



Article VII. Sign Regulations

7.01.00 Applicability

These regulations apply to signs within residential and nonresidential areas. Signs shall be erected, placed, established, painted, created, and maintained in the Town only in conformance with the regulations, procedures, exemptions, and other requirements of this Article and pursuant to Town standards and the Florida Building Code.

These regulations do not pertain and are not applicable to:

- (1) A sign, other than a window sign, located entirely inside the premises of a building or enclosed space.
- (2) A sign on a car, other than a prohibited vehicle sign or signs.
- (3) A traffic control device sign.
- (4) Any sign not visible from a public street, sidewalk or right-of-way or from a navigable waterway or body of water; except that the foregoing does not exempt a sign for a commercial use that is visible from an abutting residential use.

7.02.00 Purpose and intent

The purpose and intent of this article is to promote the public health, safety and general welfare through reasonable, consistent and non-discriminatory sign standards. The sign regulations in this article are also designed and intended to meet the statutory requirement that this municipality adopt land development regulations that regulate signage, a requirement set in Section 163.3202(f), *Florida Statutes*. The sign regulations in this section are not intended to censor speech or regulate viewpoints, but instead are intended to address the secondary effects of signs that may adversely impact aesthetics and safety. The sign regulations are designed to serve substantial governmental interests and, in some cases, compelling governmental interests such as traffic safety and warning signs of threats to bodily injury or death

This article regulates signs, as defined in this Article, which are placed on private property or on property owned by public agencies, including the Town, and over which the Town has zoning authority. This article is not intended to regulate objects that are not signs as defined in this Article.

The Town of Orange Park is located in northern Clay County, immediately south of the City of Jacksonville and west of the St. Johns River. The economic base of the Town is heavily dependent on the preservation and promotion of quality, suburban-scale residential and strip commercial development. The Town is largely built-out with nearly no large vacant tracts remaining; therefore, redevelopment which preserves and promotes the Town as a desirable community in which to live and do business is of foremost importance. The regulation of signs within the Town is a highly contributive means by which to achieve this desired end.

By specifying criteria for all signage as stated herein, this Article is intended to serve the following purposes:



- a) Encourage the effective use of signs as a means of communication in the Town;
- b) Maintain and enhance the aesthetic environment and the Town's ability to attract sources of economic development and growth;
- c) Improve pedestrian and traffic safety;
- d) Minimize the possible adverse effect of signs on nearby public and private property;
- e) Foster the integration of signage with architectural and landscape designs;
- f) Lessen the visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height, and excessive size (area) of signs which compete for the attention of pedestrian and vehicular traffic;
- g) Allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that conceal or obstruct adjacent land uses or signs;
- h) Encourage and allow signs that are appropriate to the zoning district in which they are located;
- i) Establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains;
- j) Regulate signs in a manner so as to not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians;
- k) Ensure that signs are constructed, installed and maintained in a safe and satisfactory manner, and protect the public from unsafe signs;
- l) Preserve, conserve, protect and enhance the aesthetic quality and scenic beauty of all districts of the Town;
- m) Allow for traffic control devices consistent with national standards and whose purpose is to promote highway safety and efficiency by providing for the orderly movement of road users on streets and highways, and that notify road users of regulations and provide warning and guidance needed for the safe, uniform and efficient operation of all elements of the traffic system;
- n) Protect property values by precluding, to the maximum extent possible, sign types that create a nuisance to the occupancy or use of other properties as a result of their size, height, illumination, brightness, or movement;
- o) Protect property values by ensuring that sign types, as well as the number of signs, are in harmony with buildings, neighborhoods, and conforming signs in the area;
- p) Regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the Town and that complements the natural surroundings in recognition of the Town's reliance on its natural surroundings, beautification and redevelopment efforts in retaining economic advantage for its residential neighborhoods and commercial developments;



- q) Enable the fair and consistent enforcement of these sign regulations;
- r) Promote the use of signs that positively contribute to the aesthetics of the community, are appropriate in scale to the surrounding buildings and landscape, and advance the Town’s goals of quality development;
- s) Provide standards regarding the non-communicative aspects of signs, which are consistent with city, county, state and federal law;
- t) Provide flexibility and encourage variety in signage; and
- u) Assure that the benefits derived from the expenditure of public funds for the improvement and beautification of streets, sidewalks, public parks, public rights-of-way, and other public places and spaces, are protected by exercising reasonable controls over the physical characteristics and structural design of signs.

7.03.00 Definitions

7.03.01 Interpretations

For the purpose of this Article, certain words and terms used herein shall be interpreted to have meanings as defined below. Where words or terms are not defined in this Article, they shall have their ordinarily accepted meanings or such as the context may imply. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular. The word "shall" is mandatory; the word "may" is permissive.

In addition to the provisions above, the Economic and Community Development Department Director, or an official designated by the Town Manager, has authority to determine the interpretation or usage of terms in this Article. Appeal of an interpretation made by the Economic and Community Development Department Director, or an official designated by the Town Manager, shall be to the Environmental Quality Board. The written request for appeal must be submitted to the Town Manager within thirty (30) calendar days of said director’s decision.

7.03.01.01 Abandoned or discontinued sign or sign structure means a sign or sign structure is considered abandoned or discontinued when its owner fails to operate or maintain a sign for a period of six (6) months or longer. The following conditions shall be considered as the failure to operate or maintain a sign:

- 1) A sign displaying advertising for a product or service which is no longer available or displaying advertising for a business which is no longer licensed; or
- 2) A sign which is blank.

7.03.01.02 Advertising means sign copy intended to aid, directly or indirectly, in the sale, use or promotion of a product, commodity, service, activity, entertainment, or real or personal property.

7.03.01.03 Animated sign means a sign which includes action, motion, or color changes, or the optical illusion of action, motion, or color changes, including signs set in motion by movement of the atmosphere, or made up of a series of sections that turn.



- 7.03.01.04** **Artwork** means a two-or three-dimensional representation of a creative idea that is expressed in a form and manner as to provide aesthetic enjoyment for the viewer but does not convey a commercial message. Artwork displayed as a two-dimensional representation on a flat surface shall not exceed the maximum square footage requirements which would otherwise apply to wall signs in corresponding locations as allowed in this Article. All outdoor artwork shall conform to the maximum height restrictions in any particular zone in which it is located, as well as any applicable building code or safety standards.

- 7.03.01.05** **Attached sign** means a wall sign, a marquee sign, a window sign, but not a canopy sign.

- 7.03.01.06** **Bandit sign.** See snipe sign.

- 7.03.01.07** **Banner** means any sign or string of one (1) or more signs, usually made of cloth or other lightweight material, which is used to attract attention, whether or not imprinted with words or characters, including but not limited to balloons and pennants. Flags shall not be considered banners.

- 7.03.01.08** **Beacon** means a stationary or revolving light which flashes or projects illumination, single color or multicolored, in any manner which has the effect of attracting or diverting attention, except, however, this term does not include any kind of lighting device which is required or necessary under the safety regulations of the Federal Aviation Administration or other similar agency. This definition does apply to any similar type of lighting device contained entirely within a structure and which does not project light to the exterior of the structure.

- 7.03.01.09** **Billboard** means a sign structure and/or sign utilized for advertising an establishment, an activity, a product, service or entertainment, which is sold, produced, manufactured, available or furnished at a place other than on the property on which said sign structure and/or sign is located.

- 7.03.01.10** **Building frontage** means the length of the single face of a building or that portion of a building occupied by a single office, business or enterprise, commonly referred to as "store-front," which is abutting a street, parking area, or other means of customer access such as an arcade, a mall or a walkway. The building frontage for a side facade shall be the length of the single face of a side of building or that portion of a side of a building occupied by a single office, business or enterprise.

- 7.03.01.11** **Bus stop sign** means a freestanding or attached noncommercial sign located at a bus stop.

- 7.03.01.12** **Canopy sign** means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

- 7.03.01.13** **Commercial message** means any sign wording, logo, or other representation or image that directly or indirectly names, advertises, or calls attention to a product, service, sale or sales event or other commercial activity.

- 7.03.01.14** **Construction sign** means a temporary on-premise sign displayed at an active construction site during the time that a building permit is active and prior to completion of the work for which the permit was issued.

- 7.03.01.15** **Copy** means the linguistic or graphic content of a sign.

- 7.03.01.16** **Council** means the Orange Park Town Council.



- 7.03.01.17** **Digital sign** means an on-premises sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means; provided, a digital sign shall not be construed to be an animated sign or an illuminated sign.
- 7.03.01.18** **Double-faced sign** means a single sign with items of information on both sides of the sign and mounted as a single structure.
- 7.03.01.19** **Erect** means to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish; but it does not include any of the foregoing activities when performed as an incident to the change of advertising message or customary maintenance or repair of a sign.
- 7.03.01.20** **Facade** means the side of a building, either front or side; and a building facade may be less than the entire side of a building if limited to the occupancy of a portion of a building.
- 7.03.01.21** **Flag** means a sign made of cloth, vinyl, fabric, or a similar pliant material that is attached on one wide to a flagpole and is designed to flow in the wind. (See also ornamental flag.)
- 7.03.01.22** **Flagpole** shall mean a freestanding structure used for the sole purpose of displaying a flag. This definition does not include poles less than five (5) in length that are attached to a building or structure.
- 7.03.01.23** **Flashing** means a pattern of changing light illumination within or projected onto a sign where the illumination alternates suddenly between fully or partially illuminated to fully or partially non-illuminated.
- 7.03.01.24** **Frame effect** means a visual effect on a digital sign applied to a single frame to transition from one message to the next, including but not limited to fading, flying, scrolling, wiping and zooming.
- 7.03.01.25** **Free expression sign** means a sign, not in excess of four (4) square feet in size (area) and the top of the sign is not more than six (6) feet off the ground, communicating information or views on matters of public policy concern or containing any other noncommercial message, that is otherwise lawful.
- 7.03.01.26** **Freestanding monument sign** means any sign having a solid-appearing base structure which is placed upon, in or is supported by, the ground. This shall include signs attached to buildings but supported in whole or in part as described above.
- 7.03.01.27** **Freestanding pole sign** means any sign supported by a structure in the ground which does not meet the definition of a freestanding monument sign, and that is wholly independent from any building, fence or vehicle. A flagpole shall not be considered a freestanding pole sign.
- 7.03.01.28** **Frontage** means the length of the property line of a parcel of land, which runs parallel with and along a road right-of-way or street, exclusive of alleyways.
- 7.03.01.29** **Ground level** means the finished grade of a parcel of land exclusive of any filling, berming or mounding.
- 7.03.01.30** **Height** means vertical distance measured from ground level nearest the base of the sign to the highest point on the sign.



7.03.01.31 Human sign (Living sign) means a sign held by or attached to a human for a commercial purpose or otherwise drawing attention to an individual, business, commodity, service or product. This can also include a person dressed in costume for the purpose of advertising or drawing attention to an individual, business, commodity, service, or product. Free expression signs or signs not containing a commercial message are expressly excluded from this definition.

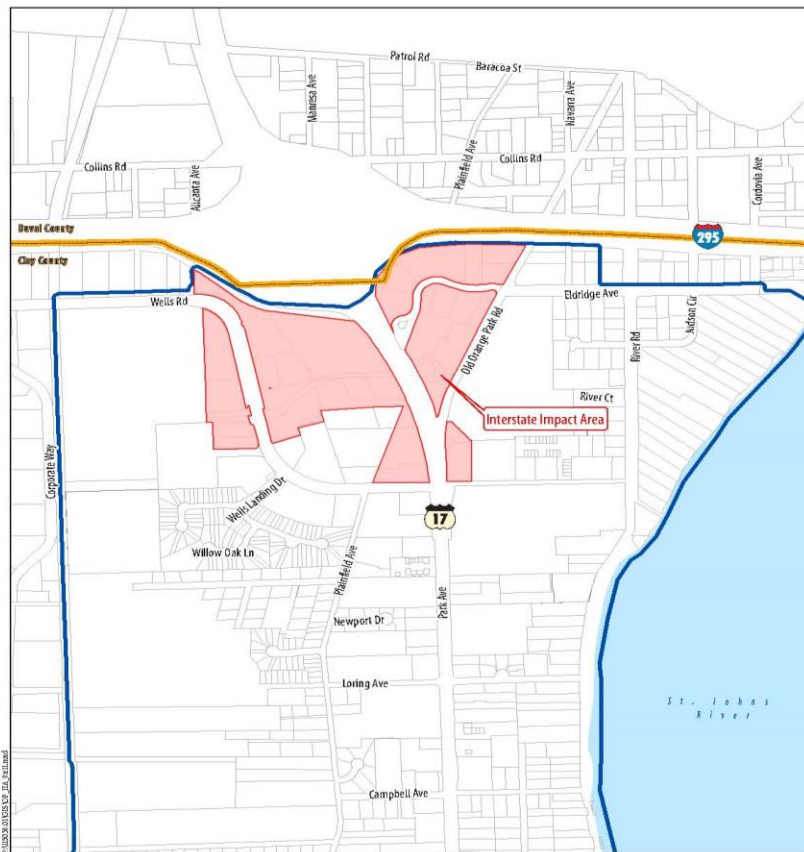
7.03.01.32 Illuminated sign means any sign or portion thereof, which is illuminated by artificial light, either from an interior or exterior source, including outline, reflective or phosphorescent light, whether or not the source of light is directly affixed as part of the sign.

7.03.01.33 Incidental sign means a sign not exceeding one (1) square foot in size attached to a freestanding sign or affixed to a wall.

7.03.01.34 Illegal sign means any sign, which has been determined to be in violation of any provision of this Article.

7.03.01.35 Interstate impact area means that area consisting of:

- 1) All properties fronting on U.S. 17 north of Wells Road to Interstate 295;
- 2) All properties north of Eldridge Avenue to Interstate 295, along with those properties contiguous to the south side of Eldridge Avenue; and
- 3) All properties north of Sav-A-Stop Drive to the northern most town limits, and those properties contiguous to the south side of Sav-A-Stop Drive.



Interstate Impact Area

Source: Town of Orange Park





- 7.03.01.36** **Large-scale retailer** means a retail or wholesale user, who occupies no less than 75,000 square feet of gross floor area, typically requires high parking to building ratios, and has a regional sales market. Regional retail/wholesale sales can include, but are not limited to, membership warehouse clubs that emphasizes bulk sales, discount stores, and department stores.
- 7.03.01.37** **Lot.** See definition of parcel.
- 7.03.01.38** **Maintenance** means the replacing, repairing or repainting of a portion of sign structure, periodically changing changeable copy or renewing copy, which has been made unusable by ordinary wear.
- 7.03.01.39** **Marquee** means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.
- 7.03.01.40** **Marquee sign** means any sign attached to a marquee.
- 7.03.01.41** **Noncommercial message** means any message that is not a commercial message.
- 7.03.01.42** **Noncommercial on-site directional sign** means an on-site sign providing direction or information to pedestrian or vehicular traffic that is related or reasonably necessary to the movement of pedestrian or vehicular traffic on the premises, and not displaying a commercial message, e.g., "entrance," "exit," "caution," "no parking," "one way only," "no trespassing," and the like.
- 7.03.01.43** **Nonconforming sign** means a sign, which does not conform to the regulations provided in this Article.
- 7.03.01.44** **Off-premise sign or off-site sign** means any sign relating in its subject matter to commodities, accommodations, services or activities on premises other than the premises on which the sign is located.
- 7.03.01.45** **On-premise sign or on-site sign** means any sign relating in its subject matter to the commodities, accommodations, service or activities on the premises on which it is located.
- 7.03.01.46** **Ornamental flag** means any fabric or similar material containing patterns, drawings or symbols used for decorative purposes and designed to be flown as a flag.
- 7.03.01.47** **Parcel** means land which has been or which is proposed to be used, developed, or built upon as a unit under single ownership.
- 7.03.01.48** **Parapet** means a false front or wall extension above the roofline of a building.
- 7.03.01.49** **Pennant** means any series of small flag-like or streamer-like pieces of cloth, plastic, paper or similar material attached in a row to any staff, cord, building, or at only one (1) or two (2) edges, the remainder hanging loosely.
- 7.03.01.50** **Permanent sign** means any sign which, when installed, is intended for permanent use. For the purposes of this Article any sign with an intended use in excess of twelve (12) months from the date of installation shall be deemed a permanent sign.
- 7.03.01.51** **Portable sign** means any sign, banner, or poster that is not permanently attached to the ground or structure. For purposes of this Article, a cold air inflatable sign shall be considered to be a portable sign.



- 7.03.01.52** **Premises** means any property owned, leased or controlled by the person actively engaged in business at that location.
- 7.03.01.53** **Principal use** means the use, which constitutes the primary activity, function or purpose to which a parcel of land or a building is put.
- 7.03.01.54** **Projecting sign** means any sign affixed perpendicularly to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of such building or wall.
- 7.03.01.55** **Pylon sign** means a sign with visible support structure or with the support structure enclosed with a pole cover.
- 7.03.01.56** **Revolving sign or rotating sign** means any sign that revolves or rotates.
- 7.03.01.57** **Roof sign** means any sign erected and constructed wholly on or over the roof of a building, which is supported by the roof structure, or any sign that extends in whole or in part above the roofline of a building.
- 7.03.01.58** **Roofline** means the highest continuous horizontal line of a roof. On a sloping roof, the roofline is the principal ridgeline or the highest line common to one (1) or more principal slopes of roof. On a flat roof, the roofline is the highest continuous line of a roof or parapet.
- 7.03.01.59** **Safety sign.** See warning sign.
- 7.03.01.60** **Sandwich board sign** means a temporary portable double-faced, freestanding sign.
- 7.03.01.61** **Sight visibility triangle** means a triangular shaped portion of land established at street intersections or street and driveway intersections in which nothing is erected, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. For street intersections, this triangle is measured thirty (30) feet in length from the intersection along the abutting right-of-way lines to form a triangle.
- 7.03.01.62** **Sign** means any device, fixture, placard, structure, or object which uses color, form, graphics, illumination, architectural style or design with text, or writing to advertise, attract attention, announce, or identify the purpose of any person or entity, or communicate information of any kind to the public. For purposes of this definition, the term "sign": 1) shall include a sign's structure , and 2) shall not include artwork as defined in this section.
- 7.03.01.63** **Sign area** means the total square foot area of sign surface, including all parts thereof devoted to the background, computed by bounding the exterior of the sign structure or surface with a series of straight or curved lines tangent thereto (see illustrative examples in section 7.04.00). The area of a sign painted directly on a wall or awning and signs with letters attached directly to walls or awnings shall be calculated by constructing an imaginary series of straight lines or lines formed, bounded or characterized by curves around the outside of all elements of the sign.
- 7.03.01.64** **Sign face** means the part of the sign that is or can be used to identify, display, advertise, communicate information, or for the visual representation, which attracts or intends to attract the attention of the public for any purpose.
- 7.03.01.65** **Sign structure** means any structure which is designed specifically for the purpose of supporting a sign, which has supports or which is capable of supporting a sign. The definition shall include any



decorative covers, braces, wires, supports, or other components attached to or placed around the sign structure.

7.03.01.66 Snipe sign (bandit sign) means any sign tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, or fences.

7.03.01.67 Statutory sign means a sign required by any statute or regulation of the State of Florida or the United States.

7.03.01.68 Substantially damaged or destroyed, as it pertains to a nonconforming sign, means that:

- 1) More than fifty (50) per cent of the upright supports of a sign structure are physically damaged such that normal repair practices of the sign industry would call for, in the case of wooden structures, replacement of the broken supports and, in the case of a metal sign structure, replacement of at least twenty-five (25) per cent of the length above ground of each broken, bent, or twisted support; or
- 2) That more than fifty (50) per cent of a wall or attached sign is physically damaged such that normal repair practices of the sign industry would call for the same to be replaced or repaired. However, any nonconforming sign holding a lawful permit under the provisions of F.S. ch. 479, shall be not be deemed to be substantially damaged or destroyed if the same is lawfully maintained in accordance with the applicable provisions of the Florida Administrative Code.

7.03.01.69 Subdivision monument sign means a monument sign, which contains only the name of a platted subdivision or other residential development. A subdivision monument sign at a platted subdivision or neighborhood entrance shall not be considered a billboard.

7.03.01.70 Temporary sign means a sign intended for a use not permanent in nature. For the purposes of this Article, a sign with an intended use of one (1) year or less, or which may only be displayed during certain hours, shall be deemed a temporary sign.

7.03.01.71 Traffic control device sign means any sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the National Standard. A traffic control device sign includes those signs that are classified and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational, or cultural information).

7.03.01.72 Vehicle sign means any sign or signs where the total sign area covers more than ten (10) square feet of the vehicle.

7.03.01.73 Visibility triangle. See sight visibility triangle.

7.03.01.74 Wall sign means a sign, which is painted on, fastened to, or erected against the wall of a building with its face in a parallel plane with the plane of the building facade or wall, which is used for advertising.

7.03.01.75 Warning sign or safety sign means a sign which provides warning of a dangerous condition or situation that might not be readily apparent or that poses a threat of serious injury (e.g., gas line,



high voltage, condemned building, etc.) or that provides warning of a violation of law (e.g., no trespassing, no hunting allowed, etc.).

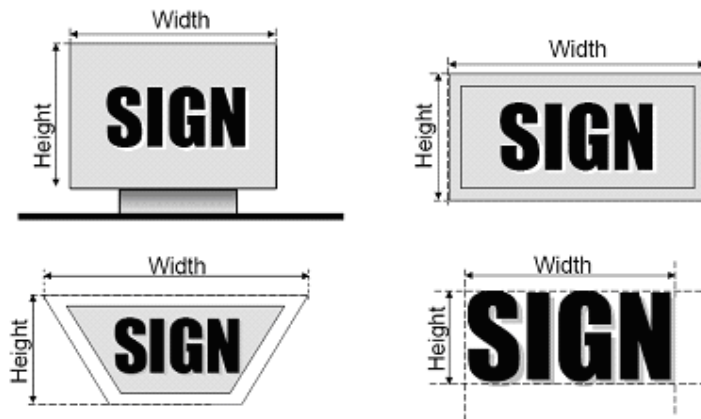
7.03.01.76 **Wind sign** means any sign which uses moving air or wind to attract attention through means of moving air or wind aided movement, rotation, animation, or other similar actions.

7.03.01.77 **Window sign** means any sign mounted in any fashion on the interior or exterior of the surface of a window.

7.04.00 General sign provisions

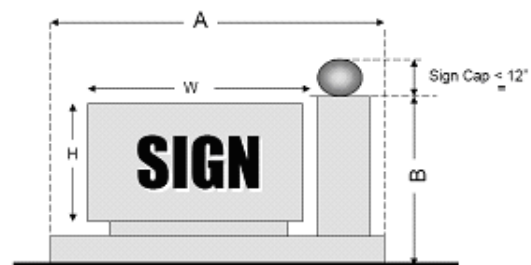
7.04.01 Calculating sign area

a) In computing sign area, standard geometry formulas for common shapes shall be used. Common shapes shall include squares, rectangles, trapezoids, circles, and triangles. In the case of irregular shapes, the total sign areas will be the area of the smallest common shape that encompasses the various components of the sign (see illustrations below).



b) All words and components of a sign, including the support base of freestanding signs, shall be deemed to be part of a single sign. Individual words or components may be considered separate signs only if they are obviously disassociated from other components. When signs are enclosed in a border (not to include the cabinet) or highlighted by background graphics, the perimeter of such border (not to include the cabinet) or background will be used to compute sign area. Double face signs that meet the definition contained in this Article shall be considered one sign.

c) The Aggregate Sign Area of freestanding signs shall not be more than double of the proposed sign area, exclusive of the sign area, only to include architectural features (see illustration below).



Sign Area = W x H
Aggregate Sign Area = A x B

*Graphics is not to scale



- d) The allowable size of freestanding signs is determined based on lot frontage (e.g., the width of a site along a public street). The allowable size of wall signs is calculated based on the building frontage (e.g., width of the building façade where the public entrance is located).

7.04.02 Measuring sign height/clearance

- a) Freestanding sign height shall be measured from the ground elevation at the base of the sign to the highest point of the sign structure. Decorative column caps may extend up to twelve (12) inches above the maximum height permitted.
- b) The clearance of a projecting sign shall be measured from the bottom of the area to the ground below.
- c) The height of a wall sign shall be measured from the grade level of the base of the building below the sign to the top of the sign. The top of the area shall be no higher than the roof eave line.

7.04.03 Construction and maintenance requirements

- a) Except for banners, flags, temporary signs, portable signs, window signs and free expression signs, conforming in all respects with the requirements of this Article, all signs shall be constructed of durable materials and shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame or structure.
- b) All signs and their supports, braces, guys, and anchors; electrical parts and lighting fixtures; and all painted and display areas shall be maintained in good structural condition, in compliance with all building and electrical codes and in conformance with this Article at all times. Damaged faces or structural members shall be promptly replaced.
- c) Vegetation around, in front of, behind, and at the base of any sign shall be maintained and neatly trimmed to conform to Town landscape maintenance standards.
- d) All signs shall maintain clearance from electric power lines of ten (10) feet horizontally and fifteen (15) feet vertically or as otherwise directed by the utility provider.
- e) No sign structure or framework may be exposed by removal of sign faces or advertising copy for a period in excess of fifteen (15) days.

7.04.04 Existing signs

7.04.04.01 Modifications to signs. Modifications to signs shall not result in a sign that violates the requirements of this Article. The modification of sign height or size requires sign permit approval.

7.04.04.02 Permits not required for change of sign copy. No permit or permit fee shall be required for changing the copy of a sign, as long as no changes are made to the sign’s height, size, location, or structure. This exemption shall also apply to any change of copy on a changeable copy sign.



7.04.04.03 Nonconforming signs. Signs lawfully existing prior to the effective date of this Article may be continued although their size, location, or other physical attributes do not conform to this Article.

7.04.04.04 Loss of legal nonconforming status of a sign. A sign loses its legal nonconforming status and shall be considered in violation of this Article if one or more of the following occurs:

- a) The sign is structurally altered in any way, including increasing its height, weight, width, depth, or enlarging it in any manner, except for normal maintenance or repair, which tends to or makes the sign less in compliance with the requirements of this Article than it was before the alteration.
- b) The sign is destroyed to such an extent that more than sixty percent (60%) of the upright supports of a sign structure are physically damaged such that normal repair practices of the industry would call for, in the case of wooden sign structures, replacement of the broken supports and, in the case of metal sign structure, replacement of at least 25% of the length above ground of each broken, bent, or twisted support. A sign will not be considered “destroyed” within the meaning of this Article where the destruction is caused by vandalism or other criminal or tortious act.
- c) Signs determined to be abandoned under the provisions of Subsection 7.04.04.05.

7.04.04.05 Abandonment. All nonconforming signs and sign messages shall be removed by the owner or lessee of the premises upon which an on-site sign is located when the business it advertises is no longer conducted. Said nonconforming signs on vacant or unoccupied property must be removed after thirty (30) days. Conforming signs shall have the copy area face removed and replaced with a blank face. Any sign face which advertises a service no longer conducted or product no longer sold upon the property must be removed after thirty (30) days. If the owner or lessee fails to remove the sign or sign message, the sign or sign message shall be deemed in violation of this Article.

7.04.04.06 Signs subject to immediate removal. Any sign erected without a required building permit is unlawful and must be removed by the owner thereof.

7.04.04.07 Off-premise signs. Existing off-premise signs may not be converted to electronic display type signs.

7.04.05 Restrictions on Human signs (Living signs)

Subject to the reasonable time, place and manner restrictions of this section, human signs may be displayed upon the premises of the property that is being advertised by the human sign. However, human signs are not permitted to be displayed within eight (8) feet of the following public rights-of-way which serve as high-traffic-volume arterial roadways: Park Avenue, Kingsley Avenue or Wells Road. The human sign area shall not exceed three (3) square feet in size, and the living or human sign shall not be permitted off-site from the property being advertised or within a public right-of-way. Failure to comply with the requirements of this section may result in enforcement proceedings pursuant to Chapter 162, Florida Statutes or any remedy available under the law.

7.05.00 Prohibited signs



The following signs and sign-types are prohibited within the Town of Orange Park and shall not be erected. Any lawfully existing permanent sign or sign-type that is among the prohibited signs and sign-types listed below, other than signs or sign-types listed in Subsections 7.05.00(h), (s), and (v), shall be deemed a nonconforming sign subject to the provisions of Section 7.06.00. It is prohibited and unlawful to erect or maintain any sign not specifically authorized by this Article, including:

- a) Billboards
- b) Revolving signs
- c) Signs that utilize flashing lights
- d) Animated signs
- e) Wind signs
- f) Portable signs not otherwise authorized under this Article.
- g) Roof signs
- h) Abandoned and discontinued signs
- i) Snipe signs
- j) Projecting signs
- k) Bus bench advertising signs; bus shelter advertising signs
- l) Signs that emit sound, vapor, smoke, odor, particles or gaseous matter
- m) Signs that have unshielded illuminating devices
- n) Signs that obstruct, conceal, hide or otherwise obscure from view any official traffic or governmental sign, signal or device
- o) Any attached sign, including a wall sign, in an intensive commercial district that exceeds three hundred (300) square feet in sign area
- p) Any attached sign, including a wall sign in any zoning district, other than an intensive commercial zoning district, that exceeds three hundred (300) square feet in sign area
- q) Any sign within a sight visibility triangle that obstructs a clear view of pedestrian or vehicular traffic
- r) Any sign in the public right-of-way, other than traffic control device signs, bus stop informational signs, warning signs or safety signs
- s) Any sign other than a traffic control device sign that uses the word "stop" or "danger," or presents or implies the need or requirement of stopping or the existence of danger, or which is a copy or imitation of official traffic control device signs, and which is adjacent to the right-of-way of any road, street, or highway



- t) Any sign nailed, fastened or affixed to any tree or telephone pole
- u) Any sign prohibited by state or federal law
- v) Vehicle sign(s) in nonresidential zoning districts which have a total sign area on any vehicle in excess of ten (10) square feet, when the vehicle: (1) is visible from a street right-of-way within one hundred (100) feet of the vehicle, and (2) is parked at a location during non-business hours.
- w) Any sign located on real property without the permission of the property owner
- x) Beacons, except as required by federal or state law
- y) Any freestanding sign that exceeds the height or size (sign area) limitation in this Article
- z) Any wall sign that exceeds the height or size (sign area) limitation in this Article
- aa) Freestanding pole signs, excluding freestanding pole signs sixty (60) feet or less in height located within the interstate impact area of the intensive commercial district.
- bb) Pylon signs
- cc) Off-premise signs except a sign within the interstate impact area of the intensive commercial district.

7.06.00 Nonconforming signs

- a) **Intent.** It is the intent of this section to allow nonconforming signs permitted before the adoption of these land development regulations to continue until they are no longer used, or become hazardous, but not to encourage their survival. Such signs are hereby declared to be incompatible with the overall intent of this section.

Any sign which may become nonconforming as a result of these regulations or any amendment to these regulations may be continued in operation and maintained as a legal nonconforming sign, provided that:

1. No structural alteration, enlargement or extension shall be made to the sign unless the structural alteration, enlargement or extension will result in the elimination of the nonconforming features of the sign.
2. No sign shall be moved in whole or in part to any other location where it would remain nonconforming.
3. Nonconforming signs or sign structures that are defined as abandoned signs under this section shall not be permitted for reuse.
4. Use of a nonconforming sign shall immediately terminate upon a change of business use, regardless of whether ownership of the lot on which the nonconforming sign is located has been transferred.



- 5. Any disturbance and/or relocation of existing landscaping and ground cover to accommodate a monument sign replacing a pylon sign shall be minimized as much as practical.
- 6. If a legal nonconforming sign is damaged or destroyed by any means except for intentional damage by the sign owner, the sign may be rebuilt.
- b) **Repairs, maintenance and improvements.** Normal repairs, maintenance and improvements may be made; however, the cost of such improvements made during any two-year period shall not exceed twenty-five percent (25%) of the replacement cost of the sign at the end of the two-year period.
- c) **Casual, temporary or illegal use.** The casual, temporary, or illegal use of any sign shall not be sufficient to establish the existence of a nonconforming use or to create any rights in the continuance of such use.

7.07.00 Temporary signs

7.07.01 Temporary signs are permitted in all zoning districts and shall comply with the following:

- a) Placement of temporary signs on private property may occur only with the expressed consent of the property owner.
- b) It is prohibited and unlawful to place a temporary sign on or within public rights-of-way or public property.
- c) Temporary signs shall be at least two (2) feet from public rights-of-way and fifteen (15) feet from side property lines and shall not be located within any sight triangle.
- d) Temporary signs placed in residential zoning districts shall not exceed three (3) square feet in size and shall not exceed four (4) feet in height.
- e) Temporary signs placed in nonresidential zoning districts shall not exceed 24 square feet in size and shall not exceed seven (7) feet in height.
- f) Such additional requirements as set forth in this section.

7.07.02 Construction sites. Temporary signs are permitted upon construction sites subject to the following condition:

- a) **Duration.** Temporary signs upon construction sites shall not be erected prior to the issuance of a building permit and shall be removed within three (3) calendar days after issuance of a certificate of occupancy. Such signs shall be removed immediately if construction has not begun after sixty (60) calendar days from issuance of a building permit or if construction is halted thereafter for a period of more than sixty (60) calendar days.

7.07.03 Banner signs. Banner signs are allowed in nonresidential zoning districts, subject to the following requirements:

- a) **Multitenant centers.** No more than three (3) banner signs shall be allowed per non-residential multitenant center at one time.



- b) **Sign Area.** The maximum, cumulative banner sign area, per business frontage, shall be sixteen (16) square feet, unless as otherwise specified in this Article.

7.07.04

Inflatable signs. Inflatable signs in nonresidential zoning districts are subject to the following requirements:

- a) **Maximum number allowed.** A business with its own separate building entrance is allowed no more than 1 inflatable sign.
- b) **Location.** An inflatable sign may not block a business entrance, pedestrian traffic or vehicular traffic and must be located within ten (10) feet of the business entrance which it serves. No portion of the inflatable sign may be located beyond the business frontage. Inflatable signs located in nonresidential zoning districts alongside Park Avenue, Kingsley Avenue or Wells Road must be located at least eight (8) feet from said rights-of-way.
- c) **Size.** Inflatable signs may not exceed ten (10) feet in height or six (6) feet in width or depth.
- d) **Movement.** Inflatable signs must be securely and properly anchored to the ground or weighted at all times. Inflatable signs which attract attention through means of movement, rotation, animation, or other similar actions are prohibited.
- e) **Hours.** Inflatable signs may be displayed outside only during business hours. The removal of inflatable signs during non-business hours shall be the joint and several responsibility of the owner of the property upon which the inflatable sign is displayed and the displaying business owner.

7.07.05

A-frame signs. A-frame signs in nonresidential zoning districts are subject to the following requirements:

- a) **Maximum number allowed.** A business with its own separate building entrance is allowed no more than 1 A-frame sign.
- b) **Location**
 - 1) No sign may block a business entrance and/or pedestrian or vehicular traffic. Sign placement shall not interfere with any Americans with Disabilities Act (ADA) requirements.
 - 2) The sign(s) shall not be placed in landscaped areas.
 - 3) The sign(s) shall be located within (ten) 10 feet of the business entrance which it serves but in no event shall the sign be located beyond the width of the business frontage.
 - 4) No A-frame sign shall be secured, tethered, or installed on traffic devices, utility equipment, trees, furniture, poles, or any other fixture.
 - 5) Sign(s) shall be located on the ground/sidewalk.



- 6) Sign(s) shall not be located within sight triangles or in a manner that obstructs visibility to vehicular traffic.
- 7) Sign(s) shall be displayed outside only during business hours.
- c) **Construction and maintenance**
 - 1) When the adjacent sidewalk is less than six (6) feet in width, the overall dimensions shall not exceed two (2) feet wide by three (3) feet in height; when the adjacent sidewalk is six (6) feet or greater in width, the overall dimensions shall not exceed three (3) feet wide by four (4) feet in height.
 - 2) No sign shall have moving parts, illumination, or attachments.
 - 3) Sign(s) must be properly anchored (temporarily) or weighted against the wind to prevent safety hazards.

7.08.00 Exempt signs

The following signs shall be exempt from the requirements of this Article; however, they shall meet all other requirements, including applicable construction regulations, and electrical permits as determined by the adopted electrical code:

- a) For each detached residential dwelling unit in a residential zoning district, flags not greater than fifteen (15) square feet in sign area may be displayed. For each parcel in multifamily residential zoning districts and in nonresidential zoning districts, three (3) flags not greater than twenty-four (24) square feet in sign area (each) may be displayed. All flagpoles shall be ground mounted and shall have a minimum five (5) foot setback from the property lines. Maximum pole height shall be thirty (30) feet in nonresidential districts and twenty-five (25) feet in residential districts;
- b) One (1) free expression sign four (4) square feet or less in sign area for each parcel within the Town with the written permission of the property owner (separate and apart from non-commercial signage otherwise authorized under this Article);
- c) Signs required by federal or state law;
- d) A sign (except a window sign which shall be subject to this Article) located entirely inside the premises of a building, enclosed space or athletic field;
- e) A motor vehicle sign, other than a prohibited vehicle sign or signs, as set forth in this Article;
- f) Traffic control devices required or allowed by the Florida Department of Transportation Traffic Control Manual;
- g) The change of copy on permitted manually changeable copy signs;
- h) Wall signs and residential mailboxes for 911 and emergency response systems. For each parcel within the Town, one (1) attached wall sign for this public purpose shall be displayed. For parcels in residential use, the wall sign shall not exceed two (2) square feet in sign copy area. For each parcel in nonresidential use, the wall sign shall not exceed six (6) square feet in sign copy area. In addition to the wall signs, each residence in the Town with a



freestanding mailbox shall be allowed a sign affixed to the mailbox if the sign is no larger than one side of the mailbox;

- i) Wall signs which identify the occupant for 911 and emergency response systems. For each residence, business or other occupancy within the Town, one (1) attached wall sign may be displayed. For residences, the wall signs shall not exceed two (2) square feet in sign copy area. For any nonresidential use, the wall sign shall not exceed four (4) square feet in sign copy area;
- j) Temporary signs;
- k) Signs measuring two (2) square feet or less.

7.09.00 Reserved

7.10.00 Lighting of signs

- a) Any lighting used to illuminate signs shall be shielded such that the light source cannot be seen from abutting roads or properties.
- b) No unshielded light source may be visible from the edge of the public right-of-way at a height of three (3) feet.
- c) Sign lighting shall not be designed or located to cause confusion with traffic lights.
- d) Illumination by floodlights or spotlights is permissible if none of the light emitted shines directly onto an adjoining property or into the eyes of the motorist using or entering public streets.
- e) Illuminated signs shall have luminance no greater than three hundred (300) foot candles.
- f) Illuminated signs shall not have lighting mechanisms that project more than eighteen (18) inches perpendicularly from any surface of the sign over public space.

7.11.00 Substitution of noncommercial speech for commercial speech

Notwithstanding anything contained in this Article or Code to the contrary, any sign erected pursuant to the provisions of this Article or otherwise lawfully existing with a commercial message may, at the option of the owner, contain a noncommercial message unrelated to the business located on the premises where the sign is erected. The noncommercial message may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to noncommercial messages, or from one (1) noncommercial message to another, as frequently as desired by the owner of the sign, provided that the sign is not a prohibited sign or sign-type and provided that the size, height, setback and other dimensional criteria contained in this Article have been satisfied.

7.12.00 Content neutrality as to sign message (viewpoint)



Notwithstanding anything in this Article to the contrary, no sign or sign structure shall be subject to any limitation based upon the content (viewpoint) of the message contained on such sign or displayed on such sign structure.

7.13.00 Permit required

- a) Allowed temporary and allowed permanent signs of the type described in Section 7.07.00 shall be exempt from sign permitting hereunder.
- b) No sign permit shall be issued for the erection of a prohibited sign.
- c) It is prohibited and unlawful for any person to erect, construct, alter, or relocate within the Town any sign without first obtaining a sign permit, except as otherwise specified in this Article. Applications shall be filed in accordance with Town standards.
- d) The sign permit application shall be reviewed for a determination of whether the proposed sign meets the applicable requirements of this Article and any applicable zoning regulation. The review of a completed sign permit application shall be completed within fifteen (15) working days.
- e) A sign lawfully erected under permit may be repainted or have ordinary and customary repairs performed, including replacement of plastic or glass panels, without a new sign permit; however, if such sign is to be structurally altered in any manner, a new sign permit shall be required and the altered sign must meet all requirements of this Article and this Code.

7.14.00 Sign permit application and issuance of sign permit

- a) A sign permit application for a permanent sign shall be made upon a form provided by the Town. The sign permit application is in addition to any building permit application required by the Florida Building Code. The sign permit application shall be accompanied by plans and specifications drawn to scale, together with any site plan required by this Article. The applicant shall furnish the following information on or with the sign permit application form:
 - 1) The legal description of the real property where the sign is proposed to be located.
 - 2) The zoning district for the real property on which the sign will be located.
 - 3) The name, mailing address and telephone number (where available) of the owner(s) of the real property where the sign is proposed to be located.
 - 4) A notarized statement of authorization signed by the owner(s) consenting to the placement of the proposed sign on the real property.
 - 5) The name, mailing address and telephone number of the sign contractor.
 - 6) Type of proposed sign (e.g., attached wall sign, freestanding monument sign, freestanding pole sign).
 - 7) The square footage of the surface area of the proposed sign.



- 8) The setbacks for the proposed sign.
 - 9) The value of the proposed sign.
 - 10) If the proposed sign is a freestanding sign:
 - i. The lot frontage on all adjacent street rights-of-way.
 - ii. The height of the proposed freestanding sign.
 - 11) If the proposed sign is an attached sign, the building frontage for the building to which the attached sign shall be affixed.
 - 12) The number, type, location, and surface area for all existing signs on the same lot and/or building on which the sign will be located.
 - 13) Whether the proposed sign will be an illuminated or non-illuminated sign.
- b) An applicant shall deliver a sign permit application for a permanent sign to the Economic and Community Development Department Director or his or her designee, or such other person as may be designated by the Town. The sign permit application shall be reviewed for a determination of whether the proposed sign meets the applicable requirements of this Article and any applicable zoning law. The review of the sign permit application shall be completed within fifteen (15) calendar days, and the application shall be granted or denied within that time frame. Any appeal of the granting or denial of applications under this section shall be filed and heard by the Environmental Quality Board within the requirements set forth by Section 7.18.00, and a decision rendered within the time frames specified in that section.

7.15.00 Fees

- a) **Sign permit fees.** Every person making an initial application for a sign permit shall pay any required sign permit fee, if any, to the Town at the time of the application. The permit fee, if any, shall be established by resolution of the Town Council and shall be as stated in an appendix to this Article.
- b) **Building permit fees distinguished.** The sign permit fee, if any, shall be separate and apart from any required fee for a building permit for the erection of a sign covered by the Florida Building Code.
- c) **Enforcement of this Article.** Nothing contained in this section shall be construed as prohibiting the Town from taking appropriate legal action, including the filing of legal proceedings in a court of competent jurisdiction, to enforce this Article. The requirements of this Article are not exclusive, and the Town shall be entitled to impose any authorized and lawful delinquency penalty and also seek a remedy from a court of competent jurisdiction at one and the same time, if it so chooses.

7.16.00 Conditions



- a) **Duration of permit.** If the work authorized under a sign permit has not been completed within six (6) months after the date of issuance, the permit shall become null and void and a new application for a sign permit shall be required.
- b) **Maintenance of signs.**
 - 1) All visible portions of a sign and its supporting structure shall be maintained in a safe condition, and neat appearance according to the following:
 - a. If the sign is lighted, all lights shall be maintained in working order and functioning in a safe manner.
 - b. If the sign is painted, the painted surface shall be kept in good condition.
 - c. Every sign shall be kept in such manner as to constitute a complete or whole sign.
 - 2) Lawfully erected nonconforming signs may suffer only ordinary and customary repairs and maintenance. As provided in Section 7.12.00, a lawfully-erected non-conforming sign shall not be structurally altered except in full conformance with this Article.

7.17.00 Building permits

It shall be unlawful for any person or business or the person in charge of the business to erect, construct, alter or maintain an outdoor advertising display sign, as defined in the Florida Building Code, without first obtaining a building permit from the Town in accordance with the provisions of the Florida Building Code and applicable law. Permit fees shall be paid in accordance with the applicable Town fee schedules. The requirement of a building permit under the Florida Building Code is separate and independent of the requirement for a sign permit under this Article.

7.18.00 Appeals to the Environmental Quality Board

- a) Whenever it is alleged that there has been an error in any order, action, decision, determination, or requirement by an administrative official in the enforcement and application of any provision contained within this Article or any other provision of this Article pertaining to sign permits (including any allegation that an administrative official has failed to act within applicable time frames), the aggrieved party shall file a written appeal with the Environmental Quality Board.
- b) The written appeal shall be filed with the Economic and Community Development Department within thirty (30) days of the date of the alleged error. The written appeal shall describe the alleged error and the applicable provisions of this Article pertaining to the administrative official's order, action, decision, determination, requirement, or failure to act.
- c) The Environmental Quality Board shall hold a public hearing within thirty (30) days following receipt of the written appeal.
- d) The Environmental Quality Board shall render a written decision within ten (10) days following the hearing.



- e) The appellate decisions of the Environmental Quality Board pursuant to Section 7.16.00, above, shall be deemed final, subject to judicial review as provided by law.

7.19.00 Variances

7.19.01 The Environmental Quality Board may grant variances from the regulations contained in this Article and based only upon the following criteria:

- a) To permit a setback for a sign that is less than the required setback,
- b) To permit the area or height of a sign to be increased by up to twenty-five percent (25%) of the maximum height or area allowed,
- c) Change in illumination from external to internal, or
- d) Increase the number of walls signs (not to exceed maximum square footage allowed).

7.19.02 **Review Findings.** The Environmental Quality Board may grant one of the above types of variances authorized by this section only if it finds that there are special physical conditions that:

- a) Are due to the exceptional narrowness, shallowness, shape, or topography of the premises on which an activity is located, and
- b) Demonstrate whether the effect of the sign variance will be compatible with the existing contiguous signage or zoning and consistent with the general character of the area considering population, density, scale and orientation of the structures in the area.

7.19.03 **Scheduling of public hearing.** An application for said variance shall be scheduled for public hearing within thirty (30) working days of the date the application is deemed complete by the Town. Variances granted by the Environmental Quality Board shall be specific to the applicant and shall not be transferable or run with title of the property.

7.20.00 Administration and enforcing official

The Economic and Community Development Department Director, or an official designated by the Town Manager, shall be empowered to enforce these land development regulations.

- a) **Removal of prohibited signs**
 1. Prohibited signs on private property, rights-of-way or other public property shall be removed immediately (including subsurface portions), and may be removed by the Town or its agent without notice.
 2. Temporary signs and off-premise or off-site signs shall be removed within forty-eight (48) hours after receipt of written notification of the Code Enforcement Officer or Economic and Community Development Department Director.
 3. Abandoned signs shall be removed by the owner, agent or person in charge of the premises within thirty (30) days after receipt of written notification by the Code Enforcement Officer or Economic and Community Development



Department Director. If the sign is not removed in a timely manner, the Code Enforcement Officer may refer the violation to the magistrate.

- b) **Removal of unsafe and illegally erected signs.** Should any sign become unsecured or in danger of falling, in disrepair or deteriorated, or otherwise unsafe in the opinion of the Economic and Community Development Department Director, the owner thereof, or person or firm maintaining it, shall, upon receipt of written notification from the building official immediately, in the case of imminent danger, or within ten days in other instances, secure the sign or cause it to be placed in good repair in a manner approved by the building official, or said sign shall be removed by the owner thereof. If such order is not complied with, the Town may remove the sign at the expense of the owner and may place a lien for the cost thereof upon the property on which the sign was located together with any other cost incurred by the Town by filing such lien. The lien may be foreclosed in the same manner provided by law for the foreclosure of mortgages and the Town shall have the right to receive all costs of court including reasonable attorney fees.
- c) **Termination of unlawful illumination.** Upon receipt of written notification by the department that a sign is unlawfully illuminated in violation of these land development regulations, the owner, his agent, or person in control of the premises, shall immediately terminate the prohibited illumination or animation of such sign.
- d) **Violation; penalties; continuing violations and penalty therefore.** Violations of these land development regulations, including those sections authorizing Town removal of signs or other penalties, may be referred to the magistrate as prescribed by the Town Code of Ordinances.

7.21.00 Failure to comply

If the Economic and Community Development Department finds that any sign has been erected, altered or maintained in violation of this Article, the department shall notify the owner of record of the property upon which such sign is located by either certified mail or by hand delivery that such violation exists. The owner shall cause the violation to be remedied or shall file an appeal of the violation within thirty (30) calendar days after receipt of the notice. Where it is determined that such illegal sign poses an imminent threat to the health, safety or welfare of the public, the Town may cause the immediate removal of the sign by its own action. The property owner or the person who erected, altered or maintained the sign in violation of this Article shall pay the cost of such removal. In addition to removal, the Town shall be entitled to proceed with alternative legal or equitable remedies, including injunctive relief.

7.22.00 Violations and penalties

- a) The acts enumerated in this section shall be a violation of this Article and shall be subject to the enforcement remedies and penalties provided by this Article, by other Town codes, and by state law. Such remedies may be pursued simultaneously.
- b) It shall be a violation to:
 - 1) Install, create, erect or maintain any sign in a way that is inconsistent with any approved plan or permit governing such sign or the site on which the sign is located.



- 2) Install, create, erect or maintain any sign requiring a permit without having first obtained such permit.
 - 3) Fail to remove any sign that is installed, created, erected or maintained in violation of this Article or for which the sign permit has lapsed.
 - 4) Install, erect, place, or maintain any sign contrary to the provisions of this Article, including any sign or sign structure not allowed within the applicable zoning district.
 - 5) Continue any such violation.
- c) Each sign installed, created, erected or maintained in violation of this Article shall be considered a separate violation, and each day of a continued violation shall be considered a separate violation.
- d) Any violation of this Article or any condition or requirement adopted pursuant to this Article may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceedings pursuant to law. The remedies of the Town shall include but not be limited to the following:
- 1) Issuing a stop work order for any and all work on any signs on the same site.
 - 2) Seeking an injunction or other order of restraint or abatement that requires the removal of the sign or the correction of the violation.
 - 3) For a sign which poses an immediate danger to the public health or safety, taking such measures as are available to the Town under the applicable provisions of this Article for such circumstances.
- e) The Town's magistrate shall exercise jurisdiction to enforce the provisions of this Article consistent with the power and authority conferred upon it by general Florida law and applicable ordinance of the board.
- f) It shall be unlawful to knowingly provide false or fraudulent information to any official of the Town charged with the implementation and enforcement of this Article for the purposes of inducing the official to take or refrain from taking any particular action or making any particular determination under its terms and provisions. A person violating the provisions of this subsection shall be guilty of an offense that, pursuant to F.S. § 166.0145, and any successor thereto, shall be prosecuted in the same manner as misdemeanors are prosecuted, and upon conviction, shall be punished by a fine not to exceed five hundred dollars (\$500.00) or by imprisonment [in the county jail], not to exceed sixty (60) days, or by both such fine and imprisonment.

7.23.00 Adoption of zoning regulations

The boundaries of the various districts shown upon the official zoning map and the regulations of the comprehensive zoning ordinance contained in the Code, governing the use of land and buildings and other matters set forth therein, as the same may be amended from time to time, are made part of this Article. Except as provided in this Article, no sign shall be erected, enlarged,



reconstructed or structurally altered which does not comply with all the district regulations established by this Article for the zoning district in which it is located.

7.24.00 Reserved

7.25.00 Reserved

7.26.00 Reserved

7.27.00 Reserved

7.28.00 Reserved

7.29.00 Residential Districts

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to Section 7.07.00, the following permanent and temporary signs are also allowed within the residential zoning districts and within residential portions of any PUD. The permanent signs described below require a sign permit.

7.29.01 Entrance signs

- a) **Number of signs.** One double-sided freestanding sign or two identical single-sided signs, one on each side of the entrance, are allowed at each entrance to the development (excluding emergency access entrances).
- b) **Maximum sign area.** The total sign area for each entrance shall not exceed twenty-four (24) square feet.
- c) **Sign location.** Signs shall be located on a tract, easement, or parcel designated for signage purposes. Such tract or parcel shall be owned and maintained by a common property association and shall be located at the entrance of the subdivision or multitenant complex.
- d) **Maximum height.** Maximum sign height shall be six (6) feet.

7.29.02 Traffic assistance signs

- a) Signs which assist onsite vehicular traffic flow shall be low-profile signs not to exceed three (3) feet in height above grade and four (4) square feet of surface area, with the legend to be affixed thereon to include arrows and the words as appropriate.
- b) All signs regulated under this subsection shall be of consistent size, font, and color.

7.30.00 Nonresidential Districts

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 7.07.00, the following permanent signs are also allowed within the nonresidential zoning



districts and within neighborhood commercial and professional office commercial portions of any PUD. Other than incidental signs, the permanent signs described below require a sign permit.

7.30.01 Subdivision monument signs

- a) **Number of signs.** One double-sided freestanding sign or two identical single-sided freestanding signs, one on each side of the entrance, are allowed at each entrance to the development (excluding emergency access entrances).
- b) **Maximum sign area.** Signs regulated under this subsection shall not exceed twenty-four (24) square feet.
- c) **Sign location.** Signs shall be located on a tract, easement, or parcel designated for signage purposes. Such tract or parcel shall be owned and maintained by a common property association and shall be located at the entrance of the subdivision or multitenant complex.
- d) **Maximum height.** Maximum sign height shall be six (6) feet. A maximum of twelve (12) inches cap on a column is allowed in addition to the maximum sign height.

7.30.02 Freestanding signs

- a) **Number of signs.** One (1) freestanding sign is allowed per lot frontage.
- b) **Maximum sign area.** Thirty-two (32) square feet for the first one hundred (100) feet of lot frontage, plus one (1) square foot for each four (4) lineal feet thereafter, to a maximum size of ninety-six (96) square feet for each sign.
- c) **Maximum height.** Maximum sign height is seven (7) feet for single use/business signs and twelve (12) feet for multitenant signs.

7.30.03 Multitenant development. Multitenant developments such as shopping centers, mixed use developments, and office parks shall comply with the following standards:

- a) **Number of signs.** The main development/center and each outparcel may have one freestanding sign per frontage on a public street. The development/center name may be placed in the aggregate sign area of the sign and not counted towards the sign area.
- b) **Maximum sign area.** The maximum sign area permitted for freestanding signs for the main development shall be calculated based on the street frontage for the entire development site (including outparcels), using the formula noted above for single use signs. The total size allowed may be divided among the center and the various outparcels fronting the street located within the master development site with a development order. The development order shall specify how the sign area will be divided amongst those qualifying and proposing to use a freestanding sign. Developments that do not have outparcels or outparcels that are not part of the development order sign criteria shall calculate the maximum sign area using the formula noted above for a single use sign.
- c) **Maximum height.** Maximum sign height is twelve (12) feet.
- d) **Sign plan.** At site plan application, multitenant developments shall include a sign plan for all signs throughout the development. The sign plan shall identify sign style and location.



7.30.04 **Wall signs.** Wall signs are allowed provided they meet the requirements of Section 7.30.00 (sign location criteria) and the following requirements:

- a) **Maximum sign area.** Each individual business having a separate building entrance shall be permitted one wall sign per street frontage including awning and projecting signs. If the business has a customer entrance on a separate building elevation not facing a street, an additional wall sign meeting the maximum sign area requirements may be permitted for that elevation. Signs shall be subject to the following maximum square footages:

Business Frontage (linear feet)	Area (square feet)
Less than 25	32
25-50	50
51-100	75
101-150	90
151-200	110
More than 200	150

- b) **Large-scale retailers.** Large-scale retailers may have one (1) major wall sign and three minor wall signs. The major wall sign shall not exceed the maximum square footage listed in the table above. The minor wall signs shall not exceed thirty-two (32) square feet each.
- c) **Canopies.** No additional sign area is permitted for canopies over fuel operations. However, permitted wall sign area for the principal structure or building may be transferred to the canopy, as long as the canopy signage is only situated on the sides of the canopy facing a right-of-way. This does not apply to required signage pertaining to safety or hazardous situations.
- d) **Window signage.** Window signage, including temporary signs, shall not exceed thirty-five percent (35%) of the total glass surface area of any one building elevation.

7.30.05 **Directory signage.** Directory signage shall comply with the following requirements:

- a) Sign area for each sign cannot exceed a maximum size of twenty-four (24) square feet and not more than two (2) signs per building.
- b) If freestanding signs are used, the sign height shall be limited to six (6) feet.
- c) All directory signs shall be consistent with building aesthetics.

7.30.06 **Under-canopy sign.** Each tenant within a multitenant development shall be allowed one (1) under-canopy sign. The under-canopy sign area shall not be counted toward the maximum wall sign area allowed. The sign shall display the name of the business only.



- a) The sign shall be no larger than six (6) square feet.
- b) The sign shall be rigidly supported by a decorative chain or bracket and the bottom of the sign shall have a minimum clearance of eight (8) feet above the sidewalk.
- c) The sign shall be designed aesthetically compatible with the principal structure.

7.30.07 Directional signage. In addition to the other types of signs allowed on a site, directional signs are allowed subject to the following requirements:

- a) Directional signs to assist onsite vehicular traffic flow shall be low-profile signs not to exceed three (3) feet in height above grade and four (4) square feet of surface area, with the legend to be affixed thereon to include arrows and the words “enter” or “exit” as appropriate.
- b) All directional signs shall be of consistent size, font, and color.

7.30.08 Drive-through signs. Drive-through restaurants are allowed to display additional signs subject to the following provisions:

- a) Each restaurant may display up to two (2) freestanding signs per drive-through, which shall be adjacent to and oriented toward the drive-through area.
- b) Said signs may be a maximum of thirty (30) square feet, with a maximum height of six (6) feet.

7.30.09 Digital signs. Subject to the limitations set forth in this section for permanent freestanding signs, digital signs shall be allowed under the following conditions:

- a) Digital signs shall display static messages for a period of at least fifteen (15) seconds.
- b) Digital signs may utilize frame effects for the purpose of transitioning from one (1) message to the next.
- c) Digital signs shall not utilize flashing.
- d) Digital signs shall utilize dimming technology which automatically adjusts the brightness of the sign based on ambient light conditions. Each application for a digital sign permit must include a certificate signed by the contractor that the digital sign will be so equipped. The standard for the brightness adjustment as ambient light intensity declines shall be a maximum increase in light intensity from the digital sign of 0.3 footcandles over ambient levels as measured using a footcandle meter at a pre-set distance in accordance with the following procedure:
 - 1) At least thirty (30) minutes past sunset, record the ambient light using a footcandle meter for the area while the sign is off or displaying all black copy, with the meter located directly in front of and aimed directly at the sign at the appropriate distance as follows:
 - i. If the sign is one hundred (100) square feet in size or less, measure one hundred (100) feet from the source;



- ii. If the sign is greater than one hundred (100) square feet in size, measure one hundred fifty (150) feet from the source;
 - iii. Turn on the sign to display all white and take another measurement in accordance with the same procedure.
- 2) If the difference between the measurements is 0.3 footcandles or less, the brightness is properly adjusted, otherwise the sign must be adjusted to comply with the brightness adjustment standard set forth above.

7.31.00 Sign location criteria

The following location standards shall apply to all signs, unless stated otherwise in this Article.

a) **Freestanding signs**

- 1) Freestanding signs shall only be allowed on sites with a frontage of fifty (50) feet or more.
- 2) Unless specifically noted in this Article, signs shall be located wholly within the premises and shall maintain a minimum setback of ten (10) feet from all property lines. However, no sign shall be allowed within an easement not designated to include signs, or within a sight triangle.
- 3) No freestanding sign shall be located within fifteen (15) feet from any other freestanding sign, on or off the premises. On corner lots, the freestanding signs on each frontage shall be at least one hundred (100) feet apart, measured along the rights-of-way. This requirement does not apply to temporary signs.
- 4) Freestanding signs shall include landscaping around the base of the sign. The plant material shall be selected for the preferred plant list in Article VI to complement and enhance the sign.
- 5) Signs in nonresidential zoning districts shall not be located closer than fifty (50) feet from a residential zoning district.

b) **Other signs**

- 1) Wall signs shall not cover more than seventy-five percent (75%) of the width of the wall where they are placed, except if business is occupying more than one unit and no other wall signs will be placed on the adjoining unit(s) or if there are architectural elements separating facades where signs would be located.
- 2) Wall signs shall not cover windows and shall preserve the architectural integrity of the building.
- 3) No wall sign shall extend above the roofline.
- 4) Wall signs on multistory buildings are allowed above the first floor.
- 5) Wall signs shall not be allowed within fifty (50) feet facing a residential zoning district.



- 6) A projecting sign shall be erected only on a wall of a building, and shall not project out more than four (4) feet. Projecting signs over a parking space, travel lane, or a driveway shall have a minimum clearance from finished grade of fourteen (14) feet to the bottom of the sign.
- 7) Awning lettering shall be placed on the awning valance and not on the vertical arc or diagonal portion of the awning.
- 8) Directory signs may be attached to a wall or be freestanding, but shall not be located within fifty (50) feet of any public right-of-way line.

7.32.00 **Miscellaneous**

- a) **Licensed sign contractors.** A licensed sign contractor erecting any sign in the Town of Orange Park must maintain such current liability insurance and such current workers compensation insurance as required by state law.
- b) If a parcel (i) has been developed or improved as of the effective date of this ordinance, (ii) has access to Park Avenue or Kingsley Avenue by virtue of an easement for ingress and egress connecting the parcel to the public right-of-way and recorded in the Clay County public records prior to January 1, 1990, and (iii) benefits from a sign easement recorded in the Clay County public records prior to January 1, 1990, then one (1) permanent freestanding sign with frontage on Park Avenue or Kingsley Avenue shall be permitted for said parcel, provided that:
 - 1) The Town receives a notarized affidavit from the fee simple owner of the parcel where the sign is to be located stating that the applicant has permission to erect one (1) permanent freestanding sign in the manner and location set forth in the sign application by virtue of a sign easement recorded in the Clay County public records prior to January 1, 1990; and
 - 2) The surface area of the one permanent freestanding sign permitted pursuant to this section shall not exceed ninety (90) percent of the allowable surface area of a freestanding sign on the master parcel where the sign easement exists; and
 - 3) The one (1) permanent freestanding sign shall be set back at least five (5) feet from the public right-of-way; and
 - 4) The one (1) permanent freestanding sign shall be limited to an overall height of twenty-five (25) feet above average ground level.

7.33.00 **Transition rules**

Any permit actually issued prior to the effective date of the adoption of the sign regulations that comprise this Article shall remain valid but only until the earlier of the following dates: (a) the date that said permit expires by its own terms or expired under the operation of the former ordinance, or (b) ninety (90) days after the effective date of the adoption of this Article. Any sign unlawfully erected under the sign regulations in effect prior to the adoption of these sign regulations shall remain an unlawful sign and shall be deemed an unlawfully erected sign subject to all applicable penalties and remedies under the law.



7.34.00 Severability

- a) **Generally.** 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) **Severability where less speech results.** Without diminishing or limiting in any way the declaration of severability set forth above in section 7.34.00(a), 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) **Severability of provisions pertaining to prohibited signs.** Without diminishing or limiting in any way the declaration of severability set forth above in Section 7.34.00(a), 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 or any other law 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 that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed under Section 7.05.00 of this Article. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Section 7.05.00 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 Section 7.05.00
- d) **Severability of prohibition on billboards.** 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 prohibition on billboards as contained herein.