.

Table 1						
Use	Type of Signs					Changeable Copy
	Freestanding Directory	Freestanding Identification	Wall	Fascia	Awning	
Use			a	a	a	
Shopping center	1/ent c	Yf	Y	Y	Y	Ne
Shopping center outparcel	N	b	Y	Y	Y	Ne
Office park	1/ent c	Yf	Y	Y	Y	Ne
Industrial park	1/ent c	Yf	Y	Y	Y	Ne
Residential development	1/ent d	d	NY	N	Ne	Ne
Freestanding businesses (single occupancy building not included in a center or park)	N	b	Y	Y	Y	Ne

Legend

Y This sign is permitted.

N This sign is not permitted.

1/ent One sign per road entrance located at said entrance is permitted, subject to a minimum distance separation requirements of Section 9.6.6.G of this Chapter. All entrance signs shall indicate the address numerals of the center, park or development.

b An outparcel or freestanding business may provide a freestanding identification sign, which shall comply with the size limitations contained herein. The location of outparcel or freestanding business identification signs are exempt from the minimum distance separation required of Section 9.6.6.G of this Chapter.

c Freestanding directory signs may include the names of those businesses housed in the shopping center and/or in a directory fashion pursuant to the regulations contained in 9.4.2. Freestanding tenant directory signs are subject to a minimum distance separation of 200 feet between signs as required by Section 9.6.6.G of this Chapter.

d See Section 9.7.1 of this Chapter pertaining to detailed sign regulations for residential development signs.

e The following businesses are permitted a changeable copy sign that comply with the requirements of Section 9.6.8 of this Chapter whether located in a center or park, or as a freestanding building: institutions, gas station or convenient store, motel-hotel, movie

theater.

- f Freestanding shopping center or park identification signs shall be located a minimum of 100 feet from other freestanding signs within the shopping center or park, and shall be limited exclusively to the center name and, shall contain the center address.

Section 9.6 Signs performance standards.

Signs shall be erected or installed according to the following criteria:

9.6.1 Wall, fascia and canopy signs.

A. The maximum sign size for wall, fascia, awning and canopy signs is expressed in terms of square feet and relates to the maximum sign area that may be devoted to a particular business, notwithstanding the number or combination of wall, fascia, awning or canopy signs. If a business has frontage on 2 or more streets, or has multiple frontage on a parking area or areas, additional signage may be allowed only where the same or similar facade treatment is used on both front and side. Each frontage shall be considered separately for the purposes of determining compliance with the provisions of these regulations; however, the permitted sign area for 1 frontage shall not be combined with another frontage to place the combined sign area on 1 frontage.

B. The maximum allowable wall, fascia and canopy sign area shall be 1.5 square feet per 1 linear foot of building frontage to a maximum of 80 square feet in area. The maximum allowable sign area may be increased from these maximums based upon building height pursuant to the following formula:

Building Height (in feet)	Percentage of Increase
0 to 35	None
+ 35 to 50	10
+ 50 to 75	15
+ 75 to 100	20
+ 100 to 140	25
More than 140	30

C. Shielded spotlight and internally illuminated message wall, fascia and canopy signs are permitted in all districts. Internally illuminated, backlight and neon wall signs are permitted in the CG-1, CG-2, MX-1, MX-2, I-1 and I-2 zoning districts.

9.6.2 Wall signs.

A. Multi-tenant building wall signage may be provided not to exceed a maximum of 1.5 square feet of signage per lineal foot of tenant storefront facade length, except that signage in the historic preservation area shall not exceed 1 square foot of signage per lineal foot of tenant storefront facade length. Only the first-floor occupants of such

buildings with individual separate entrances from the exterior of the building shall be allowed wall, fascia or canopy signage. Multitenant office buildings that do not have individual separate entrances to the exterior of the building shall not be considered multiple-tenant buildings for the application of these standards. Typical tenant signage for multiple-tenant buildings shall be reviewed pursuant to the site plan review process.

B. Single-occupant building wall signage may be provided not to exceed a maximum of 1.5 square feet of signage per lineal foot of building frontage at the street right-of-way to a maximum of 80 square feet of total sign area. Office and/or industrial buildings where there are multiple tenants that do not have individual separate entrances to the exterior of the building shall be considered single-tenant buildings for the application of these standards. Applications for single-tenant signage shall be reviewed pursuant to the site plan review process.

C. Wall signs must be mounted parallel to a building facade or other vertical surface. Wall signs shall not extend above or below the edge of any wall or other surface to which they are mounted nor shall they project more than 18 inches from the wall surface. (See Illustration No. 2)

9.6.3 Fascia signs. Illustration No. 2 graphically illustrates some examples of fascia signs.

A. Maximum fascia sign size (in square feet) shall conform to the requirements of Section 9.6.1.B of this Chapter.

B. Shielded spotlight and internally illuminated message fascia signs are permitted in all districts. Internally illuminated, backlight and neon fascia signs are permitted in the CG-1, CG-2, MX-1, MX-2, CR, I-1 and I-2 zoning districts.

C. Placement. A sign measuring a maximum 2 feet in height may be placed upon a building fascia which measures less than 2 feet in height. Said sign shall not be placed to extend above the top edge of the fascia overhang and shall be placed below the lowest roofline. Alternatively, a sign meeting the dimensional requirements of a fascia sign but not exceeding 2 feet in height may be placed below the fascia. This concept is illustrated in Illustration No.2.

9.6.4 Awning or canopy signs. Illustration No.1 graphically illustrates an example of awning and canopy signs. Undercanopy and underawning signs shall also be considered awning or canopy signs; however, such signs shall not apply to the maximum sign area limitations contained in Section 9.6.1.B of this Chapter.

A. Maximum awning and canopy sign size (in square feet) shall conform to the requirements of Section 9.6.1.B of this Code.

B. Shielded spotlight and internally illuminated message awning and canopy signs are permitted in all districts. Internally illuminated, backlight and neon awning and canopy signs are permitted in the CG-1, CG-2, MX-1, MX-2, I-1 and I-2 zoning districts.

C. Minimum height of awning and canopy signs. Awning and canopy signs in shall maintain the minimum clearance from the surrounding grade established in the Florida Building Code.

9.6.5 Under canopy signs. Signs shall be permitted to be located under canopies and/or awnings for pedestrian view only. Undercanopy signs shall meet the following standards:

- A. Undercanopy signs shall be limited in size to a maximum of 4 square feet in area.
- B. Undercanopy signs shall not be counted towards the maximum permitted sign area.
- C. Undercanopy signs shall be limited to 1 such sign per business.

For the purposes of this Section, undercanopy signs shall include signs suspended from overhangs which are designed to provide sheltered pedestrian walkways along business storefronts. Such signs shall maintain the minimum height clearances necessary pursuant to the Florida Building Code.

9.6.6 Ground signs. A ground sign shall be construed to be only a freestanding self-supporting sign resting on or supported by a base on the ground and not by poles. Pole signs and other such signs such as base and pole combinations shall not be allowed.

- A. Only 1 freestanding ground sign shall be permitted at the street right-of-way entrance of each lot. Freestanding directional or directory ground signs, if not visible from the street right-of-way, may be permitted as authorized by this Chapter.
- B. Vertical structure supports for ground signs shall be concealed from view in an enclosed base. The width of such enclosed base shall be equal to at least two-thirds the horizontal width of the sign surface. The base shall be of a material in keeping with the architectural style /building material of the principle building as approved by the DSD.
- C. Ground signs shall be internally illuminated.
- D. The maximum height of the entire sign shall be 8 feet above the elevation of the nearest sidewalk.
- E. The sign setback shall be a minimum of 5 feet from the street right-of-way.
- F. The maximum allowable ground sign area shall be 1.5 square feet per 1 linear foot of building frontage but shall not exceed 80 square feet. Ground sign base, sides and top are excluded from the sign area calculation.
- G. No ground sign shall be closer than a distance equal to the height of the sign to any other sign, building, structure or property line. No ground sign may be located closer than 200 feet from another ground sign within the same center or complex when said ground sign is visible from a public street right-of-way.

9.6.7 Flags. No, more than 3 flags or insignias of government, religion, charitable, fraternal or other civic organization may be displayed on any 1 parcel, provided they are properly displayed in accordance with applicable State and local laws. Each flag shall not exceed 35 square feet. Flagpoles shall be no higher than 20 feet without the approval of the DSD.

9.6.8 Changeable copy signs. Illustration No.1 graphically illustrates an example of changeable copy signs. The following business may have changeable copy signs.

A. Maximum changeable copy sign size allowed by type of business.

1. Theater (includes theaters, movie theaters, auditoriums and forums). Sign not to exceed 75 square feet in area; multiple screen theaters may be permitted additional sign area, not to exceed 25 square feet per additional screen.
2. Institutions. Sign not to exceed 50 square feet in area.
3. Gas station or convenience store with gas pump islands. Where a freestanding sign is permitted, said freestanding sign's changeable copy shall be restricted to gasoline prices only price sign. Where a freestanding sign is not provided a double-faced changeable copy price sign not to exceed 15 square feet shall be permitted.
4. Motel-hotel. Sign not to exceed 32 square feet in area.

Section 9.7 Detailed sign regulations.

9.7.1 Residential development signs. It is the intent of these regulations to encourage the incorporation of signage into entranceway features which include landscaping and other amenities that express and enhance the residential character of the development. To that end, the following shall apply:

- A. Residential development signs shall only provide the name of the subdivision and primary address numerals.
- B. Lighting of a development sign may be provided by internal lighting, backlighting, the general lighting of the sign area or by shielded spotlights. Lighting shall not spill over on to residential lots.
- C. Residential development signage may be provided at each roadway entrance to the overall development. Signage may consist of a maximum of 2 signs per entranceway; however, the total maximum sign area shall not exceed 64 square feet per entranceway.
- D. All signage shall be subject to the site plan review process and approval.

9.7.2 Off-site directional signs. Off-site directional signs are permitted so as to give sufficient notice of the location of governmental facilities, hospitals, colleges, schools, churches, other

institutional signs and unincorporated communities. The maximum size of said sign shall be 4 square feet and shall be of such design and color as approved by the DSD.

9.7.3 Model home signs. Model home signs are permitted in all residential zoning districts as set forth below:

- A. One freestanding sign is allowed per model home.
- B. The sign area is not to exceed 3 square feet.
- C. The sign copy of a model sign may include only the following information:
 - 1. Model or development name;
 - 2. Builder, architect agent;
 - 3. Number of bedrooms and baths;
 - 4. Telephone number; and
 - 5. Prices.
- D. One flag per model.
- E. Model signs shall be located on the lot of the model.

9.7.4 Temporary signs. Temporary signs shall comply with the following regulations:

- A. Temporary election campaign signs. Temporary signs advertising political parties or candidates for election may be erected or displayed and maintained subject to the following restrictions, limitations and requirements and any other applicable requirements set forth in this Chapter. Campaign signs are permitted in all zoning districts under the following conditions:
 - 1. Signs larger than 4 square feet shall be set back 10 feet from the public right-of-way and no sign shall be located in any public right-of-way.
 - 2. Sign setback shall be 25 feet from side property lines.
 - 3. The maximum sign height shall be 3 feet in residential zoning district and 6 feet in all other zoning districts.
 - 4. The maximum sign size shall be 4 square feet in residential zoning districts and 16 square feet in all other zoning districts.
 - 5. Political campaign signs shall be erected not more than 60 days prior to an

election and shall be removed within 7 days after the election or after the campaign issue has been decided.

6. The erection and removal of all political signs shall be the responsibility of the candidate for whom such sign was placed. Such person shall be liable for a violation of the terms and conditions of this Chapter.

7. The provisions of this Section shall not apply to what are commonly referred to as "bumper stickers" or "car-top" signs when such signs are placed on motor vehicle bumpers or tops, respectively.

8. No political or election signs of any type or size, advertisements, handbills, snipe signs or billboards shall be placed on property owned or used by the City or by other governmental agencies or units in the incorporated areas of the City.

B. Real estate signs. Real estate signs shall comply with the following requirements:

1. Only 1 real estate sign may be located adjacent to each separate street frontage of a lot, except as provided in Section 9.7.4.C However, when the street frontage of a lot exceeds 1,200 lineal feet, 1 sign per 1,200 lineal feet or fraction thereof may be permitted. Signs shall be located entirely within the property to which the signs apply; they shall not be directly illuminated. Real estate signs shall be removed within 7 days after a deed has been recorded for the same or a lease signed for the rental or lease of the property. Real estate signs shall not exceed the following maximum area requirements:

a. For the CG-1 and CG-2 zoning districts: 32 square feet.

b. For all other zoning districts: 4 square feet.

2. Real estate signs are permitted within the established setback areas of all zoning districts. However, no real estate sign shall be nearer than 5 feet from the property line if placed upon vacant property, and if placed on land improved by building, it shall not be placed nearer than 5 feet from any property line unless the building is less than 5 feet from the property line, in which case it may be placed in or upon a front or side door or window of the building. If there is a wall upon the property line, then such sign may be placed on or against such wall.

3. In residential zoning districts, a maximum of 3 signs may be hung from or attached to the approved temporary sign for announcing additional information such as "by appointment only," "sold," etc. A "sold" sign may be attached to the sign for a period of 10 days subsequent to the date of closing. The maximum permitted size of such signs is 8 inches by 24 inches.

C. Open house signs. An open house sign may be posted on property available for inspection. A maximum of 2 off-site open house signs may be placed on privately owned

property to direct attention to the property available for inspection. Open house signs shall not exceed a maximum of 4 square feet in area and shall indicate the responsible agency or owner of the sign. Open house signs may be posted only on weekends and holidays, between the hours of 10:00 a.m. and 6:00 p.m. Open house signs may be posted at the aforementioned times and dates only when the premises are actually available for inspection.

D. Temporary development signs. Temporary signs advertising a proposed development may be erected or displayed and maintained provided that:

1. The sign copy may include only the following:

- a. Name of the project;
- b. Nature of the development;
- c. General contractor;
- d. Architect;
- e. Lending institution;
- f. Owner or agent;
- g. Telephone number; and
- h. Price.

2. Said development signs shall not exceed 32 square feet in area and may be permitted to be posted from the issuance date of a site development permit up to 30 days after the date the final certificate of occupancy is issued on the site.

E. Temporary banners and/or live or animated characters. Temporary banners and/or live or animated characters may be permitted by a building permit to advertise a grand opening, special event or other special occasion, provided said banners and/or live or animated characters are not located over and/or within the street right-of-way and meet the following conditions:

1. Said banner and/or live or animated characters shall not be permitted to be displayed for a period greater than 30 days.
2. A banner and/or live or animated characters may be displayed up to 4 times per year per business establishment. Each display period must be separated by a minimum period of 30 days.
3. The maximum size of a banner shall not exceed 4 square feet per lineal foot of

storefront facade length. Where a building has more than 1 facade length, the facade on which the banner will be located shall be used to determine maximum

Character size. The maximum size of live or animated character shall not exceed 7 ft in height and 3 ft. in width.

F. All signs attached to fences shall be limited to 4 square feet in area per sign and 2 such signs per entire fence, unless additional signage is necessary for public safety purposes.

Section 9.9 Existing signs.

9.9.1 Nonconforming signs. Signs lawfully existing prior to the effective date of this Code not including billboards) may be continued although their size, location or other physical attributes do not conform to this Chapter.

9.9.2 Amortization. Any sign that is nonconforming to the requirements of this Chapter, either by variance previously granted or by conformance to the existing sign regulations at the time the initial permit for said sign was issued, shall either be removed or brought up to Code requirements no later than April, 2011.

9.9.3 Loss of legal nonconforming status of a sign. A sign loses its legal nonconforming status and shall be considered in violation of this Code if one or more of the following occurs:

A. The sign is structurally altered in any way, except for normal maintenance or repair, which tends to or makes the sign less in compliance with the requirements of this Chapter than it was before the alteration.

B. The sign is damaged to such an extent that the cost of the repair or reconstruction of the sign exceeds 50 percent of the value of the sign.

C. The design, logo or wording of the sign is altered, except as provided for billboards pursuant to Section 9.2.8.I of this Chapter and except as provided for in changeable copy signs.

D. Signs determined to be abandoned under the provisions of Section 9.9.4 of this Chapter.

9.9.4 Abandonment. All signs and sign messages shall be removed by the owner or lessee to the premises upon which an on-site sign is located when the business it advertises is no longer conducted. All sign messages shall be removed by the owner or lessee from the premises upon which an on-site message or sign is located within 30 days of the vacation of the premises. If the owner or lessee fails to remove the sign or sign message, the sign or sign message shall be deemed in violation of this Code.

9.9.5 Signs erected without a sign permit. Signs erected without a sign permit shall be deemed a violation of this Code. Prior written notification shall not be required in the removal of

prohibited snipe, sandwich and political signs. Snipe, sandwich and political signs can be removed by authorized employees of the City upon observation by said employees.

9.10 Miscellaneous advertising.

9.10.1 Posting bills on buildings, etc. It shall be unlawful for any person to post any bills or other advertisement matter upon any permanent or temporary structure or building, pole or tree located in any street, park or other public way or place within the City.

9.10.2 Scattering handbills. It shall be unlawful for any person to distribute or place or cause to be distributed or placed on any public or private property in the City any handbills, circulars, dodgers or other advertising matter in such a manner that the same may be blown, carried by water or otherwise scattered by the elements, or so as to constitute litter.

9.10.3 Placing or throwing handbills on or into vehicles. It shall be unlawful for any person to distribute or cause to be distributed in the City any handbill or other similar form of advertising by throwing or placing the same on or into any vehicles within the City.

9.10.4 Sound trucks and sound amplifying devices. It shall be unlawful for any person to operate or permit to be operated in the City any sound amplifying device or equipment, except for the purpose of conveying an emergency message from public streets or property or from private property to adjoining land without having first obtained permission from the City manager.

9.11 Enforcement.

Enforcement except for provisions Section 9.9.5, any violations of the terms of this Chapter shall be prosecuted by the appropriate City officials in accordance with the enforcement provisions in Chapter 3 of this Code.

9.12 Variances.

Relief from the provisions of this Chapter except for sign height may be granted by the Planning Commission under the procedure for variances outlined in Chapter 3 of this Code.

9.13 Permits and fees.

Before erecting, relocating or replacing any sign not specifically exempt under this Chapter, the owner, agent, contractor or other person having the right to place a sign on real property shall first secure a permit from the Development Services Department and pay a fee to the Development Services Department as adopted by resolution of the City Council.

9.13.1 Procedure. An applicant for a sign which does not meet or exceed 32 square feet shall submit to the dsd a drawing showing the material to be displayed, dimensions, construction details, electrical plans and dimensions to property lines and/or building in respect to the proposed location of the sign to be erected. An application for a sign permit shall be filled out at the time such plans are submitted; however, the payment of the fee is not required until the

permit is issued. For all applications for signs that are 32 square feet or greater in area, the dsd shall require an accurate scale drawing prepared by an engineer showing the materials to be displayed, dimensions, construction details, electrical plans and dimensions to property lines and/or buildings in respect to the proposed location of the sign to be erected and all the requirements as set forth in the Florida Building Code.

9.13.2 Schedule of fees. Prior to the issuance of a sign permit the applicant shall pay a sign fee as established by resolution of the City Council.

9.13.3 Renewal permit fee. Except as otherwise provided in this Chapter, all permits shall expire on September 30 of each year. Thereafter, provided the sign is in compliance with these regulations, a permit may be reissued for the same sign for each successive one-year period upon payment of the renewal permit fee, as established by resolution of the City council. It shall be unlawful to maintain any sign without an original or renewed permit. The reissuance of a permit does not waive any other requirements of this Chapter. It is the intent of this provision that the dsd inspect signs subject to the reinspection permit fee in order to ensure compliance with this Chapter.

9.13.4 Duration of permits. Every building permit issued for a sign under this Chapter shall be valid for 6 months or upon final completion of construction of the sign, whichever comes first.

9.13.5 Inspection. All signs for which a permit is required by this Chapter are subject to inspection by the authorized City official.