

**CHAPTER 155: SIGN CODE**

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## CHAPTER 155: SIGN CODE

### § 155.01 PURPOSE; INTENT

(A) It is the intent of this chapter to promote and protect the public health, safety, general welfare, and aesthetics of the City, by regulating the existing and proposed posting, display, erection, use and maintenance of signs, billboards, and other advertising structures within the City.

(B) With respect to signs advertising business uses, it is specifically intended, among other things, to avoid excessive proliferation and clutter among sign displays competing for public attention. Therefore, the display of signs should be appropriate to the land, building or use to which they are appurtenant and be adequate, but not excessive, for the intended purpose of identification.

(C) It is further intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, preserve the scenic and natural beauty of the City, provide a more enjoyable and pleasing community and prevent interference with the intended use of public property and rights-of-way. Also, it is intended hereby to improve vehicular and pedestrian safety, curb the deterioration of natural beauty, and reduce visual pollution.

### § 155.02 DEFINITIONS

(A) For the purpose of this chapter, the following definitions shall apply as an integral part of the Code with complete authority as if it were a specific requirement, unless the context clearly indicates or requires a different meaning.

**ABANDONED SIGN.** A sign is abandoned if a business advertised on that sign is no longer licensed, or is no longer doing business at that location.

**ADD-ON SIGN.** Any additional sign area added to a previously permitted and/or conforming sign.

**ADVERTISING.** Any form of printed message intended to aid, directly or indirectly, in the sale, use or promotion of a product, commodity, service, activity, or entertainment.

**A-FRAME SIGN.** A moveable sign not secured or attached to the ground as required by this Code. Menu boards are permitted on sidewalks within commercial shopping centers and in front of the business it applies to, and which do not obstruct the walkway and are not placed in the landscaping.

**ANIMATED SIGN.** A sign with action or motion using electrical energy, electronic or manufactured sources of supply, or wind actuated elements, including rotating, revolving, or flashing sign against which it is placed, excluding the necessary supports or uprights on which such sign is placed.

**AUCTION SIGNS.** Auction signs announce an upcoming event. They are temporary in nature and require a Special Event Permit.

**AUTOMATED TELLER MACHINE SIGNS.** Automated teller machine (ATM) signs are all signs located on or architecturally associated with the exterior face of the machine.

**AWNINGS.** Any fixed or moveable roof-like structure, cantilevered, or otherwise entirely supported from a building.

**BANNER.** Any sign having the characters, letters, illustrations, or ornamentations applied to cloth, paper, or fabric of any kind with only such material for foundation. The word "banner" shall also include pennant or any animated, rotating and/or fluttering device, with or without lettering or design, and manufactured and placed for the purpose of attracting attention.

**BENCH SIGN.** A sign located on any part of the surface of a bench or seat placed adjacent to a public street.

**BILLBOARD.** Any sign or framework thereof installed as authorized by the provisions of § 158.137.

**BUILDING DEPARTMENT.** The City agency duly authorized to permit and inspect permanent business signs.

**BUILDING FACADE.** That portion of any exterior elevation of a building extending from grade to the top of the parapet wall or eaves and the entire width of the building elevation, including window area, but excluding any residential area in a mixed use building.

**BUILDING SETBACK LINE.** The building setback line is that line established by the Zoning Code of the City.

**BUSINESS FRONT FOOT.** The lineal distance of the building space occupied by the particular business measured on a straight line parallel to the street. In the event that a building fronts on two (2) or more streets, the property owner shall be given the option of selecting one (1) street frontage for the purpose of computing allowable sign area. Where a business does not parallel a street, the front foot shall be measured along the exterior of the building space occupied by the particular business.

**CHANGEABLE COPY SIGN.** A sign which has message characters that are not permanently attached to the sign, but which are attached to permit numerous changes of the message.

**CITY.** City of Port St. Lucie, Florida.

**CODE ENFORCEMENT DIVISION.** The City agency duly authorized to enforce this ordinance.

**COMMERCIAL/INDUSTRIAL/RESIDENTIAL COMPLEX.** A land area of three or more acres under unity of title which is designed to accommodate:

- (1) An office park;
- (2) A retail shopping center;

- (3) An industrial center; or,
- (4) A multiple family residential project of greater than ten units.

**CONSTRUCTION SIGN.** A temporary sign erected on the premises on which construction is taking place, during the period of such construction, identifying those engaged in construction on any building site. This includes the builder, contractor, developer, architect, engineer, financing entity, or other persons or artisans involved in said construction.

**CREDIT CARD SIGN.** A sign signifying that goods or services may be purchased on credit by means of an established credit line (Visa, Master Card, American Express, etc.). See § 155.04 (B)(7) for details.

**DECK LINE.** See "Roof Line".

**DESIGN REVIEW BOARD.** An individual or group of individuals created by the overall project developer charged with the responsibility of implementing development and design criteria established by the overall project developer to promote unified design concepts.

**DEVELOPMENT SIGN.** A temporary sign advertising the sale or rental of structures under construction upon land which is under development.

**DIRECTIONAL SIGN.** Any sign permanently or temporarily installed on public property by or with approval of the City or any authorized governmental agency. Such directional signs shall be designated to guide or direct pedestrians or vehicles to any public building and facilities, houses of worship, hospitals, transportation facilities or polling places. See § 155.08 (B)(3) for details.

**DIRECTORY SIGN.** A sign which lists only the names of individuals or businesses within a building, or contiguous buildings on one (1) premise.

**DOUBLED-FACE SIGN.** A sign with two faces which are parallel to each other, and back to back. A double-faced sign shall be considered one (1) sign for the purpose of this Chapter.

**FACADE SIGN.** See "Wall Sign".

**FEATHER FLAG.** A vertical flag used for identifying a secondary model home contiguous to the primary model home site.

**FLAG.** A piece of fabric with a color or pattern that represents some country, state, county, city, party, organization, or business activity. See § 155.04 (B) (5) & (9) for details.

**FLASHING SIGN.** Any sign with a light or lights which flash, blink, operating on and off intermittently, change in intensity, or otherwise create the illusion of flashing or movement.

**FLAT OR WALL SIGN.** Any sign erected parallel to the facade or on the outside wall of any building and supported throughout its length by the wall of the building or incorporated into the structure or architecture.

**FREE STANDING SIGN.** A sign which is supported by one (1) or more columns, uprights or braces anchored into the ground independent of support from any building, including ground signs and pole signs.

**FRONTAGE.** The face of a building most nearly parallel with the public right-of-way line.

**GARAGE SALE SIGN.** Any sign pertaining to the sale of personal property in, at or upon any residentially zoned property located in the City, to include yard sales, moving sales and the like. Garage sales shall include but not be limited to all such sales, and shall include the advertising of the holding of any such sale, of the offering to make any sale, whether made under any other name such as lawn sale, yard sale, moving sale, front yard sale, back yard sale, home sale, attic sale, rummage sale, patio sale, flea market sale, or any similar designation. Limited to five (5) square feet in area. See "Residential Transitory Sign".

**GAS SERVICE FACILITY.** Any structure used for the retail dispensing or sale of vehicular fuels.

**GROUND SIGN.** See "Free Standing Sign".

**HEIGHT, SIGN.** The vertical distance to the highest point of a sign. Freestanding signs shall be measured from the crown of the nearest abutting street.

**HOME NAMEPLATE.** A nameplate not more than one(1) square foot in area indicating only the name of the occupant.

**IDENTIFICATION SIGN.** A sign which contains no advertising and the message of which is limited to conveying street numbers, the name, address and numbers of the premises, or the name of the owner or occupant of the premises.

**ILLUMINATED SIGN.** A sign in which a source of light is used in order to make the message readable and shall include internally and externally lighted signs.

**INSTALL.** To erect, replace, hang, paint, display, apply, or otherwise put in place in any manner whatsoever.

**INSTRUCTIONAL SIGN.** A sign conveying instructions with respect to the premises on which it is maintained, such as, but not limited to, "exit", "entrance", "parking", or similar instruction. See § 155.04 (B)(3) for details.

**MASTER SIGN PROGRAM.** A comprehensive sign program for multi-phased projects which promotes unified design concepts harmonious with the overall project and adjacent properties. See § 155.03 (H) for details.

**MULTIPLE-FACED SIGN.** A sign with more than two (2) faces.

**MULTI-PHASED PROJECTS.** Approved residential and/or non-residential projects under single ownership (unity of title) which have obtained preliminary approval of more than one (1) phase, where each phase may be developed under separate ownership, independent from another, and each consisting of a minimum area of 100 acres.

**NEIGHBORHOOD SIGNAGE.** Signs designating separate and distinct neighborhoods which may be part of a larger subdivision or have distinct characteristics which are unlike those in adjoining areas.

**NONCONFORMING SIGN.** Any sign which does not comply with the regulations of this Sign Code, or subsequent amendments.

**OFF-PREMISES SIGN.** A sign identifying, advertising or directing the public to a business, merchandise, service institution, residential area, entertainment, or activity which is located, sold, rented, based, produced, manufactured, furnished or taking place at a location other than on the property on which the sign is located.

**ON-PREMISES SIGN.** Any structure, device, display board, screen, surface or wall, characters, letters, or illustrations placed thereto, thereon, or thereunder by any method or means whatsoever where the matter displayed is used for advertising on the premises, a product or service, actually or actively offered for sale or rent thereon or therein.

**OVERALL PROJECT DEVELOPER.** The individual, company or corporation who obtained preliminary approval of a multi-phased project under a single unity of title or an individual, company or corporation who purchased a multi-phased project in its entirety.

**PAINTED SIGN.** Any sign painted on any surface, including the roof of any building, visible from any public right-of-way.

**PARAPET.** That portion of the facade which extends above the roof immediately adjacent thereto.

**PERSON.** The word "person" shall include individuals, partnerships, associations, and corporations.

**PLANNING DEPARTMENT.** The City agency duly authorized to review applications and plans for compliance with this chapter.

**POLE SIGN.** See "Free Standing Sign".

**POLITICAL SIGN.** Any temporary sign announcing or supporting political candidates or issues in connection with any local, county, state, or national election.

**PORTABLE SIGN.** Any sign that is designed to be transported, including but not limited to signs: with wheels removed; with chassis or support constructed without wheels; designed to be transported by trailer or wheels; attached temporarily or permanently to the ground, structure, or other signs; menu and sandwich boards, searchlight stands; and tethered inflatable signs.

**PREMISES.** A distinct unit or parcel of land including the appurtenances thereon.

**PROJECTING SIGN.** A sign projecting at an angle from the outside wall or walls of any building which is supported by only one (1) rigid support, irrespective of the number of guy wires used in connection therewith.

**PUBLIC SIGN.** A sign placed under the authority of duly authorized government officials, including traffic signs, legal notices, public safety signs, or signs placed by such authorized official for the public health, safety, welfare, or convenience.

**REAL ESTATE SIGN.** Any sign installed by the owner or his agent on a temporary basis, advertising the real property upon which the sign is located for rent, sale, or lease.

**RESIDENTIAL COMPLEX.** See "Commercial/Industrial/Residential Complex".

**RESIDENTIAL TRANSITORY SIGN.** Residential transitory signs are specific types of temporary signs which may be displayed for three (3) consecutive days only. These signs are intended to facilitate garage sales, moving sales, yard sales neighborhood meetings, HOA meetings and the like. See "Garage Sale Sign".

**REVOLVING SIGN.** "See Animated Sign".

**ROOF LINE (DECK LINE).** The highest continuous horizontal line of a roof on a sloping roof, the roof line is the principal ridge line or the highest line common to one (1) or more principal slopes of the roof. On a flat roof, the roof line is the highest continuous line of a roof or parapet, which ever is higher.

**ROOF SIGN.** Any outdoor advertising display sign, installed, constructed or maintained above the roof line of any building.

**ROTATING SIGN.** See "Animated Sign".

**SANDWICH SIGN.** See "A-Frame Sign".

**SIGN.** Any display of banners and flags, characters, letters, illustrations or any ornamentations, or the complete structure on which any such characters, letters, illustrations, or ornamentations are stated or applied (except buildings to which the same may be attached); used for identification, directional purposes, advertising or promotional purposes.

**SNIPE SIGN.** Any sign of any size, made of any material, including but not limited to paper, cardboard, wood, and metal, when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, fences or other objects, and the advertising matter appearing thereon is not applicable to the premises upon which said sign is located.

**SPECIAL EVENT SIGN.** Any temporary sign announcing special events. See § 155.07(B).

**SWINGING SIGN.** Any sign that swings freely from or on supports regardless of the guy wires used in connection therewith.

**TEMPORARY SIGN.** A sign that advertises for a specific limited period of time, political candidates, parties, or issues, a building under construction, business grand opening, other special events and model homes.

**TIME AND TEMPERATURE SIGN.** A display containing illuminated numerals flashing alternately to show the time and/or temperature.

**TRAILER SIGN.** Any sign installed on a frame or structure with wheels other than a motor vehicle.

**UNDER CANOPY SIGN.** Any sign hung under a canopy perpendicular to the building. No permit required. Maximum area is four (4) square feet.

**VARIABLE MESSAGE BOARD.** Portable electronic devices which may be used for providing information to motorists about construction schedules, alternate routes, expected delays, detours, and any other public message for the health, safety or welfare of the traveling public and residents. Use limited to government agencies.

**VARIANCE.** A variance is a relaxation of the terms of this ordinance where said 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 petitioner or applicant, a literal enforcement of the requirements of this ordinance would result in unnecessary and undue hardship on the land.

**VEE-SHAPED SIGN.** Any sign which has two (2) faces which are not parallel.

**VEHICLE SIGN.** A sign affixed to or painted on a transportation vehicle or trailer for the purpose of identification or advertisement. Vehicle signs shall not include political signs, bumper stickers, or signs required by law, ordinance, or regulations.

**WALL SIGN (FACADE SIGN).** Any sign installed parallel to and/or flush against the outside facade of a building.

**WINDOW SIGN.** Any sign installed or maintained in the window of any building, visible from any public right-of-way.

### **§ 155.03 SIGN REGULATION PROCEDURES**

All signs erected, replaced, or relocated on any property shall conform with the provisions of this sign code and with all other applicable codes of the City. Any sign which could fall into more than one category of signs shall be classified within the most restrictive category possible. Anything not addressed in the code is prohibited.

(A) Administration of Sign Permit Applications and Fees. The Building Department is responsible for administering sign applications for permanent signs. An application and fee shall be submitted to the Building Department for all signs which are not specifically exempt from sign permitting. The format of the application shall be as provided by the Building Department. Specific permitting procedures for garage sale signs are provided for in subsection (I).

(1) Sign Applications. The application format for a sign permit shall fully describe the following information:

- (a) Name, address and telephone number of the sign erector or installer and the business owner.
- (b) Written statement signed by the landowner, or the lease or rental agreement, authorizing the placement of the proposed sign.
- (c) Location of building (or structure) and lot to which or upon which the sign is to be placed or maintained.
- (d) Purpose of sign.
- (e) Position of the sign in relation to lot lines, nearby buildings or structures, sidewalks, streets and intersections.
- (f) Type of sign and general description of structural design and construction materials to be used.
- (g) Two prints of drawings of the plans which shall contain specifications concerning structural details of the methods of sign construction and installation. The specifications shall show dimensions, elevations, means of support, method of illumination and any other significant aspect of the proposed sign.
- (h) A statement indicating whether the sign is illuminated and whether the illumination is direct or indirect.
- (i) A layout with sign colors shown or specified.
- (j) Reserved.

(2) Review of Application for Completeness. The Building Department shall review each application to assure that each application is complete. If the application is complete it shall be submitted through the review process. If the application is not complete the Building Department shall return it to the applicant.

(B) Sign Plan Review. All signs requiring a permit shall receive plan approval by the Building and Planning Departments. The Planning Department shall review each sign application for compliance with criteria established herein and the Building Department shall review application documents which illustrate construction, design and electrical work for compliance with the current building codes.

(C) Permitting Procedure. No sign which requires a permit shall be erected, replaced, reconstructed, structurally altered, expanded, relocated, or used without securing a permit from the Building Department. No permit shall be required on a mere change of copy on a changeable copy sign.

(1) Determination of Allowable Sign Area. In determining the allowable sign area pursuant to this chapter, the area of a sign shall include the entire area within a circle, rectangle, or triangle enclosing the extreme limits of writing, representation, or character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed.

(a) Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such signs share identical dimensions, are placed back to back, and are parallel to one another, the area of the sign shall be taken as the area of one face.

(b) Where a sign consists solely of lettering or other sign elements printed or mounted on a wall of a building without any distinguishing border, panel or background, such lettering and sign elements shall be treated as a single sign for purposes of area computation.

(2) Approval Required Prior to Receipt of Permit. No sign permit requiring a plan review shall be issued until the sign application and plan have been reviewed and approved for Building Code compliance by the Building Department and compliance with this section by the Planning Department.

(D) Reserved.

(E) Annual Inspections. Annually, or at such times as deemed necessary, the Building Department shall inspect each sign or advertising structure within the City's limits to determine the sign's compliance with this chapter. An inspection fee to be determined by resolution of the City Council will be paid by the owner or lessee for each sign inspected, excluding signs exempted from the permitting procedure and temporary signs.

(F) Revocation of Permits. The Building Department may revoke a permit approval, issued under this section, if it is found that there has been any intentional or unintentional false statement, concealment or misrepresentation concerning any fact submitted in the application or plans on which the permit approval was based. A permit may also be revoked upon failure of the permit holder to comply with any provision of this section.

(G) Fees:

1) At the time of submission of an application for a sign permit, all fees associated with the subject sign shall be paid based on the following rates:

<u>APPLICATION</u>	<u>FEE</u>
a. Building Department Sign Review Fee	\$ 75.00
b. Fee for review of revisions to sign plan	\$ 50.00
c Illuminated signs:	
Up to 32 square feet	\$ 125.00
Over 32 square feet	\$ 200.00
d. Non-illuminated signs:	
Up to 32 square feet	\$ 100.00
Over 32 square feet	\$ 200.00
e. Temporary signs:	
Up to 32 square feet	\$ 75.00
Over 32 square feet	\$ 125.00
f. Billboard permits issued by the Planning and Zoning Department	
Up to 672 square feet	\$5,000.00
(Note: a Building Permit and Building Permit/Inspection fees are also required.)	

(2) Reinspection fee (all signs except billboards) – Seventy five dollars (\$75.00).

Annual Planning and Zoning reinspection fee for billboards \$1,000.00

(Note: A Building Permit and Building Permit/Inspection fees are also required.)

(3) Partial Permit fees will be refunded provided no inspections have been performed by the Building Department or Planning and Zoning Department. Refunds will be determined as follows:

(a) Refunds will be made of permit fees subject to the charge of twenty-five dollars (\$25.00).

(b) Plan review fees are not refundable.

(4) A transfer fee of forty dollars (\$40.00) must accompany each application to substitute a new contractor for the original applicant after the permit has been issued.

(5) Where work for which a permit is required is started or proceeded with prior to obtaining a permit, the fees herein specified shall be doubled; but the payment of such fee shall not relieve any persons from fully complying with the requirements of the sign ordinance in the execution of the work nor from any other penalties prescribed in the code.

(6) Reserved.

(H) Master Sign Program. The overall project developer of a multi-phased project shall have the option of submitting a master sign program for the total project, or for specified phases within the total project in accordance with the following criteria.

(1) The master sign program, which includes a plan of all existing and proposed signs, must be submitted for review and approval by the City Council after consideration by the Site Plan Review Committee and the Planning and Zoning Board. The administration of fees and sign permit applications must be in accordance with Subsections A through G of this section.

(2) Prior to consideration by the Site Plan Review Committee, applicants for approval of master sign programs or amendments to an approved master sign program must provide written approval from the designated design review board established by the overall project developer. The design review board shall review the application for consistency with the specific provisions of the approved master sign program.

(3) The Building Department shall issue, subject to prior approval by the design review board, a sign permit after verifying that the sign permit application is consistent with the approved master sign program. Any proposed revisions to the master sign program must be approved by the City Council and the overall project developer prior to sign permit application.

(4) As described in subsection(H)(5), the master sign program may include modifications to standard sign regulations after determination by the Site Plan Review Committee that:

(a) The proposed modifications are consistent with the purpose and intent of this ordinance;

(b) The master sign program incorporates designs which are consistent with accepted principles of street graphics, including consideration of sign placement, size, shape, proportion, lettering, color, and overall relation to the overall project and adjacent properties;

(c) The design concepts employed reflect unified design concepts harmonious with the overall project and adjacent properties; and,

(d) The proposed variations are not detrimental to public property or the health, safety and welfare of the general public.

(5) Variations to the following subsections shall supersede the standard sign regulations and may be permitted within the master sign program subject to the conditions noted in subsection (H)(4).

(a) § 155.05(V) - Prohibition of Signs Within Road Rights-of-Way. Signs within road rights-of-way may be permitted subject to compliance with Florida Department of Transportation standards and a written agreement with the affected property owner.

(b) § 155.06(B)(1) - Landscaping Height Restriction. Vegetation in the area surrounding the sign may exceed 12 inches subject to a detailed landscape plan identifying the relationship of plant material to the signs, including plant specifications and maintenance requirements.

(c) § 155.08 - Regulations for permanent identification signs requiring permits.

(I) Garage Sales.

(1) No person shall conduct a garage sale in the City without first completing and filing an application with the Code Enforcement Division and receiving a registration there-from to conduct said sale.

(2) No more than three (3) garage sale licenses shall be issued to any one residence within any calendar year, unless said residence has been sold or newly rented within that time. Only signs bearing a City issued registration sticker may be displayed, not to exceed four (4) signs.

(3) No license shall issue for more than three (3) consecutive days and said registration shall be prominently displayed upon the on-premises garage sale sign. Stickers issued by the Code Enforcement Division shall be displayed on any off-premises signs. Off-premises garage sale signs are allowed in the right-of-way. (ORD 07-170, 01/14/08) (ORD08-37, 7/28/08)

(4) Garage sale signs may only be displayed between the hours of 5:00 a.m. and 7:00 p.m.

(5) The fee for a garage sale sign application shall be \$5.00. The fee shall include stickers, free listing on the City website, TV channel and the City's e-newsletter, times to be determined.

(6) The cut-off time for garage sale sign applications shall be Tuesday at 5:00 p.m. for sales taking place that weekend.

(7) Garage sale signs shall be in compliance with subsection 155.07(F) governing off-premises signs unless inconsistent with this subsection.

**§ 155.04 EXEMPTIONS TO PERMITTING PROCEDURE**

(A) Provisions Regulating Exempted Signs. The following types of signs do not require a permit provided the sign shall:

- (1) Comply with § 155.05;
- (2) Comply with applicable requirements in the zoning district where placed;
- (3) Comply with other provisions in this section; and,
- (4) Comply with § 155.07(D)(1); and
- (5) Be consistent with the spirit, intent, and purpose of this code.

(B) Signs Exempted From Permitting Procedure.

(1) Name Plate and/or Address Identification Signs. Exempted signage shall include facade signs identifying only the name and/or address of the resident and having an area not exceeding one (1) square foot for a single family residential structure or four (4) square feet for a multiple family, nonresidential, or mixed use structure. Such signage shall not include freestanding signs. Street number not counted as part of signage.

(2) Traffic Regulatory and Directional Signs. Traffic regulatory and directional signs erected by authorized agents of the city, county, state, or federal governments for the public safety and welfare. Such signs must comply with all applicable standards of the Manual of Uniform Traffic Control Devices.

(3) Instructional Signs. One (1) sign shall be permitted at each point of ingress and egress to a parking area; however, the signs shall not exceed two (2) square feet for nonresidential uses and shall not exceed four (4) feet in height. Properties zoned WI (Warehouse Industrial) and IN (Industrial) are permitted two (2) ten square foot instructional signs with a maximum height of six (6) feet. The signs may include the business logo and/or name, provided the sign area does not exceed the square footage described above.

(4) Real Estate for Sale, Lease, or Rental Signs. Also applies to names of models within a subdivision.

(a) Number of signs and fees. One sign per street frontage advertising the sale, lease, rental, or exchange of real property or a business opportunity may be placed on the property advertised in any district. If the property abuts a canal/waterway or golf course, an additional sign is permitted if the sign faces the canal/waterway or golf course. One (1) add-on sign no greater than one (1) square foot in area shall be permitted. Each broker shall pay a yearly blanket fee of \$150.00 payable October 1 of each year, with any portion thereof to be prorated as applicable, to the Business Tax Office to cover all in-house realtors.

(b) Area requirements. Said signs shall not exceed four (4) square feet for single family or residential uses and townhouses; six (6) square feet for multiple family or institutional uses; or thirty-two (32) square feet for commercial or industrial sites. A commercial, industrial, or residential complex as defined in § 155.02 may erect a directory sign advertising respective units for sale, lease, or rental.

(c) Required setbacks. The signs shall be located within the property line and shall have a ten foot setback from adjacent property lines, not to include property line along road frontage.

(d) Height requirements. Residential or institutional real estate signs shall not exceed five (5) feet in height. Commercial or industrial real estate signs or allowable real estate directory signs shall not exceed ten (10) feet in height.

(e) Restrictions on copy. Real estate for sale, lease, or rental signs shall contain only the following or any combination thereof at the option of the sign owner:

1. House, apartment, unit, business, or other short description of the property.
2. The words "For Sale", "For Lease", "For Rent", "For Exchange", "See Your Broker", or similar phrase.
3. The registered name of the broker and the term "Broker", "Realtor", or logo, as the case may be, if the offer is through an agent, or the words "By Owner" if the offer is not through an agent.
4. Two (2) telephone numbers and/or "Inquire Within", or a similar phrase, and a room, apartment, or unit number, if needed.

(f) Additional regulations for real estate open to inspection signs. One (1) on-premises sign not to exceed four (4) square feet in area inviting the inspection of said property in all residential zoning districts may be placed in addition to the sign permitted in subsection (4)(a) above. The sign shall be located within the property line and shall have a ten (10) foot setback from adjacent property lines, not to include property line along road frontage. The sign shall be in place only when the property is actually open for inspection. Said sign shall be limited to the words "Open", "Open House", "Open For Inspection", or other similar words or phrases. Further, off-premises signage provided for in Section 155.07(F) shall be allowed and said signs may be located within the right-of-way.

(g) General restriction. It shall be unlawful for any person to place on any lot, parcel of land, building, or structure within the corporate limits of the City any sign or similar advertisement offering real estate or a business opportunity for sale, exchange, lease, rent, or inspection, except as specifically authorized in this § 155.04 (B)(4), excepting allowable active

subdivision or real estate development signs approved pursuant to § 155.07(C) or billboards permitted pursuant to § 155.08(H). The provisions of this subsection shall not apply to signs at the principal office or branch office of any real estate business brokerage firm. However, such signs are subject to the sign restrictions applicable within the zoning district where the office is located.

(h) No illumination. Real estate for sale, lease, or rental signs shall not be illuminated.

(5) Flags. The flying of individual national, state or city flags attached to freestanding poles mounted in the ground, limited to a total of two (2) in number per complex or project site. No one flag shall exceed a dimension of more than forty (40) square feet, subject to the following limitations: The length of the flag shall not exceed one-fourth (1/4) of the length of the flagpole, i.e., 20-foot pole permits a flag three (3) feet wide by five (5) feet long; 35-foot pole permits a flag five (5) feet wide by eight (8) feet long. No flagpole shall exceed thirty-five (35) feet in height. No flags shall be used in such a way as to attract the attention of the public for commercial purposes.

(6) Non-Commercial Decorative Art. Decorative or architectural features which are an integral element of a building or works of art so long as such features do not contain letters, trademarks, moving parts, exhibit merchandise for sale on premises, and do not contain any form of illumination.

(7) Credit Card Signs. Credit card signs, decals or emblems shall be allowed, but shall be limited to 24 square inches each or an aggregate of ninety-six (96) square inches per business premises.

(8) Vehicle Tow-away Signs. Vehicle tow-away signs erected pursuant to § 715.07, Florida Statutes, provided they do not exceed four (4) square feet.

(9) Corporate Flags. A single corporate flag may be permitted subject to the following conditions:

(a) For the purpose of this section, a corporate flag shall be defined as a flag, imprinted upon which is a nationally or internationally recognized trademark or logo for a specific corporate entity.

(b) A corporate flag shall be attached to a freestanding pole mounted in the ground. The pole height shall not exceed twenty-five (25) feet in height. It shall meet the setback of the zone it is in.

(c) A corporate flag shall be permitted only on a parcel of land where a structure is occupied by a single tenant.

(10) Vehicle Signs. All vehicle signs shall be exempt from all provisions of this chapter except when said signs are utilized at a specific location or site for advertising purposes in addition to or in lieu of a permanent sign as permitted under this chapter.

(11) Window signs. Window signs identifying a special business promotion within may be installed without a permit if such sign is located on a commercial or industrial building.

(12) Posted signs. Signs prohibiting trespassing, littering, loitering, dumping and similar actions shall be permitted within property lines in all districts. These signs shall be limited to four (4) square feet in area and may be posted within property lines at a minimum of twenty (20) foot intervals with a height limit of ten(10) feet from the ground at its base.

(13) Design award signs. Temporary or permanent signs depicting architectural or other design awards or commemorating historic events or historical preservation status. These signs shall be limited to six (6) square feet.

(14) Public signs, changeable copy signs, and variable message boards shall be permitted under the authority of an authorized government official for the public health, safety, welfare and/or convenience of the public.

#### **§ 155.05 PROHIBITED SIGNS**

The following signs are prohibited on the effective date of this chapter. Such signs have been found to violate the purpose, intent, and specific provisions of this chapter.

(A) A sign which falsely simulates emergency vehicles, traffic control devices, or official public signs.

(B) Snipe sign, A-frame sign, sandwich sign and add-on sign excepting allowable add-on sign pursuant to § 155.04(B)(4), and excepting menu boards as defined in "A-frame signs", Section 155.02..

(C) A sign found by the Building Department to be structurally unsafe or a hazard to public safety or welfare, including signs creating a fire hazard.

(D) A sign obstructing any motorist's view of a street or intersection.

(E) Any abandoned sign.

(F) A series of two (2) or more freestanding signs which must be read together to obtain a single message.

(G) Flashing sign except for public signs, changeable copy signs and variable message boards permitted pursuant to §§ 155.04(B)(2) and 155.04(B)(14).

(H) Animated sign, to include any moveable attachments such as, but not limited to, balloons, discs, streamers and any other similar action type eye catchers. This shall not include public signs, changeable copy signs, or variable message boards as excepted and permitted pursuant to §§ 155.04(B)(2) and 155.04(B)(14).

- (I) A sign which obstructs any fire escape, any window, or door or other opening used as a means of ingress or egress so as to prevent free passage of persons.
- (J) Any sign which interferes with openings required for ventilation.
- (K) Trailer sign.
- (L) Off-premises sign, except as provided for in subsection 155.07(B) and (F).
- (M) Any temporary sign in violation of this chapter.
- (N) Banners and flags used to attract attention to commercial establishments, excepting allowable flags pursuant to § 155.04(B)(5), allowable banners pursuant to § 155.07(B), and allowable "feather" flags pursuant to § 155.07(D)(1).
- (O) Vehicle signs when used for advertising purposes at a given location or site in addition to or in lieu of a sign permitted under this chapter. Specifically, panels of any material added to any portion of a vehicle which extends from, attaches to or adds to the original vehicle body. Painted and magnetic signs applied flush to commercial vehicles which identify the owner or lessee are allowed and exempt.
- (P) Roof Sign (excepting allowable mansard roof signs and religious symbols approved as an integral part of the site plan for a steeple or other similar structural component of a place of worship).
- (Q) Projecting sign. (See §§ 155.08(H) and (I) for exceptions to this type sign).
- (R) Any sign placed without a permit after the effective date of the ordinance from which this chapter is derived when a permit is required.
- (S) A sign in violation of §§ 155.06(A), (B), (C), (D), or (E). If a sign is prohibited and the sign is a type that can be brought into conformance with this chapter, the owner or lessee of the sign can elect to bring the sign into conformity rather than remove the sign.
- (T) Portable sign, except as specifically authorized here.
- (U) Portable toilet or trash receptacle signs advertising any business other than the provider of the toilet or receptacle.
- (V) Any sign placed or erected on or over any city property road right-of-way or in or on the median, except as specifically authorized herein in §§ 155.03(l), 155.04(B)(4)(f), and 155.07(B)(1)(g) .
- (W) A sign that displays any lewd, lascivious, obscene, indecent, or immoral written or graphic message.
- (X) Bench sign.

(Y) Tethered inflatable sign.

(Z) Any sign placed in the required site landscaping areas or attached to any tree, shrub or plantings advertising any business, product or service located on the site.

(AA) Signs attached to or placed upon any utility pole, street light, sidewalk curb, fire hydrant, bridge or any other public property, including the swale area, median or public right-of-way, unless specifically authorized herein.

(BB) Posters or other advertising signs placed on buildings, added to freestanding signs or placed on poles, dumpsters, gas pumps and islands or stacks of product stored outside buildings. (Not permitted by code.)

## **§ 155.06 GENERAL SIGN REGULATIONS**

(A) Construction Standards.

(1) Compliance with Building Code. All signs installed shall be constructed in accordance with the 2004 Florida Building Code.

(2) Compliance with Electrical Code. All signs using electrical current shall comply with the National Electrical Code, N.F.P.A. 70, 2005 Edition.

(3) Screening of Sign Bracing. All bracing shall be hidden or covered so that it shall not be visible from the public right-of-way. The covered portion of the ends of such signs shall not be used for advertising purposes.

(4) Compliance with National Fire Protection Association Standards. Signs required by NFPA Standards take precedence over this chapter.

(B) Maintenance. All signs within the City limits including all supports, braces, guys and anchors shall be kept in good repair. Such signs shall be maintained by the owner as follows:

(1) Vegetation in the area surrounding said sign shall be maintained at a height of less than 12 inches.

(2) The area surrounding said sign shall be kept free of all waste and debris.

(3) The sign must be legible.

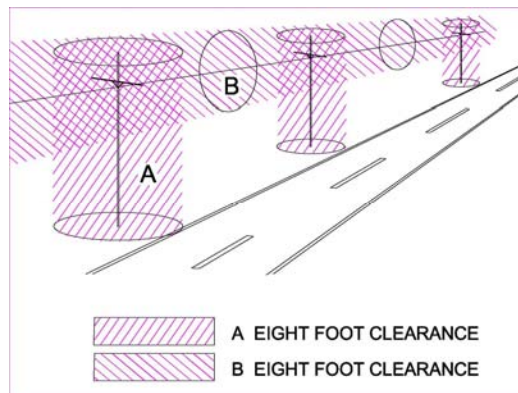
(4) The sign must be structurally sound and in good mechanical repair, free of holes, with no loose or missing parts.

(5) Lighting on internally lit signs must be kept in good working order.

The City may order the removal by and at the expense of the owner or lessee of any sign that is not properly maintained.

(C) Signs Not to Constitute A Traffic Hazard. No sign shall be placed at any location in the city where it may interfere with or obstruct free and clear vision for pedestrians or vehicular movement, or be confused with any authorized traffic sign, signal or device. Any such sign shall be removed at the direction of the city and at the expense of the owner or lessee.

(D) Signs Not to Encroach Electric Utility Clear Zone. No signs shall be placed closer than eight feet from the nearest part of any utility pole which supports electrical transmission or distribution lines (see "A" of diagram below). No signs shall be placed closer than eight feet from the nearest part of any electric transmission or distribution line (see "B" of diagram below). If the National Electric Safety Code is now or hereafter more restrictive than the provisions of this subsection, its more restrictive provisions shall supersede the provision herein.



(E) Illuminated Signs. Only signs permitted for non-residential land uses shall be allowed to be illuminated. Such signs may be self-illuminating or illuminated by ground level spot lights. All ground level spot lights shall be shielded from view by landscaping. Light sources shall be directed away from abutting properties and shall not impair the vision of persons using the road right-of-way. No flashing signs shall be permitted, except time and temperature signs and public signs. Model home signs on residential lots shall not be illuminated.

(F) Distance Separating Signs. Distance requirements in this ordinance shall be measured from the nearest part of any sign to the nearest point of the closest applicable setback line, property line, roof line, or other applicable restricting line or point of separation (including distance between signs) or height limitation.

(G) Height. No part of any sign affixed to a building shall exceed the height of the roof line to which the sign is affixed. No sign shall project above a roof line, or deck line for mansard roofs. The portion of a mansard roof located below the deck line shall be eligible for placement of a facade sign.

**§ 155.07 REGULATIONS FOR TEMPORARY SIGNS OR SPECIAL EVENTS  
REQUIRING PERMITS**

The temporary signs identified in this division shall require issuance of a permit. Prior to the placement of any of the temporary signs described below in this division, all relevant provisions of this chapter shall be satisfied.

**(A) Political Signs.**

(1) Application. The applicant for a political sign permit shall submit a written application on a form to be provided by the Business Tax Division of the Building Department. The application format shall include the following information:

(a) Name, address and telephone number of the sign(s) erector and the sign(s) owner.

(b) An affirmation by the applicant that the sign(s) is being placed upon the building, structure or lot with the owner or tenant's permission.

(2) Fee. At the time of submission of an application for a political sign permit, the applicant shall pay a \$25 application fee.

(3) General Regulation for Political Signs. Political signs are allowed subject to the following provisions:

(a) An individual political sign shall not exceed six square feet in area per lot or parcel of land.

(b) Sign(s) shall not be illuminated and shall be freestanding.

(c) Sign(s) shall be located wholly on private property; shall be placed at least ten feet from side and rear property lines not to include property line along road frontage, and shall not exceed five feet in height.

(4) Removal. Political signs shall be removed within fourteen (14) days after the event for which they were posted has occurred. A two hundred fifty dollar (\$250.00) removal bond, refundable upon compliance with sign removal, is required for political signs.

**(B) Special Event Signs.** Temporary signs announcing special events to be sponsored by a charitable, educational, or religious institution or a commercial entity may be installed subject to approval by the Planning & Zoning Department, based on a finding of compliance with the provisions of this section. No special event signs may be located within a public right-of-way, except as specifically authorized herein. Sign permits shall be allowed per schedule of Special Events listed in the Zoning Code. The signs may be in the form of flags, banners or pennants and exhibited only for that period of time specified on the special event permit. The number of special events signs shall not exceed 100.

(1) Application. The applicant shall submit a written application on a form to be provided by the City which stipulates the conditions under which the temporary special event sign is being requested. The applicant shall submit a one hundred dollar (\$100.00) removal bond, refundable upon compliance with sign removal. The application should include the following:

(a) Nature of the Special Event. Include the location of the special event and daily schedule of activities.

(b) Duration of Special Event. Include dates of commencement and termination of the special event.

(c) Type of Signage Proposed. Include description of signage, dimensions (banners not to exceed 50 square feet in area), materials used, method of construction and placement, including dimensions from driveway, right-of-way and edge of pavement, list of sign locations, and such other information as the city may require.

(d) Responsible Agents. Identify the name and phone number of the sponsoring entity and principle contacts responsible for erecting and removing signage.

(e) Window Signs. Signs that advertise recurring special events or sales may be placed in the inside of business display windows (e.g. dinner specials on Fridays 4-7 p.m.). These shall not exceed four square feet each and do not require a sign permit or fee. No more than 20% of any window surface shall be covered with such signs. (Also see the City's Design Standards Manual for details.) Window signage shall allow a clear and unobstructed view from outside the building and in a normal line of sight of the cash register and sales transaction area per State Code.

(f) Temporary movable "A" frame - sandwich board type signs which advertise specials or sales are permitted per § 155.02 Definitions. They may be placed by the entrance to the business as long as they do not block access to any part of the building or sidewalk per ADA Code regarding clearance standards. They shall not be placed in the parking lot, City right-of-way, landscaping or swales.

(g) Special event signs for City sponsored events may be placed in the right-of-way.

(2) Removal. Temporary special event signs must be removed within forty-eight (48) hours after the event for which they were posted has occurred.

(C) Construction Signs. Temporary construction signs advertising the construction or improvement of the property upon which such sign is located may be erected subject to compliance with the following conditions:

(1) Character of Sign. A construction sign shall not exceed Sixteen (16) square feet in area and no more than one such sign shall be permitted per single family residential lot and no more than three signs for multiple family or nonresidential projects. No such sign shall be illuminated. These signs must be located on the developing premises, removed from all rights-of-way, and at least ten (10) feet from other property lines. Construction signs shall not exceed ten (10) feet in height.

(2) Timing of Removal. Construction signs shall be removed within 30 days after completion of construction activity.

(D) Model Home Sign. A model home as defined in Chapter 154 is permitted a sign not to exceed 16 square feet in face area and shall be at least ten (10) feet from the property lines. The sign shall not exceed five (5) feet in height and shall not be illuminated. The sign must indicate in letters and numbers, at least 2" in height, the name of model permit holder's registration or certification number; and if a qualified company, the name of the qualifying agent and the qualifying agent's registration or certificate number. No wall/facade signs allowed. Only models with a valid model home permit shall be permitted to display a model home sign. A copy of the permit for the model home shall be submitted with the sign application.

(1) A Model Home is permitted a "feather" flat subject to the following requirements:

(a) A model home may display one "feather" flag on each multiple model home site starting with the second model constructed.

(b) The first model (or only model) will be permitted to have a monument sign, but will not be permitted to have a "feather flag".

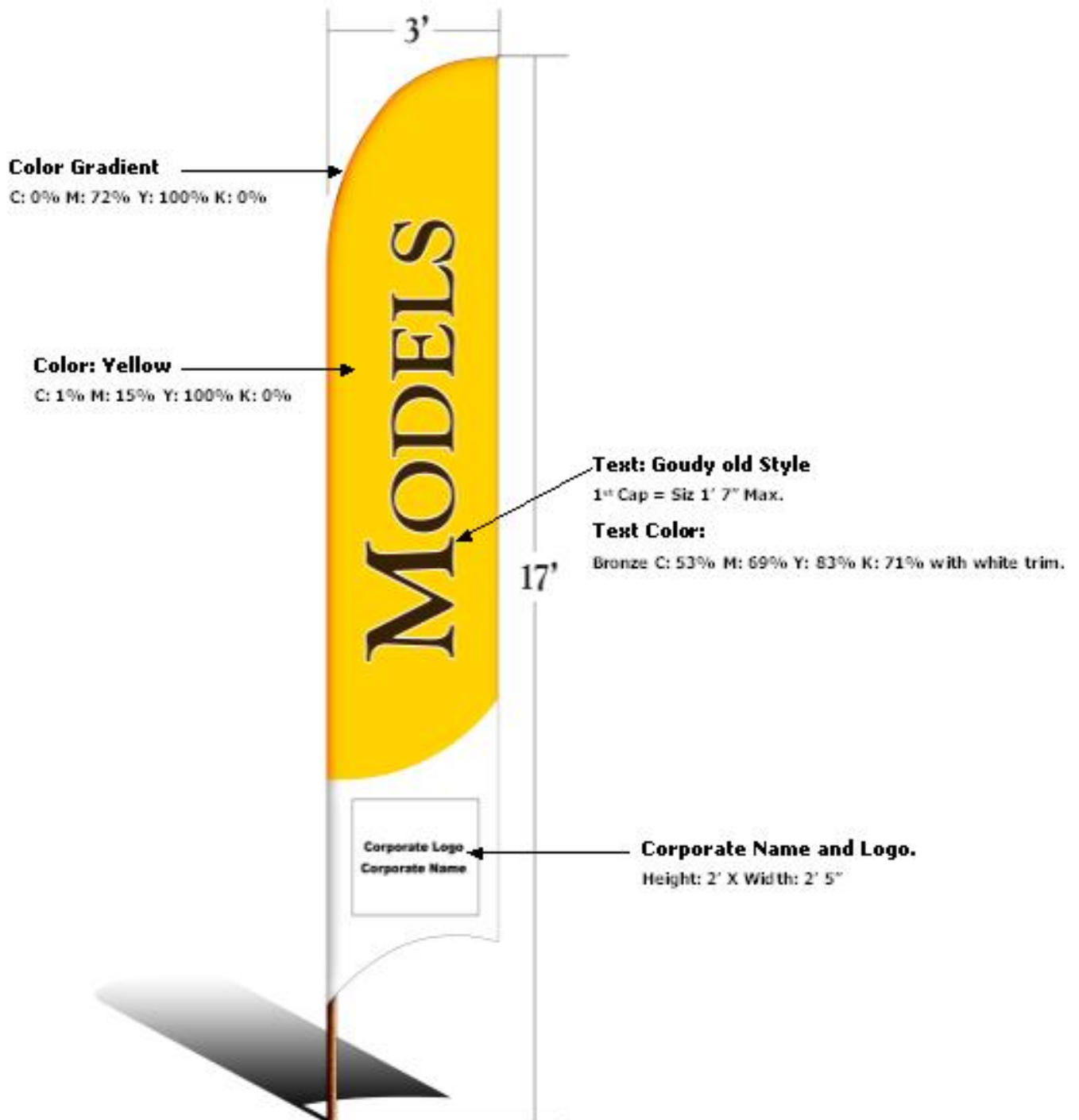
(c) Size shall not exceed 17' height x 3' width (maximum).

(d) Sign area shall not exceed 45 sq. ft. (maximum).

(e) The word "MODELS" must be shown vertically on the "feather" flag as shown in the diagram below. The background shall be yellow and the letters spelling the word "MODELS" must be bronze.

(f) Corporate logos are to be located on the white background on the bottom of the "feather" flag and may not exceed 4 square feet, as shown in the diagram below.

# Proposed Feather Flag for Model Homes



(2) Removal. A model home sign shall be removed within 30 days after it no longer qualifies as a model home.

(E) "Coming Soon" or "Future Home Of" signs. Signs announcing a future business to be located on a site shall be limited to one (1) freestanding sign thirty-two (32) square feet in area and not to exceed ten (10) feet in height with a ten-foot setback from property lines. These signs shall be limited to a six (6) month period. Model homes on residential lots are not allowed this type of signage.

(F) Residential Transitory Signs.

(1) In addition to one (1) sign at the residence where the activity is occurring, no more than three (3) direction signs are permitted.

(2) Directional signs will not be permitted in the median or on any sidewalk, and must be set back at least five (5) feet from edge of pavement, and not located in the right-of-way, except as specifically authorized in §§ 155.03(1), 155.04(B)(4)(f), and 155.07(B)(1)(g). (ORD 07-170, 01/14/08) (ORD 08-37, 7/28/08)

(3) Directional signs may not exceed a height and area of four (4) feet.

(4) Directional signs must be erected and taken down on the same calendar day.

(5) Directional signs may only be posted on a Saturday or Sunday or legal holiday, and shall on each day be limited to a display period of no earlier than 5:00 a.m. or not later than 7:00 p.m.

(6) These signs may only be staked to or pressed into the ground.

(7) Residential transitory signs posted at the residence where the activity shall occur shall not exceed a maximum of five (5) square feet in area and shall indicate the responsible agency or owner of the property.

(8) Any transitory sign deemed a safety hazard may be removed without notice to any public personnel.

(9) The name and telephone number of the party responsible for removal of the sign must be clearly displayed on the sign enabling the City to contact the responsible party if necessary.

**§ 155.08 REGULATIONS FOR PERMANENT IDENTIFICATION SIGNS  
REQUIRING PERMITS**

The schedule of regulations for permanent signs requiring permits is stipulated in Table I. The tabular schedule denoted in Table I identifies regulations governing the following sign characteristics: maximum cumulative signage; maximum signage on a single sign face; maximum height; required setbacks from the right-of-way and property lines; number of allowable signs per street frontage; and sources of allowable illumination. The following subsections describe supplemental regulations for managing permanent signs requiring permits.

(A) Identification Signs for Major Residential Development.

(1) Multiple Family Residential Developments of Ten or Less Units. Signs shall be restricted to one facade sign indicating the name and/or address of the premises, provided the sign has a maximum area not exceeding 16 square feet.

(2) Multiple Family Developments or single family subdivisions of More Than Ten Units/Lots and three (3) acres and over in area. Signs shall be restricted to a single sign per street frontage, indicating only the name and/or address of the premises. The sign may be a free standing or facade sign and shall have a maximum area not exceeding 32 square feet. Where the project is shielded from the street by a fence or wall, lettering not exceeding 12 inches in height may be permanently attached to the fence or wall at the entrance(s), and may be illuminated by ground level spot lights which are shielded from view by landscaping.

(3) Subdivision Entrance Signs. Such sign may be placed only on property consisting of land duly platted and comprised of three acres or more including streets and rights-of-way within the platted boundaries of said property. The sign may be a free standing sign having a maximum area not exceeding 32 square feet in area and shall not exceed ten feet in height. Where the subdivision is shielded from the street by a fence or wall, lettering not exceeding 12 inches in height may be permanently attached to the fence or wall at the entrance(s), and may be illuminated by ground level spot lights which are shielded from view by landscaping. Two sixteen (16) square foot signs, located one on each side of the subdivision entrance, may be permitted in lieu of the one 32 square foot sign.

(B) Public and Semi-Public Institutional Uses. Signage for public and semi-public uses shall comply with regulations cited in Table I as well as supplemental regulations cited below.

(1) Changeable signs. Changeable signs shall be permitted for public and semi-public institutional uses, including but not limited to hospitals, places of worship and non-profit clubs or lodges.

(2) Institutional Signage. Identification signs for public and semi-public institutional uses, including but not limited to hospitals, places of worship, nursing and convalescent homes, cemeteries or airports, shall be restricted to one freestanding sign with a maximum signage of 32 square feet per street frontage. One additional sign is permitted on the primary frontage street for institutional uses with over 240 linear feet of primary street frontage. In addition, sites having multiple street frontage may erect one additional sign per major street frontage. However, the signage of such additional signs shall be restricted to a maximum of 16 square feet. Changeable signs shall be permitted for public and semi-public institutional uses, including, but not limited to, hospitals, places of worship and non-profit clubs or lodges.

(3) Directional Signage.

(a) Permanent directional signage shall be restricted exclusively to the guiding or directing of pedestrians or vehicles to any public building, houses of worship, hospitals, or transportation facilities. All directional signs shall be approved by the City Planner, Building Official and the Traffic Safety Division. Such signs shall comply with the Uniform Manual of Traffic Control Devices.

(b) In addition, the number of signs permitted at a street intersection shall be restricted by the City according to standards of public safety. The City is authorized to require any two or more directional display signs to be consolidated into a single directional sign meeting uniform criteria for off-street directional signs which shall be determined by the Traffic Safety Division pursuant to standards of public safety. Those standards may regulate the location, size, format and copy, color scheme, and other characteristics required to promote public safety and community aesthetics along public corridors.

(c) Public directional signs directing attention to a common facility and located on a common street frontage shall be separated by not less than 1000 feet. They shall be limited to six (6) signs per facility within 1.5 miles of the site.

(C) Commercial and Industrial Uses less than three (3) acres (excluding complexes). Signage for commercial and industrial uses, including office uses, shall be consistent with § 155.08(B)(1) and with Table 1 Schedule of Regulation for institutional, commercial, or industrial uses which are not part of a complex as defined in § 155.02. In addition to the provisions of § 155.08(B)(1), commercial and industrial uses containing over 240 linear feet of frontage on a primary street may consolidate the two freestanding signs permitted on the primary frontage street into one sign not exceeding one square foot per five linear feet of frontage or 60 square feet, whichever is less.

(1) Special design standards apply to developments per the City of Port St. Lucie Design Standards Manual.

(D) Commercial and Industrial Complexes (Three acres and over). Signage for commercial and industrial complexes shall be restricted to identification signs. All such signs, including freestanding, facade and under canopy signs shall comply with regulations governing signage for commercial/industrial complexes which are contained in Table I: Schedule of Regulations for Permanent Signs Requiring Permits.

(1) Special design standards apply to developments per the City of Port St. Lucie Design Standards Manual.

(E) (1) Modifications to the Schedule of Regulations. An applicant may request a modification to the Schedule of Regulations as a bonus for the applicant's voluntary incorporation of aesthetic design considerations and a voluntary reduction in the number and cumulative area of permanent identification signs erected. The design concepts employed shall reflect unified design concepts harmonious with the subject site and adjacent area.

(2) In order to receive a modification, the applicant shall submit a plan of all existing and proposed signs on the subject site to the City Planner. The plan shall comply with the criteria below cited:

(a) The total number of requested permanent signs shall be less than the allowable number of permanent identification signs requiring permits.

(b) The cumulative area of the signage proposed for the site including any existing signage, shall be at least ten (10) % less than the maximum allowable cumulative area.

(c) 1. The plan for signage shall incorporate a design which is consistent with accepted principles of street graphics, including consideration of sign placement, size, shape, proportion, lettering, color, and overall relation to the subject site and adjacent properties.

2. A modification in the Schedule of Regulations shall be approved by the Site Plan Review Committee after considering the recommendation of the City Planner.

(F) ATM Signs. The signs may identify the individual business, logo and principal services offered at the ATM.

(G) Gas Service Facility Signs. Gas service facilities shall be permitted additional signs not to exceed eight square feet per service island in order to provide information required by State and Federal law, including price and type of fuel, octane rating safety information or to direct traffic. In addition, each gas service facility shall be permitted a maximum of 20 square feet for a price sign if it is part of the site's free standing sign permitted under § 155.08(C). Facilities with two street frontages may have an additional sign with a maximum area of 32 square feet.

(H) Billboards. Billboards shall be permitted subject to the requirements of § 158.136 and § 158.137 and the following regulations:

(1) Billboard special exceptions shall be for a period of 10 years at which point a new application subject to the then existing regulations shall be submitted. If the new application is not approved, the billboard and supporting structure shall be removed within 60 days of the date of final City Council action.

(2) Billboards shall be subject to annual inspection after receipt of the annual fee. If the fee is not received and/or the billboard does not pass inspection the billboard and supporting structure shall be removed within 60 days of the date of annual renewal. The renewal fee for expired permits shall be doubled.

(3) All billboards shall be located within 200 feet of the Florida Turnpike or I-95 right-of-way, at least 200 feet from any land with any residential land use, at least 1500 feet from any other billboard on the same side of the Florida Turnpike or I-95 and shall meet the setback requirement of the zoning ordinance.

(4) Billboards shall be limited to 672 sq. ft. in area with a maximum height of 50 feet. The height shall be measured from the crown of the road which the sign faces.

(5) Billboards may not include flashing lights or animated signs but may include automatic changeable facing billboards if specifically approved as part of the Special Exception Application.

(6) Lighting shall be shielded and shall not be directed at any area with residential, institutional, or commercial land use or zoning nor at any public or private road right-of-way.

(7) Billboards shall be single center mounted steel frame or equivalent and shall meet the City wind loading requirements.

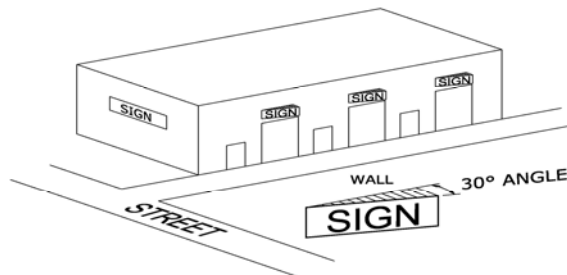
(I) Projecting signs. Projecting signs shall be permitted under the following conditions to allow businesses signage which is visible from the street.

(1) The building shall be oriented on the property perpendicular to the street entrance.

(2) The business frontages are located along this perpendicular wall and not readily visible from the street.

(3) The unit on the street end of the building is the only unit with an eligible signage area visible from the street.

(4) The interior businesses may locate a projecting sign on their business frontage that projects no more than a thirty (30) degree angle from the common wall. (See diagram).



(5) The bottom of the projecting sign shall be located a minimum of nine (9) feet from the base of the building.

(6) The top of the sign shall not extend above the roof line.

(7) In some cases, the total allowable signage area can not be accommodated on such a projecting sign because of the overall size. The remaining signage area may be located flush with the wall at that business frontage.

(8) Signage shall not interfere with the clearance for any overhead doors.

(9) Signage shall be adequately constructed and securely anchored in accordance with the latest Florida Building Code.

(10) The sign application shall include a drawing which clearly defines the angle and dimensions of the proposed sign.

(J) Adult Entertainment Businesses. Signage for Adult Entertainment Businesses shall be permitted under the following conditions and per Chapter 113, §50 (F) Adult Entertainment Code:

(1) Wall signage. Wall signage shall be restricted to one sign to be located on the street frontage wall. The maximum size shall be 32 square feet. Neon lighting shall be prohibited. No animation on any part of the sign or building will be allowed.

(2) Freestanding signs. Separate project sites are permitted one freestanding sign limited to 32 square feet of sign area to be located on the street frontage. The setback from all property lines shall be ten (10) feet. The height of the sign at the top shall not exceed ten (10) feet above the crown of the road. Neon lighting shall be prohibited. No animation on any part of the sign will be allowed. For multiple use sites, existing freestanding signs may not have available area for all businesses in the project.

(K) Neighborhood signage. Neighborhood identification signs may be permitted within those areas which are defined as follows:

(1) Neighborhoods may be identified as separate subdivisions of a larger subdivision. It may also apply to areas which have distinct characteristics that tie them together.

(2) Freestanding identification signs shall be permitted as follows:

(a) Two sixteen (16) square foot signs, located one on each side of the neighborhood entrance or one 32 square foot sign. Maximum height at the top shall be ten (10) feet.

(b) A logo may be included which represents the neighborhood.

(c) Setback from side property lines shall be ten (10) feet. Setback from the street front property line may be five (5) feet provided it is on common property under the jurisdiction of a homeowners association or some similar arrangement. If there is a median at the entrance to the neighborhood, the sign may be placed in the median so as not to obstruct traffic, or interfere with or create a traffic hazard.

(L) Address to be incorporated in the sign design.

(1) All new freestanding signs shall have an addresses incorporated in the sign design. Where applicable a range of numbers shall be shown: e.g., 2840-2910. Existing signs shall be required to include this numbering upon applying for any change. All other existing signs shall be replaced or changed to include this information as of January 1, 2004. Numbering will not be included as part of the allowed square footage. It shall be composed of numbers six (6) inches in height. Notification of this requirement to all existing businesses shall be included upon renewal of business tax receipts.

(2) Commercial plazas shall include the name of the plaza on the primary sign.

(M) Window Signs. No more than 20% of any window surface shall be covered with such signs. (Also see the City's Design Standards Manual for details.) Window signage shall allow a clear and unobstructed view from outside the building and in a normal line of sight of the cash register and sales transaction area per State Code.

#### **§ 155.09 NONCONFORMING SIGNS**

(A) (1) Continuance of Existing Nonconforming Signs. Subject to § 155.11, signs, including billboards, in place and properly maintained, at the time this ordinance is enacted which do not comply with all the provisions of this ordinance but which conform to sign regulations existing prior to enactment of this chapter or which were authorized by the City of Port St. Lucie prior to the effective date of this ordinance may be continued subject to the termination provisions of § 155.09(C). No such nonconforming sign shall be changed in any manner that increases a nonconformity.

(2) Subject to § 155.11, any sign which lawfully exists on property annexed into the City after the effective date of this ordinance may be continued although such sign does not conform to all the provisions contained herein. However, all such nonconforming signs shall be removed or brought into conformity with this ordinance not later than 5 years from the date of annexation of the property where such sign is placed.

(B) Alterations to Nonconforming Signs. No existing nonconforming sign shall be structurally altered, moved or have the wording changed unless brought into conformity with the requirements of this section, provided, however that this restriction shall not apply to the change of copy on changeable copy signs. Alterations to nonconforming signs which do not bring the signs into compliance may be permitted as part of an approved master sign program.

(C) Termination of Nonconforming Signs. Nonconforming signs shall be terminated and removed in the following manner:

(1) By Abandonment. Abandonment of a nonconforming sign shall require the real property owner immediately to remove such sign or bring it into conformity.

(2) By Violation. Any violation of this ordinance other than the existing nonconforming status of a sign at the time of enactment of this ordinance shall require the owner immediately to remove such sign.

(3) By Destruction, Damage or Deterioration. The use of any nonconforming sign shall terminate whenever the sign is damaged or destroyed beyond fifty (50) % of the original cost of the sign from any cause whatsoever, or become substandard under any applicable City code, or becomes a hazard or danger, and upon termination shall be removed.

(4) Grandfather Clause. The use of a nonconforming sign shall terminate eight years from the date on which such sign becomes or became nonconforming unless the said sign is brought into conformance with all provisions of this chapter prior to the eight year period.

#### **§ 155.10 REMOVAL OF PROHIBITED SIGNS**

(A) General Policy Regulating Removal. The Code Enforcement Division shall notify the owner or other persons having control or authority over a sign prohibited pursuant to § 155.05, in accordance with § 155.11 and specify a reasonable time for removal or other required action regarding the sign. Notwithstanding, this provision, hazardous signs or any sign placed upon public property or public right-of-way without specific authorization herein may be removed immediately by the Code Enforcement Division without prior notice. The Code Enforcement Division shall allow a prohibited sign to remain only for the minimum time reasonably necessary for its removal.

(B) Signs to be Removed Within Five Years. Any sign not specifically prohibited by § 155.09(A), but which is nonconforming, shall be removed or brought into conformity within five years after the first date of nonconformity.

(C) Unlawful Signs. Any sign installed prior to the effective date of this ordinance which required a permit or required other approval of the City, but no proper permit or permission was obtained, is an unlawful sign and shall be subject to removal in accordance with this ordinance unless a permit is obtainable and is obtained under this section, according to time frame outlined in a notice of the unlawfulness of such sign.

#### **§ 155.11 ENFORCEMENT OF THE SIGN ORDINANCE**

(A) Duty of Enforcement. The Code Enforcement Division shall have responsibility for enforcing the provisions of this chapter. The Building Department shall have the responsibility of enforcement of the applicable building codes.

(B) Removal of Prohibited, Unlawful and Nonconforming Signs. At the termination of the time periods for which prohibited, unlawful, or nonconforming signs are permitted to remain under this chapter, all such signs placed and maintained on public or private property in violation of this ordinance shall be removed by the owner or lessee upon order of the Code Enforcement Division as required herein.

(C) Violations and Enforcement Procedures. Violations of this code shall be cited by the Code Enforcement Division pursuant to procedures incorporated into §§ 37.05 through 37.09 of the City Code.

(D) Penalties for Violation. Any owner or lessee failing to remove any such sign or structure within the ordered time period, or any person who violates, disobeys, omits, neglects, or refuses to comply with, or who resists, the enforcement of any of the provisions of this chapter shall, upon conviction thereof, be punished as provided in § 37.07 of the City Code. Forfeiture of bond(s) posted shall be automatic upon a conviction of this ordinance.

(E) Procedures for a Variance Request. The procedure for seeking a variance to the terms of this code shall be as outlined in the Zoning Ordinance (§§ 158.295 through 158.302). Variances may be considered for size, height and location of signs. Applicants are required to submit elevation drawings and dimensions of proposed signs and changes. As a part of any such request, the applicant is required to propose additional beautification improvements to the project such as increased landscaping. Variances to the design standards may be considered provided a plan is submitted showing additional improvements to the property. A variance shall not be granted to § 155.06(A), (B), (C), or (D).

(F) Procedures for an Appeal. The procedures for appeal shall be as outlined in the Zoning Ordinance (§§ 158.335 through 158.341).

TABLE 1

SCHEDULE OF REGULATIONS FOR PERMANENT SIGNS REQUIRING PERMITS  
CITY OF PORT ST. LUCIE SIGN ORDINANCE

TYPE SIGN	USE	MAX. CUMULATIVE SIGNAGE (SQ. FT.)	MAX. SIGNAGE ON SINGLE SIGN (SQ. FT.)	MAX. HT. (FT.) OF FREESTANDING SIGN *	MIN. SETBACK FOR FREESTANDING SIGN		SIGNS PER STREET FRONTAGE OF BUILDING OR COMPLEX	DIRECT(D) OR INDIRECT (I) ILLUMINATION SEE §155.06(E)
					PROPERTY LINE	R/W LINE		
Facade	Multiple Family (<10 Units)	N/A	16	N/A	N/A	N/A	1(b)	I
Freestanding	Multiple Family (>10 Units)	N/A	32	10	5	10	1(b)	I
Freestanding	Subdivision Entrance	N/A	32	10	5	10	1(b)	I
Freestanding	Directional, Off Premises(c)	N/A	4	10	N/A	N/A	N/A	D or I
Freestanding	Institutional/Commercial/Industrial(less than 3 ac.)	N/A	32	10	5	10	1(e)	D or I
Freestanding	Commercial or Industrial Complex 3 to 4.9 Ac. Site 5 to 9.9 Ac. Site 10 to 19.9 Ac. Site 20 Ac. Site or more	1 sq. ft @ 5 lineal ft. of lot frontage	up to 60	10	5	10	1(a)(b)	D or I
			up to 100	10	5	10	1(a)(b)	
			up to 150	15	10	10	1(a)(b)	
			up to 200	20	10	10	1(a)(b)	
Facade **	Commercial/Industrial/Institutional Complex	32 sq. ft. plus 1.5 sq. ft. for ea. lineal foot of business front foot over 20 feet, not to exceed 200 sq. ft.	N/A	N/A	N/A	N/A	1	D or I
Under Canopy	Commercial Pedestrian Signage	N/A	4	N/A	N/A	N/A	(d)	D or I

Footnotes:

- (a) A freestanding directory sign may be either integrated with the principal street frontage identification sign or such sign may be erected as an additional sign for any such complex. However, the cumulative sign area shall not exceed the limitation imposed by the formula cited above.
- (b) One principal sign is permitted on the primary street of a building or complex plus one additional sign per additional major street frontage onto which the use has an approved vehicular access. A "major street" is defined as any such facility identified in the City Comprehensive Plan as a collector. All additional signage shall be restricted to one-half the area allowable on the sign located along the primary frontage street. This provision is intended to limit the number of freestanding signs for respective building sites (or projects) and is not intended to permit a freestanding sign for each respective tenant within a building or complex.
- (c) All such signs located in the right-of-way shall conform to the Manual of Uniform Traffic Control Devices.
- (d) Only one under-canopy sign is permitted per frontage on a common covered pedestrian way. In case of multiple access to covered pedestrian ways, up to three under-canopy signs are permitted per business or office.
- (e) If linear frontage is greater than 240 feet additional signage may be permitted per Sections 155.08(B)(1) and 155.08(C).

N/A: Not Applicable      \* Above crown of the road      \*\* Located only on own unit

See Design Standards Manual or St. Lucie West, Riverplace and Winterlakes Master Sign Programs for specific codes pertaining to those areas.