

## **ORDINANCE NUMBER 60-12-17**

**AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, COUNTY OF DUVAL, STATE OF FLORIDA, AMENDING CHAPTER 17 OF THE CODE OF ORDINANCES WHICH REGULATES SIGNS AND ADVERTISING STRUCTURES AS ADOPTED BY ORDINANCE NUMBER 60-02-12, INCLUDING ALL SUBSEQUENT AMENDMENTS THERETO; THIS ORDINANCE SPECIFICALLY AMENDING SECTION 17-29, SIGNS PERMITTED WITHIN COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS; PROVIDING FOR RECORDATION AND PROVIDING AN EFFECTIVE DATE.**

### **RECITALS**

**WHEREAS**, the City Commission for the City of Atlantic Beach, Florida (hereinafter the "Commission") hereby finds that there are various persons and entities that have an interest in communicating with the public through the use of signs and advertising structures, and

**WHEREAS**, the Commission is responsible for advancing the City's commitment to provide opportunities for economic development that serve and meet the needs of residents and visitors, while maintaining a safe and aesthetically pleasing environment where signs do not create excessive visual clutter and distraction and do not impair the safety of pedestrians and vehicular traffic, and

**WHEREAS**, it is the intent of the Commission that the regulations contained in this Chapter shall provide uniform sign criteria, which shall place the fewest possible restrictions on personal liberties, property rights and the free exercise of Constitutional rights, while achieving the City's goal of creating a safe, healthy, attractive and economically viable community free from excessive clutter or visual distractions from right-of-ways and adjacent properties and the surrounding natural environment, and

**WHEREAS**, these regulations shall also provide appropriate and consistent signage for the commercial and industrial zoning districts, recognizing the scale and context of properties within these particular areas of the City, and

**WHEREAS**, these regulations set forth herein provide for orderly growth; protect and conserve the value of property; promote, protect and improve the health, safety, comfort, good order, appearance, convenience and general welfare of the public, and serve to accomplish and implement the goals and objectives of the Comprehensive Plan, and

**WHEREAS**, after required notice was published, public hearings were held on the 12<sup>th</sup> day of December, 2011 at 6:00 p.m. and on the 9<sup>th</sup> day of January, 2012 at 6:00 p.m. to hear and enact said amendments to Chapter 17 of the Code of Ordinances for the City of Atlantic Beach.

**NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION ON BEHALF OF THE PEOPLE OF THE CITY OF ATLANTIC BEACH, FLORIDA:**

**SECTION 1.** Chapter 17, Section 17-29, Signs Permitted within Commercial and Industrial Zoning Districts, is hereby amended and upon enactment shall read as set forth in Exhibit A, attached to and made part of this Ordinance.

**SECTION 2.** This Ordinance shall take effect immediately upon its final passage and adoption and shall be recorded in a book kept and maintained by the Clerk of the City of Atlantic Beach, Florida, in accordance with Section 125.68, Florida Statutes.

Passed on first reading by the City Commission of the City of Atlantic Beach the 12<sup>th</sup> day of December, 2011. Passed on final reading and public hearing the 9<sup>th</sup> day of January, 2012.

ATTEST:



DONNA L. BARTLE, CMC  
City Clerk



MIKE BORNO  
Mayor/Presiding Officer

Approved as to form and correctness:



ALAN C JENSEN, ESQUIRE  
City Attorney

Sec 17-29. Signs permitted within Commercial and Industrial Zoning Districts.

Subject to the provisions as set forth within this section, the following signs shall be permitted within Commercial Professional Office (CPO), Commercial Limited (CL), Commercial General (CG), Central Business District (CBD), and Industrial, Light and Warehousing (ILW) Zoning Districts. Except as specifically exempted in Section 17-26, and further subject to issuance of a sign permit, no other signs or advertising device shall be displayed or erected within the City.

(a) Fascia signs.

(1) *Fascia signs for buildings with a single business or occupant.*

- a. *Size permitted:* One (1) square foot of sign face area for each linear foot of the building width that faces the street frontage, provided that the total signage shall not exceed two hundred (200) square feet of sign face area, including buildings on corner lots. (For example, if the width of the building facing the front of the lot is fifty (50) feet, the maximum total sign face area for all fascia signs is fifty (50) square feet.) If the building is on a corner lot, then the widths of the building façades facing multiple street frontages can be added together to determine the total signage area, but in no cases shall the total fascia signage exceed two hundred (200) square feet, nor shall an individual sign exceed the square footage corresponding to the linear width of the building side on which that sign is posted. In no case, shall any individual sign as described above, exceed one hundred (100) square feet in sign display area except for buildings that face the front lot line, as defined in this code, by a distance of more than one hundred (100) linear feet, which may have an individual sign display area up to a maximum of two hundred (200) square feet depending on the amount of building frontage.

(2) *Number of fascia signs permitted:* Not more than three (3) fascia signs shall be allowed on any one (1) side of the building. Where fascia signs are placed upon more than one (1) side of the building, the combined sign face area shall not exceed the amount permitted by subsection (a) (1) a. above. *Fascia signs for buildings with multiple businesses or occupants.*

- a. *Size permitted:* One (1) square foot of sign face area for each linear foot of the unit(s) occupied by one (1) business or occupant, provided that the total signage shall not exceed two hundred (200) square feet for any one (1) business. If the business or occupant is on the corner, then the widths of the unit(s) occupied by the business or occupant that are facing multiple street frontages can be added together to determine the total signage area, but in no case shall the total signage for particular business or occupant exceed two hundred (200) square feet, nor shall any individual sign exceed the square footage corresponding to the linear building footage. (For example, if the width of a unit or several units, occupied by one (1) business is twenty-four (24) feet, then one (1) sign, a maximum of twenty-four (24) square feet of sign face area is permitted.) In no case, shall any individual sign as described above, exceed one hundred (100) square feet in sign area except for buildings that face the front lot line, as defined in this code, by a distance of more than one hundred (100) linear feet, which may have an individual sign display area up to a maximum of two hundred (200) square feet depending on the amount of building frontage.
- b. *Required spacing between signs on buildings :* Fascia signs shall be separated by a minimum distance of 72 inches.

(b) *Bracket or marquee signs.* In lieu of the above described fascia signs, a business or permitted use may install a single bracket sign or marquee sign in accordance with the following provisions:

(1) *Size permitted:* The maximum size of a bracket sign or a marquee sign shall be determined in the same manner as a fascia sign, provided that no such sign shall have more than sixty (60) square feet of projected sign face area.

- a. There shall be no more than twelve (12) inches of clear space adjacent to the building wall, and such signs shall not extend or project from the face of the building more than ten (10) feet.
- b. No portion of such sign shall extend above the height of the roof.
- c. No portion of such sign shall be closer than eight (8) feet to any sidewalk or pedestrian walkway, and no closer than five (5) feet from any street side property line. All such signs shall be securely anchored to a wall and shall in no manner be connected to or suspended from the roof of any building.

(2) *Within the Central Business District only.* In addition to other permitted signs, uses limited only to retail establishments, restaurants, cafes and coffee shops, may install a single bracket sign extending above a public sidewalk or pedestrian walkway. The purpose of this provision is to provide appropriate and consistent signage for the unique pedestrian environment of the town center area. Such signs shall be located only in accordance with the following provisions and upon issuance of a sign permit:

- a. May be located only above first floor entryways or first floor windows with no portion of the sign display area exceeding ten (10) feet above the established grade of the adjoining sidewalk or walkway;
- b. Shall provided minimum vertical clearance of eight (8) feet above the sidewalk or walkway;
- c. Shall provide minimum clearance of six (6) inches from the building façade;
- d. Shall be separated from any other such sign by a minimum of twenty (20) feet;
- e. Shall not exceed three (3) feet in horizontal width and two (2) feet in vertical depth;
- f. Shall give the appearance of traditional wood routed or sandblasted signs. Materials such as high density urethane (HDU) and recycled high density polyethylene (HDPE) plastics, which give a similar appearance, shall be acceptable substitutes;
- g. Shall be externally illuminated only and shall contain no electrical components; and
- h. Shall create no safety hazard or obstruction to the public's use of the sidewalk or walkway as determined by the Director of Public Safety.

(c) *Freestanding signs.* In addition to the above signs, freestanding signs may be permitted as set forth below:

(1) *Size permitted:* One (1) square foot of sign display area for each linear foot of frontages of the development parcel on which the sign(s) are placed, provided no such sign shall exceed ninety-six (96) square feet of sign display area, or eight (8) feet in height and twelve (12) feet in width, except as provided in subsection (c)(2)b. below.

(2) *Number of freestanding signs permitted:*

- a. Development parcels with street frontage shall be permitted one (1) freestanding sign for each one hundred (100) feet of linear street frontage, up to a maximum of three (3) freestanding signs.
- b. Development parcels with street frontage upon more than one (1) street, shall be permitted one (1) additional freestanding sign on each street side of the development parcel.

- c. *Required distance from property lines:* No portion of any freestanding sign shall be located closer to the property line than five (5) feet. Additional distance from property lines may be required if determined necessary by the Director of Public Works, to maintain clear vehicular and pedestrian sight distance. Freestanding signs shall not be located so as to interfere with clear vehicular or pedestrian sight distance. Further, signs determined by the Director of Public Safety to interfere with safe sight distance for pedestrians or vehicles shall be immediately removed.
- (3) *Within Commercial General (CG) and Commercial Limited (CL) Zoning Districts only.* Alternatively, on development parcels with street frontage of three hundred (300) linear feet or more shall be permitted one (1) freestanding sign not to exceed ten (10) feet in height and one hundred twenty (120) feet in sign display area. The required distance from any property lines for such freestanding sign shall be a minimum of ten (10) feet. Additional distance from property lines may be required if determined necessary by the Director of Public Safety, to maintain clear vehicular and pedestrian sight distance.
- (d) *Requirement for a unified sign plan.* After the initial effective date of these regulations, all new non-residential development, which shall contain space or units for more than one (1) business or occupant, shall provide a unified sign plan with the application for building permits. All subsequent applications for sign permits shall comply with the approved unified sign plan. The unified sign plan shall comply with respect to the following:
- (1) Manner and type of construction, including materials to be used, installation method and mounting details.
  - (2) Means of illumination, if any, and hours of illumination.
  - (3) Size, color, lettering, and graphics style.
- (e) *Pre-development signs.* Signs for the purpose of announcing a coming development project may be placed within commercial and industrial zoning districts subject to the following provisions:
- (1) Issuance of a sign permit shall be required, and no such sign shall remain on any development parcel for a period of time exceeding one (1) year from the issuance date of the sign permit.
  - (2) Complete and proper applications for building permits for the related development project must be submitted within sixty (60) days of the placement of any such sign, or the sign shall be removed. In the case that the sign is not removed, the sign shall be considered an abandoned sign, subject to the provisions of Section 17-41(c).
  - (3) Such sign shall be removed within thirty (30) days of the issuance of any certificate of occupancy, or at any time when construction ceases for a period of time longer than thirty (30) days. In the case that the sign is not removed within these periods of time, the sign shall be considered as abandoned, subject to the provisions of Section 17-41(c).
  - (4) Only one (1) such sign shall be placed upon the development parcel and shall not exceed the height or size permitted by preceding paragraph (a).
- (f) *Requirement to display street number.* All business and activities regulated by the requirements of Section 17-29 shall display the street number in a manner that is prominent and clearly readable to vehicular and pedestrian traffic, as appropriate. Street numbers shall be displayed on all freestanding signs and over front doors or primary entryways.