

ARTICLE 8

SIGNS

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ARTICLE 8

SIGNS

SECTION 8.01 GENERAL PROVISIONS

8.01.01 Permit Required

- A. A permit from the Development Review Coordinator shall be obtained prior to the erection any sign, unless the sign is specifically exempted below from the permitting requirement.
- B. The Planning Director shall issue a permit for the erection of a sign when the permit application is properly made; all required information has been provided; all fees have been paid as required; and, the proposed erection conforms with the provisions of this Article. Notwithstanding any other provision of this Article or the Waldo Land Development Code, a sign permit application shall be acted upon within 10 working days of receipt by the Planning Director of a complete application.
- C. A denial of a sign permit shall be provided to the applicant in writing, and shall include a brief written statement of the reasons for the denial. An appeal may be filed with the Planning Director and heard, as expeditiously as possible, in accord with appeal procedures set forth in Section 11.08 of this Land Development Code.
- D. The Planning Director may, through written notice, suspend or revoke a permit issued under the provisions of this Article whenever the permit is issued on the basis of fraud or a misstatement of fact.
- E. No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain an unlawful sign nor shall any permit issued hereunder constitute a defense in an action to abate an unlawful sign.

8.01.02 Relationship To Building And Electrical Codes

These sign regulations are intended to complement the requirements of the building and electrical codes adopted by the City of Waldo. Wherever there is inconsistency between these regulations and the building or electrical code, the more stringent requirement shall apply.

8.01.03 Maintenance

All signs, including their supports, braces, guys and anchors, electrical parts and lighting fixtures, and all painted and display areas, shall be maintained in accordance with the

building and electrical codes adopted by the City of Waldo, and shall present a neat and clean appearance. The vegetation around, in front of, behind, and underneath the base of ground signs for a distance of 10 feet shall be neatly trimmed and free of unsightly weeds, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near the sign.

8.01.04 Severability

- A. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article.
- B. Without diminishing or limiting in any way the declaration of severability set forth above in subsection A., above, or elsewhere in this Article, this code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.
- C. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article and/or any other code provisions and/or laws are declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the regulation of Outdoor Advertising Signs in this Article.

8.01.05 Definitions

Accessory Sign means a permanent ground or building sign that is permitted under this Article as incidental to an existing or proposed use of land.

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

Building Sign means a sign displayed upon or attached to any part of the exterior of a building, including walls, windows, doors, parapets, marquees and roof slopes of 45 degrees or steeper.

Commercially Developed Parcel means parcel of property on which there is at least one walled and roofed structure used, or designed to be used, for other than residential or agricultural purposes.

Copy means the linguistic or graphic content of a sign.

Electric Sign means any sign containing electric wiring.

Erect a Sign means to construct, reconstruct, build, relocate, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish; but it shall not include any of the foregoing activities when performed as an incident to the change of message, or routine maintenance.

Frontage means the length of the property line of any one parcel along a street on which it borders.

Ground Sign means a sign that is supported by one or more columns, upright poles, or braces extended from the ground or from an object on the ground, or that is erected on the ground, where no part of the sign is attached to any part of a building.

Harmful to Minors means, with regard to sign content, any description or representation, in whatever form, of nudity, sexual conduct, or sexual excitement, when it:

- A. predominately appeals to the prurient, shameful, or morbid interest of minors in sex, and
- B. is patently offensive to contemporary standards in the adult community as a whole with respect to what is suitable sexual material for minors, and
- C. taken as a whole, lacks serious literary, artistic, political, or scientific value.

The term "*harmful to minors*" shall also include any non-erotic word or picture when it:

- A. is patently offensive to contemporary standards in the adult community as a whole with respect to what is suitable for viewing by minors, and
- B. taken as a whole, lacks serious literary, artistic, political, or scientific value.

Marquee means a structure projecting from and supported by a building which extends beyond the building line or property line and fully or partially covers a sidewalk, public entrance or other pedestrian way.

Multiple Occupancy Complex means a commercial use, i.e. any use other than residential or agricultural, consisting of a parcel of property, or parcel of contiguous properties, existing as a unified or coordinated project, with a building or buildings housing more than one occupant.

Occupant (Occupancy) means a commercial use, i.e. any use other than residential or agricultural.

Outdoor Advertising Sign means a permanent ground sign located on an otherwise undeveloped parcel of property.

Parcel means a unit of land within legally established property lines. If, however, the property lines are such as to defeat the purposes of this Article or lead to absurd results, a "parcel" may be as designated for a particular site by the Planning Director.

Permanent means designed, constructed and intended for more than short term use.

Portable Sign means any sign which is manifestly designed to be transported by trailer or on its own wheels, including such signs even though the wheels may be removed and the remaining chassis or support structure converted to an A or T frame sign and attached temporarily or permanently to the ground.

Roof Line means a horizontal line intersecting the highest point or points of a roof.

Roof Sign means a sign placed above the roof line of a building or on or against a roof slope of less than 45 degrees.

Sign means any writing, pictorial presentation, number, illustration, or decoration, flag, banner or pennant, or other device which is used to announce, direct attention to, identify, advertise or otherwise make anything known. The term sign shall not be deemed to include the terms "building" or "landscaping," or any architectural embellishment of a building not intended to communicate information. The term "sign" shall not include religious displays nor holiday decorations.

Sign Face means the part of a sign that is or may be used for copy.

Sign Face Area means the area of any regular geometric shape which contains the entire surface area of a sign upon which copy may be placed.

Sign Structure means any construction used or designed to support a sign.

Street means a public or private right of way for vehicular traffic, including highways, thoroughfares, lanes, roads, ways, and boulevards.

Temporary means designed, constructed, and intended to be used on a short-term basis.

Undeveloped Parcel means a parcel of property on which there is located no structure with walls and a roof.

Unit means that part of a multiple occupancy complex housing one occupant.

Vehicle Sign means any sign affixed to a vehicle.

SECTION 8.02 EXEMPTIONS

- A. The following signs are exempt from the operation of these sign regulations, including the requirement in this Code that a permit be obtained for the erection of a sign:
1. Signs that are not designed or located so as to be visible from any street or adjoining property.
 2. Signs erected by a governmental unit, or with proper permission from a governmental unit, that are necessary to promote the health, safety and welfare of the citizens, including regulatory, statutory, traffic control or directional signs erected on public property. It is specifically found by the City of Waldo that in order to serve the compelling public interest in traffic and pedestrian safety, such signs may flash, move, blink, or otherwise draw attention to themselves. It is further specifically found by the City of Waldo that prohibiting all other signs that flash, move, blink, or otherwise draw attention to themselves in similar ways serves the compelling public purpose of ensuring that safety-related governmental signage is clearly visible and distinguishable from other non-safety-related signage.
 3. Decorative flags and bunting for a celebration, convention, or commemoration of significance to the entire community when authorized by the Waldo City Council for a prescribed limited period of time.
 4. Legal notices and official instruments.
 5. Works of art that do not constitute advertising.
 6. Signs carried by a person.
- B. The following signs are exempt from the requirement in this Code that a permit be obtained for the erection of a sign, but must otherwise comply with applicable provisions of this Article, including that no such sign may constitute a sign prohibited by Section 8.03 below.

1. Temporary signs.
2. Signs of two square feet or less, and signs that include no letters, symbols, logos or designs in excess of two inches in vertical or horizontal dimension.
3. Signs incorporated into machinery or equipment by a manufacturer or distributor, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths, and gasoline pumps.
4. Advertising and identifying signs located on taxicabs, buses, trailers, trucks, or vehicle bumpers.

SECTION 8.03 PROHIBITED SIGNS

8.03.01 Generally

It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained, any sign not expressly authorized by, or exempted from, this Article.

8.03.02 Specifically

The following signs are expressly prohibited unless exempted by Part 8.02 of this Article or expressly authorized by Part 8.04, Part 8.05, or Part 8.06 of this Article:

- A. Signs that are in violation of the building code or electrical code adopted by the City of Waldo.
- B. Any sign that, in the opinion of the Planning Director, does or will constitute a safety hazard.
- C. Outdoor Advertising Signs
- D. Portable signs.
- E. Blank temporary signs.
- F. Signs with visible moving, revolving, or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic, or mechanical means.
- G. Signs with the optical illusion of movement by means of a design that presents a pattern capable of giving the illusion of motion or changing of copy.

- H. Signs with lights or illuminations that flash, move, rotate, scintillate, blink, flicker, or vary in intensity or color.
- I. Strings of light bulbs used on commercially developed parcels for commercial purposes.
- J. Subject to the allowance at Section 8.05.06 below, signs, commonly referred to as wind signs, consisting of one or more banners, flags, pennants, ribbons, spinners, streamers or captive balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind.
- K. Signs that incorporate projected images, emit any sound that is intended to attract attention, or involve the use of live animals.
- L. Signs that emit audible sound, odor, or visible matter such as smoke or steam.
- M. Signs or sign structures that interfere in any way with free use of any fire escape, emergency exit, or standpipe, or that obstruct any window to such an extent that light or ventilation is reduced to a point below that required by any provision of this Code or other ordinance of the City of Waldo.
- N. Signs that resemble any official sign or marker erected by any governmental agency, or that by reason of position, shape or color, would conflict with the proper functioning of any traffic sign or signal, or be of a size, location, movement, content, color, or illumination that may be reasonably confused with or construed as, or conceal, a traffic-control device.
- O. Signs that obstruct the vision of pedestrians, cyclists, or motorists traveling on or entering public streets.
- P. Non-governmental signs that use the words "stop," "look," "danger", or any similar word, phrase, or symbol.
- Q. Signs, within 10 feet of public right of way or 100 feet of traffic-control lights, that contain red or green lights that might be confused with traffic control lights.
- R. Signs that are of such intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist, or pedestrian using or entering a public way, or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics.
- S. Signs that contain any lighting or control mechanism that causes unreasonable interference with radio, television or other communication signals.

- T. Searchlights used to advertise or promote a business or to attract customers to a property.
- U. Signs that are painted, pasted, or printed on any curbstone, flagstone, pavement, or any portion of any sidewalk or street, except house numbers and traffic control signs.
- V. Signs placed upon benches, bus shelters or waste receptacles, except as may be authorized in writing pursuant to §337.407, Florida Statutes.
- W. Signs erected on public property, or on private property (such as private utility poles) located on public property, other than signs erected by public authority for public purposes.
- X. Signs erected over or across any public street except as may otherwise be expressly authorized by this Article.
- Y. Vehicle signs with a total sign area on any vehicle in excess of 10 square feet, when the vehicle:
 1. is parked for more than sixty consecutive minutes within 100 feet of any street right of way;
 2. is visible from the street right of way that the vehicle is within 100 feet of; and
 3. is not regularly used in the conduct of the business advertised on the vehicle. A vehicle used primarily for advertising, or for the purpose of providing transportation for owners or employees of the occupancy advertised on the vehicle, shall not be considered a vehicle used in the conduct of the business.
- Z. Signs displaying copy that is harmful to minors as defined by this Article.

SECTION 8.04 TEMPORARY SIGNS

8.04.01 Where Allowed

Temporary signs are allowed throughout the City of Waldo, subject to the restrictions imposed by this section and other relevant parts of this Article.

8.04.02 Sign Types Allowed

A temporary sign may be a ground or building sign, but may not be an electric sign.

8.04.03 Removal Of Illegal Temporary Signs

Any temporary sign not complying with the requirements of this section is illegal and subject to immediate removal.

8.04.04 Restrictions On Content Of Temporary Signs

- A. On a parcel used primarily for residential purposes, a temporary sign may display any message so long as it is not harmful to minors as defined by this Article.
- B. On undeveloped parcels, or parcels the primary use of which is non-residential, a temporary sign may display any message except as follows:
 - 1. The message may not be harmful to minors as defined by this Article; and
 - 2. Advertising, as defined in this Article, is limited to the following:
 - a. To indicate that an owner, either personally or through an agent, is actively attempting to sell, rent or lease the property on which the sign is located.
 - b. To indicate the grand opening of a business or other activity. Such message may be displayed for a period not exceeding 14 days within the first three months that the occupancy is open for business.
 - c. To identify construction in progress. Such message shall not be displayed more than 60 days prior to the beginning of actual construction of the project, and shall be removed when construction is completed. If a message is displayed pursuant to this section, but construction is not initiated within 60 days after the message is displayed, or if construction is discontinued for a period of more than 60 days, the message shall be removed, pending initiation or continuation of construction activities.
 - d. To indicate the existence of a new business, or a business in a new location, if such business has no permanent signs. Such message may be displayed for a period of not more than 60 days or until installation of permanent signs, whichever shall occur first.
 - e. To announce or advertise such temporary uses as fairs, carnivals, circuses, revivals, sporting events, flea markets, yard sale, or any public, charitable, educational or religious event or function. Such message shall be removed within 5 days after the special event.

8.04.05 Permissible Size, Height And Number Of Temporary Signs

- A. *One-Family and Two-Family Residences.* A parcel on which is located a single one-family or two-family residence may display not more than 2 temporary signs with an aggregate sign area of not more than 10 square feet. No individual sign shall exceed 6 square feet nor exceed 6 feet in height.
- B. *Three-Family and Four-Family Residences.* A parcel on which is located a single three-family or four-family residence may display not more than 4 temporary signs with an aggregate sign area of not more than 16 square feet. No individual sign shall exceed 6 square feet nor exceed 6 feet in height.
- C. *On All Other Parcels.* All other parcels may display two temporary signs, plus an additional temporary sign for each full 50 feet of frontage in excess of 50 feet of frontage. The total sign area allowed shall not exceed 16 square feet, plus an additional 16 square feet each full 50 feet of frontage in excess of 50 feet of frontage. No individual sign shall exceed 48 square feet nor exceed 10 feet in height.

8.04.06 Removal of Election-Related Temporary Signs

All temporary signs that are related to an election, referendum, or other ballot measure, shall be removed within 30 calendar days of the last election to which the signs pertain. Signs left beyond this deadline are hereby declared illegal and may be immediately removed and destroyed by the County.

SECTION 8.05 PERMANENT ACCESSORY SIGNS

8.05.01 Sign Types Allowed

A permanent accessory sign may be a ground or building sign. A permanent accessory sign may not be a roof sign.

8.05.02 Content

A permanent accessory sign may display any message so long as it is not harmful to minors as defined by this Article.

8.05.03 Number, Area, Spacing And Height

- A. *Ground Signs.* The permissible number, area, spacing, and height of ground signs for each premises shall be determined according to the following tables and text:
 - 1. The maximum height of such a sign shall be 18 feet.

2. If the premises' frontage on a public right of way is less than 300 feet, only one such sign shall be allowed. If such frontage is greater than or equal to 300 feet, and less than 400 feet, 2 such signs at least 100 feet apart shall be allowed. If such frontage is greater than or equal to 400 feet, 3 such signs at least 100 feet apart shall be allowed.

3. The following matrix shall be used to determine total square feet of combined sign area allowed for all such signs on each premises, and the minimum allowable distance in feet from any side property line, according to the frontage on a public right of way:

TOTAL FRONTAGE ON RIGHT-OF-WAY	SIGN AREA	DIST. TO SIDE PROPERTY
Less than 50 feet	24	10
At least 50 feet but less than 100	32	15
At least 100 feet but less than 200	48	20
At least 200 feet but less than 300	64	50
At least 300 feet but less than 400	72	50
400 feet or more	96	50

If a premises has frontage on 2 or more streets, each frontage shall be separately considered for the purposes of determining compliance with the provisions of these regulations, but the permitted sign area for 1 frontage may not be combined with that permitted on another frontage to increase the permitted sign area on the frontage.

B. *Building signs.*

1. Each single occupancy premises shall be entitled to building sign(s), the sign face area of which, in the aggregate, shall not exceed the lesser of 10 percent of the building exterior area upon which said building signs are to be located or 100 square feet. For the purposes of this subsection, a multi-family residential complex shall be considered a single occupancy premises.

2. Multiple occupancy complexes.
 - a. Each occupant of a multiple-occupancy complex may display building signs on any unit exterior of the complex that is part of the occupant's unit

(not including a common or jointly owned area), the sign face area of which, in the aggregate, shall not exceed the lesser of ten percent of the unit exterior area upon which said building signs are to be located or 100 square feet.

- b. Format for multiple-occupancy complexes. Building signs for multiple-occupancy complexes constructed or remodeled after the effective date of this code shall conform to an approved sign format. The sign format shall be included as part of the application to erect such a sign and shall be maintained on file by the city. The format shall be presented in a plan or sketch, together with written specifications in sufficient detail to enable the city manager/clerk or his designee to authorize signs based on the specifications. As a minimum, the sign format shall specify the types of signs and dimensions (not to exceed the size limits contained in this code) which will be permitted each occupant within the complex. The sign format shall also contain common design elements, such as placement of color, shape or style of lettering, which lend a unified appearance to the signs of the occupants within the complex.

- 3. A building sign shall not be permitted above the roofline, cornice line, parapet, or the highest point of a facade of any structure.

- C. *Multiple Frontages.* If a building has frontage on two or more streets, each frontage shall be separately considered for the purposes of determining compliance with the provisions of these regulations, but the permitted sign area for one frontage may not be combined with that permitted on another frontage to increase the permitted sign area on one frontage. However, no ground sign on one right of way may be closer than 100 feet to a sign on another right of way, measured as the sum of distances measured continuously along the rights of way through a common point or points.

8.05.04 Directional Signs

Directional signs limited in area to 4 square feet, giving directions to motorists regarding the location of parking areas and access drives shall be permitted as permanent accessory signs on all parcels and shall not be counted as part of an occupancy's allowable sign area.

8.05.05 Signs At Entrances To Residential Developments, Farms and Ranches

- A. *Generally.* A permanent accessory sign may be displayed at the entrance to residential developments, farms and ranches.

B. *Restrictions.*

1. One sign is permitted at only one entrance into the development, farm or ranch from each abutting street. The sign may be a single sign with two faces of equal size or may be two single-faced structures of equal size located on each side of the entrance. No face of the sign shall exceed 32 square feet in size, and may be illuminated in a steady light only.
2. When considering the placement of such signs, the Plan Board or Planning Director, as the case may be, shall consider the location of public utilities, sidewalks and future street widenings.
3. The Plan Board or Planning Director shall ensure that such signs shall be maintained perpetually by the developer, the owner of the sign, a pertinent owners' association, or some other person who is legally accountable under a maintenance arrangement approved by the Board. If no accountable person accepts legal responsibility to maintain the signs and no other provision has been made for the maintenance of them, the signs shall be removed by the developer or owner.

8.05.06 Flags

Not more than three flags or insignias of governmental, religious, charitable, fraternal or other organizations may be displayed on any one parcel of land.

8.05.07 Utility Signs

Public utility signs that identify the location of underground utility lines and facilities, high voltage lines and facilities, and other utility facilities and appurtenances are permitted so long as they do not exceed three feet in height, and so long as the sign face does not exceed ½ square foot.

SECTION 8.07 MEASUREMENT DETERMINATIONS

8.07.01 Distance Between Signs

The minimum required distance between signs shall be measured along street rights of way from the closest parts of any two signs.

8.07.02 Sign Area

- A. *Generally.* The area of a sign shall be the area within the smallest square, rectangle, parallelogram, triangle, circle or semicircle, the sides of which touch the extreme points or edges of the sign face.

B. *Special Situations.*

1. Where a sign is composed of letters or pictures attached directly to a facade, window, door, or marquee, and the letters or pictures are not enclosed by a border or trimming, the sign area shall be the area within the smallest rectangle, parallelogram, triangle, circle or semicircle, the sides of which touch the extreme points of the letters or pictures.
2. Where two sign faces are placed back to back on a single sign structure, and the faces are at no point more than 3 feet apart, the area of the sign shall be counted as the area of 1 of the faces.
3. Where four sign faces are arranged in a square, rectangle, or diamond, the area of the sign shall be the area of the two largest faces.
4. Where a sign is in the form of a three-dimensional object, the area shall be determined by drawing a square, rectangle, parallelogram, triangle, circle or semicircle, the sides of which touch the extreme points or edges of the projected image of the sign and multiplying that area by two. The "projected image" is that image created by tracing the largest possible two dimensional outline of the sign.

8.07.03 Number of Signs

A. *Generally.* In general, the number of signs shall be the number of non-contiguous sign faces. Multiple non-contiguous sign faces may be counted as a single sign if all the sign faces are included in the geometric figure used for determining the sign area.

B. *Special Situations.*

1. Where two sign faces are placed back to back and are at no point more than three feet apart, it shall be counted as one sign.
2. If a sign has four faces arranged in a square, rectangle or diamond, it shall be counted as two signs.

8.07.04 Sign Height

The height of a sign shall be measured as the vertical distance from the finished grade at the base of the supporting structure to the top of the sign, or its frame or supporting structure, whichever is higher.

SECTION 8.08 DESIGN, CONSTRUCTION, AND LOCATION STANDARDS

8.08.01 Generally

All permanent signs must comply with the following design, construction and location standards.

8.08.02 Compliance With Building And Electrical Codes Required

All permanent signs, and the illumination thereof, shall be designed, constructed and maintained in conformity with applicable provisions of the building and electrical codes adopted by the City of Waldo.

8.08.03 Illumination Standards

- A. Sign lighting may not be designed or located to cause confusion with traffic lights.
- B. Illumination by floodlights or spotlights is permissible so long as none of the light emitted shines directly onto an adjoining property or into the eyes of motorists or pedestrians using or entering public streets.
- C. Illuminated signs shall not have lighting mechanisms that project more than 18 inches perpendicularly from any surface of the sign over public space.

8.08.04 Placement Standards

- A. Supports for signs or sign structures shall not be placed in or upon a public right of way or public easement, except under the terms of a lease between the owner of the easement or right of way and the owner of the sign.
- B. No ground sign shall project over a public right of way.
- C. No sign or sign structure shall be erected that impedes use of any fire escape, emergency exit, or standpipe.

8.08.05 Clearance Standards

- A. All signs over pedestrian ways shall provide a minimum of 7½ feet of clearance.
- B. All signs over vehicular ways shall provide a minimum of 13½ feet of clearance.

8.08.06 Relationship To Building Features

A building sign shall not extend beyond any edge of the surface to which it is attached, nor disrupt a major architectural feature of the building.

8.08.07 Maximum Projection

A building sign may project no more than four feet perpendicularly from the surface to which it is attached.

8.08.08 Maximum Window Coverage

The combined area of permanent and temporary signs placed on or behind windows shall not exceed 25 percent of the total window area at the same floor level on the side of the building or unit upon which the signs are displayed.

8.08.09 Signs Required To Be Certified By A Registered Engineer

The following signs shall be designed and certified by a Florida registered engineer:

- A. Building signs that project perpendicularly from the surface to which it is attached and that are more than twenty-four square feet in area.
- B. Ground signs of more than ten feet in height and one hundred square feet in area.