

ORDINANCE NO. 84-5

AN ORDINANCE AMENDING ORDINANCE NO. 82-1, KNOWN AS THE HERNANDO COUNTY SIGN REGULATORY ORDINANCE, DECLARING THE LEGISLATIVE INTENT, PROVIDING FOR DEFINITIONS; PROVIDING FOR THE USE OF FLAGS AND BANNERS; PROVIDING FOR THE PERMITTING OF ALL SIGNS; PROVIDING FOR A HEIGHT REQUIREMENT; PROVIDING FOR DIRECTIONAL SIGNS; PROVIDING STANDARDS FOR TRAFFIC CONTROL SIGNS; PROVIDING FOR THE EXISTING SIGNS THAT BECOME NON-CONFORMING SIGNS; ESTABLISHING PERMIT REQUIREMENTS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT HEREBY ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. Section 2 of Hernando County Ordinance No. 82-1 is hereby amended to read as follows:

SECTION 2. Article II, Section 2, Subsection E of Hernando County Ordinance No. 72-3 is hereby amended to read as follows:

E. REGULATION OF SIGNS: All signs shall be subject to the following regulations except where otherwise provided for in this ordinance, or other ordinances pertaining to sign usage and erection.

1. Definitions

- (a) Sign: Any structure, display, device, figure, painting, drawing, message, placard poster, billboard or other item that promotes a business, organization, event, person, place or thing.
- (b) Sign area: The surface upon which copy can be placed with supporting or bracing structure of the sign not being included as part of the sign area unless such supports or braces act as part of the signs message or background. Where a sign has two display faces back to back, parallel to one another, the area of only one face shall be considered the sign area. For spheres and other three dimensional structures, the sign area will be the maximum two (2) dimensional area the sign displaces.

2. Illumination and Animation:

- (a) No sign shall be illuminated in a manner which allows direct visibility of the lighting source or glaring reflection thereof from a public street unless the lighting source is rated at fifteen (15) watts or less. Floodlights and spotlights shall be shielded to prevent their visibility from public streets and other properties. The intent of this section is to allow adequate illumination without glare

or bright lights which could distract or impair the visibility of motorists, pedestrians, or neighbors.

- (b) Flashing lights are permitted provided that the lights do not exceed fifteen (15) watts and provided that all such lights and advertising illuminated thereby are at least twelve (12) feet above the profile grade lines of all streets within one hundred fifty (150) feet of the sign. Flashing lights shall not be colored so as to resemble lights used for traffic or emergency signals (such as red, amber, green and blue).
- (c) Animated signs and flags shall be located at least twelve (12) feet above the profile grade lines of all streets within one hundred fifty (150) feet of the sign.
- (d) One flag or banner per 20 feet of road frontage of commercial property can be used for promotional display, advertising or other related commercial purposes along the front property line, permanently. Use of more than this allotment would be considered a temporary use and only allowed for 30 consecutive days for grand openings of any buildings or business. Permits for such temporary display shall be obtained from the Building Division with the dates of display stated on the permit.
- (e) When the Confederate and/or State flags are displayed, they shall be utilized in accordance with the rules and regulations of Chapter 256 of the Florida Statutes. When the American flag is displayed, it shall be utilized in accordance with the flag code as described by Public Law 623.

3. Signs Prohibited on Rights of Ways: Removal and Disposal:

- (a) No sign, other than official signs related to the right of way and its use, is permitted on any public street, drainage, or utility right of way.
- (b) Signs placed on such right of way may be removed by any county official employed in the enforcement of this ordinance, the maintenance of such right of way, or the protection of such health, safety and welfare. Such signs are considered to be abandoned property and may be disposed of at the convenience and discretion of Hernando County without notice or compensation to the person, firm, or entity promoted on the face of such sign.

4. Maintenance:

All signs shall be maintained so as to present a neat appearance with all parts in proper alignment and the face clearly readable. In addition, all structural components shall be maintained to ensure safe support of the structure. Damaged signs shall be either repaired or removed within thirty (30) days of the owners notification of the damage.

5. Obstruction to Vision:

The provisions of Article II, Section 3A shall apply to all signs except for pole supports which may occur within the clear zone provided that such supports do not exceed one (1) foot in diameter and provided that no more than one such pole support for any single sign shall encroach into the defined area.

6. Portable Signs:

Portable signs may be utilized in conformance with these regulations in the same manner as permanent or fixed signs.

7. On-site Signs:

Advertising and identification signs are considered accessory structures and uses which normally accompany commercial and many other activities. The intent of this section is to allow for such signs and their benefits while avoiding unsightly and unnecessary visual clutter and to minimize distractions and hazards to motorists and pedestrians while providing for effective advertising.

(a) SIGN AREA

Lots with less than 150 linear feet of road frontage will be allowed one (1) on-site sign not to exceed 150 square feet in sign area. Lots with a road frontage in excess of 150 linear feet will be allowed 1 square foot of sign area per linear foot of road frontage with a maximum of 300 square feet of sign area.

(b) SETBACKS

The setbacks for on-site signs are dependent on size. Setback distances are measured from the lot line to the closest part of the sign.

- (1) Signs up to seventy-five (75) square feet in area shall be located at least five (5) feet from all lot lines.
- (2) Signs greater than seventy-five (75) and up to one hundred fifty (150) square feet in area shall be located at least ten (10) feet from all lot lines.
- (3) Signs greater than one hundred fifty (150) square feet shall be located at least twenty (20) feet from all lot lines.
- (4) The provisions of Article V, Section 3, Subsection D of Hernando County Ordinance No. 72-3 pertaining to variances shall apply to the dimensional standards herein required.

(c) HEIGHT

- (1) All on-site advertising sign area shall be at least ten (10) feet above the grade of the edge of the street surface if it is located within the triangular

area described as follows: The triangular area is the property on both sides of an exit driveway formed by the intersection of each side of the driveway and the public right of way line, with the distance being twenty (20) feet along the public right of way line, ten (10) feet along the driveway lines and the third line connecting the ends of the other sides. There are no minimum height requirements in other areas of the lot.

- (2) The maximum height for on-site signs will be determined by the type of road the property on which the sign is located fronts and is as follows:

-- limited access highways; i.e., I-75
- Sixty (60) feet above the grade level of the highway within a one thousand (1,000) foot radius of an intersection providing access to the highway and forty (40) feet above the grade level of the highway in other areas.

-- federal aid primary highways; i.e., U.S. 19, U.S. 41, S.R. 50, U.S. 98, U.S. 301 - Forty (40) feet above the grade level of the highway.

-- all other roads - Thirty (30) feet above the grade level of the road or twice the height of the building, whichever is less.

(d) DIRECTORY TYPE SIGNS

In commercial or industrial centers where two (2) or more separate enterprises are located, a directory type of sign display that is designed to be read primarily from on-site are encouraged so as to avoid visual clutter. These signs may have an additional fifty (50) square feet of sign area when utilized but shall not exceed 300 square feet in sign area.

(e) NUMBER OF SIGNS

(1) Individual firms or activities located on a single lot may display no more than one (1) on-site sign.

(2) Individual firms or activities located on a corner lot may display one (1) on-site sign of maximum sign area as determined by the road frontage the lot has or they may have one (1) sign along each road provided the combined area of these signs does not exceed the maximum as determined by the road frontage.

(3) Shopping centers, malls, strip plazas, and other buildings housing more than one business or activity, may display no more than one (1) on-site sign for each two hundred (200) feet of frontage provided

they are at least two hundred (200) feet apart along public streets and their total combined sign area does not exceed the maximum allowed according to section 7A. If such complexes have more than six hundred (600) feet of street frontage along a single street, they may have a single sign not to exceed six hundred (600) square feet.

- (4) There shall be no limit to the number of attached signs (see Article II, Section II E. 4) which may be attached to walls or roof after issuance of a zoning permit.

8. Off-site Advertising Signs and Billboards:

Off-site advertising signs and billboards shall be permitted in zoning districts where such structures are listed as a permitted or special exception use and the following shall apply:

- (a) Such structures shall be located no nearer than five hundred (500) feet from any other off-site advertising structure on the same side of the road or highway facing the same direction and at least two hundred (200) feet from any on-site sign on the same lot.

- (b) The maximum height for off-site signs will be determined by the type of road the property on which the sign is located fronts and is as follows:

(1) limited access highways; i.e., I-75 - Sixty (60) feet above the grade level of the highway within a one thousand (1,000) foot radius of an intersection providing access to the highway and forty (40) feet above the grade level of the highway in other areas.

(2) federal aid primary highways; i.e., U.S. 19, U.S. 41, U.S. 98, U.S. 301, S.R. 50 - Forty (40) feet above the grade level of the highway.

(3) all other roads - Thirty (30) feet above the grade level of the road or twice the height of the building, whichever is less.

- (c) Along federal primary aid highways such structures

(1) shall not exceed four hundred (400) square feet in sign area.

(2) shall conform to the locational requirements of Chapter 479 of the Florida Statutes.

- (d) Along limited access highways (I-75) sign area of advertising structures

shall not exceed 504 square feet

(e) Along roadways not regulated by state sign regulations such structures shall

(1) be located on collector or arterial highways within one hundred fifty (150) feet of their intersections, at least ten (10) feet from all property lines and at least fifteen (15) feet from all right of way lines.

(2) not exceed eighty (80) square feet in sign area.

9. Attached Signs:

May be affixed to building or structure walls or roof provided that such sign does not extend more than six (6) feet above or beyond the wall, parapet wall or roof of the building. Measurement shall be made from the primary place of attachment for signs attached to roofs. All parts of attached signs shall be at least five (5) feet from all lot lines.

10. Permitted Signs in All Zoning Districts:

Signs necessary for the identification, operation, or protection of public service structures and facilities or signs incidental to a legal process or necessary to the public safety or welfare. No zoning permit or certificate of use are required for these signs.

11. Real Estate Signs:

Unlighted real estate signs located on the premises being advertised for sale, lease, or rent are permitted in all zoning districts. Such signs located in residential zoning district and/or on residential property shall not exceed eight (8) square feet in area. Such signs located on non-residential property shall not exceed sixty-four (64) square feet and shall be located at least ten (10) feet from all property lines. Such signs can be displayed along each road that borders the property with a limit of one (1) per road. No zoning permit or certificate of use is required for these signs.

12. Political Signs:

Such signs may be erected on private property, but shall not be erected on public property or street right of ways. Political signs shall be removed by the candidate or political party promoted on the face of the sign or by the property owner within thirty (30) days after the election which determines the candidate's or political party's election or defeat. If the signs are not removed within the thirty (30) days, the specified candidate or political party promoted on the face of the sign shall be subject to a fine of one

(1) dollar per square foot or fraction thereof of sign area displayed. No zoning permit or certificate of use will be required for political signs.

13. Entrance Signs:

Signs located at entrances to subdivisions and developments and serving solely to identify the development and the properties and amenities therein, are permitted when such sign locations and sizes have been approved as shown on the final master plan for the project. If such signs are not shown on the final master plan, they may still be permitted if they meet the requirements of this ordinance for a clear-site triangle and setbacks. Such signs, however, shall not be located upon any road right of way, public or private. Maintenance of existing entrance signs on county right of way is the responsibility of homeowner's associations or the developer and not the county.

14. Traffic Control Signs:

Traffic control signs, including entrance and exit signs for commercial businesses, shall

- (a) not exceed four (4) feet in height from the bottom of the sign to ground level or six (6) square feet in sign area.
- (b) direct traffic in a manner that is consistent with the rules and regulations that Hernando County uses for traffic control.

15. Signs - Model Homes Located in Residential Area:

- (a) Any model home or model home center built in a single family residential area is permitted no more than one sign per lot; identifying the builder and measuring no more than 32 square feet in size.
- (b) No portable signs shall be permitted.
- (c) No flags or pennants shall be utilized on said models with the exception of the first 30 day grand opening period. However, Confederate and State flags can be displayed if they are utilized in accordance with Chapter 256 of the Florida Statutes and American flags if they are displayed in accordance with the flag code of Public Law 623.
- (d) Each model within the model center shall be allowed to have a sign measuring no more than three square feet identifying each model within the model center.

16. Home Occupation Signs:

One (1) unlighted sign not over four (4) square feet in area shall be allowed for

identification of home occupations permitted as a special exception on the premises.

17. Construction Signs:

Signs located on a work site that identify the builder and/or the subcontractors involved in the activity occurring thereon, shall be allowed in all zoning districts. Such signs located on residential property shall not exceed eight (8) square feet in area. Such signs located on non-residential property shall not exceed sixty-four (64) square feet in sign area. All such signs displayed during construction shall be located at least ten (10) feet from all property lines and shall be removed prior to issuance of the certificate of occupancy. No zoning permit or certificate of use is required for these signs.

18. Non-Conforming Signs:

Any sign or billboard which is lawfully existing on the effective date of this ordinance and which does not conform with all the provisions of this ordinance shall comply with the provisions of Article 2, Section 2, A. EXISTING NONCONFORMING STRUCTURES AND USES, with the exception of the requirement to display the tag issued by the Building Division as described in 19. Permits.

19. Permits:

The permit required by Article V, Section 2 of the Hernando County Zoning Ordinance shall be obtained for all signs regardless of the value of such sign; unless specially exempted therefrom by the terms of this ordinance. The permit required by Article V, Section 2 shall be obtained without regard to whether or not a building permit is either required or obtained. In order for any sign to be a legal sign, it must have a permit from the administrative official. All signs requiring such permitting shall have the tag number that is issued by the Building Division permanently affixed to the sign and posted so as to be visible from the street. All signs legally existing prior to the adoption date of these amendments to this ordinance are required to obtain and display a tag issued by the Building Division. If no tag number is displayed, the sign will be in violation.

SECTION 3. Enforcement

This Ordinance shall be subject to the enforcement provisions contained in Article IX of the Hernando County Land Use Ordinance.

SECTION 4. Severability

Article IX, Section 4 of the Hernando County Land Use Ordinance shall apply to the provisions of this Ordinance.

SECTION 5. Effective Date

This Ordinance shall take effect immediately upon its passage.

ADOPTED in Regular Session this 27th day of March,
1984, A.D.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

By Henry D. Lebetter
HENRY D. LEBBETTER, CHAIRMAN

Attest Harold William Brown
HAROLD WILLIAM BROWN, CLERK