

proposed utilities and may be required to be removed if maintenance within the right-of-way is required. All decorative entrances must be approved by the public works director.

6.6.9 *Trees.* Trees shall be planted adjacent to the rights-of-way in any subdivision platted after November 10, 2005. At a minimum, such trees shall conform to the standards for canopy trees set forth in subsection 6.6.5.2.a, hereof. A canopy tree meeting those standard shall be planted on each lot at a distance of three feet from the right-of-way line or any utility easement adjacent to the right- of-way, whichever is further from the center line of the road right-of-way for the lot in question.

6.7. Signs.

(See also existing Code of Ordinances Section 3)

6.7 Signs

The provisions of this section are intended to promote the City's economic well-being, traffic safety, and visual environmental quality by creating the necessary legal framework for a fair and balanced sign system. The legal framework established hereunder includes regulations governing the number, location, and other characteristics of signs. It is the intent of this section to encourage the use of signs which are compatible with their surroundings and appropriate to the type of activity to which they pertain.

Any sign exceeding six (6) square feet put installed within the City limits_ shall require a permit issued by the City. Upon payment and receipt of a completed sign permit application and any applicable_ permit_ application fees the City shall evaluate the application for conformance to the requirements of this Code and render a permit or denial within 10 business days of receipt, except that building mount projection signs shall_expressly requires Planning and Zoning Commission approval prior to installation.

6.7.2 Definitions.

Banner sign. Any sign possessing characters, letters, illustrations or ornamentations applied to cloth, paper, or fabric of any kind, either with or without frame.

Building mount sign. Sign with the display area mounted parallel to the building facade on which it is mounted.

Building Projection sign. Sign with the display area mounted perpendicular to the building facade on which it is mounted. May project over the non-vehicular portion of public right of way, is only allowed in the Community Redevelopment Area with Planning and Zoning Commission approval.

Free Standing Sign. A sign with the display face elevated off the ground by columns or posts, which is not physically connected to any structure.

Lot A parcel of land occupied or intended for occupancy and having its principal frontage upon a legally constituted access.

Monument Sign. A sign with the display elevated not more than three (3) feet above grade and fixed to the ground with a base the full width and length of the sign.

Off Premises Sign Outdoor advertising signs erected and maintained by an advertising business or service, or owner, upon which advertising matter may be displayed and which generally advertise firms and organizations that along with their goods and services, are not located on the same premises as the sign.

Portable sign. Any sign or sign structure that is or was designed to be easily moved. The immobilizing or removal of the portable element(s) of any sign shall not allow consideration of the sign as permanent.

Sandwich Board Signs self-supporting. "A-shaped" freestanding temporary signs with only two visible sides that are situated adjacent to a business, typically on a sidewalk. that contains commercial speech.

Shopping center. A group of retail stores or service establishments planned and developed as a unit by one (1) operator, owner, organization or corporation for sale or for lease upon the site on which they are built and sharing a common road access and parking area.

Sign. My device or display, consisting of letters, numbers, symbols, pictures, illustrations, announcements, cut-outs, insignia trademarks or demonstrations, including all trim and borders, designed to advertise, inform, identify or to attract the attention of persons not on the premises on which the device or display is located, and visible from any public way. A sign shall be construed to be a single display surface or device containing elements organized, related and composed to form a single unit.

Sign Face Area. The total area of any display consisting of letters, numbers, symbols, pictures, illustrations, announcements, cut-outs, insignia, trademarks or demonstrations, including all trim and borders, designed to advertise, inform, identify, or to attract the attention of persons not on the premises on which the device or display is located. Sign area

shall not include mounting hardware; brackets, frames or other structural support elements provided these support elements are clearly subordinate to the attraction of the display element of the sign.

6.7.3 *Standards.*

- (a) The following signs are permitted in all zoning districts unless not allowed due to other provisions of this chapter:
 - (1) Signs not visible from a street due to the location of a building, other structure, topographic features of the land, intensive year-round natural vegetation, or some other object or objects.
 - (2) Signs within enclosed structures.
 - (3) For each lot with a semi-public use religious, charitable, educational, or cultural signs not exceeding six (6) square feet in area which are used for not more than thirty (30) days.
 - (4) For each lot one historic marker not exceeding four (4) square feet in size.
 - (5) For each lot temporary signs not exceeding six (6) square feet in size which advertise the sale, lease, or rental of property on which the signs are located and/or which state the name of a future site occupant and other information concerning a construction project underway on the lot.
 - (6) For each lot political signs not more than thirty-two (32) square feet in area per sign, per political candidate, which are put in place no earlier than thirty (30) days prior to the election or referendum to which they pertain. These political signs must be removed within forty-eight (48) hours after the election or referendum to which the sign relates is over. The person or persons responsible for the placement of a political sign must be responsible for its removal.
 - (7) For each dwelling unit one (1) sign no larger than two (2) square feet in area which contains the name of the occupant, profession of the occupant and/or the house number.

- (8) For each occupant of a commercial or semi-public use, one (1) sign no larger than two (2) square feet in area which contains the name and profession of the occupant.
- (9) Governmental or other legally required posters, notices, or other signs.
- (10) Parking or directional signs not over two (2) square feet in area with no advertising matter.

(b) The following signs are prohibited in all zoning districts:

- (1) Signs which incorporate in any manner any flashing, moving, or intermittent lighting. This does not include time and temperature units or units utilized to announce governmental services.
- (2) Signs which by reason of their position, working, illumination, size, shape, or color may obstruct impair, obscure or interfere with the view of, or are confused with, any authorized traffic control sign, signal, or device.
- (3) Signs which by reason of their position, size, or shape obstruct any sign previously erected.
- (4) Signs for whatever purpose that are obscene, lewd, indecent, immoral, or lascivious.
- (5) Signs that create a safety hazard by obstructing the view of pedestrian or vehicular traffic.
- (6) Signs which are located wholly or partially on or projecting over a street, alley, sidewalk or public right-of-way unless specifically approved as a projection sign or a sandwich board sign within the Community Redevelopment Area.
- (7) Signs on public utility posts or poles, unless required by law or authorized by the City Commission as a governmental usage.
- (8) Portable signs unless specifically approved as a sandwich board sign under this Chapter.
- (9) Off premises signs

(c) The following signs are permitted in residential zoning districts unless not allowed due to other provisions of this article:

- (1) The planning and zoning commission may allow non-illuminated ground or wall signs identifying a neighborhood for residential areas which include at least five (5) acres of land area. These signs shall only be allowed at major entrance ways and no more than one (1) sign shall be located at each entrance way.
- (2) Multi-family housing developments may have one (1) identification sign per street frontage. These signs may be ground or wall signs. The only form of artificial illumination allowed is indirect illumination. Identification signs

shall be limited to one (1) square foot of area per dwelling unit up to a maximum of thirty (30) square feet.

- (3) The planning and zoning commission may allow nonresidential special exceptions to have non-illuminated signs no larger than twenty-four (24) square feet in area. No off-site sign bearing a commercial message shall be allowed in a residential zoning district

- (d) The following signs are permitted in commercial zoning districts unless not allowed due to other provisions of this chapter:

- (1) The total surface area of all signs for the site shall not exceed two hundred fifty (250) square feet
- (2) Signs serving or incidental to a special exception subject to approval by the city commission.
- (3) Small incidental signs such as those necessary to control or direct traffic, parking, or access shall be permitted in addition to those allowed above, provided no such sign shall exceed two (2) square feet in area on one (1) side.
- (4) Window advertisements not exceeding 20 percent of total window space and shall be counted toward total surface area of signage for the business.
- (5) Banners, portable signs, or other temporary wall signs shall be permitted under the following conditions:
 - a. In addition to signage permitted under subsection (d)(1) above, for Grand Opening Celebrations one (time only once a year, to be allowed for a time period of up to ninety (90) days, per business entity.
 - b. For sidewalk sales and other outdoor sales events except yard/garage sales.
 - c. Maximum sign area shall be thirty-two (32) square feet.
 - d. Banner signs and other temporary wall signs permitted by this section shall require the approval of a sign application, but shall be exempt from permit fees.
 - e. Banners under fifteen (15) square feet in the commercial district may be allowed as long as maintained in good condition.
- (6) Sandwich Board Signs may be permitted in front of commercial properties inside the Community Redevelopment Area. or in front of commercial properties outside the CRA that have private sidewalks or walkways fronting their commercial building, under the following conditions:
 - a. A sign permit is required prior to placement of the sandwich board sign to insure compliance with the standards outlined herein. The permit application shall include an illustration of the proposed sign and a description of the proposed materials.
 - b. Acceptable primary sandwich board sign materials include the following: steel, iron, metal. and wood. Synthetic materials for the sign face such as chalkboard and whiteboard are acceptable

materials. Acceptable design patterns will be developed and maintained at City Hall.

- c. Sandwich board signs shall not be illuminated, nor shall they have moving parts attached to them.
- d. Only one sandwich board sign per business shall be permitted.
- e. Sandwich Board Signs shall not be placed more than six (6) feet from the front primary entrance of the business: except that businesses located inside Crescent City's CRA on commercially zoned property that do not have frontage on Summit Street (SR15/US17) may be entitled to locate their one sandwich board sign along Summit Street subject to the following:
 - (i) such signage is located outside of FDOT's right-of-way;
 - (ii) the business owner has the written permission of the property owner, or if business is occupied by a tenant, written permission from the tenant to place the sign;
 - (iii) a sign permit is obtained as required under paragraph 6.a above.
 - (iv) the sign is only displayed during business hours and taken in each day at the close of business as required under paragraph 6.g below;
 - (v) the sign shall be located within 200 feet of the side street with the most direct path to the business;
 - (vi) the sign shall maintain the distance requirement of 20 feet between signs.
- f. No Sandwich Board Sign shall be placed at any location so as to cause the width of the sidewalk to be reduced below four (4) feet in width. nor shall they be erected or maintained in a manner that prevents free ingress or egress from any door, window or fire escape. The owner of the sign is required to make certain the sign is stable and secure while on display; however, attaching sandwich board signs to structures, poles, objects, signs, etc. by means of chains, cords, rope, wire, cable, etc. is prohibited.
- g. Signs shall only be displayed during business operating hours and shall be taken in at close of business and stored indoors. Additionally, in the event of inclement weather with significant winds that cause the signs to blow over or shift so as to impede the right-of-way, signs shall be taken in and stored indoors.

- h. Sandwich board signs placed in violation of this section may be subject to code enforcement action as provided under section 6.7.5 below.
 - i. Nothing herein shall be interpreted to allow for signage inside the right-of-way along Summit Street (SR 15/US 17) which is under the jurisdiction of the Florida Department of Transportation.
Any person who wishes to place a "sandwich board" sign on a public sidewalk shall do so at his, her or its own risk and shall defend, indemnify and hold harmless the City of Crescent City and the Florida Department of Transportation from and against any and all liability, losses, damages, claims, demands, expenses, fees, fines, penalties, suits, proceedings, actions and costs of actions (including attorney's fees), of whatsoever kind or nature arising out of or in any way related to the design, construction, installation or maintenance of the "sandwich board" sign or any act or omission of the sign owner or his, her or its agents, servants, employees, independent contractors, customers, patrons or invitees, whether on the public sidewalk or elsewhere.
 - k. Neither the City nor FDOT shall be liable to any person under any circumstances for the design, construction, installation or maintenance of any "sandwich board" sign placed on a public sidewalk and the city expressly disclaims any duty to inspect "sandwich board" signs for any purpose whatsoever.
 - l. The city and/or MOT shall have the right to remove and impound any signs which obstruct safe pedestrian or vehicular passage or which encroach upon the FDOT-maintained right-of-way or which violate any other provision of this Code.
- (e) Notwithstanding other provisions of this chapter, the city commission may permit a special event signing program for a period of no more than thirty (30) days in a year for any use or combination of uses of any type when it has made the following findings:
- (1) The event is a festive occasion which would be enhanced by the use of signing not already allowed.
 - (2) All segments of the city's population may attend the event,
 - (3) The event is appropriate for the location where it is being held. Such a location must conform to zoning requirements.
 - (4) The event is being undertaken for the purpose of advertising or otherwise promoting a public oriented use or uses.
- (f) Other sign provisions:

- (1) No sign shall exceed twenty (20) feet in height without a variance from the Planning & Zoning Commission.
- (2) No illuminated sign shall be so located as to face directly, shine, or reflect glare into a dwelling home situated in the vicinity of such sign.
- (3) No off premises sign or sign not related to goods or services available on the premises shall be permitted within the corporate limits of the City of Crescent City.
- (4) All signs together with any supports, braces, guys, and anchors shall be kept in good repair and shall be constructed in compliance with the Florida Building Code.

(g) The following sign types and standards shall be utilized for advertisement signage:

- (1) Monument sign- shall not exceed eight (8) feet in height or 100 square feet in sign area per sign face, and must include architectural elements of the building or facility it is advertising. Either one face or two parallel faces on a common support are allowed. When considering a monument sign proposal special attention should be paid to the prohibition of signs that create a safety hazard by obstructing the view of pedestrian or vehicular traffic.
- (2) Free Standing Sign- shall not exceed twenty (20) feet in height or 100 square feet in sign area per sign face, with the bottom of the sign face not less than eight (8) feet above finished grade. Either one face or two parallel faces on a common support are allowed. Freestanding signs shall feature architecturally embellished supports and sign panel framing of a material complimentary to the building or facility it is advertising.
- (3) Building Mount Sign- shall not exceed 100 square feet in sign area and must be of a complementary architectural design to the building which it is mounted.
- (4) Building Projection Sign- allowed only in the Community Redevelopment Area; shall not exceed 25 square feet in total sign area with the bottom of the sign face not less than twelve (12) feet above finished grade and must be approved by the Planning and Zoning Commission. In the case of double-sided projection signs, both display areas shall be calculated and added together for the total sign area of the sign.
- (5) Sandwich Board Signs - may be allowed as provided under 6.7.220). Where allowed, the maximum area of a sign shall be no more than seven (7) square feet per side of sign with the maximum height being (42) inches.
- (6) Multiple tenant developments must use a single sign design theme throughout the development.

(7) Signage is permitted on awnings and canopies provided it is not backlit or illuminated.

(8) Sign display and structural support materials shall be of a clean and neat nature presenting quality workmanship and shall be maintained as such.

6.7.4 *Non-conforming signs and exceptions.*

- a Non-conforming signs are declared by this section to be incompatible with permitted sign usage in the zoning districts involved.
- b Signs which are nonconforming or become non-conforming through zoning changes shall be removed or made to conform with this Code within the following specified time periods, whichever is shorter:
 - 1 After the end of the seventh year the sign has become non-conforming Flashing signs, which are non-conforming, must be removed or brought into conformity within one year from the enactment of this code.
 - 3. Deteriorated signs or signs which have not been maintained in good repair in accordance with the requirements of this section must be removed or brought into conformity within one year from the enactment of this code.
 - 4. In the case of hardship caused by an Act of God, the City Manager shall have the power to grant a temporary portable sign permit for a period of up to sixty (60) days.
- c Whenever a non-conforming use of a sign, or portion thereof has been discontinued, as evidenced by non-operation of a business, or building vacancy for a period of six (6) months, such non-conforming sign shall not thereafter be reestablished or continued and any future sign shall be in conformity with the requirements of this section.
- d Any sign that has been damaged by any means to an extent more than sixty (60) percent of its value immediately prior to damage, shall not be restored except in conformity with the requirements of this section.
- e To avoid undue hardship, nothing within in this section shall be deemed to require a change in the plans or construction of a sign for which a permit has been issued prior to adoption of this section, provided construction of the sign occurs within three (3) months of permit issuance.

6.7.5 *Enforcement*

The City Manager or his designee is vested with the authority to administer, interpret and enforce the provisions of this section, and he shall issue a STOP WORK ORDER, if in his

determination, a sign is being erected contrary to the requirements of this section. The City Manager or his designee shall also have the authority to issue a class 4 citation for failure to comply with the requirements of this section in accordance with City Code of Ordinances Section 2.59. Additional enforcement remedies may also be pursued by the City as outlined in section 2.9 of this Land Development Code.

6.8. Floodprone areas.

1. No structure shall be constructed within any floodprone area without either:
 - a. The implementation and utilization of appropriate "floodproofing measures" as defined herein; or
 - b. The implementation and utilization of flood elevations of not less than 18 inches above the floodprone elevation, except for nonresidential agricultural structures which may be constructed at elevations equal to or above the floodprone elevation; and
2. No structure shall be constructed within said classification where a septic tank will be utilized to service said structure unless prior approval as to the use and location of said septic tank shall be obtained through the county department of health and other appropriate state agencies; and
3. No structure shall be constructed and no land filling or grade level changes shall be permitted within said classification, unless approved by the city after review and recommendation by the director of public works to ensure that the change will not inhibit the flow of flood waters or drainage waters; and,
4. No structure shall be constructed and no land filling or grade level changes shall be permitted within said classification, unless approved by the city council after review and recommendation by the director of public works to determine that said change will not increase flooding of or drainage of lands above or below the property and that the modification to an affected watercourse can be maintained.

6.8.1. *Additional factors to be considered in evaluating structure proposals in floodprone areas.* In passing upon any application for the location of a structure in floodprone areas, the director of public works shall consider all relevant factors specified in other sections of this code and, to the extent applicable, shall also consider the following as general criteria and guidelines:

1. The danger to life and property due to increased flood heights or velocities caused by encroachment.
2. The danger that materials may be swept onto other lands or downstream to the injury of others;