

**AGENDA**  
**REGULAR MEETING OF THE CITY PLANNING AND ZONING BOARD**  
**THURSDAY, MAY 21, 2020, AT 1:30 PM**  
**COUNCIL CHAMBERS, CITY HALL, VERO BEACH, FLORIDA**

**I. PRELIMINARY MATTERS**

Agenda Additions and/or Deletions

**II. APPROVAL OF MINUTES**

Regular Meeting – February 20, 2020

**III. PUBLIC COMMENT**

**IV. PUBLIC HEARING**

[Legislative]

- A. An Ordinance of the City Council of the City of Vero Beach, Florida, Instituting a Moratorium on Site Plan Approval for Development within the Cardinal Drive / Ocean Drive Commercial Overlay District, for 180 Days to Allow Time for Formulation and Adoption of Revised Off-Street Parking Requirements Ordinance; Providing for an Effective Date.

[Legislative]

- B. An Ordinance of the City of Vero Beach, Florida Amending Chapter 38, Article I (Signs) of the Land Development Regulations to Revise or Add Sign Definitions, Revise the List of Prohibited Signs, Revise the List of Signs Exempt from the Sign Regulations, Revise the List of Signs not Requiring Permits, Revise the General Sign Regulations, Add Standards for Specific Sign Types, Revise Sign Requirements for Residential and Non-Residential Zoning Districts, Revise Temporary Sign Standards, Add Requirements for Removal of Abandoned Signs, Revise Standards for Non-Conforming Signs, and Revise Application Review Process; Providing for Codification; Providing for Conflict and Severability; and Providing for an Effective Date.

**V. PLANNING DEPARTMENT MATTERS**

**VI. BOARD MEMBERS' MATTERS**

**VII. ADJOURNMENT**

ANY PERSON AGGRIEVED BY A DECISION OF THE PLANNING AND ZONING BOARD RELATIVE TO SITE PLAN APPROVAL MAY WITHIN TEN DAYS AND IN ACCORDANCE WITH SECTION 64.08(j) FILE AN APPEAL WITH THE PLANNING DIRECTOR OF THE CITY OF VERO BEACH. ANYONE WHO MAY WISH TO APPEAL ANY DECISION THAT MAY BE MADE AT THIS HEARING WOULD NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE THAT INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL WILL BE BASED.

ANYONE IN NEED OF SPECIAL ACCOMMODATIONS FOR THIS MEETING MAY CONTACT THE CITY'S AMERICANS WITH DISABILITIES ACT (ADA) COORDINATOR AT 978-4920 AT LEAST 48 HOURS IN ADVANCE OF THE MEETING.

PUBLIC INVITED TO ATTEND

**PLANNING AND ZONING BOARD MINUTES  
THURSDAY, FEBRUARY 20, 2020 - 1:30 PM  
FORMER POWER PLANT  
17 17<sup>TH</sup> STREET, VERO BEACH, FLORIDA**

**PRESENT:** Chairman, Steven Lauer; Vice Chairman, Honey Minuse; Members: Robin Pelensky, Alternate Member #1, Richard Cahoy and Alternate Member #2, Jeb Bittner **Also Present:** Planning and Development Director, Jason Jeffries; City Attorney, John Turner and Deputy City Clerk, Sherri Philo

**Excused Absences:** John Carroll and Jose Prieto

Today's meeting was called to order at 1:30 p.m.

**I. PRELIMINARY MATTERS**

**A) Agenda Additions and/or Deletions**

None

**II. APPROVAL OF MINUTES**

**A) Regular Meeting – February 6, 2020**

**Mrs. Minuse made a motion to approve the minutes of the February 6, 2020 Planning and Zoning Board meeting. Mrs. Pelensky seconded the motion and it passed unanimously.**

**III. PUBLIC COMMENT**

None

**IV. DISCUSSION AND SITE TOUR OF THE FORMER POWER PLANT**

Mr. Jason Jeffries, Planning and Development Director, gave the Board members and others present for today's meeting a tour of the Power Plant.

**V. PLANNING DEPARTMENT MATTERS**

None

**VI. BOARD MEMBERS' MATTERS**

Mrs. Minuse asked when would the item regarding the Arts Village be coming before the Board. She asked would it be a quasi-judicial hearing or a legislative hearing.

Mr. Jeffries said it would be a Legislative hearing and should be coming before the Board at their March 19, 2020 meeting.

**VII. ADJOURNMENT**

Today's meeting adjourned at 2:25 p.m.

/sp

W. A

**DEPARTMENTAL CORRESPONDENCE**

TO: Chairman Steve Lauer and  
Planning and Zoning Board Members

FROM: Jason H. Jeffries, AICP <sup>SHJ</sup>  
Director of Planning and Development

DATE: March 16, 2020

SUBJECT: **Ordinance to Institute a Moratorium on Site Plan Approval  
for Development within the Cardinal Drive / Ocean  
Drive Commercial Overlay District.**

Staff is requesting the Planning and Zoning Board provide a recommendation on the attached draft Ordinance to institute a moratorium on new or expanded commercial development within the Cardinal Drive / Ocean Drive Commercial Overlay District.

At the February 25, 2020 meeting, City Council discussed implementation strategies for the recently completed parking study for the Cardinal Drive / Ocean Drive Commercial Overlay District. One of the strategies is to revise the parking standards for commercial development to ensure adequate on-site parking is provided by new or expanded commercial development in the overlay district.

Planning is recommending the City adopt a proposed 180 day moratorium on site plan approvals, pursuant to Sec. 64.06, Site Plans, for new or expanded commercial development within the Cardinal Drive / Ocean Drive Commercial Overlay District. This will give staff time to prepare recommended amendments to the City's Off-Street Parking Requirements in Chapter 63 and any specific parking requirements for the overlay district, based on current trends and practices in the planning field, and provide for the proposed ordinance to be considered by the Planning and Zoning Board prior to being brought to City Council. Staff will still be able to issue code compliance permits in the overlay district for routine and limited administrative approvals during the moratorium.

In reviewing the proposed 180 day moratorium for review of site plans in the Cardinal Drive / Ocean Drive Commercial Overlay District, the Planning and Zoning Board should consider the following objectives and policies in the City's Comprehensive Plan:

**Objective 3. Land Development Regulations and Administration**

The City should administer and maintain its Land Development Regulations in a manner consistent with the goals, objectives, and policies of this and other elements of the Comprehensive Plan and should revise these regulations as needed and appropriate to: 1) improve their readability, clarity, conciseness, and ease of administration; 2) create incentives and standards promoting mixed use, infill, and pedestrian/bicycle connected development in older residential neighborhoods and commercial areas; 3) reduce incompatibility between adjacent uses and maintain community

character; and 4) promote diverse and distinctive commercial and neighborhood areas with a sense of place.

**Policies:**

- 3.1 The City's adopted Land Development Regulations should meet and exceed the requirements of Section 163.3202 (2)(a) through (h) F.S. and shall constitute the City's minimum requirements for land development. Additionally, the Land Development Regulations should contain or be amended, as appropriate, to include standards, procedures, and requirements for:
- (a) Governing the type, character and density of land use; bulk, height and placement of buildings; open space; conservation and protection of natural resources; landscaping and tree protection; stormwater management; protection of historic resources; mitigation of off-site impacts of development; variances and waivers; and the elimination or reduction in frequency of non-conforming uses and structures;
  - (b) Ensuring compliance with level of service standards for amendments to the Future Land Use Map and Zoning Map and the approval of development permits;
  - (c) Processing and reviewing applications for development approval including specific review thresholds, and for major projects requiring a quasi-judicial hearing by the Planning and Zoning Board, requirements for the posting of property, and notification to property owners in proximity to a proposed project;
  - (d) Processing and reviewing development applications that may impact historic and archaeological resources and environmentally sensitive areas; and
  - (e) Permitting development within special flood hazard zones pursuant to the City's flood regulations and the National Flood Insurance Program.
- 3.2. The City should regulate the use and development of land through its Land Development Regulations in a reasonable and transparent manner, that respects private property rights, serves the public interest, and provides for due process and adequate public involvement in the development permitting process.

**Objective 8: Cardinal Drive/Ocean Drive Commercial District**

The City shall maintain Cardinal Drive/Ocean Drive Commercial District as a pedestrian-oriented, mixed use destination and quality-oriented boutique retail center for both visitors and residents that is characterized by small-scale specialty retail and services, restaurants, entertainment venues, and quality residential and transient (hotel) residential development along with offices and supporting uses.

**Policies:**

- 8.5 The City should work to resolve parking and zoning issues that contribute to parking problems. Any resolution will require many more parking spaces to be made available to the public through a mixture of the following:
- (a) Zoning such that a business is responsible to provide for the parking of its employees and hotel for all their guests;
  - (b) Shared parking between businesses to fully utilize private parking behind buildings;
  - (c) Potential remote parking and shuttles, particularly for employees;

- (d) Increased in the number of public parking spaces, whether by realigning current parking from curb to center street or other strategies;
- (e) Potential use of center street parking on the eastern two blocks of Beachland Boulevard;
- (f) Construction of additional parking, whether surface or structured parking;
- (g) More modern police monitoring and enforcement such as electronic tagging; and
- (h) Secure public and private funding to address problem including the use of the “bed tax.”

It is the staff’s finding that the proposed moratorium is consistent with policies in the Vero Beach Comprehensive Plan that require the City to adopt or amend land development regulations to serve the public interest to mitigate off-site impacts, such as parking requirements for new development, while respecting private property rights.

Attachments

JHJ/tf



1 is consistent with relevant goals, objectives and policies contained within the City's  
2 Comprehensive Plan and made a recommendation to the Vero Beach City Council; and

3 **WHEREAS**, notice was given as required by law that a moratorium for new or expanded  
4 development in the Cardinal Drive / Ocean Drive Commercial Overlay District will be in effect  
5 for 180 days, as defined in this Ordinance; and

6 **WHEREAS**, advertisements were placed in a newspaper of general circulation and  
7 provided the public with at least ten (10) days advance notice of this Ordinance's public hearings  
8 to be held by the Planning and Zoning Board and City Council of the City of Vero Beach ("City  
9 Council") in the City Council Chambers, located on the first floor of City Hall in the City of Vero  
10 Beach; and

11 **WHEREAS**, public hearings were held pursuant to the notices described above at which  
12 hearings the parties in interest and all others had an opportunity to be and were, in fact, heard; and

13 **WHEREAS**, the Vero Beach City Council finds the proposed moratorium in the public  
14 interest,

15 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY**  
16 **OF VERO BEACH, FLORIDA, THAT:**

17 **Section 1. Adoption of "WHEREAS" clauses.**  
18

19 The foregoing "WHEREAS" clauses are hereby adopted and incorporated herein.  
20

21 **Section 2. Adoption of Ordinance.**  
22

23 The City Council finds that it is appropriate and in the best interest of the City of Vero  
24 Beach, its residents, commercial development property owners to institute a moratorium on site  
25 plan approval, permitting and construction of new commercial development or expansion within  
26 Cardinal Drive / Ocean Drive Commercial Overlay District in order to provide the time necessary  
27 to formulate and adopt revised parking standards addressing the development of new or expanded  
28 commercial development within the Cardinal Drive / Ocean Drive Commercial Overlay.  
29

30 **Section 3. Prohibition on Site Plan Approval, Permitting, Construction of New or Expanded**  
31 **Commercial Development within the Cardinal Drive / Ocean Drive Commercial Overlay**  
32 **District.**  
33

34 Until this ordinance expires pursuant to the provisions of Section 6 of this Ordinance or by  
35 earlier repeal, no site plan pursuant to Section 64.06, Site Plans, shall be accepted for review or  
36 approval, nor permit issued for construction, nor construction commenced for any commercial  
37 development within the Cardinal Drive / Ocean Drive Commercial Overlay District that was not  
38 existing as of the effective date of this ordinance.  
39

40 **Section 4. Appeal of Administrative Decisions.**  
41

42 During the moratorium on site plan approvals pursuant to Section 64.06, Site Plans, within  
43 the Cardinal Drive / Ocean Drive Commercial Overlay District, administrative decisions regarding  
44 applications applicable to this ordinance may be appealed to the Planning and Zoning Board

1 pursuant to Sec. 64.04, Administrative Appeals.

2  
3 **Section 5. Conflict and Severability.**

4  
5 In the event any provision of this Ordinance conflicts with any other provision of the Code  
6 or other applicable law, the provisions of this Ordinance shall apply and supersede. If any phrase  
7 or portion of this Ordinance or application thereof to any person or circumstance is held invalid or  
8 unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate,  
9 distinct, and independent provision and such holding shall not affect the validity of the remaining  
10 portion.

11  
12 **Section 6. Effective Date**

13  
14 This Ordinance shall become effective upon adoption by the City Council and shall expire  
15 180 days from its effective date or upon its earlier repeal.  
16  
17  
18

19 .....  
20  
21 This Ordinance was read by title for the first time on the \_\_\_\_ day of \_\_\_\_\_  
22 2020, and was advertised on the \_\_\_\_ day of \_\_\_\_\_ 2020, for a public hearing to  
23 be held on the \_\_\_\_ day of \_\_\_\_\_ 2020, at the conclusion of which hearing it was  
24 moved for adoption by Councilmember \_\_\_\_\_, seconded by Councilmember  
25 \_\_\_\_\_, and adopted by the following vote of the City Council:

26 Mayor Tony Young \_\_\_\_\_  
27 Vice Mayor Laura Moss \_\_\_\_\_  
28 Councilmember Joe Graves \_\_\_\_\_  
29 Councilmember Robert Bracket \_\_\_\_\_  
30 Councilmember Rey Neville \_\_\_\_\_

31  
32  
33  
34 ATTEST: CITY OF VERO BEACH, FLORIDA

35  
36  
37 \_\_\_\_\_  
38 Tammy K. Bursick Tony Young  
39 City Clerk Mayor  
40

**ADMINISTRATIVE REVIEW**

(For Internal Use Only–Sec. 2-77 COVB Code)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17

Approved as to form and  
legal sufficiency:

Approved as conforming to  
municipal policy:

\_\_\_\_\_  
John S. Turner  
City Attorney

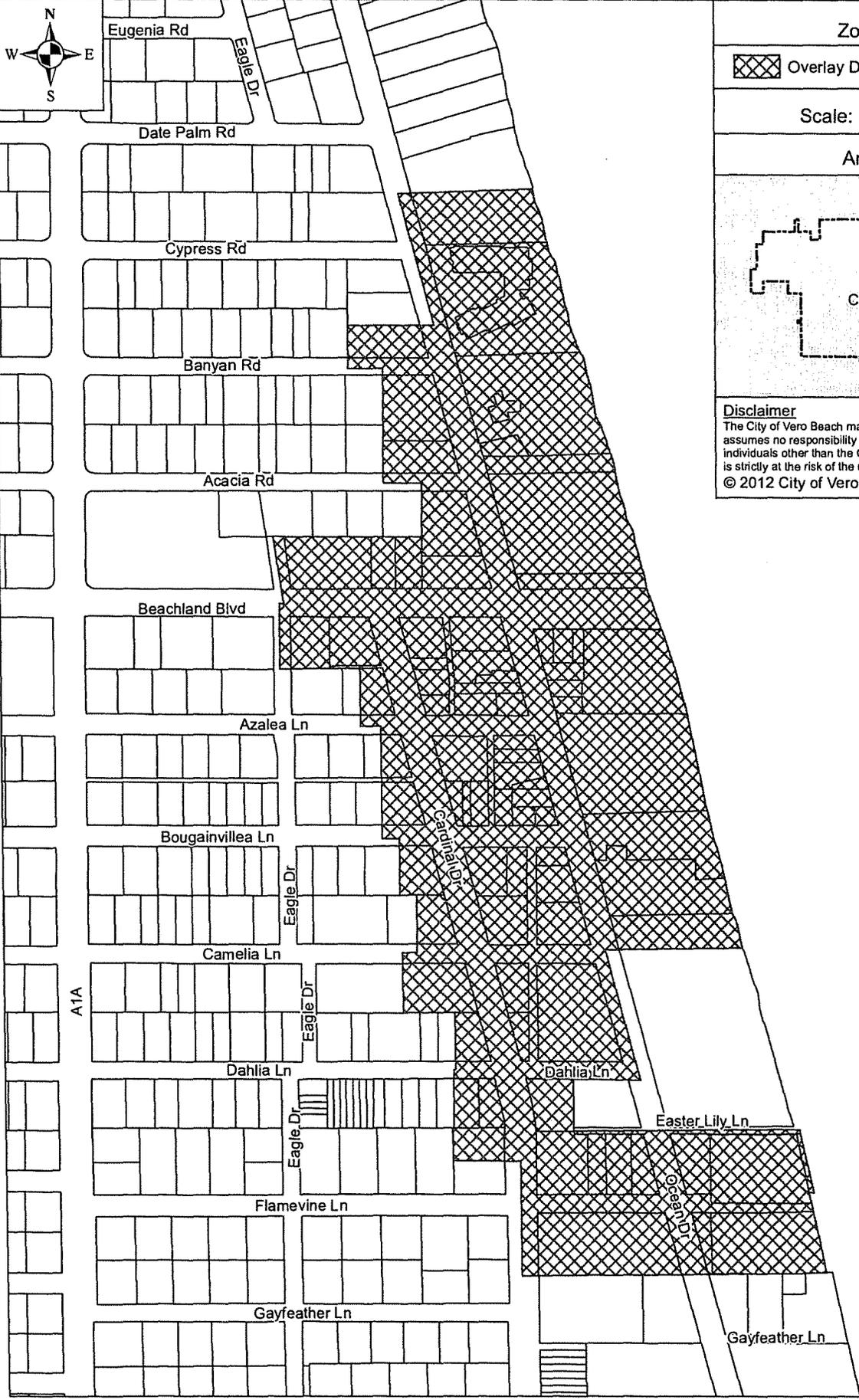
\_\_\_\_\_  
Monte K. Falls  
City Manager

Approved as to technical requirements:

\_\_\_\_\_  
Jason H. Jeffries, AICP  
Planning and Development Director

# Ocean Drive / Cardinal Drive Commercial Zoning Overlay District

City of Vero Beach

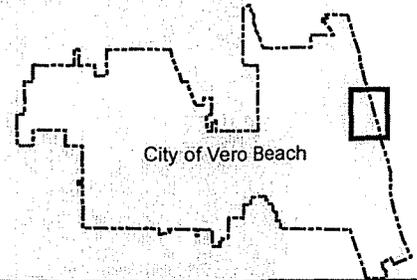


## Zoning Legend

 Overlay District

Scale: 1 inch = 400 feet

## Area of Detail



### Disclaimer

The City of Vero Beach makes no warranties, express or implied, and assumes no responsibility for the use of this material by agencies or individuals other than the City of Vero Beach. Any use of this material is strictly at the risk of the user.

© 2012 City of Vero Beach



Prepared By:  
Dept. of Public Works  
GIS Division  
City of Vero Beach  
November 20, 2012  
File No: Z12-00007-MAP

IV. B

**DEPARTMENTAL CORRESPONDENCE**

TO: Chairman Steve Lauer and  
Planning and Zoning Board Members

FROM: Jason H. Jeffries, AICP <sup>JHJ</sup>  
Director of Planning and Development

DATE: May 15, 2020

SUBJECT: **Public Hearing on an Ordinance to Amend Chapter 38,  
Article I, Signs**

**OVERVIEW**

The attached draft ordinance proposes to amend the City's sign regulations in Chapter 38, Article I. The primary purpose of the proposed ordinance is to amend the City's sign regulations to remove "content-based" sign regulations to ensure the City's sign regulations conform to United States Supreme Court First Amendment decisions. The proposed text amendments also improves the readability and clarity of the City's sign regulations by including sign type guidelines recommended by model sign ordinances and adding charts to the zoning district regulations.

**BACKGROUND**

In July 2015, the United States Supreme Court decided *Reed v. Town of Gilbert*, a case challenging sign regulations in the Town of Gilbert, Arizona, on First Amendment grounds. The Court's opinion provides some very clear direction in regard to permissible versus unconstitutional distinctions in sign regulations. In light of *Reed*, many local governments throughout the country amended their sign regulations to remove what are now understood to be "content-based" regulations. The current City of Vero Beach Sign Code contains "content-based" regulations in Sections 38.09 [Types of signs not requiring a permit] and 38.11 [Temporary signs requiring permits].

The regulations regarding sign types not requiring permits and temporary signs in Sections 38.09 and 38.11 were a common practice to identify and regulate certain types of signs based on the function they perform. For instance, in Section 38.09 the sign code has specific rules applicable to "directory signs" listing names of building occupants, temporary election signs, real estate signs, free expression signs, etc. *Reed* makes it clear that regulations based on these kinds of distinctions are "content-based." A content-based regulation is considered to violate the First Amendment right freedom of speech unless the regulation is necessary to support a "compelling" interest of the government and it is "narrowly tailored" to serve that compelling interest.

## **SUMMARY OF PROPOSED CODE**

The following is a summary of the more significant provisions in the proposed temporary use and structure regulations:

1. Section 38.02, Definitions, pp. 2-9.
  - Adds new definitions, relating specifically to specific sign types, in a similar format for definitions in other parts of the Land Development Regulations.
  - Removes definitions that are content-based from the section.
2. Section 38.03, Compliance required and exemptions, p. 9.
  - Revises the list of signs exempt from the sign regulations in Chapter 38, Article I, to remove any “content-based” language.
3. Section 38.05, Application review, p. 10.
  - Removes the list of duration limits for specific temporary sign types and instead refers to the duration limits in Section 38.11.
4. Section 38.09, Types of signs not requiring a permit, pp. 11-15.
  - Removes sign types from the list of signs not requiring a permit that could be considered “content-based,” such as identification signs, public signs, instruction signs, real estate signs, open house signs, specified directional signs, construction signs, household sale signs, election signs, carried election or free expression sign, free expression sign, vehicle signs, and temporary on-site special event signs.
  - Public signs and instruction signs are now considered traffic control signs, street or address signs, or legal and regulatory signs and are now exempt from sign regulations.
  - Real estate signs, open house signs, construction signs, household sale signs, election signs, carried election or free expression sign, free expression sign, and temporary on-site special event signs have been consolidated into a unified guideline for temporary on-premises signs (Section 38.09(k)). Providing separate regulations for types of temporary signs was the central issue considered in *Reed v. Gilbert*, such as different regulations for temporary commercial signs versus election or free expression signs. The recommended practice is to consolidate the regulations for temporary signs into a single guideline and treat temporary signs that in the same method. One temporary sign is permitted per street frontage on a property. Additional election signs of one per candidate or issue are permitted up to 90 days prior to an election.

- Pole banner signs, up to 8 square feet, on parking lot light poles are added as allowed without a sign permit.
- Signs on fences or boundary walls, up to 4 square feet are added as allowed without a sign permit.
- Signs facing within athletic fields on fences or scoreboards are clarified.
- Temporary on-premises signs have been clarified as V-shape or sandwich board signs and allowed by any use in a non-residential zoning district.

5. Section 38.10, General sign regulations, pp. 15-17.

- Revises the general sign regulations to add guidelines now considered standard in model sign ordinances prepared by the American Planning Association and the United States Sign Council.
- For clarity, guidelines to calculate the sign area of proposed signs has been added (Section 38.10(f)).

6. Section 38.11, Temporary signs requiring permits, pp. 17-21.

- Similar to changes in Section 38.09, sign types are removed from the list of temporary signs requiring a permit that could be considered “content-based,” such as on-premises special event signs, off-premises open house signs during weekends, and off-premises open house signs.
- Off-premises special event sign regulations are revised to off-premises temporary weekend signs. To resolve any “content-based” issues with the regulations, any individual, non-profit, or business may apply for a temporary week signs and follow the regulations in Section 38.11(a). An applicant is permitted six applications per year with maximum of 20 signs per weekend. The spacing requirements are increased to 500 feet between temporary signs.
- Sponsorship banners are revised to temporary banner signs. To resolve any “content-based” issues with the regulations, any business or non-profit may apply for a temporary banner sign up to 30 days during a calendar year.
- Street pole banner signs are added to provide guidelines for banners installed in the public right-of-way for observation of national holidays, commemoration of important events or persons, and promotion of business districts.

5. Section 38.12, Sign type standards, pp. 21-24.

- Similar to the changes in Section 38.10, sign type regulations are added to include guidelines for each type of sign that are now considered standard in model sign ordinances prepared by the American Planning Association and the United States Sign Council. Some of the sign type standards, such as the

standards for freestanding signs, already existed in the code in the zoning district standards. These standard are relocated and consolidated under the standards by sign type in Section 38.12 for clarity.

6. Section 38.13, Signage in residential districts, pp. 24-25.

- Similar to changes in Section 38.09, sign types are removed from the list of permitted signs that could be considered “content-based,” such as identification signs and directional signs.
- Sign regulations are now displayed in a sign chart for ease of readability and use by citizens and staff.

7. Section 38.14, Signage in nonresidential districts, pp. 25-31.

- Sign regulations for park districts are consolidated with sign regulations for nonresidential zoning districts, to be consistent with the organization of the zoning districts in the zoning code.
- Similar to changes in Section 38.09, sign types are removed from the list of permitted signs that could be considered “content-based,” such as identification signs, directory signs, and directional signs.
- Sign regulations are now displayed in a sign chart for the nonresidential zoning districts for ease of readability and use by citizens and staff.

8. Section 38.15, Removal of unsafe, unlawful, or abandoned signs, p. 31.

- Similar to the changes in Section 38.10, regulations regarding unsafe or abandoned signs are added to include more specifics related to the treatment of unsafe or abandoned signs that are now considered standard in model sign ordinances prepared by the American Planning Association and the United States Sign Council.

9. Section 38.16, Nonconforming signs, pp. 31-32.

- Similar to the changes in Section 38.10, regulations regarding nonconforming signs are added to include more specifics related to the treatment of nonconforming signs that are now considered standard in model sign ordinances prepared by the American Planning Association and the United States Sign Council.

10. Section 38.17, Prohibited signs, pp. 32-34.

- Similar to changes in Section 38.09, sign types are removed from the list of prohibited signs that could be considered “content-based,” such as a series of two or more signs and commercial flags.
- The list is also updated to clarify the sign types that are prohibited, along with new definitions in Section 38.02.

## STAFF REVIEW AND ANALYSIS

The staff reviewed the proposed text amendments to the Land Development Regulations based on the standards outlined in Section 65.22(i)(1) and (3) of the City of Vero Beach Code. The staff's analysis and findings are as follows:

Justification for the Amendment. The City's Comprehensive Plan requires the City, through the Planning and Zoning Board to continually evaluate and update the City's Land Development Code to improve the regulations for readability, clarity, and ease of administration. United States Supreme Court decision in Reed v. Town of Gilbert, has necessitated the City to review its current sign code to remove "content-based" regulations. This review of the sign code also provided an opportunity to update the City's sign code to improve the readability and clarity.

The staff finds the text amendment in the attached proposed ordinance to be justified and warranted pursuant to Section 65.22(i)(1) based upon the above facts.

Consistency with the Comprehensive Plan. The staff finds the text amendment to be consistent with the following objective and policies of the Land Use Element of the City's Comprehensive Plan:

**Land Use Objective 3. Land Development Regulations and Administration.** The City should administer and maintain its Land Development Regulations in a manner consistent with the goals, objectives, and policies of this and other elements of the Comprehensive Plan and should revise these regulations as needed and appropriate to: 1) improve their readability, clarity, conciseness, and ease of administration; 2) create incentives and standards promoting mixed use, infill, and pedestrian/bicycle connected development in older residential neighborhoods and commercial areas; 3) reduce incompatibility between adjacent uses and maintain community character; and 4) promote diverse and distinctive commercial and neighborhood areas with a sense of place.

Policy 3.2 The City should regulate the use and development of land through its Land Development Regulations in a reasonable and transparent manner, that respects private property rights, serves the public interest, and provides for due process and adequate public involvement in the development permitting process.

Policy 3.6 The City through its Planning and Zoning Board should conduct a multi-year comprehensive evaluation and updating of its existing Land Development Regulations and prepare appropriate amendments to address needed improvements to the current regulations and changes need to implement the policies and strategies of this element.

Planning Board Members  
Sign Regulations Text Amendment  
May 15, 2020

The proposed text amendment improves the sign regulations for clarity and readability making the regulations more transparent and serves the public interest to encourage signs that are appropriate to the zoning district in which they are located and consistent with the category of use to which they pertain, 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, and regulate signs in a manner so as to not interfere with, obstruct vision of or restrict motorists, bicyclists or pedestrians, consistent with Policy 3.2. The proposed amendment is the result of a comprehensive evaluation and updating of the sign regulations consistent with Policy 3.6.

Consistency with Land Development Regulations. The staff finds the text amendment, as proposed by staff, to be consistent with adopted City land development regulations.

### **RECOMMENDATION**

The staff recommends the Planning and Zoning Board approval of the attached draft ordinance for transmittal to the City Council for favorable consideration.

Attachment



1 consistent with relevant goals, objectives and policies contained within the City’s Comprehensive  
2 Plan; and

3 **WHEREAS**, notice was given as required by law that the text of the Land Development  
4 Regulations of the City of Vero Beach, Florida, be amended to revise text of the sign code, as  
5 defined in this Ordinance; and

6 **WHEREAS**, advertisements were placed in a newspaper of general circulation and  
7 provided the public with at least ten (10) days advance notice of this Ordinance's public hearings  
8 to be held by the Planning and Zoning Board and the City Council of the City of Vero Beach (“City  
9 Council”) in the City Council Chambers, located on the first floor of City Hall in the City of Vero  
10 Beach; and

11 **WHEREAS**, public hearings were held pursuant to the notices described above at which  
12 hearings the parties in interest and all others had an opportunity to be and were, in fact, heard; and

13 **WHEREAS**, the City Council of the City of Vero Beach (“City Council”) finds that the  
14 Code amendments provided in this Ordinance serve a municipal purpose and promote and protect  
15 the public health, safety, and welfare.

16  
17 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY**  
18 **OF VERO BEACH, FLORIDA THAT:**

19  
20 **Section 1 – Adoption of “Whereas” clauses.**

21  
22 The foregoing “Whereas” clauses are hereby adopted and incorporated herein as forming the  
23 legislative findings, purpose, and intent of this Ordinance.

24  
25 **Section 2 – Amendment of Chapter 38, Sign Code**

26  
27 Chapter 38 is hereby amended to read as follows:

28  
29 **CHAPTER 38. SIGNS AND SATELLITE DISH ATENNAS**

30 **Article I. Signs**

31 **Sec. 38.01. - Purpose.**

32 *[No Changes]*

33 **Sec. 38.02. - Definitions.**

34 The following definitions shall apply to this chapter:

35 *Abandoned signs:* A sign is abandoned if the land use or business advertised in that sign is no longer  
36 licensed, no longer has a certificate of occupancy, or is no longer doing business at the location of the  
37 sign or the location noted on the sign.

38 ~~*Active subdivision development sign:* A temporary sign related to the sale of land and/or structures~~  
39 ~~within a platted subdivision project under development.~~

40 ~~*Add-on sign:* Any additional sign area added to a sign.~~

1 Advertising or advertising signs: A sign or message which directs attention to a business,  
2 commodity, service, or entertainment not exclusively related to the premises where such sign is located  
3 or to which it is affixed.

4 Advertising structures: Any structure, with or without any advertisement display thereon, situated  
5 upon or attached to real property upon which any sign may be placed. Said term shall not include  
6 buildings, doors, or windows. Any time the word "sign" is used in this chapter, the same shall include  
7 "advertising structure."

8 Animated signs: Any sign that has movement or optical illusion of movement including the  
9 movement of any illumination or the flashing, blinking or varying of light intensity, the automatic  
10 changing of all or any part of the sign copy more frequently than once per 30 seconds, and the reliance  
11 on the wind to display a commercial message or draw attention to a premises.

12 Awning: A cloth, ornamental roof-like structure, or other nonstructural covering that projects from  
13 a building wall for the purpose of shielding a doorway or window. An awning is either permanently  
14 attached to a building or can be raised or retracted to a position against the building when not in use.

15 Awning signs: Any sign painted on, or applied to, an awning.

16 Banner signs: A temporary sign of lightweight fabric or similar non-rigid material that is displayed  
17 on a pole, framing, building or attached to a staff or line. For purposes of this definition a banner is not  
18 a flag.

19 Billboard signs: An outdoor, freestanding sign, larger than 240 sq. ft., whose advertising message  
20 directs attention to a specific business, product, service, event or activity, or other commercial or  
21 noncommercial activity, or contains a non-commercial message about something that is not sold,  
22 produced, manufactured, furnished, or conducted on the premises upon which the sign is located, also  
23 known as outdoor advertising.

24 Building facade: That portion of any exterior elevation of a building extending from grade to the  
25 top of the parapet wall or eaves and the entire width of the building elevation, including window areas,  
26 but excluding residential area.

27 Building facade signs: A sign attached to the building facades and include, but not necessarily be  
28 limited to, wall signs, painted signs, marquee signs, projecting signs, blade signs, and awning signs.

29 Blade or bracket signs: A small, pedestrian-oriented, double-faced sign, less than four (4) square  
30 feet, that projects perpendicular from a structure (blade sign) or is hung beneath a marque (bracket sign).

31 Canopy: A structure other than an awning made of fabric, metal, or other material that is supported  
32 by columns or posts affixed to the ground and may also be connected to a building.

33 Canopy signs: Any sign that is part of, or attached to a canopy installed on any ornamental roof-  
34 like structure of cloth or otherwise that provides or suggests shelter and projects from a wall or is  
35 supported by columns; or any temporary or permanent cover providing shelter or decoration (as over a  
36 door or window), including an awning.

37 Carried signs: A sign that is carried or displayed by a person or fastened to or part of the person's  
38 clothing. For purposes of this definition a carried sign is not a portable sign.

1 ~~Construction sign: A temporary sign identifying those engaged in or involved with construction on~~  
2 ~~any building site, excluding signs at construction sites on portable toilets, or construction trailers.~~

3 ~~Copy area of a sign: The actual area of the sign copy applied to any background as computed by~~  
4 ~~straight lines drawn closest to copy extremities encompassing individual letters or words.~~

5 ~~Directional sign: An on-premises sign the message of which is limited to the direction of the public,~~  
6 ~~including signs which direct traffic onto or within a premises, identify restrooms, parking areas or spaces,~~  
7 ~~freight entrances, or other facilities for the convenience of the public.~~

8 ~~Directory sign: A sign which lists only the names of individuals or businesses within a building, or~~  
9 ~~contiguous buildings of one premises.~~

10 ~~Double-faced sign: A sign with two faces of equal size and shape, back to back, and parallel, each~~  
11 ~~side being a mirror image shape of the other side. This definition shall include V-shaped signs.~~

12 ~~Election signs: A temporary sign related to an election or voter referendum.~~

13 Feather signs: A temporary sign with or without an advertising message of lightweight fabric or  
14 similar non-rigid material that is displayed on a temporary pole or framing and staked into the ground,  
15 also known as a teardrop flag or temporary blade sign. For purposes of this definition, a feather flag is  
16 not a flag or a temporary banner sign.

17 ~~Fence signs: Any sign installed parallel to and flush against a fence or non-building wall.~~

18 ~~Flag: A sign printed or painted on made of rectangular shaped fabric, bunting, or similar material,~~  
19 ~~containing distinctive colors, patterns or symbols, ~~used as a symbol of government, political subdivision,~~~~  
20 ~~corporation, business or other entity or used for decorative purposes not displaying a commercial message~~  
21 ~~attached to a pole or staff and anchored along only one edge or supported or anchored at only two corners.~~  
22 ~~For purposes of this definition a flag is not a temporary banner sign or a feather sign.~~

23 ~~Flag pole: A pole, used to display a flag, that is anchored into the ground, or installed at the top of~~  
24 ~~a building, or attached to a building.~~

25 ~~Free expression sign: A sign related to any non-commercial message that is otherwise lawful.~~

26 ~~Freestanding signs (ground signs): A sign which is supported by one or more columns, uprights, or~~  
27 ~~braces anchored into the ground independent of support from any building, including ground monument~~  
28 ~~signs and pole signs.~~

29 ~~Frontage street facade: A building facade which fronts on a street. ~~If same shall be over 30 feet,~~~~  
30 ~~only the first 30 feet of commercial facade shall be considered the frontage street facade. Only one street~~  
31 ~~facade may be designated as the frontage street facade. In shopping centers, the building facade that~~  
32 ~~fronts the parking lot may be considered the frontage street facade.~~

33 ~~Height: As applied in this article, the height of the sign or flag pole is measured from the crown of~~  
34 ~~the nearest road to the highest point of the sign or flag pole.~~

35 ~~Historic markers: A sign, tablet, or plaque commemorating or memorializing a person, event,~~  
36 ~~structure, or site issued by Federal, state or local government or local non-profit organization dedicated~~  
37 ~~to local history.~~

1 Holiday decorations: Signs or displays including lighting which are a non-permanent installation  
2 celebrating national, state, and local holidays, religious or cultural holidays, or other holiday seasons.

3 ~~Household sale sign: An on-premises temporary sign related to the sale of household articles of~~  
4 ~~personal property and other personal effects, e.g. garage sale, yard sale, etc., in accordance with sections~~  
5 ~~62-141 and 62-142 of this Code, in, at, or upon any premises with a residential use.~~

6 ~~Identification sign: A sign which provides noncommercial information about the premises, e.g.~~  
7 ~~street numbers, the name, address and numbers of the premises, or the name of the owner or occupant of~~  
8 ~~the premises, etc.~~

9 Illuminated signs: A sign which gives forth artificial light or reflects such light from an artificial  
10 source.

11 Installed or erected (or place): To erect, hang, paint, display, apply, or otherwise put in place in  
12 any manner whatsoever.

13 ~~Instruction sign: A sign the message of which is limited to orders or commands without a~~  
14 ~~commercial message, e.g. prohibition against trespassing or soliciting, etc.~~

15 Interactive signs: An electronic or animated sign that reacts to the behavior or electronic signals of  
16 motor vehicle drivers.

17 Legal notices: A public notice issued by a Federal, state or local government agency or a notice  
18 required by legal proceedings, such as foreclosures or probate.

19 Marquee: A permanent canopy or covered structure which is an integral part of or securely attached  
20 to any building, when such canopy or covered structure extends beyond the building.

21 Marquee signs: Any sign installed on a marquee.

22 Mechanical movement signs: A sign having parts that physically move rather than merely appear to  
23 move as might be found in a digital display. The physical movement may be activated electronically or  
24 by another means. Mechanical movement signs do not include message center signs that have changeable,  
25 programmable displays.

26 ~~Memorial signs: A sign or tablet cut into a masonry surface of a building, inlaid so as to be part of~~  
27 ~~the building indicating the name of the building and other related memorabilia, or tablet or plaque made~~  
28 ~~of a noncombustible material that is attached to the building.~~

29 Message center signs: Any sign that contains either changeable copy or can automatically display  
30 unlimited words, numerals, and/or characters in a programmed manner, including time and temperature  
31 signs.

32 Monument signs: A freestanding sign permanently affixed to the ground at its base, supported  
33 entirely by a base structure, and not mounted on a pole.

34 Neighborhood or business district signs: A permanent freestanding sign located within the public  
35 rights-of-way identifying a vehicular entrance to a residential neighborhood or business district.

36 Nonconforming sign: Any sign which does not comply with the requirements of this article.

1 ~~Off-premises household sales sign: A temporary sign related to a household sale (e.g. garage sale,~~  
2 ~~yard sale, etc.) located off-premises on private property.~~

3 ~~Off-premises open house sign: A temporary sign related to an open house event allowed by permit~~  
4 ~~in public rights-of-way and/or on private property.~~

5 ~~Off-premises sign (billboard): Any commercial sign utilized for advertising an establishment, an~~  
6 ~~activity, an event, a service, or product that is sold, produced, manufactured, available or furnished at a~~  
7 ~~place other than on the premises on which said sign is located.~~

8 ~~On-premises signs: Any sign related to the commodities, accommodations, service, activities, or~~  
9 ~~events on the premises on which said sign is located, including temporary signs. "On-premises sign" also~~  
10 ~~means a sign that contains noncommercial messages including "free-expression signs."~~

11 ~~Off-premises special event temporary weekend signs: A temporary sign related to a reoccurring or~~  
12 ~~single special public, community, civic, educational, cultural, religious, or commercial event or function~~  
13 ~~allowed by permit in the public rights-of-way.~~

14 ~~Open house sign: A temporary on-premises sign related to the viewing of real estate for sale, lease~~  
15 ~~or rental.~~

16 *Painted signs:* Any sign painted on any surface, including the roof of any building.

17 *Parapet:* That portion of a facade that extends above the roof immediately adjacent thereto.

18 *Pennant:* A series of small flag-like or streamer-like pieces of cloth, plastic, paper or similar  
19 material attached in a row to any staff, cord or building.

20 *Pole banner signs:* A sign of lightweight fabric or similar non-rigid material that is displayed above  
21 a sidewalk or parking lot and attached to a single light pole.

22 *Pole signs:* A freestanding sign that is permanently supported in a fixed location by a structure of  
23 one or more poles, posts, uprights, or braces from the ground.

24 *Portable signs:* Any sign designed to move or be moved by trailer or vehicle to advertise at different  
25 locations and not used as a traffic control sign and any sign which is not firmly fastened to a building,  
26 fence, or the ground.

27 *Premises:* A distinct unit, lot or parcel of land including a combination of contiguous lots or parcels  
28 under a single approved site plan or other development order.

29 *Projecting signs:* A sign projecting from the outside wall or walls of any building.

30 *Public right-of-way:* For the purposes of regulation of temporary signs, the public right-of-way shall  
31 be deemed to be the edge of sidewalks, utility poles, traffic signal poles, or traffic signs furthest from the  
32 road. Where no such structure(s) is present, the right-of-way line shall be deemed to be 20 feet back from  
33 the near edge of roadway pavement on state highways and ten feet on local roads or, if unpaved, the near  
34 edge of unpaved roadbed surface.

1 ~~*Public sign:* A sign placed or approved for placement on public property or public right of way by~~  
2 ~~a duly authorized government official pursuant to and in discharge of a proprietary or governmental~~  
3 ~~function or required by law, ordinance, or other governmental regulation.~~

4 ~~*Pylon sign:* A sign extending in whole or in part over the highest elevation of a roof of any building,~~  
5 ~~comprising a framework and display surface which are an integral part of the building upon which the~~  
6 ~~sign is installed.~~

7 ~~*Real estate sign:* A temporary on-premises sign related to the sale, lease or rental of real estate.~~

8 ~~*Regulating notices:* A public notice posted to regulate the use of the premises, such as a “no~~  
9 ~~trespassing” or “no soliciting” sign, also known as a warning sign.~~

10 ~~*Religious emblem:* A historically recognized visible symbol on a building for public worship or on~~  
11 ~~the grounds of a building used for public worship that stands for or suggests a particular religion, such~~  
12 ~~as the cross is an emblem of Christianity.~~

13 ~~*Reoccurring special event:* A special event that occurs at least once a month consecutively for three~~  
14 ~~months or more at the same location, e.g. "farmers market," etc., that has been approved by the city~~  
15 ~~manager or city council to take place on public property or public rights of way pursuant to this Code.~~

16 ~~*Roof line:* Refers to the uppermost line of the roof, including mansard roofs, of a building or, in the~~  
17 ~~case of an extended facade, the uppermost height of said facade. However, in the case of a slanted roof~~  
18 ~~or A-frame-type roof, "roof line" refers to the lower-most edge of said roof.~~

19 ~~*Roof signs:* Any sign where any portion of the sign extends over the roof line.~~

20 ~~*Scoreboard:* A sign contained within an athletic venue and intended solely to provide information~~  
21 ~~to the attendees of an athletic event.~~

22 ~~*Shopping center:* A group of commercial establishments sharing a common site location and which~~  
23 ~~are planned, developed, or managed as a unit, and which provide a common and contiguous parking area~~  
24 ~~or areas. A shopping center with a front property line in excess of 600 feet shall be termed a "large"~~  
25 ~~shopping center.~~

26 ~~*Sign:* A sign is any visual device or representation designed or used for the purpose of~~  
27 ~~communicating a message or identifying or attracting attention to a premises, product, service, person,~~  
28 ~~organization, business or event, with or without the use of words.~~

29 ~~*Sign area:* The area of a sign is determined as described in Sec. 38.10 (f) ~~That background area~~~~  
30 ~~upon which the copy area is placed. Where the copy area is attached to the wall of a building, the wall~~  
31 ~~shall not be construed to be the background area of the sign unless it is an integral part of the sign. Where~~  
32 ~~the sign is a double faced or "v" shaped sign, only one side of the sign shall count as sign area.~~

33 ~~*Small freestanding signs (ground sign):* A decorative sign which is supported by one or more~~  
34 ~~columns, uprights, or braces anchored into the ground independent of support from any building.~~

35 ~~*Snipe signs:* A sign painted on, tacked, nailed, posted, pasted, glued, fastened or otherwise attached~~  
36 ~~to trees (living or dead) or other vegetation, poles, stakes, fences, public benches, streetlights, or other~~  
37 ~~objects, or placed on any public property or in the public right-of-way for more than 6 hours without a~~

1 permit or on any private property without the permission of the property owner, also known as bandit  
2 sign.

3 ~~*Special event:* A limited or special public, community, civic, educational, cultural, religious or~~  
4 ~~commercial event or function.~~

5 *Special event sign:* A temporary on-premises sign related to a special event.

6 *Sponsorship banner:* A banner identifying a sponsor of a school's sports team(s) or sport facilities  
7 that is affixed to a perimeter fence of a public or private school's athletic field and faces a public right-  
8 of-way.

9 *Street and address signs:* lettering and numerals, on mailboxes, structures, and buildings, necessary  
10 to identify streets and locations in order to guide the traveling public and enable emergency responders  
11 to find locations in a timely manner.

12 *Street pole banner signs:* A banner sign attached to a single street pole in the public right-of-way.

13 *Subdivision identification signs:* A permanent on-premises sign located wholly within the property  
14 line of the subdivision identifying a vehicular entrance to a residential subdivision or neighborhood.

15 ~~*Swinging sign:* Any sign installed by any means which allows the sign to swing back and forth by~~  
16 ~~wind action.~~

17 *Traffic control signs:* Any sign necessary to properly and safely direct vehicular and pedestrian  
18 traffic on roadways, or within parking lots to the extent that visibility from the public street is necessary  
19 to effectively meet safety needs.

20 *Temporary banner signs:* A temporary advertising sign of lightweight fabric or similar material that  
21 is displayed on a pole, building or attached to a staff or line. For purposes of this definition a banner is  
22 not a flag or a feather sign.

23 *Temporary on-premises signs:* Any non-illuminated sign intended to be displayed for no more than  
24 90 consecutive days at one a limited period of time only, usually for less than one year.

25 *Temporary sign:* A type of non-permanent, non-illuminated sign that is displayed for a limited  
26 period of time.

27 *Temporary subdivision signs:* A temporary sign related to the sale of land and/or structures within  
28 a platted subdivision project under development.

29 *Tenant:* The lessee of building space at an applicable development or shopping center.

30 *Trailer sign:* Any sign installed on a frame or structure with wheels other than a motor vehicle.

31 *V-shaped sign or sandwich board signs:* Any portable, folding, self-supporting "A" frame sign  
32 which has two faces that are not parallel and the interior sides do not join to form an angle greater than  
33 45 degrees and typically displayed outside a commercial storefront.

34 *Vehicle:* A vehicle is any boat, camper, automobile, motorcycle, motorized van, recreation vehicle,  
35 bicycle, truck, trailer, construction equipment and other such mobile equipment whose major purpose is  
36 other than the display of advertising.

1 *Vehicle signs:* Any sign installed anywhere on any exterior surface of any vehicle required to be  
2 licensed by the State of Florida.

3 *Wall signs:* Any sign installed parallel to and flush against the face of the outside wall of a building,  
4 supported by the building and which has only one advertising surface.

5 *Window signs:* Any sign placed on the inside or outside of any window of any building or door and  
6 which is visible from any public right-of-way. This does not include merchandise on display.

7 Works of Art. Any mosaic, painting, pictorial or graphic representation or combination thereof  
8 which is professionally applied to a building or structure that does not contain any advertising of any  
9 product, company, profession, or business, or any logo, trademark, trade name, or other commercial  
10 message related to the premises it is located, also known as a mural or graphic art. Works of art  
11 determined to be advertising sign shall be considered a sign and shall be included in the calculations of  
12 allowable sign area.

13 **Sec. 38.03. - Compliance required and exemptions.**

14 (a) *Compliance required.* All signs in the City of Vero Beach shall comply with the requirements of  
15 this article. Any sign that may be classified in more than one category shall be classified within the  
16 most restrictive category.

17 Unless expressly prohibited, multiple sign types authorized under this article may be located on a  
18 premises.

19 (b) *Signs exempt from this article.* The following signs are exempt from regulation under this article:

20 (1) Street and Addresses signs, including lettering and numerals, on mailboxes, structures, and  
21 buildings.

22 (2) ~~Graphics and W~~works of art that in no way advertise or call attention to a product or business.

23 (3) Scoreboards in athletic stadiums or playing fields without any ~~commercial~~ advertising  
24 message.

25 (4) ~~Bumper stickers and non-commercial text or pictorial representations on the exterior surface~~  
26 ~~of a licensed vehicle. Vehicle or trailer signs less than 6 square feet.~~

27 (5) Holiday decorations and lighting that are clearly incidental and customary and commonly  
28 associated with any national, local, or religious holiday.

29 (6) Advertising signs on public transit vehicles.

30 (7) Traffic control signs in public rights-of-way or private parking lots where there is found to be  
31 a compelling governmental interest in the erection and maintenance of these signs in order to  
32 protect the physical safety of the public and prevent property damage. Such signs shall not be  
33 larger than reasonably necessary to adequately guide and warn the public and emergency  
34 responders.

35 (8) Legal and regulatory notices required by law to be posted on a property.

36 (9) Signs on product or equipment displayed in conformance to Sec. 64.10(c)(4).

37 (10) Historic markers

1 **Sec. 38.04. – Permitting required.**

2 *[No Changes]*

3 **Sec. 38.05. – Application review, approval and appeal procedures for signs requiring a permit; permit**  
4 **fees.**

5 (a) *Application and fees.* Prior to the placement of any sign requiring a permit pursuant to this chapter,  
6 a completed sign permit or temporary sign permit application with a nonrefundable permit fee shall  
7 be submitted to the planning and development department in accordance with section 64.03 of this  
8 Code. Permit fees shall be as established by resolution of the city council. [Sign application forms  
9 and fee schedule may be found on the city's website at www.covb.org ] A double permit fee shall  
10 be assessed for a sign erected, placed, replaced, reconstructed, structurally altered, expanded, or  
11 relocated without the required permit.

12 (b) *Application review and approval.* The completed sign application shall be reviewed and approved  
13 pursuant to the procedures and standards of section 64.05 of this Code, except as follows:

14 (1) The application completeness review for signs shall be completed within ~~one~~ five working  
15 days from the date of the receipt of the complete application.

16 (2) Action by the planning director on any sign permit application shall be within ~~one working~~  
17 ~~day for temporary signs and three~~ 30 working days for permanent signs from the date of the  
18 receipt of a complete application.

19 (3) If a temporary sign permit is approved, an approval sticker must be affixed by the applicant  
20 to any such approved sign. The sticker shall include permit number, duration period of the  
21 permit, and initials of the approving city official.

22 (4) The duration limits of temporary sign permits shall be 90 days, unless the duration limits are  
23 specified in section 38.11, as follows:

24 a. ~~Off premises open house signs shall be for one year.~~

25 b. ~~Active subdivision signs shall be subject to the duration limits specified in section 38.11.~~

26 c. ~~On premises special event signs and off premises special event signs for a single event~~  
27 ~~shall be subject to the duration limits specified in section 38.11.~~

28 d. ~~Off premises special event signs for reoccurring special events shall be for a period of~~  
29 ~~one year.~~

30 e. ~~Sponsorship banners shall be affixed on the premises only during the school calendar~~  
31 ~~year, as such calendar year may be adjusted from time to time.~~

32 (5) ~~Multiple signs approved for a single special event or reoccurring special event shall require~~  
33 ~~only one permit.~~

34 (6) ~~Each off premises open house sign shall require a separate permit. Each such permit~~  
35 ~~authorizes the relocation of the permitted sign during the duration of the permit in accordance~~  
36 ~~with the applicable time, place and manner requirements of this article.~~

37 (7) ~~Sponsorship banners approved for a premises shall require only one permit. Such permit shall~~  
38 ~~identify the maximum number of sponsorship banners that may be placed on the premises~~  
39 ~~subject to the permit.~~

40 (c) *Appeal.* The decision of the planning director may be appealed to the planning and zoning board  
41 pursuant to section 64.04 of this Code.

1 **Sec. 38.06. – Changes to existing signs not requiring a permit.**

2 *[No Changes]*

3 **Sec. 38.07. – Inspections.**

4 *[No Changes]*

5 **Sec. 38.08. – Revocation of permit.**

6 *[No Changes]*

7 **Sec. 38.09. - Types of signs not requiring a permit.**

8 The following types of signs are allowed without a permit, provided that they are in compliance with all  
9 other applicable requirements of this article subject to the following regulations:

10 ~~(a) *Identification signs.* One on premises identification sign, per tenant or occupant, having an area~~  
11 ~~not exceeding two square feet in area.~~

12 ~~(b) *Public signs.* Public signs located wholly on public property or public rights of way.<sup>1</sup>~~

13 ~~(c) *Instruction signs.* On premises instruction signs not to exceed one square foot in area in residential~~  
14 ~~areas and four square feet in area in nonresidential areas.<sup>2</sup>~~

15 ~~(ad) *Memorial signs.* One memorial sign per building not to exceed 16 square feet in area; provided,~~  
16 ~~however, that memorial signs in place on November 29, 1977, are permitted.~~

17 ~~(be) *Window signs.* Temporary wWindow sign or signs having a total area not exceeding 20 percent of~~  
18 ~~each window, calculated separately for each window provided such signs are located only within~~  
19 ~~nonresidential zoning districts, except for temporary on-premises election and free expression~~  
20 ~~window signs that may be located within all zoning districts.~~

21 ~~(f) *Real estate signs.* One on premises sign per street frontage related to the sale, lease, or rental of~~  
22 ~~real estate or a business opportunity in all zoning districts. Such sign shall be either a freestanding,~~  
23 ~~fence or wall sign in nonresidential districts and a freestanding sign in residential zoning districts.~~  
24 ~~Such sign shall be a maximum of three square feet in area in districts zoned residential or a~~  
25 ~~maximum of six square feet in area in other districts. The maximum height of such sign shall be~~  
26 ~~three feet in districts zoned residential and ten feet in other zoning districts. If freestanding, such~~  
27 ~~sign shall be located at least two feet from public rights of way and shall be at least 15 feet from~~  
28 ~~rear and side property lines.~~

29 ~~(g) *Open house signs.* One on premises freestanding sign per street frontage in all zoning districts.~~  
30 ~~Such signs shall be a maximum of three square feet in area and a maximum of three feet in height~~  
31 ~~in all zoning districts. Such signs shall be located at least two feet from public rights of way and~~  
32 ~~shall be at least 15 feet from rear and side property lines. Open house signs shall be posted only~~  
33 ~~for the period an owner or owner's agent is on the premises for the open house and only during~~  
34 ~~daylight hours.~~

---

<sup>1</sup> Note: change to Traffic Control Signs and moved to 38.03

<sup>2</sup> Note: change to Traffic Control Signs or Regulatory Signs and moved to 38.03

- 1 ~~(h) *Specified directional signs.* On premises directional signs not exceeding square feet in area in~~  
2 ~~nonresidential zoning districts only.<sup>3</sup>~~
- 3 ~~(i) *Construction signs.* Construction signs relating to the construction or improvement of the property~~  
4 ~~upon which such signs are located as follows:~~
- 5 ~~(1) If located within a residential zoning district, the signs shall be a maximum of three square~~  
6 ~~feet in area and a maximum of three feet in height with no more than one sign per street~~  
7 ~~frontage.~~
- 8 ~~(2) If located within a non-residential zoning district, the cumulative sign area of such signs shall~~  
9 ~~be a maximum of 16 square feet in area and a maximum of ten feet in height with no more~~  
10 ~~than one sign per street frontage.~~
- 11 ~~(3) Such signs shall be located at least two feet from public rights of way and shall be at least 15~~  
12 ~~feet from rear and side property lines.~~
- 13 ~~(4) Such signs shall be freestanding.~~
- 14 ~~(5) Such signs shall only be posted after the issuance of a building permit for construction and~~  
15 ~~shall remain in place no more than 60 days. Such signs shall be removed after the issuance of~~  
16 ~~the certificate of occupancy, final completion inspection, expiration of the building permit~~  
17 ~~that authorized the work, or the 60-day duration period, whichever comes first.~~
- 18 ~~(j) *Household sale signs.* Signs advertising a household, garage or yard sale as follows:~~
- 19 ~~(1) One on-premises freestanding household sale sign per street frontage.~~
- 20 ~~(2) Two freestanding off-premises household sales signs per household sale on private property~~  
21 ~~with the prior consent of the owner or a lawful occupant of the property. Only one such sign~~  
22 ~~is allowed per premises.~~
- 23 ~~(3) On and off-premises household sale signs shall be a maximum of three square feet in area~~  
24 ~~and shall be a maximum of three feet in height. Signs shall be located at least two feet from~~  
25 ~~public rights of way and shall be at least 15 feet from side property lines.~~
- 26 ~~(4) On and off-premises household sale signs shall be posted only for the period of the sale and~~  
27 ~~only during daylight hours. No sign shall be maintained for a period exceeding three~~  
28 ~~consecutive days or for more than a total of nine days during a calendar year.~~
- 29 ~~(5) Household sales shall be in accordance with sections 62-141 and 62-142 of this Code.~~
- 30 ~~(k) *Election signs.* Election signs as follows:~~
- 31 ~~(1) *Residential Zoning Districts.* Such signs shall be either freestanding or window signs in~~  
32 ~~residential zoning districts. If displayed as a freestanding sign, such sign shall be a maximum~~  
33 ~~of three square feet in area, and a maximum of three feet in height. Each window sign shall~~  
34 ~~be a maximum of two square feet in area and the cumulative area of all window signs shall~~  
35 ~~be a maximum of 20 percent of the total area of each window.~~
- 36 ~~(2) *Nonresidential Zoning Districts.* Such signs shall be freestanding, fence, wall or window signs~~  
37 ~~in non-residential districts. If displayed as a freestanding, fence or wall sign, such sign shall~~  
38 ~~be a maximum of 16 square feet in area and shall be a maximum of ten feet in height. Each~~  
39 ~~window sign shall be a maximum of four square feet in area and the cumulative area of all~~  
40 ~~window signs shall be a maximum of 20 percent the total area of each window.~~
- 41 ~~(3) *General election sign regulations applicable to all zoning districts.*~~

---

<sup>3</sup> Note: change to Traffic Control Signs and moved to 38.03

- 1 a. ~~Election signs shall be located wholly on private property with the prior consent of the~~  
2 ~~property owner or lawful occupant of the property. Such signs shall be located at least~~  
3 ~~two feet from public rights of way and shall be at least 15 feet from rear and side property~~  
4 ~~lines.~~
- 5 b. ~~The number of signs allowed per street frontage shall be one per candidate and one per~~  
6 ~~each side of an issue.~~
- 7 c. ~~Election signs shall be posted no earlier than 90 days prior to the corresponding election~~  
8 ~~and must be removed no later than seven days after the corresponding election.~~
- 9 ~~(l) Carried election or free expression signs. Such signs may be carried on public rights of way,~~  
10 ~~excluding streets, roads, alleys, or median strips.~~
- 11 ~~(m) Free expression signs. One free expression sign per street frontage in all zoning districts as follows:~~
  - 12 ~~(1) Residential Zoning Districts. Such signs shall either be freestanding or window signs in~~  
13 ~~residential zoning districts. If displayed as a freestanding sign, such sign shall be a maximum~~  
14 ~~of three square feet in area, and a maximum of three feet in height. Each window sign shall~~  
15 ~~be a maximum of two square feet in area and the cumulative area of all window signs shall~~  
16 ~~be a maximum of 20 percent of the total area of each window.~~
  - 17 ~~(2) Nonresidential Zoning Districts. Such signs shall be freestanding, fence, wall or window signs~~  
18 ~~in nonresidential districts. If displayed as a freestanding, fence or wall sign, such sign shall~~  
19 ~~be a maximum of 16 square feet in area and a maximum of ten feet in height. Each window~~  
20 ~~sign shall be a maximum of four square feet in area and the cumulative area of all window~~  
21 ~~signs shall be a maximum of 20 percent of the total area of each window.~~
  - 22 ~~(3) General free expression sign regulations applicable to all zoning districts. Free expression~~  
23 ~~signs shall be located wholly on private property with the prior consent of the property owner~~  
24 ~~or lawful occupant of the property. Such signs shall be located at least two feet from public~~  
25 ~~rights of way and shall be at least 15 feet from rear and side property lines. Such signs shall~~  
26 ~~not be illuminated.~~
- 27 ~~(cn) Flags. Flags as follows:~~
  - 28 ~~(1) Single-family residential Zoning Districts. In a single-family residential zoning district, two~~  
29 ~~flags and one ground flag pole per premises. Each flag shall be a maximum of 15 square feet~~  
30 ~~in area. The ground flag pole shall be a maximum of 25 feet in height or no higher than the~~  
31 ~~highest point of the principal building's roof, whichever is lower. Ground Fflag poles shall~~  
32 ~~have a meet the minimum yard setback of five feet requirements for a principal building.~~
  - 33 ~~(2) Multiple-family residential or Nonresidential Zoning Districts. In a multiple-family~~  
34 ~~residential or non-residential zoning district, one flag per 25 feet of frontage on a right-of-~~  
35 ~~way up to a maximum of six flags and six ground flag poles per premises. Each flag shall be~~  
36 ~~a maximum of 24 square feet in area. Ground Fflag poles shall be a maximum of 25 feet in~~  
37 ~~height or the highest point of the nearest principal building's roof on the premises, whichever~~  
38 ~~is higher. Ground Fflag poles shall have a ~~meet the~~ minimum yard setback requirements for~~  
39 ~~a principal building or a minimum of ten feet whichever is more restrictive.~~
  - 40 ~~(3) Small flags at vehicle sales and service establishments. One small flag of no more than one~~  
41 ~~square foot in area may be attached to vehicles on display for sale or rent at vehicle sales and~~  
42 ~~service establishments. Such flag shall be no higher than two feet above the height of the~~  
43 ~~vehicle as if it were displayed at grade level.~~
- 44 ~~(de) Banner Signs within ballparks and athletic fields. Signs within ballparks and athletic fields as~~  
45 ~~follows:~~

- 1 (1) Such signs may be affixed to the fence or scoreboard, facing inward to the field of play.
- 2 (2) Such signs shall be a maximum of 32 square feet in area.
- 3 ~~(ep)~~ *Signs not readily visible from public right-of-way.*
- 4 ~~(fq)~~ *Neighborhood or Business District Signs.* Neighborhood or business district ornamental,  
5 historic, identification or directional signs ~~approved by the city manager~~ within the public rights-  
6 of-way ~~with a right-of-way permit.~~
- 7 ~~(f)~~ *Vehicle signs except as prohibited in section 38.17.*
- 8 ~~(gs)~~ *Carried commercial signs.* Such signs may be carried on premises on private, ~~nonresidential~~  
9 property or on public rights-of-way in nonresidential zoning districts, excluding streets, roads,  
10 alleys, or median strips, ~~except in a manner as prohibited in section 38.17.~~
- 11 ~~(ht)~~ *Traditional barber pole signs.* Traditional "barber pole" signs of less than 3.5 feet in height that  
12 call attention to an on-premises barbershop, hairstyling salon, or similar establishment.
- 13 ~~(u)~~ *Temporary on-premises signs incidental to a special event.* ~~Temporary on-premises signs~~  
14 ~~displayed during a special event approved on private property or on public property or public~~  
15 ~~rights-of-way pursuant to this Code. Such incidental signs may only be displayed during the course~~  
16 ~~of the event and may include banners, balloons, pennants, v-shaped, and animated signs and may~~  
17 ~~be illuminated. All such signs shall be removed at the conclusion of the special event.~~
- 18 ~~(i)~~ *Pole banner signs.* Such signs may be a maximum of 8 square feet per sign per light pole.
- 19 ~~(j)~~ *Fence signs.* Such signs may be a maximum of 4 square feet per driveway.
- 20 ~~(k)~~ *Scoreboards with commercial signs.* Scoreboards inside athletic fields or recreational ball fields are  
21 ~~exempt from the provisions of this article. Scoreboards with advertising signs not exceeding 32~~  
22 ~~square feet in area and which signs face in toward the playing field do not require permits.~~  
23 ~~Scoreboards with more than 32 square feet of advertising signs facing the playing field or with any~~  
24 ~~signs facing public right-of-way or outside the playing field are considered freestanding signs and~~  
25 ~~shall met the district standards for such signs.~~
- 26 ~~(l)~~ *Temporary on-premises signs.* One temporary sign per street frontage, except as provided below,  
27 ~~in all zoning districts as follows:~~
- 28 ~~(1)~~ *Residential zoning districts.* Such signs shall either be freestanding or window signs in  
29 ~~residential zoning districts. If displayed as a freestanding sign, such sign shall be a maximum~~  
30 ~~of three square feet in area, and a maximum of three feet in height. Each window sign shall~~  
31 ~~be a maximum of two square feet in area and the cumulative area of all window signs shall~~  
32 ~~be a maximum of 20 percent of the total area of each window.~~
- 33 ~~(2)~~ *Nonresidential zoning districts.* Such signs shall be freestanding, fence, wall or window signs  
34 ~~in nonresidential districts. If displayed as a freestanding, fence or wall sign, such sign shall~~  
35 ~~be a maximum of 16 square feet in area and a maximum of ten feet in height. Each window~~  
36 ~~sign shall be a maximum of four square feet in area and the cumulative area of all window~~  
37 ~~signs shall be a maximum of 20 percent of the total area of each window.~~
- 38 ~~(3)~~ *Additional temporary on-premises signs during election periods.* Additional election signs,  
39 ~~meeting the temporary sign requirements for the applicable zoning district, of one sign per~~  
40 ~~candidate and one per side of an referendum issue are authorize up to a 90-day period prior~~  
41 ~~to a City, State or Federal general or primary election.~~
- 42 ~~(mv)~~ *Temporary on-premises commercial V-shape or sandwich board signs.* One temporary ~~on-~~  
43 ~~premises~~ V-shaped or sandwich board sign per establishment ~~displaying a commercial message on~~  
44 ~~property within zoned non-residential zoning district:~~

1 (1) Such signs shall be a maximum of ~~four~~ six square feet in area on each side and a maximum  
2 of three feet in height.

3 ~~(2) Such signs may be a v-shaped sign.~~

4 ~~(23)~~ Such signs shall be located under the covered porch, roof or entryway projection, awning,  
5 arcade, or covered walkway or entrance of the establishment or a maximum of three feet from  
6 the entrance to the establishment in absence of the aforementioned building elements.

7 ~~(34)~~ Such signs shall not be located in public rights-of-way and shall not impede normal pedestrian  
8 traffic.

9 ~~(45)~~ Such signs shall only be displayed the business hours of the establishment and must be  
10 removed and stored within an enclosed structure during non-business hours.

11 **Sec. 38.10. – General Sign Regulations.**

12 (a) *Construction standards.* All signs shall ~~comply with all~~ be constructed of durable materials, using  
13 non-corrosive fastenings; shall be structurally safe and erected or installed in accordance with the  
14 ~~applicable technical~~ Florida Building Ceodes adopted by the City of Vero Beach.

15 (b) *Maintenance.* All signs within the city limits including all supports, braces, guys, and anchors shall  
16 be kept in good repair.

17 (c) *Signs not to constitute a traffic hazard.* No sign shall be placed at any location in the city where it  
18 may interfere with or obstruct the view of any motorist, or be confused with any authorized traffic  
19 sign, signal, or device. No sign may occupy a sight triangle, as determined by the public works  
20 director. A sign which, at the time of construction, was not considered a traffic hazard shall be  
21 removed at the owner's expense if at a later time it is determined by the public works director ~~city~~  
22 ~~manager~~ that the sign has become a traffic hazard due to changed circumstances.

23 (d) *Signs not to encroach electric utility clear zone.* No sign shall be placed closer than eight feet from  
24 the nearest part of any utility pole which supports electrical transmission lines. No sign shall be  
25 placed closer than eight feet from the nearest part of any electric transmission line. If the National  
26 Electrical Code is made more restrictive than the provisions of this subsection, its more restrictive  
27 provisions shall supersede the provisions herein and all signs shall be removed from the clear zone  
28 at the owner's expense.

29 (e) *Illuminated signs:*

30 (1) The light from any illuminated sign, or from any light source, shall be shaded, shielded, or  
31 directed so that the light intensity or brightness shall neither adversely affect the surrounding  
32 premises nor impede safe vision of operators of vehicles moving on streets or parking areas.

33 (2) No signs ~~except message center signs and time and temperature signs~~ shall have exposed  
34 fluorescent lighting.

35 (3) No sign shall have fluorescent paint or be photophorescent. No sign shall have exposed neon  
36 of any intensity. All unexposed neon shall be approved by any testing laboratory acceptable to  
37 the city. No sign shall have a light source which exceeds the following criteria for light  
38 intensity:

BRIGHTNESS AND INTENSITY CRITERIA

Light Source Shall Not Exceed In:

Light Source	Residential Park P-1, P-2, POI, H, GU RCIO and Residential Portion of MPZ Districts	R-3A, B-1, C-1A, C-1M, H, and Commercial Portion of MPZ Districts	C-1B, C-1, C-2A C-2M, <u>ALI</u> , M-1 and <u>DTW M-2</u> Districts
Exposed bulbs	10 Watts	15 Watts	15 Watts
Luminous background	90 ft. lamberts	150 ft. lamberts	200 ft. lamberts
Illuminated	50 footcandles	50 footcandles	75 footcandles

(4) No flashing sign shall be permitted except ~~time and temperature signs~~, message center signs, and traffic control ~~public~~ signs.

(f) Sign area. The area of a sign is determined as follows:

- (1) The area of a sign shall mean the area of all lettering, wording, and accompanying designs, logos, and symbols. The area of a sign shall not include any supporting framework, bracing or trim which is incidental to the display, provided that it does not contain any lettering, wording, or symbols.
- (2) Where the sign consists of individual letters, designs, or symbols attached to a building, awning, wall, or window, the area shall be that of the smallest simple polygon which encompasses all of the letters, designs, and symbols of the advertising message.
- (3) Sign area for other signs includes all features, decorative glass, plastic, masonry, or other materials. Where material is displayed in a random or unconnected manner without organized relationship of the components, each component or element shall be considered to be a single sign.
- (4) A projecting or freestanding sign with sign face on two sides with no more than a three-foot separation between faces shall be a single sign, and the total sign area shall be the area on a single face.
- (5) Pole covers shall be included as sign area to the extent that they exceed twice the diameter of the support.
- (6) The finished base of a monument-style freestanding sign up to 22 square feet shall be excluded from the sign area.
- (7) Signs that consist of, or have attached to them, one or more three-dimensional or irregularly-shaped objects, shall have a sign area of the sum of two adjacent vertical sign faces of the smallest cube encompassing the sign or object.
- (8) If elements of a sign are movable or flexible, such as a flag or banner, the measurement is taken when the elements are fully extended and parallel to the plane of view.
- (9) The permitted maximum area for all signs is determined by the sign type and the zoning district in which the sign is located.

1 (gf) *Height of signs.* No part of any sign affixed to a building shall exceed the height of the building as  
2 measured exclusive of elevator shafts, air conditioning units, or cooling towers. The height of  
3 freestanding signs is established for the several zoning districts as set forth herein. The height of the  
4 sign or flag pole is measured from the crown of the nearest road to the highest point of the sign or  
5 flag pole.

6 (hg) *Distance separation.* Distance requirements set forth herein shall be measured from the nearest part  
7 of any sign (or its structure) to the nearest point of the closet applicable setback line, property line,  
8 roof line, or other applicable restricting line of point of separation (including distance between signs)  
9 or height limitation.

10 (ih) *Signs on public property and rights-of-way.* Except as expressly permitted in this article, no sign  
11 shall be erected, placed, replaced, installed or maintained in or on any city property or public right-  
12 of-way.

13 ~~(i) *Substitution of message.* Notwithstanding anything contained in this article to the contrary, any on-~~  
14 ~~premise sign erected pursuant to the provisions of this article may, at the option of the owner or~~  
15 ~~lawful occupant of the property, contain a noncommercial message in lieu of a commercial message,~~  
16 ~~and the non-commercial copy may be substituted at any time in place of the commercial copy. The~~  
17 ~~noncommercial message may occupy the entire sign face or any portion thereof. The sign face may~~  
18 ~~be changed from commercial to noncommercial messages, or from one noncommercial message to~~  
19 ~~another noncommercial message, as frequently as desired by the owner of the sign, provided that~~  
20 ~~the sign is not a prohibited sign or sign type and provided that the size, height, setback and other~~  
21 ~~dimensional criteria contained in this article have been satisfied.~~

22 (j) *Illumination of temporary signs prohibited.* No temporary sign shall be illuminated, except as  
23 expressly permitted in this article.

24 **Sec. 38.11. - Temporary signs requiring permits.**

25 A permit issued pursuant to section 38.05 is required for the following temporary signs, subject to all  
26 other applicable provisions of this article and the specific requirements of this section as follows:

27 ~~(a) *On premises special event signs.* Temporary on premises special event signs are allowed on~~  
28 ~~property in nonresidential zoning districts and on property with lawfully established nonresidential~~  
29 ~~uses in residential zoning districts, as follows:~~

30 ~~(1) One sign per street frontage. Such sign shall be located at least two feet from public rights-~~  
31 ~~of way and shall be at least 15 feet from rear and side property lines.~~

32 ~~(2) Such sign shall be a freestanding sign, wall sign, window sign, or a banner sign. If displayed~~  
33 ~~as a wall or freestanding sign, such sign shall be a maximum of 16 square feet in area and a~~  
34 ~~maximum of ten feet in height. If displayed as a window sign, such sign shall be a maximum~~  
35 ~~of four square feet in area and the cumulative area of all window signs shall be a maximum~~  
36 ~~of 20 percent of the total area of each window. If displayed as a banner sign, such sign shall~~  
37 ~~be a maximum of 16 square feet in area and shall not:~~

38 ~~a. Be affixed between posts on walkways;~~

39 ~~b. Hung in or on trees;~~

40 ~~c. Be placed on rooftops or in any way create a hazard or unsafe condition; or~~

41 ~~d. Be placed higher than ten feet on a building.~~

42 ~~(3) Such sign shall be posted no earlier than 14 days prior to the corresponding event or function~~  
43 ~~and must be removed no later than 24 hours after the corresponding event or function.~~

1 ~~(4) No more than a cumulative total of six on-premises special event sign permits may be issued~~  
2 ~~in any calendar year per organization or business establishment.~~

3 ~~(5) The duration of a special event sign shall be for no more than 14 days beginning with date of~~  
4 ~~posting, unless the period is extended by a special event permit issued pursuant to section~~  
5 ~~64.12 of this Code.~~

6 ~~(ab) Off-premises special event temporary weekend signs during weekends. In conjunction with a single~~  
7 ~~special event or reoccurring special event, Temporary off-premises special event signs are allowed~~  
8 ~~for more than 6 hours on public right-of-way as follows:~~

9 (1) The placement of such signs is limited to a time period between Thursday and ~~6:00 p.m.;~~  
10 ~~Sunday Noon Monday~~ (weekend period).

11 (2) A maximum of 20 such freestanding signs may be placed.

12 (3) Such signs shall be limited to the non-paved portion of any public right-of-way that is situated  
13 outside of any sidewalk, drainage ditch or swale, or traffic median, but no closer than ~~two~~  
14 ~~five~~ feet back from the edge of pavement or back of curb, except for State Route 60 section  
15 of Indian River Boulevard, such signs shall be 14 feet from edge of pavement or back of curb.

16 (4) Such signs shall be prohibited in the following locations:

17 a. Within ten feet of the edge of pavement of a driveway intersection pavement and within  
18 ten feet of the edge of pavement or back of curb of a roadway intersection pavement.

19 b. A public right-of-way location that abuts a single-family use along its front property line  
20 without prior consent of the property owner or lawful occupant of the property.

21 ~~(5) The planning director may grant a waiver from the prohibitions in (4) above on the placement~~  
22 ~~of special event temporary signs for a reoccurring special event if the planning director finds~~  
23 ~~that all the following conditions are met:~~

24 ~~a. Such placement doesn't interfere with pedestrian or vehicular travel or safety;~~

25 ~~b. Such placement is the minimum deviation from the standards of (4) above to allow~~  
26 ~~placement of the sign; and~~

27 ~~c. No other alternative site is located within 50 feet of the proposed sign location that both~~  
28 ~~meets the requirements of (4) above and is visible to the public travelling along the same~~  
29 ~~roadway.~~

30 ~~(56) Such signs shall be placed at least ~~20~~ 500 feet from any other off-premises temporary weekend~~  
31 ~~special event sign on the same side of the road and only one off-premises temporary weekend~~  
32 ~~sign per intersection under the same permit.~~

33 ~~(67) Such signs shall be a maximum of three square feet in area and a maximum of three feet in~~  
34 ~~height.~~

35 ~~(7) Such signs are to be constructed of corrugated plastic for the sign area and "H" wire stakes~~  
36 ~~for the sign frame.~~

37 (8) No more than a cumulative total of six off-premises temporary weekend ~~special event~~ sign  
38 permit per applicant ~~organization or business establishment~~ may be issued in a calendar year  
39 for single special events.

40 ~~(9) No more than a cumulative total of two off-premises special event sign permits per~~  
41 ~~organization or business establishment may be issued in a calendar for reoccurring special~~  
42 ~~events and no more than two such permits shall be active at the same time.~~

1 (910) Except for a reoccurring special event, Each permit for an off-premises temporary weekend  
2 ~~special event~~ sign(s) shall be only for one-weekend period.

3 (1011) An off-premises temporary weekend ~~special event~~ sign that is located on any qualifying  
4 public right-of-way outside the time period authorized by this subsection shall be subject to  
5 removal under section 38.18 and code enforcement mechanisms and sanctions as provided in  
6 this Code.

7 (be) Active Temporary subdivision development signs. On-premises active temporary subdivision  
8 development signs as follows:

9 (1) Such signs may be placed only on-premises of the developing subdivision, on property  
10 consisting of land duly platted and comprised of three acres or more including streets and  
11 rights-of-way within the platted boundaries of said property. The approved preliminary plat  
12 shall be filed with the planning and development department prior to placement of any such  
13 signs.

14 (2) Such signs shall be a maximum of 32 square feet in area and a maximum of 12 feet in height.  
15 Such signs shall be at least five feet from all public rights-of-way and at least 15 feet from  
16 rear and side property lines. However, the maximum area of such signs may be increased to a  
17 maximum of 48 square feet in area by locating the sign farther back than the required five feet  
18 from the all public rights-of-way. Two square feet of added sign area are allowed for each  
19 additional one foot of setback. Only one such sign shall be permitted for each intersection  
20 providing a principal point of entry into the developing subdivision, provided only one such  
21 sign may be located on a common frontage street. Such signs must be located on the premises  
22 of the developing subdivision, at least five feet from all public rights-of-way, and at least 20  
23 feet from adjacent property lines. Such signs shall be freestanding.

24 (3) Such sign shall be removed no later than seven days after the final certificate of occupancy is  
25 issued.

26 (d) ~~Off premises open house signs during weekends.~~ Temporary off premises open house signs are  
27 allowed as follows:

28 (1) ~~The real estate that is for sale, rent, or lease shall be located within the corporate limits of the~~  
29 ~~City of Vero Beach.~~

30 (2) ~~The placement of such signs is limited to a time period between Thursday and 6:00 p.m., Sunday~~  
31 ~~(the weekend period).~~

32 (3) ~~Such signs shall be limited to the non-paved portion of any public right of way that is situated~~  
33 ~~outside of any sidewalk, drainage ditch or swale, or traffic median, but no closer than two feet~~  
34 ~~back from the edge of pavement or back of curb.~~

35 (4) ~~Such signs shall be prohibited in the following locations:~~

36 a. ~~Within ten feet of the edge of pavement of a driveway intersection pavement and within ten~~  
37 ~~feet of the edge of pavement or back of curb of a roadway intersection pavement.~~

38 b. ~~A public right of way location that abuts a single family use along its front property line~~  
39 ~~without the prior consent of the property owner or lawful occupant of the property.~~

40 (5) ~~Such signs shall be placed at least 20 feet from any other off premises open house sign on the~~  
41 ~~same side of the road and shall be located no farther than one mile from the real estate that is~~  
42 ~~for sale, rent, or lease as measured from subject estate's property line to the sign.~~

43 (6) ~~Such signs shall be a maximum of three square feet in area and a maximum of three feet in~~  
44 ~~height.~~

- 1       ~~(7) Said signs shall be freestanding or v-shaped.~~
- 2       ~~(8) An off-premises open house sign that is located on any qualifying public right of way outside~~
- 3       ~~the time period authorized by this subsection shall be subject to removal under section 38.18~~
- 4       ~~and code enforcement mechanisms and sanctions as provided in this Code.~~
- 5       ~~(e) Off-premises open house signs on private property.~~ Temporary off-premises open house signs on
- 6       private property are allowed as follows:
- 7       ~~(1) The subject real estate that is for sale, rent, or lease shall be located within the corporate limits~~
- 8       ~~of the City of Vero Beach;~~
- 9       ~~(2) One off-premises freestanding sign on private property per premises is allowed with the prior~~
- 10       ~~consent of the property owner or lawful occupant of the property;~~
- 11       ~~(3) Such signs shall be a maximum of three square feet in area and shall be a maximum of three~~
- 12       ~~feet in height in all zoning districts. The sign shall be located at least two feet from public rights-~~
- 13       ~~of way and shall be at least 15 feet from side property lines;~~
- 14       ~~(4) Off-premises open house signs on private property shall be posted only for the period an owner~~
- 15       ~~or owner's agent is on the premises for the open house and only during the daylight hours; and~~
- 16       ~~(5) Such signs shall be placed at least 20 feet from any other off-premises open house sign on~~
- 17       ~~private property on the same side of the road and shall be located no farther than one mile from~~
- 18       ~~the subject real estate that is for sale, rent, or lease, as measured from the subject real estate's~~
- 19       ~~property line to the sign.~~
- 20       ~~(6) Such signs shall be freestanding or v-shaped.~~
- 21       ~~(c) Street pole banner signs. Street pole banners designed to add life and color to the city's streetscape~~
- 22       ~~while promoting the city, business districts, recognized historical events and persons, outdoor~~
- 23       ~~events, and cultural and recreational activities of benefit to the city are allowed as follows:~~
- 24       ~~(1) The use of street banner poles within the public right-of-way is reserved exclusively to the city.~~
- 25       ~~(2) Street pole banner signs may be installed on banner poles in association with:~~
- 26       ~~a. The promotion of the city, the city's business districts, and city facilities.~~
- 27       ~~b. The commemoration of important historical events, historical figures, and city-owned~~
- 28       ~~historic landmarks.~~
- 29       ~~c. The observance of national holidays, other national and state events, and major event~~
- 30       ~~periods. Flags may be installed in observance of these holidays or events.~~
- 31       ~~(3) In all instances, a minimum of 70 percent of the banner area will be used for the purpose~~
- 32       ~~referenced in (a)(1) through (3) above, and no more than 30 percent of the banner area may be~~
- 33       ~~used to display logos or names of banner sponsors.~~
- 34       ~~(4) The use of street pole banner signs for the purpose of advertising is prohibited.~~
- 35       ~~(5) The street pole banners signs may be in place based on holiday, event, commemoration, or~~
- 36       ~~promotion the banners are associated with and specified in the Right-of-Way permit.~~
- 37       ~~(df) Sponsorship Temporary banners signs. Banners sponsoring a public or private school's athletic~~
- 38       ~~team(s) or sports facilities that face the public right-of-way may be allowed subject to the following~~
- 39       ~~criteria:~~
- 40       ~~(1) Such banners shall only be affixed to the athletic field's permanent perimeter fencing One~~
- 41       ~~banner per street frontage per tenant.~~

1 (2) Such banners shall be a maximum of 32 square feet in area and a maximum of five feet in height.  
2 ~~Each banner shall be separated by a minimum distance of four feet.~~

3 (3) Such banners shall be in place for a maximum of 30 days only during the regular school  
4 calendar year.

5 (4) Such banners shall be placed on the building façade and in a location that does not create a  
6 safety hazard.

7 (45) ~~Such banners shall be uniform in general design (size, color, and lettering) and shall be~~  
8 ~~maintained in terms of appearance and condition. Any banner sign that is frayed, torn, broken,~~  
9 ~~or no longer legible will be deemed unmaintained and required to be removed.~~

10 (56) ~~Such banners shall not be lighted other than by a light source for the athletic field when the~~  
11 ~~athletic field is in use.~~

12 (67) ~~No more than 45 such banners shall be placed on premises at any one time~~ Multiple banners  
13 that are uniform in size and separated by four feet may be placed to an athletic field's permanent  
14 perimeter fencing for up to a maximum of 180 days.

15 **Sec. 38.12. – Reserved Sign Type Standards.**

16 (a) Building façade signs. The following standards apply to building facade signs, including standards  
17 for specific types of building façade signs installed on premises:

18 (1) Sign area calculation.

19 a. The sign area calculation for building façade signs is calculated on the total building façade  
20 area. The maximum cumulative sign area and individual building façade sign area for each  
21 building is determined by the zoning district signage charts.

22 b. The calculation of the allowable facade credit shall always be calculated on a flat, two-  
23 dimensional plane and shall not include that part of any parapet, marquee, pylon, or  
24 window sign, or other surface which extends above the roof line. No additional credit shall  
25 be given for the surface of any marquee or awning.

26 c. A mansard roof shall be classified as a parapet wall. If the lower edge of a slanted roof  
27 other than a mansard roof extends below the top of the supporting wall, the allowable  
28 facade shall be the area of the wall minus the area covered by the roof.

29 d. Each building shall have one frontage street façade. If the building's frontage street façade  
30 is over 50 feet in length, only 50 feet of the non-residential façade shall be considered the  
31 frontage street façade.

32 (2) Awning signs. The following standards shall apply to awning signs:

33 a. An awning without lettering or other advertising shall not be regulated as a sign.

34 b. Awning placement:

35 1. Must be centered within or over architectural elements such as windows or doors

36 2. No awning shall be wider than the building wall or tenant space it identifies.

37 3. The lowest edge of the awning shall be at least eight (8) feet above the finished grade.

38 4. Awnings above the ground floor may not project more than four (4) feet from the  
39 face of the building.

1           5. Multi-tenant Buildings: if the awning sign is mounted on a multi-tenant building, all  
2           awning or canopy signs shall be similar in terms of height, projection, and style  
3           across all tenants in the building.

4           c. Sign placement: sign copy shall be located only on the front and side vertical faces of the  
5           awning or canopy.

6           (3) Blade or bracket signs. The following standards apply to blade or bracket signs:

7           a. No part of a projecting sign shall project more than four (4) feet from the wall of a  
8           building.

9           b. May project over a public sidewalk or street with a Right-of-Way permit.

10          c. The lowest edge of a projecting sign shall be at least eight (8) feet above the finished  
11          grade.

12          d. The supporting structure shall be a decorative bracket.

13          (4) Marquee signs. The following standards apply to marquee signs:

14          a. Shall be located only above the principal entrance of a building facing a public street or  
15          parking lot.

16          b. No marquee shall be wider than two (2) feet on each side of the entrance it serves.

17          c. No marquee shall extend closer to the curb than three (3) feet.

18          d. No portion of a marquee sign shall extend vertically above the roofline.

19          e. The lowest edge of the marquee sign shall be at least ten (10) feet above the finished  
20          grade.

21          (5) Projecting signs. The following standards apply to projecting signs:

22          a. No part of a projecting sign shall project more than four (4) feet from the wall of a  
23          building.

24          b. Shall not project over a public sidewalk or street.

25          c. The lowest edge of a projecting sign shall be at least eight (8) feet above the finished  
26          grade.

27          d. No sign or part of a sign or its supporting structure shall cover any window or part of a  
28          window.

29          e. No projecting sign or supporting structure shall be located in such a manner as to obstruct  
30          window light and vision.

31          f. No projecting sign shall extend above the top of the wall or parapet wall, (whichever is  
32          greater in height).

33          (6) Wall signs. The following standards apply to wall signs:

34          a. No portion of a wall sign shall be painted or mounted less than eight (8) feet above the  
35          finished grade or extend out more than twelve (12) inches from the building wall on which  
36          it is affixed. If the wall sign projects less than three (3) inches from the building wall on  
37          which it is affixed, the eight-foot height requirement need not be met.

38          b. No wall sign except wall signs painted on the wall shall cover wholly or partially any  
39          required wall opening. No wall sign shall project above the top of the wall to which it is  
40          attached.

- 1           c. All bracing shall be hidden or covered so that it shall not be visible from the public right-  
2           of-way. The covered portion of the ends of such signs shall not be used for advertising  
3           purposes.
- 4           d. Signs may be placed in whole or in part upon a parapet, but no part of any such sign shall  
5           project above the upper edge of the parapet.
- 6 (b) Canopy signs. The following standards apply to canopy signs installed on premises:
- 7       (1) Standards for canopy structures:
- 8           a. All canopy structures shall meet the setback standards for accessory structures.
- 9           b. No freestanding sign may occupy an area designated for fire lane, easement, cartway of  
10          the right-of-way or other areas required to remain unobstructed.
- 11       (2) Standards for canopy signs:
- 12           a. Signs are to be placed upon the canopy edge, but no part of any such sign shall project  
13          above the top of the canopy.
- 14 (c) Freestanding signs (ground sign). The following standards apply to freestanding signs, including  
15 standards for specific types of freestanding signs, installed on premises:
- 16       (1) General standards for all freestanding signs:
- 17           a. The property frontage contains an access point to a road right-of-way.
- 18           b. All freestanding signs must be at least two (2) feet back from any public sidewalk or at  
19          least five feet from any right-of-way, whichever is the lesser distance.
- 20           c. All freestanding signs must be two (2) feet from the side property line and located in close  
21          proximity to the drive access.
- 22           d. The lot or parcel of land shall have at least 50 feet of frontage on a public right-of-way.
- 23           e. No freestanding sign may occupy an area designated for parking, loading, walkways,  
24          driveways, fire lane, easement, cartway of the right-of-way or other areas required to  
25          remain unobstructed.
- 26       (2) Pole signs. The following standards apply to pole signs:
- 27           a. The lowest edge of any freestanding pole sign shall be either less than four (4) feet or  
28          greater than seven (7) feet above the ground.
- 29       (3) Monument signs. The following standards apply to monument signs:
- 30           a. Monument signs shall be supported by a finished base that is incorporated into the  
31          landscape or architectural design scheme of the site.
- 32 (d) Message center signs: The following standards apply to signs that incorporate message center signs  
33 installed on premises:
- 34       (1) Sign type: Message center signs are permitted in the form of monument, marquee, and wall  
35       signs.
- 36       (2) Location: Message center signs are only permitted in non-residential zoning districts.
- 37       (3) Height: A message center sign shall have the same height limits as other permitted signs of  
38       the same type and location.
- 39       (4) Maximum area of sign: Message center signs shall not exceed 50% of the individual sign area.

- 1 (5) Maximum Number: One (1) message center sign is permitted per street frontage, up to a  
 2 maximum of two (2) message center signs per property.
- 3 (6) Message display:
- 4 a. The message display may be static copy or digital message
- 5 b. No message center sign may contain text which flashes, pulsates, moves, or scrolls.
- 6 c. The content of a message center sign must transition by changing instantly (e.g., no fade-  
 7 out or fade-in).
- 8 d. The digital message may not change all or any part of the sign copy more frequently than  
 9 once per 30 seconds.
- 10 (7) Conversion of a permitted non-message center sign to include a message center sign requires  
 11 the issuance of a sign permit pursuant to Sec. 38.05
- 12 (8) The addition of any message center sign to a nonconforming sign is prohibited.
- 13 (e) Small freestanding (ground) signs, limited to four square feet, shall meet the following standards  
 14 installed on premises:
- 15 (1) The property has frontage on right-of-way of at least 15 feet.
- 16 (2) Each sign must be at least six feet from any other freestanding sign.
- 17 (3) These signs are not permitted in shopping centers or on premises which have a freestanding  
 18 (ground) sign exceeding four sq. ft.
- 19 (4) Signs must be placed at least two (2) feet from rear and side yard property lines.

20 **Sec. 38.13. – Signage in ~~r~~Residential districts.**

21 (a) Sign regulations in residential zoning districts. In addition to signage permitted by other provisions  
 22 of this section, the following types, numbers, and sizes of signs shall be permitted in the residential  
 23 districts.

	Residential Zoning Districts			
	Maximum Number	Maximum Area (Total)	Maximum Area (Individual)	Maximum Height
Freestanding sign (Multi-family with 10 or less units)	<u>1 per street frontage</u>	<u>20 sq. ft.</u>	<u>10 sq. ft.</u>	<u>6 feet</u>
Freestanding sign (Multi-family with more than 10 units)	<u>1 per street frontage</u>	<u>40 sq. ft.</u>	<u>20 sq. ft.</u>	<u>10 feet</u>
Freestanding sign (Non-residential Uses <sup>1</sup> )	<u>1 per street frontage</u>	<u>40 sq. ft.</u>	<u>20 sq. ft.</u>	<u>10 feet<sup>2</sup></u>
Facade sign <sup>3</sup> (Non-residential Uses <sup>1</sup> )	<u>1 per frontage street facade</u>	<u>5% of building facade area or 300 sq. ft, whichever is less.</u>	<u>5% of building facade</u>	<u>The roofline</u>
Subdivision Identification sign	<u>1 per principal entrance way to subdivision</u>	<u>64 sq. ft.</u>	<u>32 sq. ft.</u>	<u>6 feet</u>
Notes:				

- |  |
|--|
| <ol style="list-style-type: none"> <li>1. <u>The non-residential use must be a legal non-conforming use or approved conditional use.</u></li> <li>2. <u>In single-family zoning districts, the maximum height of freestanding signs is six (6) feet.</u></li> <li>3. <u>Non-residential uses are only permitted wall signs for building façade signs.</u></li> </ol> |
|--|

1 ~~(a) Location. Signs permitted in this section shall be located not less than two feet from any public~~  
 2 ~~sidewalk or street, and two feet from side and rear property lines. Window signs are not permitted~~  
 3 ~~in residential districts except for nonresidential use in the R-2 or R-3 districts.~~

4 ~~(b) Identification signs for single family residences or duplexes. Signs indicating only the name and/or~~  
 5 ~~address of the occupant or premises for each dwelling unit may be installed without a permit~~  
 6 ~~provided each sign has a maximum area not exceeding two square feet, excluding mailboxes, and~~  
 7 ~~shall not be higher than five feet above the crown of the nearest road unless the sign is mounted~~  
 8 ~~flush against the wall of a building.~~

9 ~~(c) Identification signs (ten units or less on premises). A premises containing ten or less dwelling or~~  
 10 ~~rooming units may install a single sign per street frontage indicating the name and/or address of the~~  
 11 ~~premises, provided the sign has with a maximum area not exceeding ten square feet, and shall not~~  
 12 ~~be higher than six feet above the crown of the nearest road unless the sign is mounted flush against~~  
 13 ~~the wall of a building.~~

14 ~~(d) Identification signs (more than ten units on premises). A premises containing more than ten~~  
 15 ~~dwelling or rooming units may install a single sign per street frontage, indicating only the name~~  
 16 ~~and/or address of the premises. The sign shall have a maximum area not exceeding 20 square feet~~  
 17 ~~and shall not be higher than ten feet above the crown of the nearest road unless the sign is mounted~~  
 18 ~~flush against the wall of the building.~~

19 ~~(e) Identification signs for approved nonresidential uses in residential districts: For approved uses~~  
 20 ~~other than residential uses, one permanent identification sign per street frontage shall be permitted~~  
 21 ~~on a premises. Such sign has a maximum area not exceeding 20 square feet. These signs shall not~~  
 22 ~~be higher than ten feet above the crown of the nearest road in multiple family districts, or six feet~~  
 23 ~~above the crown of the nearest road in single family residential districts unless the sign is mounted~~  
 24 ~~flush against the wall of the building. Wall identification signs are also subject to the requirements~~  
 25 ~~for building facade signs in nonresidential districts. All identification signs in residential districts~~  
 26 ~~shall be either freestanding signs or wall signs.~~

27 ~~(f) Subdivision entrance signs. An on premises sign not exceeding 32 square feet [may be placed] at~~  
 28 ~~each principal entrance way to a residential subdivision. However, only one such sign shall be~~  
 29 ~~permitted for each common street serving a subdivision. Such sign must be located wholly within~~  
 30 ~~the property line of the subdivision which the sign identifies.~~

31 ~~(g) Directional signs. In multiple family districts or park districts only on premises directional signs~~  
 32 ~~having an area not exceeding four square feet are permitted, provided such signs, if freestanding,~~  
 33 ~~shall be located a minimum of two feet within all property lines and shall not exceed five feet in~~  
 34 ~~height. In single family residential districts such on premises directional signs may be placed only~~  
 35 ~~on premises developed for nonresidential uses approved by the planning and zoning board.~~

36 ~~(h) Mail boxes. Mail boxes are allowed without sign permits.~~

37 **Sec. 38.14. - Park districts.**

38 ~~(a) Freestanding signs. One freestanding sign shall be permitted per street frontage or per each 300 feet~~  
 39 ~~of street frontage, whichever is greater. The maximum area of any single freestanding sign shall not~~  
 40 ~~exceed 48 square feet; however, when a freestanding sign faces single family residentially zoned~~  
 41 ~~property, directly abutting the property on which the sign is located, the maximum sign area shall~~  
 42 ~~not exceed 20 square feet. Freestanding signs shall be placed not less than five feet from all rights-~~

of way and 15 feet from all other property lines and shall not be higher than ten feet above the crown of the nearest road.

(b) ~~Facade signs.~~

(1) ~~When a building facade is a front street facade, the allowable amount of cumulative sign area for facade signs shall not exceed ten percent of the building facade area or 300 square feet, whichever is less.~~

(2) ~~When a building facade is other than a front street facade, the allowable amount of cumulative sign area shall not exceed five percent of the building facade area or 150 square feet whichever is less.~~

(c) ~~Scoreboards.~~ Scoreboards inside ballparks or recreational ball fields are exempt from the provisions of this section. Signs not exceeding 32 square feet in area comprising the fence of a ballpark or affixed flat against the fence of ballpark and which signs face in toward the playing field are exempt from the provisions of subsection (a) and do not require permits.

(d) ~~Riverside Park.~~ Banners used to draw attention to current or upcoming cultural events are allowed by permit in Riverside Park at the Riverside Theatre, the Center for the Arts, and the Children's Theatre. Banners shall comply with the requirements of ~~section 38.11~~ as to applicable time, place, and manner with the condition that such banners shall be located wholly within the perimeter of the property leased by the organization displaying the banner.

**Sec. 38.145. – Signage in nNonresidential zoning districts.**

(a) Sign regulations in P-1, P-2, POI, H, GU and RCLO zoning districts. In addition to signage permitted by other provisions of this section, the following types, numbers, and sizes of signs shall be permitted in the P-1, P-2, POI, H, GU, and RCLO zoning districts.

	Park, Institutional, and Office Zoning Districts			
	Maximum Number	Maximum Area (Total)	Maximum Area (Individual)	Maximum Height
<u>Building facade sign (Wall, marquee and awning signs)</u>	<u>1 per facade per tenant</u>	<u>5% of building facade area or 300 sq. ft. whichever is less.</u>	<u>10% of frontage street facade</u> <u>5% of side or rear building facade</u>	<u>The roofline</u>
<u>Window sign</u>	<u>N/A</u>	<u>N/A</u>	<u>20% total window area</u>	<u>N/A</u>
<u>Small freestanding sign</u>	<u>1 per tenant</u>	<u>N/A</u>	<u>4 sq. ft.</u>	<u>6 feet</u>
<u>Freestanding sign<sup>1,2</sup> (Monument sign)</u>	<u>1 per 300 ft. of street frontage</u>	<u>1 sq. ft. per linear ft. of street frontage; up to max 100 sq. ft. per street frontage</u>	<u>48 sq. ft.<sup>3</sup></u>	<u>10 feet</u>

Notes:

- Only monument signs area permitted for freestanding signs in P-1, P-2, POI, H, and RCIO zoning districts.
- Freestanding signs shall be placed five feet from all rights-of-way and 15 feet from all other property lines.
- When a freestanding sign faces single-family residentially zoned property, the maximum sign area shall not exceed 20 square feet.

1 (ba) Sign regulations in R-3A, B-1, C-1A, and C-1M, and shopping centers in any Ocean Drive /  
 2 Cardinal Overlay zoning districts: In addition to signage permitted by other provisions of this  
 3 section, the following types, numbers, and sizes of signs shall be permitted in the C-1A, B-1, C-  
 4 1M, and Ocean Drive / Cardinal Overlay zoning districts.

<u>Limited Commercial Zoning Districts</u>				
	<u>Maximum Number</u>	<u>Maximum Area (Total)</u>	<u>Maximum Area (Individual Facade)</u>	<u>Maximum Height</u>
<u>Building facade signs (Wall, marquee and awning signs)</u>	<u>1 per facade per tenant</u>	<u>5% of building facade area</u>	<u>10% of frontage street facade</u> <u>5% of side or rear building facade</u>	<u>The roofline</u>
<u>Window signs</u>	<u>N/A</u>	<u>N/A</u>	<u>20% total window area</u>	<u>N/A</u>
<u>Small Freestanding</u>	<u>1 per tenant</u>	<u>N/A</u>	<u>4 sq. ft.</u>	<u>6 feet</u>
<u>Freestanding signs<sup>1</sup></u>	<u>1 per driveway</u>	<u>1 sq. ft. per linear ft. of street frontage; up to max 100 sq. ft.</u>	<u>48 sq. ft<sup>2</sup></u>	<u>10 feet</u>
<u>Notes:</u>				
1. <u>Only monument signs are permitted for freestanding signs in C-1A and C-1M zoning districts.</u>				
2. <u>The maximum total sign area for freestanding signs along public right-of-way adjacent to residentially zoned property is calculated one square foot of sign area for three linear foot of property along such public right-of-way.</u>				

5 ~~(1) On premises freestanding signs. On premises freestanding signs are permitted in the above~~  
 6 ~~districts provided the property frontage contains an access point to a road right of way. All~~  
 7 ~~freestanding signs must be at least two feet back from any public sidewalk or at least five feet~~  
 8 ~~from any right of way, whichever is the lesser distance. Except for small identification signs~~  
 9 ~~(not exceeding four square feet in area), no freestanding signs shall be permitted on a lot or~~  
 10 ~~parcel of land which does not have at least 50 feet of frontage on a public right of way.~~

11 ~~On premises signs shall be limited to message center signs, time and temperature signs, or signs~~  
 12 ~~limited to the name of the business, services performed, facilities available, and commodities~~  
 13 ~~sold, provided, or obtained on the premises where such sign is located.~~

14 ~~b. Small identification signs: Individuals who occupy property with frontages on right of way~~  
 15 ~~of at least 15 feet may have one on premises freestanding identification sign per business,~~  
 16 ~~provided such signs do not exceed four square feet in area and do not exceed six feet in~~  
 17 ~~height. Said signs must be at least six feet from any other freestanding sign. These signs are~~  
 18 ~~not permitted in shopping centers or on premises which have a directory sign. These signs~~  
 19 ~~must be placed at least two feet within rear and side yard property lines.~~

20 ~~c. Directory signs: Directory signs not exceeding eight feet in height or a maximum sign area~~  
 21 ~~of 48 feet regardless of setback are permitted in lieu of the small identification noted in~~  
 22 ~~subsection (a) above, provided the premises has at least 50 feet of frontage on a public right-~~  
 23 ~~of way. Frontage on a sidewalk is not required for directory signs. No premises shall be~~  
 24 ~~allowed both a freestanding directory sign and a small freestanding identification sign.~~  
 25 ~~Directory signs shall be set back at least ten feet from side and rear yard property lines.~~

1 ~~d. On-premises directional signs:~~ On-premises directional signs are allowed in accordance  
2 with the requirements for directional signs in residential districts but without requiring  
3 permits in the above zoning districts.

4 ~~e. Other freestanding signs:~~ Other on-premises freestanding signs are permitted in the above  
5 districts provided the property frontage contains an access point to the public right-of-way  
6 and the property frontage is 50 feet or more. No sign shall exceed 48 square feet if placed  
7 at the minimum frontage setback allowable. Subject to the lineal foot restrictions stated  
8 below, the maximum area of such signage may be increased in excess of 48 square feet to  
9 a maximum area of 100 square feet by locating the sign further back than the minimum  
10 required setback. The additional sign area allowed shall be two square feet of sign area for  
11 each additional one foot of setback; except, however, in those cases where a sign is installed  
12 perpendicular to the road right-of-way, the additional sign area allowed shall be four square  
13 feet of sign area for each additional one foot of setback. A sign shall be deemed to be  
14 perpendicular to the road right-of-way when all of its copy is perpendicular to a road right-  
15 of-way.

16 1. ~~Height of freestanding signs:~~ The height of freestanding signs shall not exceed 20 feet  
17 if placed with the minimum setback. For every three feet the sign placement exceeds  
18 the minimum setback, the height of the sign may be increased one additional foot to a  
19 maximum height of 25 feet, except in large shopping centers. This setback shall not be  
20 cumulative with square foot setback.

21 2. ~~Lineal foot restrictions:~~ Subject to the 100 square foot limitation on the total cumulative  
22 sign area per street frontage, the following provisions apply:

23 i. ~~Front of premises:~~ The maximum number of freestanding signs allowed on a  
24 property street frontage shall not exceed one sign per point of motor vehicle access  
25 on each property street frontage. Where more than one sign is placed on the same  
26 property street frontage, the cumulative area of such signs shall not exceed the  
27 maximum aggregate sign area permitted herein. The maximum size of freestanding  
28 signs permitted on the front of the premises is one square foot of sign area for each  
29 foot of lineal frontage adjacent to a public right-of-way.

30 ii. ~~Sides and rear of premises:~~ There shall be a maximum allowable amount of  
31 aggregate sign area for freestanding signs along public right-of-way calculated on  
32 the basis of two-thirds square foot of sign area for each lineal foot of property along  
33 such public rights-of-way.

34 iii. ~~Freestanding signs adjacent to residential property:~~ There shall be a maximum  
35 allowable amount of aggregate sign area for freestanding signs along public right-  
36 of-way adjacent to residentially-zoned property calculated on the basis of one-third  
37 square foot of sign area for each lineal foot of property along such public right-of-  
38 way.

39 3. ~~Side and rear yard restrictions:~~ Freestanding signs shall be set back at least ten feet  
40 from side and rear yard property lines.

41 4. ~~Shopping centers:~~ Freestanding signs in shopping centers with property line fronting a  
42 street which property line is less than the above provisions. Freestanding signs in  
43 shopping centers with 600 lineal feet of property fronting on a public street are also  
44 controlled by said provisions with the following exceptions:

45 i. The height of such freestanding signs shall not exceed 32 feet.

46 ii. The sign area of such freestanding signs shall not exceed 240 square feet.

~~(2) Building facade signs. Signs attached to building facades shall include, but not necessarily be limited to, wall signs, painted signs, marquee signs, canopy signs, awning signs, parapet signs, overhanging signs, projecting signs, and pylon signs. In calculating the area of a building facade, no additional credit shall be given for the surface of any canopy or awning. The calculation of the allowable facade credit shall always be calculated on a flat, two-dimensional plane and shall not include that part of any parapet, marquee, pylon, or window sign, or other surface which extends above the roof line. A mansard roof shall be classified as a parapet wall. If the lower edge of a slanted roof other than a mansard roof extends below the top of the supporting wall, the allowable facade shall be the area of the wall minus the area covered by the roof.~~

~~a. There shall be an allowable amount of cumulative sign area for signs attached to the frontage street facade of a building including permanent window signs not in excess of that percentage shown on the Street Facade Sign Area Graph and the Street Facade Sign Area Table, both of which are incorporated by reference.~~

~~b. There shall be an allowable amount of cumulative sign area for signs on facades other than the frontage street facade not in excess of 50 percent of that percentage on the street facade sign area graph and table. However, when said facade faces residentially zoned property or is in a residential district, the allowable amount of cumulative sign area shall not exceed 25 percent of the area allowed as shown on said street facade sign area graph or table.~~

~~c. Wall signs shall comply with section 2303.3 of the Southern Standard Building Code.~~

~~d. No wall sign except wall signs painted on the wall shall cover wholly or partially any required wall opening. No wall sign shall project above the top of the wall to which it is attached.~~

~~e. All bracing shall be hidden or covered so that it shall not be visible from the public right-of-way. The covered portion of the ends of such signs shall not be used for advertising purposes.~~

~~f. Signs may be placed in whole or in part upon a parapet, or wholly on the vertical faces of a marquee but no part of any such sign shall project above the upper edge of the parapet or marquee, nor shall any part of a sign project below the bottom of the vertical face of the marquee. One identification sign may be attached to the bottom of a marquee at a business entrance in which case the sign shall not exceed 6½ square feet in area, shall maintain an eight-foot minimum clearance above the sidewalk grade, and shall not extend beyond the marquee's perimeter or over public property or public right-of-way.~~

~~(cb) Sign regulations in the C-1B, C-1, C-2A, ALI, and M zoning districts and shopping centers. Signs allowed within the C-1B, C-1, C-2A, ALI, and M districts are permitted in the above districts according to the provisions of paragraph (a) above, with the additional provisions within this paragraph: In addition to signage permitted by other provisions of this section, the following types, numbers, and sizes of signs shall be permitted in the C-1B, C-1, M, and ALI zoning districts.~~

General Commercial, Aviation and Industrial Zoning Districts				
	<u>Maximum Number</u>	<u>Maximum Area (Total)</u>	<u>Maximum Area (Individual)</u>	<u>Maximum Height</u>
<u>Building facade sign (Wall, marquee and awning signs)</u>	<u>1 per facade per tenant</u>	<u>5% of building facade area</u>	<u>10% of frontage street facade</u> <u>5% of side or rear building facade</u>	<u>The roofline</u>

<u>Projecting sign</u> <sup>1</sup>	<u>1 per building</u>		<u>20 sq. ft.</u>	
<u>Window sign</u>	<u>N/A</u>	<u>N/A</u>	<u>20% total window area</u>	<u>N/A</u>
<u>Canopy sign</u>	<u>1 per side of structure</u>	<u>20% of the total face of the canopy</u>	<u>40% of the face of the canopy</u>	<u>N/A</u>
<u>Small freestanding sign</u>	<u>1 per tenant</u>	<u>N/A</u>	<u>4 sq. ft.</u>	<u>6 feet</u>
<u>Freestanding sign</u>	<u>1 per driveway</u>	<u>1 sq. ft. per linear ft. of street frontage; up to max 100 sq. ft.</u> <sup>2,5</sup>	<u>48 sq. ft.<sup>3</sup></u>	<u>10 feet<sup>4,5</sup></u>

Notes:

1. Projecting sign is permitted only on a structure having no freestanding sign.
2. The maximum total sign area for freestanding signs along public right-of-way adjacent to residentially zoned property is calculated one square feet of sign area for three lineal foot of property along such public right-of-way.
3. The maximum sign area may increased to 100 square feet by locating the sign further back than the minimum required setback. The additional sign area allowed shall be four square feet of sign area for each additional one foot of setback. A sign shall be deemed to be perpendicular to the road right-of-way when all of its copy is perpendicular to a road right-of-way.
4. For every three feet the sign placement exceeds the minimum setback, the height of the sign may be increased one additional foot to a maximum height of 25 feet.
5. Freestanding signs in shopping centers with 600 lineal feet of property fronting on a public street:
  - a. The height of such freestanding signs shall not exceed 32 feet.
  - b. The sign area of such freestanding signs shall not exceed 240 square feet.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12

~~(1) Overhanging or projecting signs. One projecting sign per structure is permitted only in the C-1B, C-1, C-2A, ALI, and M districts and only on a structure having no freestanding sign. No part of a projecting sign or advertising structure shall project more than 36 inches from the wall of a building and shall not project over a public sidewalk or street. No sign or part of a sign or its supporting structure shall cover any window or part of a window. No projecting sign or supporting structure shall be located in such a manner as to obstruct window light and vision. No projecting sign shall extend above the top of the wall or parapet wall, (whichever is greater in height).~~

(d) Sign regulations in DTW and MX zoning districts. In addition to signage permitted by other provisions of this section, the following types, numbers, and sizes of signs shall be permitted in the DTW and MX zoning districts.

	<u>Downtown and Mixed Use Zoning Districts</u>			
	<u>Maximum Number</u>	<u>Maximum Area (Total)</u>	<u>Maximum Area (Individual)</u>	<u>Maximum Height</u>
<u>Building façade sign (Wall, and awning signs)</u>	<u>1 per façade per tenant</u>	<u>5% of building façade area</u>	<u>10% of frontage street façade</u> <u>5% of side or rear building façade</u>	<u>The roofline</u>

<u>Marquee sign</u>	<u>1 per tenant per building</u>		<u>200 sq. ft.</u>	
<u>Blade or bracket sign</u>	<u>1 per façade per tenant</u>		<u>4 sq. ft.</u>	<u>N/A</u>
<u>Window sign</u>	<u>N/A</u>	<u>N/A</u>	<u>20% total window area</u>	<u>N/A</u>
<u>V-shaped sign (Sandwich board sign)<sup>1</sup></u>	<u>1 per ground floor tenant per street frontage</u>	<u>N/A</u>	<u>8 sq. ft.</u>	<u>3 feet</u>
<u>Small freestanding sign<sup>2</sup></u>	<u>1 per tenant per building</u>	<u>N/A</u>	<u>4 sq. ft.</u>	<u>6 feet</u>
<p>Notes:</p> <p>1. <u>Portable V-shaped or sandwich board sign may be placed in the public rights-of-way with a permit issued from the planning director, provided the proposed sign meets the standards for V-shape or sandwich board signs in Sec. 38.09(j) and does not impede access to any building or adversely impact pedestrian circulation by creating walkways of less than five feet</u></p> <p>2. <u>The building shall be set back at least 10 feet from the property line.</u></p>				

1 (e) Sign regulations in planned development zoning districts. In addition to signage permitted by other  
2 provisions of this section, the following types, numbers, and sizes of signs shall be permitted in  
3 the PD zoning district as provided in the development agreement, in accordance with the nature of  
4 the uses and similarity of the uses to those permitted in other districts.

5 **Sec. 38.15. - Removal of unsafe, unlawful, or abandoned signs.**

6 (a) Unsafe or unlawful signs.

- 7 (1) Upon written notice by the planning director or building official, the owner, person, or firm  
8 maintaining a sign shall remove the sign when it becomes unsafe, is in danger of falling, or it  
9 becomes so deteriorated that it no longer serves a useful purpose of communication, or it is  
10 determined by the planning director to be a nuisance, or it is deemed unsafe by the building  
11 official, or it is unlawfully erected in violation of any of the provisions of this Article.
- 12 (2) Pursuant to the Code Enforcement procedures in Chapter 2, Article VII, Code Enforcement,  
13 the City may cause to be removed the sign in the event of the owner of the sign has not complied  
14 with the terms of the notice within thirty (30) days of the date of the notice.

15 (b) Abandoned signs.

- 16 (1) It shall be the responsibility of the owner of any property upon which an abandoned sign is  
17 located to remove such sign within 90 days of the sign becoming abandoned as defined in this  
18 Article. Removal of an abandoned sign shall include the removal of the entire sign including  
19 the sign face, supporting structure, and structural trim.
- 20 (2) Where the owner of the property on which an abandoned sign is located fails to remove such  
21 sign in 90 days the City may cause the removal of such sign pursuant to the Code Enforcement  
22 procedures in Chapter 2, Article VII, Code Enforcement.

23 **Sec. 38.16. - Nonconforming signs.**

24 ~~Notwithstanding any other section to the contrary, existing projecting signs shall not be required to be~~  
25 ~~removed until any of the following happen, at which time they shall be removed:~~

- 1 ~~(a) The sign is structurally altered or moved without being brought into conformity with the sign~~  
2 ~~ordinance;~~  
3 ~~(b) The sign is abandoned;~~  
4 ~~(c) The sign is found to violate some other provisions of the sign ordinance or technical codes;~~  
5 ~~(d) The sign is destroyed, damaged, or deteriorates beyond 50 percent of the original cost of the sign~~  
6 ~~from any cause whatsoever; or~~  
7 ~~(e) The sign becomes a hazard or danger.~~

8 (a) General. Nonconforming signs shall be subject to the standards in this section.

9 (b) Enlargement or alteration. A nonconforming sign shall not be enlarged, moved, or structurally  
10 altered in any way that increases the nonconformity.

11 (c) Reconstruction or repair after damage. The reconstruction or repair of a damaged nonconforming  
12 sign shall be subject to the following provisions.

13 (1) Damage up to 50 percent of value. If a nonconforming sign structure is damaged by any means  
14 to an extent whereby the cost of restoring the sign to its before-damaged condition would be 50  
15 percent or less of its replacement value before the damage, the sign may be reconstructed or  
16 repaired if:

17 a. The reconstruction or repair does not increase, expand, enlarge, or extend the degree of  
18 nonconformity; and

19 b. The reconstruction or repair is actually begun within one year after the damage and is  
20 diligently pursued to completion.

21 (2) Damage greater than 50 percent of value. If a nonconforming sign is damaged by any means  
22 to an extent whereby the cost of restoring the sign to its before-damaged condition would exceed  
23 50 percent of its replacement value before the damage, the sign shall not be reconstructed or  
24 repaired except in conformity with the provisions of this Article.

25 (d) Abandonment or discontinuance of sign. If a nonconforming sign is abandoned or ceases to be used  
26 for a period exceeding six consecutive months, it shall not be reestablished and shall only be  
27 replaced with a conforming sign. A sign shall be considered abandoned or discontinued if its copy  
28 area is no longer readable or comprehensible, or if the business it identifies or advertises ceases to  
29 operate.

30 **Sec. 38.17. - Prohibited signs.**

31 Except as allowed in another section of this article, it shall be unlawful, and is therefore prohibited, to  
32 erect, place, maintain, or cause to be erected, placed or maintained any of the following signs or types  
33 of signs:

34 (a) A sign requiring a permit that is placed without a permit or any temporary sign requiring a  
35 permit that is placed without a current official approval sticker.

36 (b) Any sign not specifically authorized by the sign ordinance.

37 (c) Any sign that:

38 (1) Is structurally unsafe or a hazard to public safety or to life or limb, including fire hazard;

39 (2) Obstructs any fire escape, any window, door or other opening used as a means of ingress or  
40 egress so as to prevent free passage of persons;

- 1 (3) Interferes with openings requiring for ventilation;
- 2 (4) Falsely simulates emergency vehicles, traffic control devices, or traffic control ~~public~~  
3 signs;
- 4 (5) Obstructs any motorist's clear and open view of an intersecting road or driveway, or conflicts  
5 with the clear and open view of traffic control devices; or
- 6 (6) Is located in a manner that interferes with pedestrian or vehicular travel.
- 7 ~~(d) — "V shaped" signs or other Pportable signs, and add on signs.~~
- 8 ~~(e) — Any freestanding sign that exceeds 100 square feet in area.~~
- 9 ~~(ef) Any aAbandoned signs.~~
- 10 ~~(g) — A series of two or more signs which must be read together to obtain a single message.~~
- 11 ~~(fh) Any sign that emits sound, vapor, smoke, odor, particles or gaseous matter.~~
- 12 ~~(gi) Animated signs or mechanical movement signs.~~
- 13 ~~(hj) Trailer signs, more than six (6) square feet except permitted on-site construction trailer signs.~~
- 14 ~~(ik) Pennants, balloons, banners, streamers, discs, festooning, tinsel, strings of ribbons, whirligigs,  
15 inflatable objects, cut out figures, beacons, and fixed aerial signage or similar attention-getting  
16 devices when erected, placed, or maintained for ~~commercial~~ advertising purposes.~~
- 17 ~~(jt) Vehicle sign(s) with a commercial message that covers more than ten six (6) square feet of total  
18 sign area on any vehicle parked where the signage is visible from the public right-of way for more  
19 than four consecutive hours in a 24-hour period in a location ~~more than 100 feet from the entrance~~  
20 ~~to the building occupied by the corresponding business advertised or named on the vehicle sign,~~  
21 ~~except in situations where the vehicle is being used to conduct normal business.~~~~
- 22 ~~(km) Roof signs.~~
- 23 ~~(n) — Signs which overhang public streets or sidewalks.~~
- 24 ~~(o) — Flags, used to attract attention to commercial or professional establishments, that are not affixed  
25 to a permanently installed flagpole are prohibited.~~
- 26 ~~(lp) Any sign that is in disrepair or in a deteriorated state.~~
- 27 ~~(mq) Off-premises (Billboards) signs.~~
- 28 ~~(nr) Signs of obscene nature: Any sign displaying any statement, word, character or illustration of an  
29 obscene nature. The word "obscene" shall be construed consistent with the mandate of *Miller v.*  
30 *California, 413 U.S. 15 (1973).*~~
- 31 ~~(os) Snipe signs Any sign nailed, fastened, affixed to, or painted on any tree (living or dead), or other  
32 vegetation.~~
- 33 ~~(pt) Any sign on public property or public rights-of-way, without a right-of-way permit.~~
- 34 ~~(q) Reflecting signs or signs containing mirrors.~~
- 35 ~~(r) Interactive signs.~~
- 36 ~~(s) Feather signs.~~
- 37 ~~(u) — Any sign advertising a home occupation.~~

1 ~~(v) Any commercial sign carried or displayed by a person on the public rights of way or visible from~~  
2 ~~the public rights of way that is waved, twirled, rotated, moved up and down, placed in motion, or~~  
3 ~~moved in a manner intended to draw the attention of passing motorists to a commercial message.~~

4 **Section 3 – Codification.**

5  
6 The provisions of this Ordinance shall be codified in the Code of Ordinances of the City of Vero  
7 Beach, Florida.

8  
9 **Section 4 – Conflict and Severability.**

10  
11 In the event any provision of this Ordinance conflicts with any other provision of the Code or any  
12 other ordinance or resolution of the City of Vero Beach on the subject matter of this Ordinance,  
13 the more strict provision shall apply and supersede. If any provision of this Ordinance is held to  
14 be invalid, unconstitutional, or unenforceable for any reason by a court of competent jurisdiction,  
15 such invalidity shall not affect the validity of the remaining portions of this Ordinance, which shall  
16 be deemed separate, distinct, and independent provisions enforceable to the fullest extent possible.

17  
18 **Section 5– Effective Date.**

19  
20 This Ordinance shall become effective upon final adoption by the City Council.

21 \*\*\*\*\*

22 This Ordinance was read by title for the first time on the \_\_\_\_ day of \_\_\_\_\_  
23 2020, and was advertised on the \_\_\_\_ day of \_\_\_\_\_ 2020, for a public hearing to  
24 be held on the \_\_\_\_ day of \_\_\_\_\_ 2020, at the conclusion of which hearing it was  
25 moved for adoption by Councilmember \_\_\_\_\_, seconded by Councilmember  
26 \_\_\_\_\_, and adopted by the following vote of the City Council:

27  
28 Mayor Anthony W. Young \_\_\_\_\_  
29 Vice Mayor Laura Moss \_\_\_\_\_  
30 Councilmember Robert Bracket \_\_\_\_\_  
31 Councilmember Joseph Graves \_\_\_\_\_  
32 Councilmember Rey Neville \_\_\_\_\_

33  
34 ATTEST: CITY OF VERO BEACH, FLORIDA

35  
36  
37 \_\_\_\_\_  
38 Tammy K. Bursick  
39 City Clerk

\_\_\_\_\_  
Anthony W. Young  
Mayor

1 **ADMINISTRATIVE REVIEW**  
2 (For Internal Use Only–Sec. 2-77 COVB Code)

3  
4 Approved as to form and  
5 legal sufficiency:

Approved as conforming to  
municipal policy:

6  
7  
8 \_\_\_\_\_  
9 John S. Turner  
10 City Attorney

\_\_\_\_\_

Monte K. Falls  
City Manager

11  
12 Approved as to technical requirements:

13  
14  
15 \_\_\_\_\_  
16 Jason H. Jeffries, AICP  
17 Planning and Development Director