ORDINANCE NO. 09-_____ May 16, 2009

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 10, LAND DEVELOPMENT CODE, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA; AMENDING SECTION 10-1.101, DEFINITIONS; AMENDING ARTICLE IX RELATING TO SIGNS; AMENDING SECTION 10-9.101, DEFINITIONS; AMENDING SECTION 10-9.102, NON-CONFORMING; AMENDING SECTION 10-9.105, PRIORITY OF SIGNS; AMENDING PART (b), SECTION 10-9.110, CLEARANCES AND VISION, OBSTRUCTION TO VISION AT STREET INTERSECTIONS; AMENDING ARTICLE IX, DIVISION 3 RELATING TO OFF-SITE SIGNS, AMENDING SECTION 10-9.301, PERMIT REQUIREMENTS; AMENDING SECTION 10-9.302, LOCATION; DELETING SECTION 10-9.303, SPACING; ADDING A NEW SECTION 10-9.303, MAXIMUM NUMBER OF OFF-SITE SIGNS ALLOWED WITHIN THE UNINCORPORATED COUNTY; AMENDING SECTION 10-9.304, HEIGHT; AMENDING SECTION 10-9.305, SIZE; DELETING SECTION 10-9.306, SETBACK; ADDING A NEW SECTION 10-9.306, PROCEDURAL REQUIREMENTS TO OBTAIN A NEW OFF-SITE SIGN; AMENDING SECTION 10-9.307, MULTIVISION SIGNS; AMENDING SECTION 10-9.308, DIGITAL BILLBOARD SIGNS; AMENDING SECTION 10-9.309, MAXIMUM NUMBER OF OFF-SITE SIGNS ALLOWED WITHIN THE UNINCORPORATED COUNTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, Leon County has seen an incursion of off-site signs into undesirable locations; and

WHEREAS, Leon County finds an overabundance of off-site signs to be a hazard to traffic, and a distraction to drivers, and therefore, wishes to restrict and reduce the overall number of off-site signs in the County; and

WHEREAS, Leon County finds that an excessive number of signs visible from a single locations also contribute to visual clutter undermining the natural aesthetic beauty of Leon County, particularly in those areas that are currently undeveloped; and

WHEREAS, Leon County finds that some gateways leading into Leon County are inappropriate locations for off-site signs because of their pristine nature and finds that the value to the County in maintaining such gateways warrants the restriction of off-site signs on these gateway roads; and

WHEREAS, Leon County finds that an excessive number of insufficiently regulated digital billboards are generally undesirable as more light pollution, driver distraction, and visual clutter is created by digital billboards than non-digital signs; and

WHEREAS, Leon County wishes to significantly limit the number and regulate the operation of digital billboard signs, but finds it necessary to allow some digital billboards as an incentive to reduce the overall number of off-site signs and, in particular, non-conforming off-site signs in the unincorporated County;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, THAT:

Section 1. Section 10-1.101, of the Code of Laws of Leon County, Florida, is hereby amended to delete the following definitions:

~~*Double faced sign* shall mean a sign having two display surfaces, not necessarily displaying the same copy, which are usually parallel and back to back and not more than 24 inches apart. When the display surfaces of a double faced sign are not parallel, the interior angle created by said surfaces shall not exceed 60 degrees and the two surfaces shall not be more than 24 inches apart at the apex of said angle.~~

~~*Ground sign* shall mean any sign which is supported by structures or supports in or upon the ground and independent of support from any building.~~

~~*Internally illuminated sign* shall mean a light source which is enclosed within the sign and viewed through a translucent panel. This type of illumination is often referred to as direct.~~

~~*Mansard sign* shall mean any sign attached to or erected against a mansard of a building, with the face horizontally parallel to the building wall.~~

~~*Nonconforming sign* shall mean any sign, legal at the time of its erection, which does not conform to the requirements of this article.~~

~~*Off-site sign* shall mean any sign whose purpose is to advertise, display, identify, direct attention to or in any other way present to the public a message that relates to a product, business merchandise, service, institution, residential area, entertainment, charitable organization, religious organization, or any other organization or activity conducted by any company, person, or organization that is not located, purchased, rented, based, offered, furnished, or otherwise associated with the property on which the sign is located. This includes a sign erected by an outdoor advertising business, a digital billboard sign, a multi vision sign, or any other sign meeting the definition of off-site sign.~~

~~*On site sign* shall mean a sign relating its subject matter to the premises on which it is located, or to products, accommodations, services or activities on the premises.~~

~~*Permanent sign* shall mean a sign permanently affixed to a building or to the ground.~~

~~*Political sign* shall mean a sign identifying and urging voter support for or opposition to a particular issue, political party, or candidate for public office.~~

~~*Portable sign* shall mean any sign whether on its own trailer, wheels, or otherwise, which is designed to be transported from one place to another. It is characteristic of a portable sign that the space provided for advertising messages may be changed at will by the replacement of lettering or symbols.~~

~~*Projecting sign*- shall mean any sign other than a wall sign affixed to any building or wall whose leading edge extends beyond such building or wall.~~

~~*Promotional sign:*~~

~~(1) - A sign designed and intended to promote the sale of unplatted land where more than one lot and/or principal building is involved.~~

~~(2) - A sign designed and intended to advertise the grand opening of a business, special promotions or similar events.~~

~~*Public service sign*- shall mean a sign designed to render a public service such as but not limited to "time and temperature" signs and "flashing news" sign.~~

~~*Real estate sign*- shall mean a sign which advertises the sale, rental or development of the premises upon which it is located.~~

~~*Revolving sign*- shall mean any sign so erected or constructed as to periodically change the direction toward which any plane containing the sign surface area is oriented.~~

~~*Roof sign*- shall mean any sign erected, constructed, and maintained wholly upon or over the roof of any building with the principal support on the roof structure.~~

~~*Sandwich sign*- shall mean any sign, double or single faced, which is portable and may readily be moved from place to place.~~

~~*Sign* shall mean any device designed to inform or attract the attention of persons in or on the premises on which the device is located.~~

~~(1) *Flashing sign* shall mean a sign designated to attract attention through the use of a flashing, changing, revolving or flickering light source, or a change of light intensity.~~

~~(2) *Illuminated sign* shall mean a sign which contains a source of light or which is designed or arranged to reflect light from an artificial source including indirect lighting, neon, incandescent, back lighting, or a reflectorized sign which depends upon automobile headlights for an image.~~

~~(3) *Indirectly illuminated sign* shall mean a sign illuminated with a light directed primarily toward such sign including back lighted signs and so shielded that no direct rays from the light are visible other than on the lot where said illumination occurs.~~

~~(4) *Off site or advertising sign* shall mean a sign relating its subject matter to premises other than the premises on which it is located or to products, accommodations, services or activities available on premises other than the premises on which the sign is located, including a sign erected by the outdoor advertising industry in the conduct of the outdoor advertising business. However, all school bus safety shelters which are erected pursuant to an approved agreement with Leon County, Florida, are exempt from this definition.~~

~~*Sign, animated* shall mean any sign of which all or any part thereof visibly moves in any electronic fashion whatsoever; and any sign which contains or uses for illumination any light, lights, or lighting device or devices which change color, flash or alternate, show movement or motion, or change the appearance of said sign or any part thereof automatically, excepting any digital billboard sign. The term "animated sign" shall not include revolving signs or multi face mechanical (multi vision) signs.~~

~~*Snipe sign* shall mean any sign of any material whatsoever that is attached in any way to a utility pole, tree, fence post, or any other similar object located or situated on public or private property.~~

~~*Sign, digital billboard* shall mean a sign without moving parts whose content may be changed by electronic process through the use of intermittent light or lights, including light emitting diodes, liquid crystal display, and plasma screen image display.~~

~~*Sign face* shall mean the area of a sign on which the copy is placed.~~

~~*Sign height* shall mean the vertical distance from the finished grade of the road or at the base of the supporting structure to the top of the sign, or its frame or supporting structure, whichever is higher. Allowances in height should be made on a case by case basis and only for unusual topographical features.~~

~~*Sign, multi vision.* The term "multi vision" means a sign composed of mechanically operated louvers or slats containing multiple separate messages, each of which becomes visible when the louvers are synchronically rotated to one of a multiple of positions.~~

~~*Sign number.* For the purpose of determining the number of signs, a sign shall be construed to be a single display surface or device containing elements organized, related, and composed to form a single unit. In cases where material is displayed in a random or unconnected manner, or where there is reasonable doubt as to the intended relationship of such components, each component or element shall be considered to be a single sign. A projecting sign or ground sign with sign surface on both sides of such sign shall be construed as a single sign, and the total area of such sign shall be the area computed on a single side.~~

~~*Sign structure* shall mean any construction used or designed to support a sign.~~

~~*Sign surface area.* The surface area of a sign shall be computed for the entire area within the periphery of a regular geometric form, or combination of regular geometric forms, comprising all of the display area of the sign and including all of the elements of the matter displayed, but not including structural elements of the sign bearing no advertising matter. The surface area of a sign shall be measured from the outside edges of the sign or the sign frame, whichever is greater.~~

~~*Sign.* Temporary sign shall mean a sign or advertising display constructed of cloth, canvas, fabric, paper, plywood, or other light material and intended to be displayed for a short period of time. Included in this category are retailers' signs temporarily displayed for the purpose of informing the public of a sale or "special" offer and banner signs.~~

1 **Section 2.** Section 10-9.101, of the Code of Laws of Leon County, Florida, is hereby amended
2 as follows:

3 Sec. 10-9.101 Definitions.

4 The following words, terms and phrases, when used in this chapter, shall have the meanings
5 ascribed to them in this section, except where the context clearly indicates a different meaning.

6 * * *

7 *Double-faced sign* shall mean a sign having two display surfaces, not necessarily
8 displaying the same copy, which are usually parallel and back-to-back and not more than 24
9 inches apart. When the display surfaces of a double-faced sign are not parallel, the interior angle
10 created by said surfaces shall not exceed 60 degrees and the two sides may be joined at a vertex
11 or separated by no more than 60" where closest to one another.

12 *Ground sign* shall mean any sign which is supported by structures or supports in or upon
13 the ground and independent of support from any building.

14 *Internally illuminated sign* shall mean a light source which is enclosed within the sign
15 and viewed through a translucent panel. This type of illumination is often referred to as direct.

16 *Mansard sign* shall mean any sign attached to or erected against a mansard of a building,
17 with the face horizontally parallel to the building wall.

18 *Nonconforming sign* shall mean any sign, legal at the time of its erection, which does not
19 conform to the requirements of this article.

1 *On-site sign* shall mean a sign relating its subject matter to the premises on which it is
2 located, or to products, accommodations, services or activities on the premises.

3 Permanent sign shall mean a sign permanently affixed to a building or to the ground.

4 *Political sign*, shall mean a sign identifying and urging voter support for or opposition to
5 a particular issue, political party, or candidate for public office.

6 *Portable sign* shall mean any sign whether on its own trailer, wheels, or otherwise, which
7 is designed to be transported from one place to another. It is characteristic of a portable sign that
8 the space provided for advertising messages may be changed at will by the replacement of
9 lettering or symbols.

10 *Projecting sign* shall mean any sign other than a wall sign affixed to any building or wall
11 whose leading edge extends beyond such building or wall.

12 *Promotional sign*:

13 (1) A sign designed and intended to promote the sale of land where more than one lot
14 and/or principal building is involved.

15 (2) A sign designed and intended to advertise the grand opening of a business, special
16 promotions or similar events.

17 *Public service sign* shall mean a sign designed to render a public service such as, but not
18 limited to, "time and temperature" signs and "flashing news" sign.

1 Real estate sign shall mean a sign which advertises the sale, rental or development of the
2 premises upon which it is located.

3 *Revolving sign*, shall mean any sign so erected or constructed as to periodically change
4 the direction toward which any plane containing the sign surface area is oriented.

5 *Roof sign* shall mean any sign erected, constructed, and maintained wholly upon or over
6 the roof of any building with the principal support on the roof structure.

7 *Sandwich sign* shall mean any sign, double or single faced, which is portable and may
8 readily be moved from place to place.

9 *Sign* shall mean any device designed to inform or attract the attention of persons.

10 (1) *Flashing sign* shall mean a sign designed to attract attention through the use of a
11 light source that flashes, flickers, or revolves, or a change of light intensity.

12 (2) *Illuminated sign* shall mean a sign which contains a source of light or which is
13 designed or arranged to reflect light from an artificial source including indirect lighting,
14 neon, incandescent, or back lighting.

15 (3) *Indirectly illuminated sign* shall mean a sign illuminated with a light directed
16 primarily toward such sign including back lighted signs and so shielded that no direct
17 rays from the light are visible other than on the lot where said illumination occurs.

Snipe sign shall mean any sign of any material whatsoever that is attached in any way to a utility pole, tree, fence post, or any other similar object located or situated on public or private property.

Sign height shall mean the vertical distance from the finished grade of the road or at the base of the supporting structure to the top of the sign, or its frame or supporting structure, whichever is higher. Allowances in height should be made on a case-by-case basis and only for unusual topographical features.

Sign number. For the purpose of determining the number of signs, a sign shall be construed to be a single display surface or device containing elements organized, related, and composed to form a single unit. In cases where material is displayed in a random or unconnected manner, or where there is reasonable doubt as to the intended relationship of such components, each component or element shall be considered to be a single sign. A projecting sign or ground sign with sign surface on both sides of such sign shall be construed as a single sign, and the total area of such sign shall be the area computed on a single side.

Sign surface area. The surface area of a sign shall be computed for the entire area within the periphery of a regular geometric form, or combination of regular geometric forms, comprising all of the display area of the sign and including all of the elements of the matter displayed, but not including structural elements of the sign bearing no advertising matter. The surface area of a sign shall be measured from the outside edges of the sign or the sign frame, whichever is greater.

1 *Temporary sign* shall mean a sign or advertising display constructed of cloth, canvas,
2 fabric, paper, plywood, or other light material and intended to be displayed for a short period of
3 time. Included in this category are retailers' signs temporarily displayed for the purpose of
4 informing the public of a sale or "special" offer and banner signs.

5 *Off-site sign* shall mean any sign whose purpose is to advertise, display, identify, direct
6 attention to or in any other way present to the public a message that relates to a product, business
7 merchandise, service, institution, residential area, entertainment, charitable organization,
8 religious organization, or any other organization or activity conducted by any company, person,
9 or organization that is not located, purchased, rented, based, offered, furnished, or otherwise
10 associated with the property on which the sign is located. This includes a sign erected by an
11 outdoor advertising business, a digital billboard sign, a multi-vision sign, or any other sign
12 meeting the definition of off-site sign. An off-site sign shall include a sign structure and sign
13 display surface, upon which copy or information content is intended to be displayed; a sign
14 structure without display surface shall not be construed to be an off-site sign; nor, shall a sign
15 structure with only non-durable paper, cloth, or plastic sheeting, without a rigid frame, be
16 construed to be an off-site sign.

17 *Animated sign* shall mean any sign which contains or uses for illumination any light,
18 lights, or lighting device or devices which change color, flash or alternate, show movement or
19 motion, or change the appearance of said sign or any part thereof automatically, excepting any
20 digital billboard sign. The term "animated sign" shall not include revolving signs, or multi-face
21 mechanical (multi-vision) signs, or digital billboard signs.

22

Digital billboard sign shall mean a sign without moving parts whose content may be changed by electronic process through the use of intermittent light or lights, including light emitting diodes, liquid crystal display, and plasma screen image display.

Multi-vision sign The term "multi-vision" means a sign composed of mechanically operated louvers or slats containing multiple separate messages, each of which becomes visible when the louvers are synchronically rotated to one of a multiple of positions.

Off-site standard sign. Any off-site sign other than a multi-vision sign or digital billboard sign.

Sign face means the area of a sign including trim and background, which contains the message or informative contents.

Sign structure means all the interrelated parts and materials, such as beams, poles, and stringers, which are constructed for the purpose of supporting or displaying a message or informative contents.

Sign direction means that direction from which the message or informative contents are most visible to oncoming traffic on the main-traveled way.

* * *

Section 3. Section 10-9.102, of the Code of Laws of Leon County, Florida, entitled, Signs, generally, non-conforming, is hereby amended to read as follows:

Sec. 10-9.102. Non-conforming.

~~(a) All nonconforming permanent off-site or on-site signs permitted before the effective date of this article (January 1, 2000, which do not conform to the requirements of this article will not be required to be removed or altered so as to conform to this article.~~

~~(b)~~(a) Any nonconforming permanent on-site sign or off-site sign ~~shall~~ may not be repaired or rebuilt except in conformity with this article, unless a variance is granted by the Board of Adjustment and Appeals based upon a demonstration of hardship not resultant of the sign or property owner's actions, and no increase in degree of non-conformity ~~or public benefit; except nonconforming on site signs can be replaced with a new sign if the new sign does not exceed fifty (50) percent of the nonconformity.~~

~~(c) The following signs shall be removed or made to conform to this article: within ninety (90) days from the effective date of this article:~~

~~(1) Nonconforming signs made of paper, cloth, or other non-durable material.~~

~~(2) All temporary signs other than those permitted in this article.~~

~~(3) Any signs, except portable signs, that are not affixed to a building or the ground or that are located on public property or within a public right-of-way.~~

~~(4) Bench signs~~

~~(d) Nonconforming portable signs shall be removed or made to conform to this article. within one (1) year of the effective date of this ordinance. Within seven (7) days from the effective date of this ordinance, Any animated component of any portable sign shall be turned off.~~

~~(e) Upon failure to comply within the time specified, the building official is hereby authorized to cause removal of such sign and any expense incidental thereto shall be paid by the owner, agent, or lessee of said sign or of the property upon which the sign is located.~~

~~(f)~~(b) Nonconforming permanent on-site signs and nonconforming permanent off-site signs may be maintained and repaired but shall not be structurally or mechanically extended or altered to further the nonconformance except as required by the building official in cases where it has been determined that there exists imminent danger to the public safety.

(c) Relocation of off-site signs made non-conforming as to Section 10-9.302, Off-site signs, location standards. Notwithstanding those regulations, requirements, and standards as set out in Article VI, Division 3, Continuation of Pre-Existing Lots, Uses, Buildings, and Structures, any existing, lawfully-established, off-site sign, non-conforming as to location requirements may be relocated upon receipt of a variance from the Board of Adjustment and Appeals, based upon the following findings:

(1) the applicant has demonstrated a hardship not resultant of the sign owner's actions;

(2) the relocation of the sign is by not greater than 50 feet;

(3) the relocation of the sign is to another portion of the same parcel of property;

1 (4) the relocation of the sign shall comply with the applicable standards for setback from
2 residentially zoned property as established in section 10-9.302 (d), for standard off-site
3 signs, 10-9.307, for multi-vision signs, and in 10-9.308, for digital billboards.

4 (5) existing trees in the public right of way, or trees proposed as part of an
5 approved/permitted beautification project approved prior to the application, will not be
6 cut, trimmed, or removed to make the sign face visible from the main travel way,

7 (6) the sign conforms with all other applicable standards in Chapter 10 of the Leon County
8 Code of Laws; and,

9 (7) the new location does not increase the degree of non-conformity as to location.

10

11 **Section 4.** Section 10-9.105, of the Code of Laws of Leon County, Florida, entitled, Signs,
12 generally, priority of signs, is hereby amended to read as follows:

13 Sec. 10-9.105 Priority of signs.

14 Where the location of two or more signs or applications for signs conflict under the requirements
15 of this article, a complete application for the replacement or repair of an existing, conforming
16 sign, shall have priority over all other applications; otherwise, the first application determined
17 complete by Leon County shall have priority over other applications.

18

Section 5. Part (b) of Section 10-9.110, of the Code of Laws of Leon county, Florida, entitled, Clearances and vision, obstruction to vision at street intersections. is hereby amended to read as follows:

Sec. 10-9.110. Clearances and vision.

* * *

(b) Obstruction of vision at street intersections. All signs shall comply with the requirements for preserving visibility at street intersections contained in section ~~10-7.502~~ 10-7.506 of this Code.

* * *

Section 6. Section 10-9.301, of the Code of Laws of Leon County, Florida, entitled, Off-site signs, is hereby amended to read as follows:

Sec. 10-9.301 ~~Permit~~ Off-site Sign Application Approval Requirements.

(a) ~~Permits are required for all Off-site Signs.~~ No off-site sign shall be allowed unless an application, pursuant to this Section, has been approved.

~~(b) Applications for the construction of off-site signs shall require the applicant to furnish location coordinates for the proposed sign or billboard. The coordinates shall indicate the latitude and longitude in decimal degrees of the proposed sign or billboard and shall conform to the standards of the Global Coordinate System WGS84. For monopole-supported signs and billboards, the coordinates provided shall refer to the location of the center of the pole. For off-site Signs proposed to utilize multiple support structures, the coordinates shall refer to the~~

~~location of the center of the sign.~~

(b) An application for an off-site sign shall be made on a form prescribed by Leon County, and a separate application shall be submitted for each requested sign structure.

(c) An approved application is valid only for the location specified in the application.

(d) Leon County will act on applications in order of the date of receipt of a complete application.

(1) An application will be considered complete when all the items on the application form which are to be completed by the applicant, have been filled in, all required attachments received, and the correct permit fee submitted. All information provided on the application by the applicant must be certified as true and correct. The applicant may utilize information derived from the Tallahassee-Leon County Geographic Information Systems data base as the basis of the application. To be determined complete, an application shall include, at a minimum, the following content, unless the county administrator or designee waives a requirement, with documentation, as inapplicable to the application:

(i) Tax identification number(s) for the parcel or parcels that are the subject of application, along with a completed owner's affidavit attesting that they own the subject property and have authorized the construction of the proposed sign thereupon.

(ii) Names, addresses, and telephone numbers of all owners of the parcel on which the sign is to be located, along with the same information for the sign's owners, and any optionees, and agents.

(iii) Total acreage of the parcel or parcels, and, if the development is on a portion of a larger parcel, the acreage of the larger parcel and of the portion on which the off-site sign is proposed to be located.

(iv) A graphic plan, 11" x 17" or larger, containing the following:

(1) the date of the application preparation, north arrow, and, the scale of the site plan, both written and graphic.

(2) Location of sign to be constructed by the applicant.

(3) Rendering of sign and sign structure, in plan view and in section view, either drawn to scale or with dimensions labeled, and illustrating the orientation of the sign relevant to the property boundaries.

(4) Latitude and longitude of proposed sign location (GPS coordinates).

(5) Type of sign to be constructed (standard/multivision/digital; copy on one or two faces).

(6) Location of off-site signs removed in exchange for the off-site sign proposed by the application, along with documentation (original certificates of removal) for each such sign removed.

(7) Lot and block numbers, if applicable.

(8) location of access/driveway connections and sidewalks within 100 feet of the proposed sign location.

(9) Proposed changes to existing topography; if no changes are proposed, indicate accordingly.

(10) Location and depth of setback from all streets and roadways within 100 feet of the proposed sign location.

(11) Where the site and development plan covers only a portion of the landowner's entire parcel, a map depicting all of the landowner's contiguous property and proposed use for the balance of the parcel or parcels not including in the site which is the subject of the application.

(12) Identification of trees that would require removal or be impacted by the proposed off-site sign.

(13) Additional information as may be required by the county to clarify relevant points; and,

(v) Construction plans (may be provided on either legal size or larger plans) illustrating the face of the sign, the supporting structure, the foundation, the electrical plan for the illumination of the sign, and the wind analysis evaluation. The construction plans must be sealed by a Professional Engineer licensed in the State of Florida.

(2) Incomplete applications shall be returned to the applicant.

(3) Completion of or corrections to the original submitted document must be initialed by the applicant.

(4) Final disposition of complete applications will be provided within ninety (90) calendar days of completeness determination. Final disposition will constitute either approval of the application; approval of the application, subject to conditions; or, denial of the application. No environmental or building permit shall be issued for any off-site sign unless an application has been approved in compliance with this Section; any environmental or building permit for an off-site sign shall be consistent with the application approved in compliance with this section. No modification of an approved environmental permit or building permit for an off-site sign shall be authorized unless an application has been approved in compliance with this Section.

(e) Applications for the construction of off-site signs shall require the applicant to furnish location coordinates for the proposed sign or billboard. The coordinates shall indicate the latitude and longitude in decimal degrees of the proposed sign or billboard and shall conform to the standards of the Global Coordinate System WGS84. For monopole supported signs and billboards, the coordinates provided shall refer to the location of the center of the pole. For off-site Signs proposed to utilize multiple support structures, the coordinates shall refer to the location of the center of the sign.

1 **Section 7.** 10-9.302, of the Code of Laws of Leon County, Florida, entitled, Location, is hereby
2 amended to read as follows:

3 Sec. 10-9.302 Off-site signs, Location Standards.

4 (a) Off-site signs shall be located only in the following zoning districts:

5 (1) CP - Commercial Parkway District

6 (2) C-2 – General Commercial

7 (3) M-1 - Light Industrial District

8 (4) I - Industrial District

9 (5) IC - Interchange Commercial District

10 (6) PUD - Planned Unit Development – if located inside the Urban Services Area~~s~~, signs
11 may be located within ~~commercial or industrial~~ PUD districts if "off-site sign" is an allowed
12 use in the approved PUD concept plan or if commercial or industrial uses are allowed uses
13 and residential use is not an allowed use.

14 (7) DRI - Development of Regional Impact District – If located inside the Urban Services
15 Area, signs may be located within areas allowing commercial or industrial use if "off-site
16 sign" is an allowed use in the approved application for development approval or other
17 implementing development order.

(b) Gateway Road Overlay Restrictions. Off-site signs shall be prohibited in the following locations:

(1)Within 200 feet of the right-of-way of Thomasville Road; ~~between Village Square Boulevard and Southernmost intersection with Kerry Forest Parkway;~~

~~(2) Within 200 feet of the right-of-way of Thomasville Road between its northernmost intersection with Kinhega Drive and the northernmost border of Leon County;~~

~~(3)~~ (2)Within 200 feet of the right-of-way of Kerry Forest Extension;

~~(4)~~ (3)Within 200 feet of the right-of-way ~~of any unincorporated portion~~ of Welaunee Boulevard; and

~~(5)~~(4) Within 200 feet of the right-of-way of that segment of Mahan Drive, extending from a point approximately 500 to the west of Lagniappe Drive generally eastward to the Jefferson-Leon County Boundary, except for that segment between Thornton Road and I-10.

~~(c) No off-site sign shall be permitted within 100 feet or residentially zoned property.~~

(c) No off-site sign shall be located in any location where existing trees in the public right-of-way, or trees proposed as part of an approved/permitted beautification project approved prior to the application, must be cut, trimmed, or removed so that the sign face is visible from the public right-of-way.

(d) No standard off-site sign shall be permitted within 150 feet of any residentially zoned property; this standard shall be applied to properties located both within and without the unincorporated area of Leon County. Minimum setbacks from residentially zoned property for multi-vision signs and digital billboards are set out in sections 10-9.307 and 10-9.308, respectively.

(e) An off-site sign shall be located within fifty (50) feet of the right-of-way of a street classified as a principal arterial, minor arterial or major collector in the Comprehensive Plan.

(f) No off-site sign shall be located closer than 15 feet from the nearest right-of-way line, as measured from any point of the structure.

(g) Off-site signs shall be setback from all other existing or permitted off-site signs as follows:

(1) Off-site signs shall be setback a minimum of χ feet from any other existing or permitted off-site sign located along a street, where:

$\chi =$ 1,500 feet between two standard off-site signs;

1,800 feet between a standard off-site sign and a multi-vision sign or digital billboard; and,

2,700 feet between two digital billboards, two multi-vision signs, or a digital billboard and multi-vision sign.

(2) Setbacks between signs are required between off-site signs located on the same side of a street. No setback is required between off-site signs located on opposite sides of the right-of-way boundary of a street.

(3) Setbacks between off-site signs shall be measured from the shortest point-to-point distance between closest portions of signs.

(4) Off-site signs shall be considered to be located along a street when located 660 feet or less from that street's right-of-way boundary.

(5) This standard shall be applied to properties located both within and without the unincorporated area of Leon County.

Section 8. Section 10-9.303, of the Code of Laws of Leon County, Florida, entitled, Spacing, is hereby deleted, as follows:

~~Sec. 10-9.303. Spacing. Off-site signs shall not be placed within 1,500 feet of each other, as measured along the same side of a road. Digital billboard signs shall be located no less than 2,500 feet from another digital billboard as measured along the same side of the road.~~

RB

Section 9. A new Section 10-9.303, of the Code of Laws of Leon County, Florida, entitled, Maximum number of off-site signs allowed within the unincorporated County, is hereby added, as follows:

10-9.303. Maximum number of off-site signs allowed within the unincorporated County.

(a) Off-site signs inventory will be maintained by Leon County. The Department of Growth and Environmental Management will maintain an annual inventory of off-site signs within the unincorporated portion of Leon County. Leon County will conduct an annual audit of permits issued for off-site signs to determine the current number of such signs within the unincorporated portion of Leon County. Signs located within areas subsequently annexed into corporate municipal limits shall be deleted from the County's inventory of off-site signs.

(b) The Maximum number of permitted off-site signs shall be equivalent to the number in the inventory. The maximum number of off-site signs allowed within the County shall be limited to the number of signs included in the off-site sign inventory.

Section 10. Section 10-9.304, of the Code of Laws of Leon County, Florida, entitled, Height, is hereby amended, as follows:

Sec. 10-9.304. Maximum Height, Off-site Signs.

The maximum height of an off-site sign shall be ~~40 feet~~ measured from the crown of the right-of-way where the sign is affixed to the ground. The maximum height of an off-site sign shall be 40 feet~~, except that signs in place on July 10, 2007, shall be considered conforming for the~~

~~purposes of this provision~~.

Section 11. Section 10-9.305, of the Code of Laws of Leon County, Florida, entitled, Size, is hereby amended, as follows:

Sec. 10-9.305. Maximum-Size and structural requirements, Off-Site Signs

~~An off-site sign shall have a size~~, Off-site signs shall not exceed the following maximum size limits: including border and trim, but excluding the supporting framework, ~~of a maximum~~ of 380 square feet per ~~structure~~ face. No more than two sign faces may be located on one sign structure. Signs may not be stacked (vertically or horizontally). Faces on a sign may be parallel to one another, or arranged to form an angle not exceeding 60°. When faces on a sign are not parallel to one another, they may be joined at a vertex or separated by no more than 60" where closest to one another.

Section 12. Section 10-9.306, of the Code of Laws of Leon County, Florida, entitled, Setback, is hereby deleted, as follows:

~~Sec. 10-9.306. Setback.~~

~~An off-site sign shall be set back at least 15 feet from the nearest right-of-way line and 35 feet from the right-of-way line intersection point measured at any angle.~~

Section 13. A new Section 10-9.306, of the Code of Laws of Leon County, Florida, entitled, Procedural requirements to obtain a new off-site sign, is hereby added, as follows:

Section 10-9.306 Procedural requirements to obtain a new off-site sign. A building permit for the construction of a new off-site sign may be issued only after the removal of one existing off-site sign with its supporting structure. Confirmation of removal of an existing off-site sign shall be on file in the Leon County Department of Growth and Environmental Management prior to issuance of a building permit to construct a new sign. Such documentation shall be in the form of a site inspection by County staff. Upon documentation of the removal of an off-site sign with its supporting structure, a certificate shall be issued by Leon County for each off-site sign and structure removed. The Certificate of Removal (COR) shall allow the holder to apply for a permit for construction of a sign having a surface area no greater than that of the sign removed. The owner of the certificate may hold the certificate, redeem it as a prerequisite for a building permit to construct a new off-site sign, or convey the certificate to a third party.

Section 14. Section 10-9.307, of the Code of Laws of Leon County, Florida, entitled, Multi-vision signs, is hereby amended, as follows:

Section 10-9.307. Requirements for multi-vision signs.

In addition to the requirements provided for all off-site signs, multi-vision signs shall also comply with the following criteria:

~~(1) The static display time for each message is a minimum of six seconds;~~

~~(2) The change of message occurs simultaneously for the entire sign face;~~

~~(3) The sign shall contain a default design that will hold the face of the sign in one position in the event of malfunction.~~

(a) In order to obtain an approval for a new multivision sign, the applicant must permanently remove one existing multivision sign or two standard off-site signs; for purposes of this requirement, any existing sign considered to be non-conforming with regard to those location standards, set out in section 10-9.302 (a),(d) and (e), shall be considered to be equivalent to two (2) standard off-site signs;

(b) No multi-vision sign shall be located within 200 feet of any residentially zoned property;

(c) The static display time for each message is a minimum of six (6) seconds;

(d) The time to completely change from one message to the next is a maximum of two (2) seconds;

(e) The change of message occurs simultaneously for the entire sign face; and,

(f) The sign shall contain a default design that will hold the face of the sign in one position in the event of malfunction.

1 **Section 15.** Section 10-9.308, of the Code of Laws of Leon County, Florida, entitled, Digital
2 billboard signs, is hereby amended to read as follows:
3
4 Sec. 10-9.308. Requirements for digital billboard signs.

5 ~~Digital billboard signs are not permitted unless in accordance with Section 10-1833.~~ The
6 following standards shall apply to digital billboard signs:

7 (a) Number of digital billboards allowed. No more than two (2) digital billboard signs shall be
8 allowed within the unincorporated portion of Leon County from the effective date of this
9 ordinance until December 31, 2010; thereafter, no more than six (6) digital billboard signs shall
10 be allowed.

11 (b) Removal of off-site signs required in exchange for digital billboard signs.

12 An applicant shall be eligible to receive a permit for one (1) digital billboard sign after the
13 permanent removal of four (4) existing off-site signs so long as their application complies with
14 applicable regulations and standards set out herein. For purposes of this requirement, any
15 existing sign considered to be non-conforming with regard to those location standards, as set out
16 in section 10-9.302 (a),(d) and (e), shall be considered to be equivalent to two (2) off-site signs,
17 any existing multi-vision sign shall be considered to be equivalent to two (2) off-site signs, and
18 any existing multi-vision sign or digital billboard sign considered to be non-conforming with
19 regard to gateway road overlay restrictions as set out in section 10-9.302(b), shall be considered
20 to be equivalent to four (4) off-site signs. At least one of the signs removed must be from the
21 county commission district in which the new digital billboard sign is to be permitted and

1 constructed.

2 (c) Off-site signs removed in exchange for digital billboards shall be deleted from the County
3 inventory of off-site signs.

4 (d) Standards for digital billboards. Digital billboards shall be required to comply with all
5 requirements for off-site signs, and in addition, all digital billboard signs shall comply with the
6 following standards:

7 (1) No digital billboard sign shall be located within 300 feet of any residentially zoned
8 property;

9 (2) No flashing lights, traveling messages, animation, or other movement shall be allowed;

10 (3) No message may be displayed for less than six (6) seconds;

11 (4) The time to completely change from one message to the next is a maximum of two (2)
12 seconds;

13 (5) Illumination of a digital billboard sign shall not exceed the following brightness limits
14 measured as candelas per square foot at any focal point on any roadway, berm, or vehicular
15 approach to any roadway:

Color	Day	Night
Red	200	67
Green	400	133
Amber	300	100
Blue	500	210
All Colors	400	170

(6) The sign shall contain a default design that will hold the face of the sign in one position if a malfunction occurs.

Section 16. Section 10-9.309, of the Code of Laws of Leon County, Florida, entitled, Maximum number of off-site signs allowed within the unincorporated county, is hereby amended to read as follows:

~~**Sec. 10-9.309. Maximum number of off-site signs allowed within the unincorporated county.**~~

~~(a) Off-site signs inventory. The department of growth and environmental management will maintain an inventory of off-site signs within the unincorporated portion of Leon County. Leon County will conduct an annual audit of permits issued for off-site signs to determine the current number of such signs within the unincorporated portion of Leon County.~~

~~(b) Maximum number of permitted off-site signs. The maximum number of permitted off-site signs allowed within the county shall be limited to those existing on April 10, 2007; and those~~

~~for which a complete application, including proof that the applicant has the valid legal right to place the sign on a parcel, has been received by May 15, 2007. Off-site signs for which applications have been received shall not be included in the maximum number of permitted off-site signs unless a certificate of completion for the sign has been issued by the department of growth and environmental management on or before December 31, 2007.~~

~~(c) New off-site signs. A building permit for the construction of a new off-site sign may be issued only after the removal of one existing off-site sign with its supporting structure. Confirmation of removal of an existing off-site sign shall be on file in the Leon County Department of Growth and Environmental Management prior to issuance of a building permit to construct a new sign. Such documentation shall be in the form of a site inspection by county staff. Upon documentation of the removal of an off-site sign with its supporting structure, a certificate shall be issued by Leon County for each off-site sign and structure removed. The certificate shall allow the construction of a sign having a surface area no greater than that of the sign removed. The owner of the certificate may hold the certificate, redeem it as a prerequisite for a building permit to construct a new off-site sign, or convey the certificate to a third party.~~

~~(d) Incentives for digital billboard signs. This paragraph provides incentives for digital billboard signs in the unincorporated portion of Leon County. Digital billboard signs shall not be permitted in the unincorporated portion of Leon County, except as provided in this paragraph.~~

~~(1) No more than two digital billboard signs may be permitted within the unincorporated portion of Leon County.~~

~~(2) A holder of an off-site sign permit shall be eligible to receive a permit for one digital billboard sign under this paragraph after the permanent removal of at least three existing off-site signs and in compliance with applicable regulations and standards set out herein. Confirmation of the removals shall be provided through provision of a certificate of completion of a demolition permit for the signs to be removed.~~

~~(3) At least one of the off-site signs removed must be removed from the county commission district in which the new digital billboard sign is to be permitted and constructed.~~

~~(4) Off-site signs removed under this incentive shall be deleted from the county's inventory of off-site signs. Signs located within areas subsequently annexed into corporate municipal limits shall be deleted from the county's inventory of off-site signs.~~

~~(5) In addition to the requirements provided above for off-site signs, any digital billboard sign shall meet the following criteria:~~

~~a. No digital billboard sign shall be located within 300 feet of any residentially zoned property;~~

~~b. No flashing lights, traveling messages, animation, or other movement shall be allowed;~~

~~c. No message may be displayed for less than six seconds;~~

~~d. The change of message occurs simultaneously for the entire sign face;~~

~~e. Illumination of a digital billboard sign shall not exceed the following brightness limits~~

~~measured as candelas per square foot at any focal point on any roadway, berm, or vehicular approach to any roadway:~~

~~TABLE INSET:~~

	~~Day~~	~~Night~~
~~Red~~	~~200~~	~~67~~
~~Green~~	~~400~~	~~133~~
~~Amber~~	~~300~~	~~100~~
~~Blue~~	~~500~~	~~210~~
~~All Colors~~	~~400~~	~~170~~

~~f. The sign shall contain a default design that will hold the face of the sign in one position if a malfunction occurs; and~~

~~g. The maximum size of a digital billboard sign shall be equal to or less than 110 percent of the average of size of the removed off-site signs.~~

Section 17. Conflicts. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, except to the extent of any conflicts with the Tallahassee-Leon County 2010 Comprehensive Plan as amended, which provisions shall prevail over any part of this ordinance which is inconsistent, either in whole or in part, with the said Comprehensive Plan.

Section 18. Severability. If any word, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 19. Effective date. This ordinance shall have effect upon becoming law.
DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon County, Florida, this ____ day of _____, 2009.

LEON COUNTY, FLORIDA

BY:_____
Chairman
Board of County Commissioners

ATTEST:
BOB INZER, CLERK OF THE COURT

By:_____
Clerk

APPROVED AS TO FORM:
COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

By:_____
Herbert W. A. Thiele, Esq.
County Attorney

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