

ORDINANCE 2013-05
(Amendments to sign regulations - Chapter 23 Zoning)

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING THE SIGN REGULATIONS IN THE CODE OF ORDINANCES, CHAPTER 23, ZONING, LAND USE AND DEVELOPMENT REGULATIONS BY ADDING STATEMENTS OF INTENT AND SEVERABILITY CLAUSES; AMENDING PROHIBITIONS AND PERMIT EXEMPTIONS; DEFINING “COMMERCIAL MESSAGE” AND REVISING DEFINITIONS OF VARIOUS TERMS PERTAINING TO SIGNS; LIMITING THE DISPLAY OF COMMERCIAL MESSAGES TO DEVELOPED NON-RESIDENTIAL PROPERTIES; ALLOWING NON-COMMERCIAL MESSAGES ON ALL PROPERTIES; AMENDING REGULATIONS FOR SIDEWALK SIGNS; AMENDING LOCATIONAL AND DIMENSIONAL REQUIREMENTS FOR SIGNS; AMENDING MISCELLANEOUS PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ENACTED by the City Commission of the City of Lake Wales, Polk County, Florida:

SECTION 1. **Sec. 23-212. Verification of zoning compliance,** subsections 212.1 and 212.2 are amended to read as follows:

Sec. 212.1 Applicability. Compliance with zoning district requirements and other provisions of this chapter must be verified by the administrative official prior to:

- a. The processing of any application for a building permit for the construction or alteration of any structure, including temporary structures and accessory structures such as sheds, swimming pools, signs (unless specifically exempted in Article V), fences and parking areas, except for recurring maintenance, regardless of cost. Verification of zoning compliance under this section is required for applications for single-family or two-family houses and other developments exempt from the site plan requirements of section 23-222.
- b. Approval of applications for alcoholic beverage licenses.
- c. A written zoning determination.

Sec. 212.2 Application and review.

- a. Application for a building permit for the construction or alteration of any structure, including accessory structures and signs, shall be accompanied by a survey of the property showing the location and dimensions of the structure and other improvements on the site. For new buildings and additions, the survey shall show proposed structure with the proposed finished floor elevation and a statement of proposed uses of the property. A fee for zoning verification shall be required as set forth in section 23-242. The administrative official shall verify compliance with all provisions of this chapter and any conditions of approval applicable to the property.

Zoning compliance shall be determined within 10 business days of the receipt of a complete application. Application for a sign in the Downtown Historic District must

include a certificate of appropriateness. (See sec. 23-227.) In the case of a finding of non-compliance, the administrative official shall provide the applicant with a written statement of the reasons for the finding of non-compliance with specific reference to the provisions of these land development regulations.

For improvements requiring a building permit, verification of zoning compliance shall be determined prior to the processing of the building permit. Applications found in compliance shall be forwarded to the building official for processing.

- b. The zoning compliance forms of an application for an alcoholic beverage license shall be signed by the administrative official only after verification of zoning compliance and receipt of the application fee as set forth in section 23-242.
- c. A request for written zoning determination must be submitted in writing to the administrative official and must be accompanied by the fee for a written zoning determination as set forth in section 23-242. The request shall include a valid address and/or the property identification number from the Polk County Property Appraiser and shall clearly state the information requested.

SECTION 2. Sec. 23-343. Auctions, sales, and events, temporary (on non-residential properties) is amended as follows:

Subsec. b. *Administrative approval – Short-term sales and events*, subsec. (2.) E is amended to read as follows:

E. The locations, dimensions, materials, and other characteristics of temporary signage or displays shall be specified in any approval. One temporary sign per event shall be allowed ~~may be approved~~, provided it is anchored with posts or secured on a structure, such as a building or fence and does not exceed the square footage allowed for a ground sign for the site per sec. 23-545. The sign may display a commercial or a non-commercial message.

Subsec. c. *Planning board approval – Temporary outdoor sales and events*, subsec. (2.) F is amended to read as follows:

F. Use of temporary signage or displays other than goods for sale shall not exceed four two-week periods within a year. The locations, dimensions, materials, and other characteristics of temporary signage or displays shall be specified in any approval. A banner or other similar feature shall be allowed as a display only if it is anchored with posts or other method or is secured on a structure, such as a building or fence and if it does not exceed the square footage allowed for a ground sign for the site on Table 23-545. ~~per sec. 23-545.~~ The sign may display a commercial or a non-commercial message.

SECTION 3. **Sec. 23-355. Yard sales** under “Conditional Use Regulations” is amended to read as follows:

Sec. 23-355. Yard sales.

~~Non-commercial yard~~ Yard sales, as defined in sec. 23-802, are permitted ~~on residential properties~~ at a residence provided that no more than two (2) such sales are held in a calendar year on any property and provided that each yard sale does not exceed three (3) days in duration. Yard sales shall require a permit issued by the ~~department of planning & development~~ police department and such permit shall be displayed prominently in the immediate vicinity of the sale in such a manner as to be visible from the street adjacent to the property. An administrative fee established by resolution of the city commission shall be paid before the permit is issued. On-site signage for a permitted yard sale may be displayed on temporary signs allowed on residential properties under sec. 23-526. One ~~(1) sign may be displayed on the property where the yard sale is located provided that the sign does not exceed six (6) square feet in area.~~

SECTION 4. **Sec. 23-526. Signs.** (regulations for signs on residential properties) is amended to read as follows:

Sec. 23-526. Signs.

This section establishes regulations for signs on residential properties in Lake Wales.

Intent of sign regulations. These regulations are designed to protect and promote the public health, safety, and welfare by controlling the type, number, location, and physical dimensions of signs, to prevent the disruptions, obstructions, and hazards to vehicular and pedestrian traffic that signs may cause, and to enhance the quality of the environment in residential districts. More specifically, it is the purpose of this section to:

- a. Implement the comprehensive plan and planning policies of Lake Wales;
- b. Provide liberally for the free expression of ideas through signs in the city;
- c. Encourage the effective use of signs as a means of communication;
- d. Balance the desire and need of individuals to express their creativity in signs with the desire to maintain a pleasing visual environment for residents and visitors;
- e. Protect and enhance the value of properties and to have signage appropriate to the planned character and development of each area in the city;
- f. Balance the need for information for motorists and pedestrians with the need for traffic safety by limiting signs or characteristics of signs that may be particularly distracting to drivers;
- g. Provide clear and objective sign standards;
- h. Provide a clear and efficient review procedure for sign applications; and
- i. Enable fair and consistent enforcement of the regulations set forth in this section.

Sec. 23-526.1 Applicability. Placement of a sign anywhere in Lake Wales shall require a ~~site plan approval pursuant to section 23-222~~ permit. For the purposes of sign regulation, a “permit” shall mean “verification of zoning compliance” under sec. 23-212 unless the

type of sign is specifically exempted herein from the requirement for a permit under sec. 23-526.2.

To “place” a sign shall mean construct, paint, install, erect, post, sculpt, project, or otherwise display. Placement of a sign may also require a building permit.

A sign is defined in sec. 23-802. See also definition of “commercial message” under definition of “sign.”

The following are not considered signs for the purposes of regulation under this section:

- a. Decorations or displays of non-commercial nature.
- b. Cornerstones, foundation stones and memorial signs or tablets displaying the names of buildings and date of erection, when cut into any masonry surface or inlaid so as to be part of the building or when constructed of bronze or other incombustible material.

A permit is not required for a change in the message on an existing sign provided that the new message is not a commercial message where only a non-commercial message is allowed and provided there is no change in the structural components of the sign.

All applications must include a survey or scale drawing of the proposed sign with dimensions, including lettering size, and a clear diagram showing placement of the sign on the property and/or building.

~~For the purposes of this ordinance, a sign shall be defined as follows:~~

~~*Sign.* Any object, device, display, or structure, or part thereof, used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location, by visual means.~~

~~To “place” a sign shall mean construct, erect, post, sculpt, project, or otherwise display.~~

~~Display of the street address number assigned by Polk County Emergency Services is required on all buildings. Street numbers on single family and two-family houses shall be at least 3 inches in height, and street numbers on multi-family residential buildings shall be at least 6 inches in height. The numbers shall contrast with their background and be visible from the public thoroughfare. Display of a street number, unit number or other identifying information is not classified as a sign under this ordinance, provided the area encompassing the information does not exceed two square feet.~~

~~*Sec. 23-526.2. Signs exempt from permit requirements*~~

~~Permits are not required for political, real estate, and construction signs in compliance with the requirements of section 545.6.d. “No trespassing” signs are exempt from permit~~

~~requirements provided each sign is less than 4 square feet in size, are posted no higher than 10 feet above grade, and are placed along exterior property lines at a minimum distance of 75 feet apart.~~

Sec. 23-526.2. Prohibitions and permit exemptions

a. Prohibitions. The following signs and those prohibited under sec. 23-545.5 are prohibited on residential properties:

1. Signs with commercial messages except as specifically allowed under sec. 23-526.3. See sec. 23-802 for definition of “commercial message.”
2. Lighted signs except as specifically allowed under sec. 23-526.3.
3. No sign, except those placed by an authorized governmental agency, shall be placed in or project into the public right-of-way or public parks or other public property.
4. No sign shall be placed on a roof or above the roof line of a building.
5. No sign shall interfere with traffic or be confused with or obstruct the view or effectiveness of any official traffic sign, traffic signal, traffic marking or obstruct the sight distance of motorists or pedestrians.
6. No sign shall be painted on or attached to a tree or utility pole.
7. All signs not specifically allowed are prohibited.

b. Exemptions from permit requirement. The following signs or sign elements are exempt from the requirement for a permit and do not count against the sign allowance for a property:

1. Any sign installed in a building or enclosed space and not legible from the public right-of-way or from private or public property other than the property on which it is located;
2. Any sign that is less than 4 square feet in area and less than 4 feet in height (if freestanding), that is not separately illuminated and that is not legible from the public right-of-way or from private or public property other than the property on which it is located;
3. Signs required by law or deemed by the administrative official as necessary for safety or warnings, including on-site traffic safety signs and street address numbers.
4. Temporary signs as allowed under sec. 23-526.3.

5. Signs painted on or attached (as a magnetic sign) to a vehicle which is used on a regular basis for transportation by the tenant of the property and which is legally parked;

Sec. 23-526.3 Regulations for signs on residential properties. ~~Internally lit signs are prohibited on residential properties.~~

~~Approval of a master signage plan is required for residential developments with multiple signs. (See subsection 23-545.3.b.)~~

For the purposes of sign regulation, “Commercial message” is defined as follows:

Commercial message means a sign, wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service or other commercial activity or to an institution or other non-residential activity or use. For the purposes of sign regulation, the following are not considered commercial activities: proposed sale, rental or lease of the real estate where the message is displayed; the incidental and occasional sale of personal property on site; residential yard sales held in compliance with the provisions of this chapter; and construction/renovation on site.

- a. *Single and two-family properties.* Signs displaying commercial messages are not permitted on single-family or two-family properties except as specifically provided in paragraphs c. and d. below.

1. Signs with non-commercial messages.

The purpose of this provision is to allow temporary signs for free expression on residential properties. Temporary signs meeting the requirements of this section may display political, real estate, “no trespassing,” yard sale, public interest, and other miscellaneous non-commercial messages. For the purposes of this provision, “temporary” pertains to the nature of the sign as not permanently installed, rather than to the duration of its display.

Permits are not required for temporary signs with non-commercial messages on single- and two-family properties subject to the following restrictions:

- A. No more than four signs are displayed at any time.
- B. The signs are not illuminated, are made of rigid materials, and are securely anchored with posts, prongs, or other device.
- C. No sign exceeds 4 square feet in area or 5 feet in height.
- D. No sign is displayed in the public right-of-way.
- E. Signs pertaining to an event shall be removed within seven days of the close of the event.

2. Signs with commercial messages.

A single-family unit or a unit in a two-family building may display a commercial message or a non-commercial message on one permanent sign provided the unit has been approved for a primary commercial use, such as a day-care home or bed and breakfast establishment, as listed on Table 23-421 "Permitted Uses and Special Exception Uses in Standard Zoning Districts." (Note: "home occupations" are accessory uses, not primary uses, and are not allowed to display a sign with a commercial message. See sec. 23-348 Home occupations.)

The following restrictions apply:

- A. The sign may be a wall sign or a ground sign and shall not exceed six (6) square feet in area or five (5) feet in height if freestanding.
- B. The sign may be lighted by a white spotlight. Internally lit signs are prohibited.
- C. A sign permit is required.

b. Multi-family buildings and developments.

Placement of a sign on a property with two or more multi-family buildings shall be in compliance with a master signage plan. (See sec. 23-545.3 for requirements.)

1. Single building.

- A. One wall or ground sign displaying a non-commercial message may be located at a multi-family building that is not part of a multi-family development, provided the wall sign does not exceed 2 square feet per linear foot of building frontage on the side it is displayed and a ground sign does not exceed 16 square feet in area or 6 feet in height. Landscaping shall be planted at the base of a ground-mounted sign; plant materials shall be sufficient to screen the sign's supports to a height of 50% of the distance from the ground to the bottom of the sign within a period of 2 years.

B. Temporary signs for non-commercial messages

The purpose of this provision is to allow temporary signs for free expression on residential properties. Temporary signs meeting the requirements of this section may display political, real estate, "no trespassing," yard sale, public interest, and other miscellaneous non-commercial messages. For the purposes of this provision, "temporary" pertains to the nature of the sign as not permanently installed, rather than to the duration of its display.

Permits are not required for temporary signs with non-commercial messages at a multi-family building subject to the following restrictions:

- i. No more than four signs are displayed at any time.
- ii. The signs are not illuminated, are made of rigid materials, and are securely anchored with posts, prongs, or other device.
- iii. No sign exceeds 4 square feet in area or 5 feet in height.
- iv. No sign is displayed in the public right-of-way.

- v. No such sign shall be attached to a tree, hedge, street sign, light pole, or other appurtenance.
- vi. Signs pertaining to an event shall be removed within seven days of the close of the event.

2. Multi-family complex or residential development.

~~Unless specifically approved in a planned development project per section 23-224, signs for identification of multi-family buildings and residential developments are limited to one (1) wall-mounted or ground-mounted sign per project entrance~~

- A. One sign displaying a non-commercial message may be located at each street entrance to a residential development (single-family or duplex subdivision, planned development or multi-family complex). The sign may be a wall mounted or ground-mounted sign not exceeding 32 square feet in area or 10 feet in height.

Such a sign may be illuminated by a white spotlight. Internally lit signs are prohibited. Landscaping shall be planted at the base of a ground-mounted sign; plant materials shall be sufficient to screen the sign's supports to a height of fifty (50) percent of the distance from the ground to the bottom of the sign within a period of two (2) years.

- B. Temporary signs for non-commercial messages

The purpose of this provision is to allow temporary signs for free expression on residential properties. Temporary signs meeting the requirements of this section may display political, real estate, "no trespassing," yard sale, public interest, and other miscellaneous non-commercial messages. For the purposes of this provision, "temporary" pertains to the nature of the sign as not permanently installed, rather than to the duration of its display.

Permits are not required for temporary signs with non-commercial messages on multi-family properties subject to the following restrictions:

- i. No more than four signs are displayed at a multi-family building any time.
- ii. The signs are not illuminated, are made of rigid materials, and are securely anchored with posts, prongs, or other device.
- iii. No sign exceeds 4 square feet in area or 5 feet in height.
- iv. No sign is displayed in the public right-of-way.
- v. Signs pertaining to an event shall be removed within seven days of the close of the event.
- vi. No such sign shall be attached to a tree, hedge, street sign, light pole, or other appurtenance.

~~3. Signs located in interior courtyards or other enclosed areas not visible from any public right-of-way shall be exempt from the dimensional requirements of this section.~~

~~c. Home businesses.~~

1. ~~Bed and breakfast establishment.~~ Signs for identification of bed and breakfast establishments shall be as set forth in "Conditional Use Regulations," section 23-345, Bed and breakfast establishments.

2. ~~Home occupation.~~ Signs are not permitted for home occupations, per section 23-348, Home Occupations.

3. ~~Day care homes.~~ See section 23-347 Conditional use regulations for day care homes.

d. ~~Temporary signs.~~

1. ~~Real estate signs.~~ For sale of a residence, one on-site non-illuminated wall or ground-mounted sign not exceeding six (6) square feet in area and six (6) feet in height shall be allowed. (Exempt from permit requirements.)

2. ~~Contractor signs.~~ Up to three (3) signs identifying contractors, provided no sign exceeds six (6) square feet in area or six (6) feet in height, shall be allowed for the duration of work. (Exempt from permit requirements.)

3. ~~Political signs.~~ Political signs are allowed subject to the requirements of section 23-545.6.d.4.

c. Vacant residential property – temporary signs with non-commercial messages.

The purpose of this provision is to allow temporary signs for free expression on vacant residential properties. No permit is required for a temporary sign meeting the requirements of this section. The sign may display a political, real estate, “no trespassing,” public interest, and other miscellaneous non-commercial message.

For the purposes of this provision, “temporary” pertains to the nature of the sign as not permanently installed, rather than to the duration of its display.

One temporary sign displaying a non-commercial message may be placed on a vacant or developing residentially zoned property for each street frontage or each 500 feet of frontage, subject to the restrictions below.

1. The sign shall be non-illuminated, made of rigid materials, and securely anchored with posts, prongs, or other device.
2. For a single lot under an acre in size, the sign shall not exceed 4 square feet in area and 5 feet in height.
3. For a development with multiple lots or a parcel exceeding one acre in size, the sign shall not exceed 32 square feet in area or 10 feet in height.

~~e. Subdivision development signs.~~ Signs to identify a subdivision or subdivision phase where an active building and development program is underway shall be permitted on a temporary basis for a maximum period

of two (2) years or until seventy-five (75) percent of the lots of the subdivision have been conveyed or until residences have been erected on seventy-five (75) percent of the lots, whichever is the shorter time period. An extension of time may be granted by the planning board for good cause. A permit for such signs shall be issued only after a site development permit has been issued for the project or a phase of the project. (See section 23-545 for non-residential and mixed-use development signs. Multi-family developments shall be considered non-residential projects for the purposes of calculating allowable development signage.)

1. — One subdivision development sign, which may be a wall-mounted or monument style sign, is allowed on each street on which the property has frontage. On the primary frontage, the sign may be up to thirty-two (32) square feet in size per sign face for the first twenty (20) acres of property plus ten (10) square foot in area for each additional twenty (20) acres not to exceed one hundred (100) square feet, except that on an arterial highway, the sign shall not exceed two hundred twenty-five (225) square feet. A sign on a frontage other than the primary frontage may not exceed thirty-two (32) square feet in size.

2. — A sign located at the intersection of two (2) streets or at the entrance to a development may split the two (2) sign faces to create a V-shaped sign. The sign face allowance for a side street may be incorporated into such a sign, provided no sign is placed on the side street and provided the maximum area per sign face is not exceeded.

3. — Code requirements must be met for all signs except that sign faces may be made of non-rigid materials such as printed plastic sheets.

4. — Decorative flags are allowed without a sign permit, provided they do not exceed one flag per fifty (50) feet of street frontage and are in place only during the period the subdivision development sign is permitted.

5. — In addition, up to three (3) signs, identifying architect, engineer, or contractors, not exceeding sixteen (16) square feet in area per face, may be permitted per frontage.

Sec. 23-526.4. Maintenance, non-conforming, and enforcement.

The following provisions for signs on non-residential properties shall apply also to signs on residential properties:

Sec. 23-545.8. Maintenance of signs

Sec. 23-545.9. Non-conforming signs

Sec. 23-545.10. Enforcement

Sec. 23-526.5. Severability

If any clause, section or provision of the sign regulations for residential properties (sec. 23-526) shall be declared unconstitutional or invalid for any reason or cause, the

remaining portion of said section shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

SECTION 5. **Sec. 23-545. Signs.** (non-residential properties) is amended to read as follows:

Sec. 23-545. Signs.

The purpose of this section is to establish a comprehensive scheme for the regulation of signs on non-residential properties in Lake Wales. These regulations are designed to protect and promote the public health, safety, and welfare by controlling the type, number, location, and physical dimensions of signs to prevent the disruptions, obstructions, and hazards to vehicular and pedestrian traffic that signs may cause, and to enhance the quality of the environment in residential and non-residential districts. More specifically, it is the purpose of this section to:

- a. Implement the comprehensive plan and planning policies of Lake Wales;
- b. Provide liberally for the free expression of ideas through signs in the city;
- c. Encourage the effective use of signs as a means of communication;
- d. Balance the desire and need of individuals to express their creativity in signs with the desire to maintain a pleasing visual environment for residents and visitors;
- e. Protect and enhance the value of properties and to have a signage appropriate to the planned character and development of each area in the city;
- f. Balance the need for information for motorists and pedestrians with the need for traffic safety by limiting signs or characteristics of signs that may be particularly distracting to drivers;
- g. Provide clear and objective sign standards;
- h. Provide a clear and efficient review procedure for sign applications; and
- i. Enable fair and consistent enforcement of the regulations set forth in this section.

Sec. 23-545.1 Applicability. The regulations in this section apply to all signs on nonresidential properties in Lake Wales.

Placement of a sign anywhere in Lake Wales shall require ~~verification of zoning compliance pursuant to section 23-212~~ a permit unless the type of sign is specifically exempted ~~herein~~ from the requirement for a permit under sec. 23-545.4.

For the purposes of sign regulation, a “permit” shall mean “verification of zoning compliance” under sec. 23-212. To “place” a sign shall mean construct, paint, install, erect, post, sculpt, project, or otherwise display. Placement of a sign may also require a building permit.

A permit is not required for a change in the message on an existing sign provided that the new message is not a commercial message where only a non-commercial message is allowed and provided there is no change in the structural components of the sign.

For the purposes of this ordinance, a sign shall be defined as follows:

a. Definition of sign

Sign. Any device, structure, fixture, painting, or visual image using words, graphics, symbols, numbers, or letters, designed and/or used for the purpose of communicating a message or attracting attention. Any object, device, display, or structure, or part thereof, used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location, by visual means.

The regulations in this section apply to all signs on nonresidential properties in Lake Wales. This article does not regulate the content of the message of the sign except as provided herein; however, the following practice is recommended: product name or trade names should not be permitted within a sign unless the trade name is part of the occupant's name or the product identified constitutes over twenty-five (25) percent of the total business done on the premises.

b. Exclusions. The following are not considered signs for the purposes of regulation under this section:

1. Decorations or displays of non-commercial nature.
2. Cornerstones, foundation stones and memorial signs or tablets displaying the names of buildings and date of erection, when cut into any masonry surface or inlaid so as to be part of the building or when constructed of bronze or other incombustible material.

Sec. 23-545.2. Street address number. Display of the street address number assigned by Polk County Emergency Services is required on all buildings. Street numbers on non-residential buildings shall be at least 6 inches in height. The numbers shall contrast with their background and be visible from the public thoroughfare. Display of a street number, unit number, or other identifying information is not classified as a sign under this ordinance, provided the area encompassing the information does not exceed two square feet.

Sec. 23-545.2 General regulations for signs on non-residential properties.

a. Sign allowance.

1. Each developed non-residential property shall be allowed signs subject to the provisions of Table 23-545, "LOCATION, AREA, AND HEIGHT REQUIREMENTS FOR SIGNS FOR NON-RESIDENTIAL USES."
2. Individual units in a business complex shall be allocated wall signs in proportion to their building frontage based on the formula in Table 23-545, unless allocation is otherwise set forth in the approved master signage plan filed by the owner under sec. 23-545.3. Allocation of space on a business complex wall or ground

sign shall be the prerogative of the owner, subject to the lettering size requirements in Table 23-545.

b. Commercial and non-commercial messages.

Signs allowed on Table 23-545 may display a commercial or non-commercial message. Other signs allowed on non-residential properties may display a commercial message only if specifically stated in the provision allowing the sign.

“Commercial message” is defined as follows:

Commercial message means a sign, wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service or other commercial activity or to an institution or other non-residential activity or use. For the purposes of sign regulation, the following are not considered commercial activities: proposed sale, rental or lease of the real estate where the message is displayed, the incidental and occasional sale of personal property on site, residential yard sales held in compliance with the provisions of this chapter, and construction/renovation on site.

Sec. 23-545.3 Design. It is the intent of these regulations to promote high quality design in signage. The administrative official may provide guidelines to assist applicants in designing signage, and the city may adopt guidelines separate from this chapter for use in reviewing and deciding upon "master signage plans" and signs in C-1 zoning districts.

- a. Master plan for signage.* A master plan for signage shall be required for any nonresidential development with more than one principal building, for business complexes, shopping centers, and for buildings with multiple tenants. For the purpose of sign regulation, multi-tenant properties shall be referred to as “business complexes.” The purpose of a master plan for signage is to promote high quality signs and design consistency within a development.

The plan shall be submitted with a site plan application pursuant to section 23-222 ~~and shall govern all signage proposed for the property, including "out-pareels."~~

Proposed design standards, including sizes, styles, colors, lighting, and placement shall be provided for the purpose of demonstrating consistency among the signs on the property. At the discretion of the owner, the master plan may provide for a share of the wall sign and ground sign allowance for tenants in the business complex.

A master signage plan shall be approved by the administrative official if it provides for consistency of sign type, lighting, placement, size, and style for the business complex sign (if proposed), tenant signs, and other signs proposed on the property and meets all other applicable requirements of this chapter. A certificate of

appropriateness for the master signage plan is required for properties within the Downtown Historic District. (See sec. 23-227.)

Approved master plans for signage shall govern all signage for the project, including “outparcels.” Amendments to the plan may be approved by the administrative official or referred to the planning board for review if the master signage plan was approved by the planning board as part of the site plan process.

For existing business centers or buildings with multiple tenants, a master plan for signage shall be required with any application for a sign, including any sign for an individual unit or tenant. All new or modified signs shall comply with the master plan as approved. The plan shall include a schedule for bringing all signs into compliance with the master plan.

- b. Business complex signage. A “business complex” sign is allowed for a business complex, provided that the name of the building or shopping center is displayed prominently on the sign. A bonus in size is granted for a business complex ground sign. See Table 23-545 for dimensional and other requirements.

a. “Business Complex” ground signs are encouraged in lieu of multiple ground signs for out-parcels. If “business complex” signs display the names of individual businesses within the complex, the master plan must contain design requirements for the listings.

b. For buildings with multiple businesses, a wall sign with tenant listings and a clearly stated name for the building is encouraged in lieu of individual wall signs or a ground sign with a listing of tenants.

Sec. 23-545.4 Exempt signs. The following signs are exempt from the requirement for a permit and do not count against the sign allowance for the property. requirements.

- a. Incidental signs not directed at or legible or visible by persons off-site. Vending machines, gasoline pumps, telephone booths, “take-out” or “pick-up” windows and menus posted for reading in drive-in restaurant parking lots.
- b. Signs required by law or deemed necessary by the administrative official for safety or warnings, including traffic signs and street address numbers. Directional signs, parking place designations, and information signs located on off-street parking lots, provided the signs do not exceed three (3) square feet. Informational signs, such as those stating conditions and rates for a commercial parking lot, may exceed three (3) square feet if approved by the planning board.
- c. One sign per frontage displaying a street number, unit number, or other identifying information, provided the area encompassing the information does not exceed two (2) square feet.
- d. Signs erected by the city or approved by the city commission to designate historic districts, business districts, parks, or public facilities or banners erected or

approved by the city in connection with streetscape projects or to publicize special events.

- e. Temporary signs with non-commercial messages as allowed under sec. 545.6.b.2. ~~Real estate, private directional, and signs for religious, civic, fraternal and nonprofit organizations provided that such signs do not exceed six (6) square feet in area.~~
- f. ~~Directory signs affixed to a wall or ground sign of a shopping center or office building and show window or shingle signs, provided that such signs do not exceed four (4) square feet in area. A sign on the back wall of a building in a delivery area is allowed, provided the sign area does not exceed ten (10) square feet.~~
- g. Flags and insignia of any government. Such flags shall be limited to three (3) per property and shall conform to the standards of the Veteran's Administration in regard to size of flag and height of pole.
- h. ~~Legal notices and identification, informational or directional signs erected or required by governmental bodies.~~
- i. ~~Temporary painted or paper signs in windows, limited to fifteen (15) percent of the total window area.~~
- j. ~~Incidental signs attached to a ground sign or flush on a building wall. Such signs are limited to credit cards accepted, official notices of services required by law, and trade affiliations. The area of each sign may not exceed five (5) square feet and the total area of all such incidental signs attached to one (1) sign may not exceed ten (10) square feet.~~
- k. h. Signs that are wholly within a group of buildings or complex or at a drive-up window or other part of the site and are not visible from the public thoroughfare. ~~and bulletin boards and identification signs for public, non-profit or religious facilities located on the premises and not exceeding thirty (30) square feet.~~
- l. i. Vehicle identification signs, including painted or magnetic signs attached to a vehicle. Such signs shall not be illuminated unless it identifies an emergency vehicle, bus or taxi. No vehicle or trailer displaying a sign shall be parked to so as to serve as a sign.
- m. ~~Political signs provided such signs comply with requirements of section 23-545.6.~~
- n. ~~"No trespassing" signs are exempt from permit requirements provided each sign is less than 4 square feet in size, are posted no higher than 10 feet above grade, and are placed along exterior property lines at a minimum distance of 75 feet apart.~~

Sec. 23-545.5 Prohibitions.

- a. No sign shall be placed on a roof or above the roof line of a building.
- b. No sign, except those placed by an authorized governmental agency, shall be placed in or project into ~~on~~ the public right-of-way or in public parks or other public property except as follows: as otherwise provided herein.
 - 1. The administrative official is authorized to approve temporary signs on public property and in the right-of-way of city streets for community-wide special

events sponsored or approved by the City, provided such signs are in keeping with any policies or practices established by the city manager or city commission and provided such signs do not present a hazard to public safety.

2. Nothing in this regulation shall be construed to prohibit an authorized government agency from placing, or allowing to be placed, signs in the public right-of-way or on public property deemed necessary or helpful for the public.

3. “Right-angle” and “projecting” signs as permitted by the provisions of Table 23-545.

4. A-Frame sidewalks signs as allowed in sec. 545.6(a).

- c. No sign shall interfere with traffic or be confused with or obstruct the view or effectiveness of any official traffic sign, traffic signal, traffic marking or obstruct the sight distance of motorists or pedestrians.
- d. No sign shall be painted on or attached to a tree or utility pole.
- e. Portable signs are prohibited except as specifically allowed herein. ~~sandwich board signs meeting the requirements of subsection 23-545.6(b).~~
- f. *Lighting.*
 - ~~1. Spectacular signs or signs wired for incandescent light, or luminous tube lighting, or both, animated with copy action controlled by flasher circuit breakers, moving lighting or similar devices.~~
 - ~~2.1.~~ Lights of colors other than white or yellow are prohibited in residential and professional (PF) zoning districts, except for Christmas or seasonal lighting. Lights of colors other than white or yellow are permitted in commercial and industrial areas provided they cannot be confused with traffic lights.
 - ~~3.2.~~ Floodlights may not shine onto adjoining property or in the eyes of motorists or pedestrians.
 - ~~4.3.~~ Flashing, strobe, or other moving lights or lighted copy are prohibited except electronic signs as allowed under sec. 23-545.6.c.
 - ~~5.4.~~ Internally lit signs, including those designed for internal lighting, are prohibited except in the areas listed below:
 - A. C-3 highway commercial zoning districts
 - B. C-5 village center districts
 - C. On properties fronting on US Highway 27
 - D. In the PF-Professional District on State Road 60 between US Highway 27 and First Street
 - E. In the PF-Professional District on the south side of State Road 60 between 3rd and 4th Streets
 - ~~6. — Lighting on signs on properties in the PF — Professional district if the side of the lot where the sign is located abuts a residential district.~~
- g. Signs on vacant properties are prohibited except signs meeting the requirements of sec. 23-545.6.b. for temporary signs with non-commercial messages. ~~those signs meeting the requirements of this chapter for exempt signs such as construction, government, real estate, political, and approved off-premises signs.~~

- h. ~~Billboards, whether off premises or on premises, are prohibited. For the purposes of this chapter, a billboard is a sign usually placed on a freestanding structure which directs attention to a business, commodity, service, entertainment or attraction sold, offered or existing elsewhere than upon the same lot where such sign is made available to national and local advertisers for commercial, political and social messages. Both off premises and on premises billboards are prohibited by this chapter.~~
- i. ~~Off premises signs, except those specifically allowed by subsection 23-545.6(a) are prohibited.~~
- j.h. Wind signs, including banners, pennants, spinners, streamers, and other wind-actuated components are prohibited unless specifically allowed herein.
- k. ~~Abandoned signs are prohibited. (See subsection 23-545.8.b.)~~
- l.i. Signs containing any statement, word, character or illustration of an obscene, indecent or immoral nature are prohibited.
- m. ~~No sign shall be permitted that is not legible, well painted, in good repair, properly maintained and sturdy enough to permit those persons working on the signs to do so in safety.~~
- n.j. All signs not specifically allowed are prohibited.
- o. ~~A changeable copy sign is permitted for a church if in compliance with subsection 23-545.6(e).~~

Sec. 23-545.6 Special signs.

a. ~~*Off premises signs.* Off premises signs are prohibited except as provided in this subsection.~~

1. ~~*Hotels, motels and restaurants.* Each hotel, motel or restaurant is allowed not more than three (3) off premises signs not to exceed twenty (20) feet in area or twelve (12) feet in height. Such signs shall not advertise and shall only identify the hotel, motel or restaurant and provide directions as to its location.~~

2. ~~*Directional signs.* Directional signs for visitor attractions, points of interest, churches, governmental services and other destinations which the city and other governmental agencies deemed to be of assistance to the motoring public shall be installed on the public right of way by such governmental agencies as part of their traffic control responsibility. Such signs are exempt from the requirements of this section.~~

- a. ~~*Sandwich board signs. A-frame sidewalk signs.* A freestanding, An A-frame sidewalk sign is a portable sign which has no prongs or solid base and is supported on with two display boards hinged at the top. with two (2) surface areas for display. A-frame sidewalk signs are allowed for the purpose of communicating messages to pedestrians walking along a sidewalk in a commercial area and are not meant to be placed for or legible by people in passing vehicles. An A-frame sidewalk sign shall be permitted only if it meets all of the following restrictions:~~

1. Areas allowed. A-frame sidewalk signs ~~Sandwich board signs may be used~~ are permitted only in pedestrian areas, as specified below:
 - A. On a sidewalk between the Scenic Highway and Wetmore Street on Central Avenue, Stuart Avenue, Park Avenue, and Orange Avenue and between "A" Street and "D" Street on Lincoln Avenue.
 - B. On a sidewalk running along and abutting the front of any commercial building provided the sidewalk exceeds 5 feet in width.
2. Permit required. A permit is required for an A-frame sidewalk sign to ensure compliance with these regulations. Drawings with dimensions of the sign and area where the sign will be displayed are required.
3. Display. ~~A sandwich board~~
 - A. Only one A-frame sidewalk sign may be permitted per business frontage.
 - B. The sign may be displayed only in front of the business for which it is permitted ~~which it advertises~~ and in the location designated on the permit. It and may not be displayed at any other off-premises site.
 - C. ~~No more than one (1) sandwich board~~ The sign may be displayed only during hours of operation of the business and must be removed at the close of business each day.
 - D. The sign may display a commercial or non-commercial message on each side of the sign.
 - E. The sign's message must be clearly and neatly displayed and shall be securely attached to the display face.
 - F. No balloons, streamers, pinwheels, extensions, or other devices may be attached to the sign.
 - G. Signs with prongs to attach the sign to the ground and signs with legs or solid bases are not permissible.
4. Dimensions. An A-frame sidewalk sign shall not exceed 4 ft. in height and 2 ft. in width. ~~A sandwich board sign shall not exceed sixty (60) inches in height and thirty (30) inches in width.~~
5. Placement. The permit shall designate a location or locations in front of the business where the sign may be displayed.
 - A. The location may be on the public sidewalk provided the sign does ~~A sandwich board may not impede or restrict the flow of pedestrian traffic or violate the standards of the Americans with Disabilities Act.~~
 - B. The sign shall not be placed on landscaping other than grass directly adjacent to the sidewalk. If there is no location where the sign can be placed without violation of these location criteria, the permit shall be denied.

6. Violations. Portable signs displayed in the public right-of-way in violation of the provisions of this section shall be removed by the City without notice.

e. ~~Church signs.~~

1. ~~One wall or ground sign not exceeding ten (10) feet in overall height may be utilized per street faced.~~
2. ~~Sign area may not exceed fifty-four (54) square feet when facing a street with a speed limit of thirty-five (35) miles per hour or less or seventy-two (72) square feet when facing a street with a speed limit exceeding thirty-five (35) miles per hour.~~
3. ~~Changeable copy may comprise up to two-thirds (2/3) of the area of the sign.~~

d. ~~Temporary signs.~~

1. ~~Special event signs.~~ Community, civic and fraternal organizations sponsoring public service or special events shall be allowed a reasonable number of temporary signs or banners designed to inform the public of such event.
2. ~~On-site development sign.~~ Signs to identify a non-residential or mixed-use development where an active building and development program is underway shall be permitted on a temporary basis for a maximum period of two (2) years or completion of construction, whichever is the shorter period. An extension of time may be granted by the planning board for good cause. A permit for such signs shall be issued only after a site development permit has been issued for the project or a phase of the project.
 - A. ~~One wall-mounted or monument style ground sign may be erected per street frontage. On the principal frontage, the maximum area of the sign face shall be as for a business complex sign (per Table 23-545) in the applicable zoning district. In the C-1 district, the maximum area shall be one hundred (100) square feet. On other frontages, the maximum sign face shall be thirty-two (32) square feet in area. For mixed-use developments, the sign area allowance for the residential and non-residential portions of the development shall be calculated, and the larger of the two (2) shall be permitted. (See section 23-526.3.e. for subdivision development signs.)~~
 - B. ~~A sign located at the intersection of two (2) streets or at the entrance to a development may split the two (2) sign faces to create a V-shaped sign. The sign face allowance for a side street may be incorporated into such a sign, provided no sign is placed on the side street and provided the maximum area per sign face is not exceeded.~~

- C. ~~Code requirements must be met for all signs except that sign faces may be made of non-rigid materials such as printed plastic sheets.~~
- D. ~~In addition, up to three (3) signs, identifying architect, engineer, or contractors, not exceeding sixteen (16) square feet in area per face, may be permitted per frontage.~~
- 3. ~~*Real estate sign.* A sign indicating the owner's desire to sell or rent his property, either personally or through an agent shall be permitted. No real estate sign permitted by this section shall be closer than fifteen (15) feet to any side property line. The sign shall be removed after the property has been sold and title has passed, or after an agreement to rent the property has been achieved. For sale of acreage and commercial property, one on (1) site non-illuminated wall or ground-mounted sign not exceeding twelve (12) square feet in area and not more than four (4) feet in overall height shall be permitted.~~
- 4. ~~*Political signs.* Signs advocating a political candidate or other ballot issue are allowed, exempt from permit requirements, under the following restrictions:~~
 - A. ~~The election sign shall not be placed on the site more than thirty (30) days prior to the election in issue and shall be removed within five (5) days after the election in issue.~~
 - B. ~~No political sign shall be placed within a road right-of-way except that the owner of a property may place political signs in front of his house or business property within the right-of-way provided that no sign is within ten (10) feet of the edge of the travelway or driveway or within thirty-five (35) feet of the travel ways at the intersection of two (2) streets or a street and alley. No sign shall be placed on the street side of a sidewalk.~~
 - C. ~~No election sign shall be attached to a tree or utility pole.~~
 - D. ~~No election sign shall be placed in a public park, public open space, or public parking lot or upon any other public property.~~
 - E. ~~Political signs found to be in violation of this subsection shall be removed by the code enforcement officer and stored in a city facility for five (5) days. If such signs are not claimed by their owner within that period, they shall be considered to be abandoned and shall be discarded without liability to the city.~~
- 5. ~~*Temporary window signs.* A sign or signs not exceeding one quarter of the window area may be displayed, provided the sign(s) cannot be read from a vehicular travelway and provided the sign(s) is not permanently affixed to the window.~~

b. *Temporary signs*

For the purposes of this provision, "temporary" pertains to the nature of the sign as not permanently installed, rather than to the duration of its display.

- 1. For special events - Signs approved under sec. 23-343 ("Auctions, sales, and events, temporary") may display commercial messages.

2. For non-commercial messages

The purpose of this provision is to allow temporary signs for free expression on non-residential properties.

Temporary signs meeting the requirements of this section may display non-commercial messages such as political, real estate, “no trespassing,” public interest, and other non-commercial messages. (Note: signs permitted for commercial purposes may also be used to display non-commercial messages.)

See definition of “commercial message” in sec. 23-802 under “sign.”

Permits are not required for temporary signs with non-commercial messages on non-residential properties subject to the following restrictions:

- A. Signs with messages pertaining to an event such as an election shall be removed within seven days of the close of the event.
- B. No such sign shall be placed in or overhang into the public right-of-way.
- C. No such sign shall be attached to a tree, hedge, street sign, light pole, or other appurtenance.
- D. No such sign shall be placed so as to block visibility at the intersection of a roadway and another roadway, alley, or driveway.
- E. Signs must be non-illuminated, made of rigid materials, and securely anchored with posts, prongs, or other device.
- F. Signs may be mounted on a building or fence or be free-standing
- G. Dimensions - One freestanding sign may be placed on a vacant non-residentially zoned property or on a developed non-residential property for each street frontage or each 500 feet of street frontage, provided that for a lot under an acre in size, the sign shall not exceed 12 square feet in area or 5 feet in height, and for a parcel exceeding one acre in size, the sign shall not exceed 32 square feet in size or 10 feet in height. In addition, one wall sign not exceeding 12 square feet in area may be placed on each side of a building visible from a vehicular or pedestrian way.

3. Temporary painted or paper signs in windows, limited to twenty-five (25) ~~fifteen (15)~~ percent of the total window area.

- c. *Changeable copy and electronic signs.* Changeable copy may constitute up to one-half (½) of the sign area of a ground or wall sign. Electronic copy is permitted as an integral part of a ground sign in all C-3 Highway Commercial districts and in LCI-Limited Commercial Districts fronting on US Highway 27 provided the copy does not change more frequently than every thirty (30) seconds.
- d. *Ground sign in C-1 district.* A special exception permit from the planning board is required for a ground sign in a C-1 district. Wall signs, right-angle signs, and awning

signs are encouraged in lieu of ground signs in the C-1 districts. Monument style signs are preferred to pole signs. Ground signs approved by the planning board in the C-1 districts may be restricted to a size and height deemed appropriate for the particular circumstances, but shall not exceed ten (10) feet in height and fifteen (15) square feet in area.

The board may find that a ground sign is appropriate if one (1) or more of the following circumstances exist.

1. — Because of particular characteristics or location of the property, signage other than a ground sign is ineffective in identifying the building.
2. — The sign will identify a parking lot serving the building. Parking lot signs are not to exceed eight (8) square feet in size and six (6) feet in height.
3. — The building served by the sign is set back from the front property line twenty (20) feet or more.

Sec. 23-545.7 Number, location, area and height requirements. Requirements for location, maximum area and maximum height of signs allowed on non-residential structures shall be as listed in Table 23-545.

- a. — *Sign area.* The area of a sign shall be measured to include the entire area within a continuous perimeter and a single plane composed of a square, circle or rectangle which encloses the extreme limits of the advertising message or announcement of wording together with any frame, background, trim or other integral part of the display excluding the necessary supports or uprights on which such sign is placed. The owner may not increase the allowed total area, but may use more than one (1) square, circle or rectangle in order to calculate the area. Sign area of a ground-mounted sign is the entire area of one (1) side of such sign so that two (2) sides which are back to back are counted only once.
- b. — *Signable area of a building.* A rectangular area on the facade of a building which is free of windows and doors or major architectural detail.
- c. — *Sign height measurement.* The height of a sign shall be measured from the average grade within a 10-foot radius of the base of the sign.
- d. — *Changeable copy and electronic signs.* Changeable copy may constitute up to one-half ($\frac{1}{2}$) of the sign area of a ground or wall sign. Electronic copy is permitted as an integral part of a ground sign in the C-3 districts provided the copy does not change more frequently than every thirty (30) seconds.
- e. — *Expression line.* The expression line is the architectural feature on the facade of a building delineating the transition between the ground floor and the upper facade.

Sec. 23-545.8 23-545.7 Maintenance of signs.

- a. *Condition.* All signs must be legible, well painted, in good repair, properly maintained and sturdy.

- b. *Abandoned signs.* A sign shall be determined to be abandoned if the business or other use it served has been discontinued for a period of six (6) months. In making a determination as to abandonment, the enforcing official may consider, among other factors, the existence or absence of a current local business tax receipt, utilities service deposit at that location, use of the premises and relocation of a business.

Upon determining that a sign is abandoned, the administrative official shall notify the owner by certified mail that corrective action is required within thirty (30) days. The notice shall require the removal of the sign, except that, in lieu of removal, a sign found to be in sturdy condition by the building official may be covered with a fitted cloth or plastic sleeve designed for such purpose or may have a blank sign face installed, subject to a temporary sign permit. Repairs to the sign to restore it to a safe condition may be required as a condition of the temporary permit. Nothing in this section shall exempt a non-conforming sign from the provisions of this chapter for non-conforming signs.

Sec. 23-545.9-545.8. Nonconforming signs.

Nonconforming signs are signs that do not meet current requirements of this chapter. Those signs that were in accordance with the sign regulations at the time they were placed are considered "legally" nonconforming signs and may remain in place subject to the provisions of this section. Nonconforming signs that are not "legally" nonconforming shall be removed immediately.

- a. *Maintenance.* Nonconforming signs shall maintain the same appearance and safe conditions as required by this chapter and by the city's building code for conforming signs.
- b. Alterations and modifications to a legally nonconforming sign shall be permitted providing that the degree of nonconformity is not increased and provided the change does not exceed fifty (50) percent of what it would cost the owner to alter or replace the sign to conform with this chapter.
- c. If a nonconforming sign becomes damaged from any cause and the cost to repair exceeds fifty (50) percent of what it would cost the owner to conform with this chapter, the sign will lose its privilege to remain nonconforming, and it shall be removed or made to conform within ninety (90) days.
- d. All legally nonconforming signs existing on property at the time of its annexation into the city limits must be removed, changed, or altered to conform to the provisions of this chapter within five (5) years after the effective date of the ordinance annexing the property into the city limits.

Sec. 23-545.10 545.9. Enforcement.

- a. The administrative official and code enforcement officers shall be the enforcing officials.
- b. An enforcing official is authorized and directed to lawfully enter all premises at reasonable times to determine whether a sign complies with the provisions of this chapter.
- c. If a violation exists, the enforcing official shall send written notice to the occupant and owner shown on the most recent tax roll and to the holder of the certificate of occupancy, if different from both the occupant or owner.
- d. Service of the notice shall be deemed complete if mailed to the owner at the address appearing on the most recent tax roll.
- e. If violation is not corrected within a reasonable time as specified in the notice, the enforcing official is authorized to remove the sign at the owner's expense, to utilize the code enforcement procedures and penalty provisions of Chapter 12 of the Lake Wales Code of Ordinances.

Sec. 23.545.10. Severability

If any clause, section or provision of the sign regulations for non-residential properties (sec. 23-545) shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said section shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

SECTION 6. **TABLE 23-545** is amended to read as follows:

**TABLE 23-545
LOCATION, AREA AND HEIGHT REQUIREMENTS
FOR SIGNS ON ~~FOR~~ NON-RESIDENTIAL USES STRUCTURES**

TYPE OF SIGN	C-1, C-2, C-3, C-5 & LCI DISTRICTS	I and BPC DISTRICTS	PF, C-4, C2R, and R Districts
WALL SIGN			
A sign affixed to or painted on the wall or window of a building, mounted parallel to the wall and projecting not more than 12 inches,	One wall sign may be permitted for each side of a building that is visible from a common travelway, pedestrian or vehicular.	Same requirements as for C-3 district.	Same requirements as for C-1 and C-5 districts.

not extending above the roof line or facade, and not interrupting the building's architectural features.	<u>In a shopping center or other business complex, wall signs for tenants shall be as provided in the approved master signage plan filed by the owner under sec. 23-545.3.</u>		
	In the C-1 and C-5 districts, no wall sign may be permitted above the expression line ¹ of a building except for window signs not exceeding 2 square feet and signs that identify a building and are incorporated into the cornice detail.		
	Maximum size: 2 sq. ft. (1 sq. ft. in C-1A district) of sign for each linear foot of the side of the building on which the sign is placed, not to exceed 60 sq. ft. in the C-1 and C-5 districts and 90 sq. ft. in the C-2 district.		
BUSINESS COMPLEX SIGN			
A ground sign identifying for a shopping center, professional office center, industrial park or other grouping of two or more buildings or businesses.	<u>Allowed only with an approved master signage plan under sec. 23-545.3</u> One ground sign permitted on the primary street frontage of a business complex and a one ground sign permitted on each secondary street frontage, provided the distance between the primary ground sign and secondary ground sign is at least 150 feet	Same as for "C" districts.	Same number of signs as for "C" districts <u>except as noted.</u>

	measured along abutting roadways; not permitted in C-1 districts.		
Landscaping shall be planted at the base of ground-mounted signs; plant materials shall be sufficient to screen the sign's supports to a height of 50% of the distance from the ground to the bottom of the sign within a period of 2 years.	A master plan for signage in a business complex is required pursuant to § 23-545.3(b).	A master plan for signage in a business complex is required pursuant to § 23-545.3(b)	A master plan for signage is required pursuant to § 23-545.3(b)
	Maximum area: Primary frontage sign - 30 <u>36</u> sq. ft. or 1.5 times the total business floor area in the complex divided by 1,000, not to exceed 225 square feet.		Maximum area: Primary frontage sign – 30 36 sq. ft. or 1.5 times the total business floor area in the complex divided by 1,000, not to exceed 100 square feet.
	Secondary frontage sign - 50% of the permitted primary frontage sign area, not to exceed 36 sq. ft.		Secondary frontage sign - 50% of the permitted primary frontage sign area, not to exceed 20 sq. ft.
All ground signs shall be located 35 feet from the intersection of the edge of pavement of any travel lanes or ways, including entrance roads and alleys unless the sign does not block visibility between 3 and 10 feet in height.	Maximum height: Primary frontage sign - 18 ft. or 0.9 times the total business floor area in the complex divided by 1,000, not to exceed 30 feet. Secondary frontage sign - 15 ft.		Maximum height: Primary frontage sign - 15 feet Secondary frontage sign - 10 ft.
	Lettering requirements: The name of the business complex shall be legibly displayed on		Lettering requirements: Same as for C-2, C-3, C-5, and LCI districts except minimum

	the sign and shall be written in letters with a minimum height of <u>10 inches in a space or band a minimum of 18 inches measured vertically.</u> Tenant signs shall be designed as integral components of the sign and not as "add-ons." Each tenant band on the sign shall be a minimum of 12 inches and shall have a minimum lettering size of 8- <u>6</u> inches. The maximum lettering size for a tenant name shall be 2/3 of the size of the lettering of the business complex name. Lettering styles and colors shall be consistent.		lettering size for the name of the business complex shall be <u>8 inches in a space or band a minimum of 12 inches measured vertically</u> and tenant bands shall be a minimum of 8 <u>9</u> inches and shall have a minimum lettering size of 6 inches.
GROUND SIGN			
Any sign which is supported by masonry, wood, metal or similar structure uprights or braces and is permanently installed in or on the ground on a permanent base.	One ground sign permitted on the primary street frontage. The sign may be placed at the intersection of two streets. A secondary ground sign is permitted only where the street frontage where the sign is to be located is opposite of, rather than at a right angle to, the primary frontage. Planning board approval required in C-	Same as for "C" districts.	Same as for "C" districts except as noted below.

	1 districts pursuant to § 23-545.6.e. <u>A monument style sign is permitted in C-1 district provided the front yard setback of the building is 20 feet or greater.</u>		
Ground signs for churches are restricted under § 545.6(e).	If the nearest edge of a building wall is set back from the edge of the adjacent street 35 ft or more, a ground sign is allowed in addition to a wall sign.		
Landscaping shall be planted at the base of ground-mounted signs; plant materials shall be sufficient to screen the sign's supports to a height of 50% of the distance from the ground to the bottom of the sign within a period of 2 years.	May be displayed only on a frontage of 75 ft or more and may not be closer than 75 ft to any other ground sign.		
	Maximum area: Primary frontage sign - 24 <u>32</u> sq. ft. or 1.2 times the total business floor area divided by 1,000, not to exceed 180 square feet. Secondary frontage sign - 20 sq. ft.		Maximum area: 24 <u>32</u> sq. ft. or 1.2 times the total business floor area divided by 1,000, not to exceed 70 sq. ft.
	Maximum height: Primary frontage sign - 14 <u>15</u> ft. or 0.6 times the total business floor area divided by 1,000, not to exceed 24 ft. Secondary frontage sign - 10 ft.		Maximum height: 15 ft.
	Lettering requirements:		

	The minimum height of lettering on a sign on an arterial roadway shall be 6 inches.		
RIGHT-ANGLE SIGN			
Any sign which is affixed to any building, wall or structure and which extends more than 12 inches horizontally from the building wall and projects from the wall at an angle of 90 degrees. <u>Also includes signs hung under a canopy.</u>	<u>Each</u> businesses in <u>a</u> buildings set back no more than 10 feet from a public sidewalk or a sidewalk in a business complex may have a right-angle sign. Signs in a business complex shall conform to <u>an approved</u> master signage plan <u>filed by the owner.</u> (See 23-545.3(b)).	N/A	Same as for "C" districts
	Sign must clear the sidewalk by at least 8 ft and project no more than 5 ft from the building or ½ the width of the sidewalk, whichever is less. Sign should be mounted at least 6 inches from the wall and may not be placed above the expression line of the building facade. Sign may not project at the corner of the building and may not be displayed closer than 30 <u>20</u> ft from any other right-angle sign.		
WINDOW SIGN			
A sign painted, etched or otherwise affixed to a window.	Permanent window signs may be displayed and the area of the window sign will be counted as part of the wall sign allowance.	Same as for "C" districts.	Same as for "C" districts.

PENNANTS	Used car lots are allowed 1 string of pennants for each street faced. Pennants shall not exceed 3 feet in length or width.	N/A	N/A
AWNING SIGN			
A sign on a shelter supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.	An awning sign <u>with a message</u> covering up to 50% of the area of the awning may be permitted, provided that the area of the awning sign combined with the area of the wall sign does not exceed the allowable sign area for the side of the building where the awning is located. Note that an awning without printing is not a sign.	Same as for "C" districts.	Same as for "C" districts.
SANDWICH BOARD <u>A-FRAME SIDEWALK SIGNS</u>			
A freestanding portable sign <u>which has no legs or solid base and which is supported on two display boards hinged at the top. having one or two surface areas for display and no supporting posts.</u>	Allowed in portions of C-1 districts only pursuant to § 23-545.6(b) <u>a.</u>		

[†]—Internally lit signs are prohibited except as stated in section 23-545.5.f.5.

¹”Expression line” means the architectural feature on the façade of a building delineating the transition between the ground floor and the upper façade.

NOTES:

1. Sign area. The area of a sign shall be measured to include the entire area within a continuous perimeter and a single plane composed of a square, circle or rectangle which encloses the extreme limits of the advertising message or announcement of wording together with any frame, background, trim or other integral part of the display excluding the necessary supports or uprights on which such sign is placed. The owner may not

increase the allowed total area, but may use more than one (1) square, circle or rectangle in order to calculate the area. Sign area of a ground-mounted sign is the entire area of one (1) side of such sign so that two (2) sides which are back to back are counted only once.

2. Sign height measurement. The height of a sign shall be measured from the average grade within a 10-foot radius of the base of the sign.

SECTION 7. The following amendments are made to **Sec. 23-802. Definitions:**

The definition of “sign” and definitions of various terms under “sign” are amended as follows:

~~Sign. . Any object, device, display, or structure, or part thereof, used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location, by visual means.~~

Any device, structure, fixture, painting, or visual image using words, graphics, symbols, numbers, or letters, designed and used for the purpose of communicating a message or attracting attention. To “place” a sign shall mean construct, erect, post, paint, sculpt, project or otherwise display

Add before “Awning sign”:

A-Frame sidewalk sign means a portable sign which has no legs or solid base and which is supported on two display boards hinged at the top.

Remove definition of “Billboard.”

~~Billboard. A sign, usually placed on a freestanding structure, which directs attention to a business, commodity, service, entertainment or attraction sold, offered or existing elsewhere than upon the same lot, where such sign is made available to national and local advertisers for commercial, political and social messages.~~

Add after “Changeable copy sign”:

Commercial message means a sign, wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service or other commercial activity or to an institution or other non-residential activity or use. For the purposes of sign regulation, the following are not considered commercial activities: proposed sale, rental or lease of the real estate where the message is displayed, the incidental and occasional sale of personal property on site, residential yard sales held in compliance with the provisions of this chapter, and construction/renovation on site.

Add before “Monument sign”:

Legible pertains to a message on a sign and means that the message can be comprehended by a person with eyesight adequate to obtain a Florida driver’s

license standing in the public way or other location from which legibility is to be determined. Where such facts are material, it shall be presumed that the observation takes place in daylight hours, and that the person making the observation is standing and is between 5 feet 2 inches and 6 feet tall.

Remove the following definitions:

~~*Off-premises sign.* A sign located on a site other than the establishment it advertises or identifies.~~

~~*Pennants.* Small flags, usually triangular in shape, made of colored fabric or plastic.~~

~~*Political sign.* Signs advocating a political candidate or other ballot issue.~~

Add after "Monument sign":

Portable sign means a sign not permanently installed under the provisions of this Code. Examples of portable signs are: signs on prongs or posts pushed into the ground; A-frame and unanchored pedestal signs; signs mounted on top of vehicles or trailers; vehicles parked whether legally or illegally so as to serve as a sign.

Remove the following definitions:

~~*Sandwich board sign.* A freestanding portable sign having one (1) or two (2) surface areas for display and no supporting posts.~~

~~*Sign area.* The entire area within a continuous perimeter and a single plane composed of a square, circle or rectangle which encloses the extreme limits of the advertising message or announcement of wording together with any frame, background, trim or other integral part of the display excluding the necessary supports or uprights on which such sign is placed. The owner may not increase the allowed total area, but may use more than one (1) square, circle or rectangle in order to calculate the area. Sign area of a ground-mounted sign is the entire area of one (1) side of such sign so that two (2) sides which are back to back are counted only once.~~

~~*Signable area of a building* is a rectangular area on the facade of a building which is free of windows and doors or major architectural detail.~~

Add the following definition after "Yard":

Yard sale means the offering of several items for purchase on a residential property at the same time, regardless of whether the items are displayed or whether they are displayed outdoors or indoors. The simultaneous offering of up to two (2) items owned by the resident does not constitute a yard sale, provided the offering of items is incidental and occasional, not habitual or recurring. The term "yard sale" includes similar sales such as "garage," "estate," "lawn" sales.

SECTION 8. **Severability:** If any clause, section or provision of this ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated.

SECTION 9. **Effective date:** This ordinance shall become effective immediately upon its passage by the City Commission.

CERTIFIED AS TO PASSAGE this 18th day of June 2013.

BY: Eugene L. Maltz
Mayor/Commissioner
City of Lake Wales, Polk County, Florida

ATTEST: Clara Ann Blargan
City Clerk