

ORDINANCE NO. 82- 1

AN ORDINANCE TO BE KNOWN AS THE HERNANDO COUNTY SIGN REGULATORY ORDINANCE; PROVIDING FOR THE GENERAL REGULATION OF ALL SIGNS TO INCLUDE THE PROHIBITION OF SIGNS ON RIGHTS OF WAY, MAINTENANCE OF SIGNS, OBSTRUCTION OF VISION AND PORTABLE SIGNS; PROVIDING FOR THE REGULATION OF THE DISPLAY OF FLAGS AND BANNERS; PROVIDING FOR THE REGULATION OF ON-SITE SIGNS FOR ADVERTISING OR IDENTIFICATION PURPOSES; PROVIDING FOR THE REGULATION OF OFF-SITE ADVERTISING SIGNS AND BILLBOARDS; PROVIDING FOR THE REGULATION OF SIGNS ATTACHED TO BUILDINGS, REAL ESTATE SIGNS, POLITICAL SIGNS IN ALL ZONING DISTRICTS; PROVIDING FOR A PROCEDURE FOR VARIANCES; PROVIDING FOR AN EXCEPTION AS TO ROAD SIGNS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE HERNANDO COUNTY BOARD OF COUNTY

COMMISSIONERS AS FOLLOWS:

RECEIVED
[Redacted]

SECTION 1. This Ordinance shall be known as the Hernando County Sign Regulatory Ordinance and shall be incorporated in and become a part of the Hernando County Land Use Ordinance, Hernando County Ordinance No. 72-3.

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. 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 feet above the profile grade lines of all streets within one hundred fifty (150) feet of the sign.

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(d) Permanent flag, banners utilized for promotional display, advertising or other related commercial purposes are permitted and may be displayed; provided, however, that such banners and/or flags displayed shall not exceed more than one per every 20' of frontage of a parcel on any road.

Temporary flags and banners utilized for promotional display, advertising or other related commercial purposes are permitted and shall not be displayed for more than thirty (30) days during the calendar year and are not subject to the requirements of the above Part 1. A permit must be obtained from the Building Division at no charge with the dates of display stated on the permit.

2. 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 protection of the public 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.

3. 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 this structure. Damaged signs shall be either repaired or removed within thirty (30) days of the owners notification of the damage.

4. 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 foot in diameter and provided that no more than one such pole support for any single sign shall encroach into the defined area.

5. Portable Signs:

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

6. 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) SETBACKS

The setbacks for on-site signs are dependent on size. Sign area includes the surface area of all advertising faces and decorations. 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, but not exceeding three hundred (300) square feet shall be located at least twenty (20) feet from all lot lines.
 - (4) No on-site sign shall exceed three hundred (300) square feet.
 - (5) The provisions of Article V, Section 3, Sub-section D of Hernando County Ordinance No. 72-3 pertaining to variances shall apply to the setbacks herein required.
- (b) 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 height requirements in other areas of the lot.
- (c) NUMBER OF SIGNS
- (1) Individual firms or activities located on a single lot may display no more than one (1) on-site sign along each front lot line.
 - (2) 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, or fractional part thereof, along public streets.
 - (3) 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.

7. Off-Site Advertising Signs and Billboards:

These signs are permitted in zoning districts where they are listed as either a permitted or special exception use. Along state and federal primary and highways the locational requirements of Chapter 379, Florida Statutes will apply. In areas not regulated by state sign regulations, the following shall apply:

- (a) Within one hundred fifty (150) feet of intersections of streets classified by Hernando County as collector or arterial highways, billboards may be erected. Such signs shall not exceed eighty (80) square feet in face area and shall be located at least ten (10) feet from all property lines.
- (b) Off-site advertising signs require a zoning permit in conformance with Article V, Section 2. The application for a zoning permit shall be accompanied by a letter from the property owner authorizing erection of the sign, including the legal description of the property, and certifying ownership of the property or a lease authorizing use of the property for an off-site advertising sign.

8. Attached Signs:

May be affixed to building or structure walls or roof provided that such a 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. Attached signs require a zoning permit in accordance with Article V, Section 2, of this ordinance.

9. 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.

10. 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 non-residential property shall not exceed sixty-four (64) square feet and shall be located at least ten (10) feet from all property lines. No zoning permit or certificate of use is required for these signs.

11. 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.

12. 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.

13. Non-Conforming Signs:

Permanent signs and billboards which are legally existing on the effective date of this ordinance shall comply with the provisions of Article II, Section 2,A. Existing Non-conforming Structures and Uses.

Signs that do not comply with the illumination and animation provisions of this ordinance must be brought into conformance within thirty (30) days of the date of adoption of this ordinance.

14. Traffic Control Signs:

Traffic Control Signs, including entrance and exit signs for commercial business, are exempt from this Ordinance.

SECTION 3. Enforcement

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

SECTION 4. Severability

Article IX, Section 4 of 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 19th day of January, 1982, A.D.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

By


FRANK FISH, CHAIRMAN

Attest


HAROLD WILLIAM BROWN, CLERK