

AN ORDINANCE AMENDING THE HERNANDO COUNTY CODE OF ORDINANCES APPENDIX A, ARTICLE II, SECTION 2, SUBSECTION E. REGULATIONS OF SIGNS TO PROVIDE FOR PURPOSE AND APPLICABILITY; DEFINITIONS; ILLUMINATION AND ANIMATION OF SIGNS; SIGNS PROHIBITED ON RIGHTS-OF-WAY; REMOVAL AND DISPOSAL OF SIGNS; MAINTENANCE OF SIGNS; SIGNS AS OBSTRUCTION TO VISION; PROVIDING FOR PORTABLE SIGNS; PROVIDING FOR ON-SITE SIGNS; PROVIDING FOR OFF-SITE ADVERTISING SIGNS AND BILLBOARDS; PROVIDING FOR ATTACHED SIGNS; PROVIDING FOR PERMITTED SIGNS IN ALL ZONING DISTRICTS; PROVIDING FOR REAL ESTATE SIGNS; PROVIDING FOR POLITICAL SIGNS; PROVIDING FOR ENTRANCE SIGNS; PROVIDING FOR TRAFFIC-CONTROL SIGNS; PROVIDING FOR VEHICLE SIGNS; PROVIDING FOR MODEL HOME SIGNS; PROVIDING FOR HOME OCCUPATION SIGNS; PROVIDING FOR CONSTRUCTION SIGNS; PROVIDING FOR NONCONFORMING SIGNS; PROVIDING FOR PERMITS; PROVIDING FOR ADDITIONAL RESTRICTIONS; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. HERNANDO COUNTY CODE OF ORDINANCES APPENDIX A, ARTICLE II, SECTION 2, SUBSECTION E REGULATIONS OF SIGNS IS HEREBY AMENDED TO READ:

E. REGULATION OF SIGNS - PURPOSE:

The purposes of these sign regulations are: to encourage the effective use of signs as a means of communication in Hernando County; to maintain and enhance the aesthetic environment and maintain the County's ability to attract sources of economic development and growth; to improve pedestrian traffic and safety; to minimize the possible adverse effects of signs on nearby public and private property; to enable the fair and consistent enforcement of these sign regulations; and to support the policies contained in the Comprehensive Plan pertaining to signage.

1. Applicability - Effect:

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.

The effect of this ordinance as more specifically set forth herein, is:

To establish a permit system to allow a variety of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and permit procedures of this ordinance;

To allow certain signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this ordinance, but without a requirement for permits;

To prohibit all signs not expressly permitted by this ordinance; and

To provide for the enforcement of the provisions of this ordinance.

2. 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 face: The surface of a structure either designed for, designated for, or displaying sign copy. No portion of the supporting structure shall extend past the sign face except for the structure base which makes contact with the ground or unless the supporting structure is architecturally compatible with the buildings located on site.
- c. Sign area: The area of a sign shall be the area within the smallest square, rectangle, parallelogram, trapezoid, triangle, circle, or semi-circle, the sides of which touch the extreme points or edges of the sign face. 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.

3. 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 Department 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 the State of Florida. When the American flag is displayed, it shall be utilized in accordance with the flag code as determined by the applicable Public Law.

4. Signs prohibited on rights-of-way: 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.
- c. Signs may be placed upon county right-of-way, with the permission of the Board of County Commissioners, if they conform to the following requirements:
 1. The applicant for such sign must show that the sign will serve a public purpose;
 2. The applicant enters into a lease agreement with the county providing for fire and casualty insurance; liability insurance on the property, described in the lease, in an amount to be determined by the county; indemnification of the county against any claims arising from activities of the lessee on the property;
 3. Lessee will pay all applicable charges and utility costs incurred in construction on the property;
 4. Lessee will provide the county with engineering drawings meeting all applicable sign standards as well as all other applicable county standards;
 5. The lessee shall maintain the sign and adjacent right-of-way in good condition. If the applicant/lessee transfers any or all responsibility for care and maintenance of the sign and adjacent right-of-way to a homeowners' association or other entity, the new lessee shall conform to all requirements as stated above. If the lessee allows any liability coverage to lapse, it shall be in the right of the county to remove any such sign and other facility permitted hereunder.

5. Maintenance: All signs for which authorization is required by this Code, 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 Hernando County, and shall present a neat and clean appearance with all parts in proper alignment and the face clearly readable.

6. 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.

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

8. 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 100 linear feet of road frontage will be allowed one (1) on-site sign not to exceed 100 square feet in sign area. Lots with a road frontage in excess of 100 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 and including 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 and including 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 highway; 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 - Twenty-five(25) 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 8A. 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 and other appropriate permits. The total display area for all attached signs shall not exceed 20% of the building facade on which the sign is located.

9. 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 one thousand (1000) 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 the Florida Statutes.
- d. Along limited access highways (I-75) sign area of advertising structures shall not exceed five hundred four (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.
- 10. 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, or 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.
- 11. 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.
- 12. 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 districts and/or on residential property shall not exceed eight (8) square feet in area. Such signs located on nonresidential property shall not exceed sixty-four (64) square feet in area. Signs located on nonresidential property exceeding eight (8) square feet in area but not greater than sixty-four (64) square feet must be located at least five (5) feet from all lot lines if possible, otherwise against the pavement if appropriate. Real estate signs may be displayed along each road that borders the property with a limit of one sign for every five hundred (500) feet of

road frontage. No zoning permit or certificate of use is required for these signs.

13. Political signs: Such signs may be erected on private property, but shall not be erected on public property or street rights-of-way. Political signs shall be removed by the candidate or political party promoted on the face of the sign or by the property owner within twenty (20) days after the election which determines the candidate's or political party's election or defeat. If the signs are not removed within the twenty (20) days, the specified candidate or political party promoted on the face of the sign shall be subject to the penalties contained herein. No zoning permit or certificate of use will be required for political signs.
14. Entrance signs: Signs located at entrances to subdivision 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.
15. 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.
16. Vehicle signs: Signs with a total area on any vehicle in excess of ten (10) square feet are prohibited when the vehicle meets all of the following:
 - a. Is parked for more than twelve (12) consecutive hours within one hundred (100) feet of any street right of way; and
 - b. Is visible from the street right of way that the vehicle is within one hundred (100) feet of; and
 - c. Advertises or is located at a permanent business address; and
 - d. Is not regularly used in the conduct of the business advertised on the vehicle. A vehicle used primarily for advertising shall not be considered a vehicle used in the conduct of the business.
17. 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 thirty-two (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 thirty-day grand opening period. However, Confederate and State flags can be displayed if they are utilized

in accordance with the Florida Statutes and American flags if they are displayed in accordance with the flag code of the applicable Public Law.

- 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.
18. Home occupation signs: One 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.
19. Construction signs: Signs located on a work site that identify the builder, the subcontractors or other entities involved in the activity occurring thereon, shall be allowed in all zoning districts. Such signs located on nonresidential 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.
20. Nonconforming 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; however, the owner of a non-conforming sign may petition the Governing Body to authorize the replacement of the non-conforming sign with a new sign. Upon review of the petition, the Governing Body may authorize the replacement of a non-conforming sign with a new sign. Existing Nonconforming Structures and Uses, with the exception of the requirement to display the tag issued by the Building Department as described in Section 21. Permits.
21. 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 Department 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 Department. If no tag number is displayed, the sign will be in violation.
22. Additional restrictions: The County may require additional restrictions in areas designated on the Future Land Use Map as Planned Development or during the approval of a master plan for a planned unit development (PUD).

SECTION 2. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this ordinance, for any reason, is held to be unconstitutional, void or invalid, the validity of the remaining portions of said ordinance shall not be affected thereby.

SECTION 3. INCLUSION INTO THE CODE

The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of Hernando County, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

SECTION 4. EFFECTIVE DATE

This Ordinance shall become effective upon receipt of the official acknowledgement from the office of the Secretary of State of the State of Florida that this Ordinance has been filed with said office.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS IN REGULAR SESSION THIS 26TH DAY OF NOVEMBER, 1990.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

BY 
HAROLD D. VARVEL, CHAIRMAN

ATTEST 
KAREN NICOLAI, CLERK

SEAL

