

ORDINANCE NO. 17-029

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING THE PROVISIONS OF FORT PIERCE CODE OF ORDINANCES **CHAPTER 15 – SIGNS AND BILLBOARDS, SEC 1 DEFINITIONS** BY AMENDING THE DEFINITION OF A MURAL AND **SEC. 15-7 PERMITTED SIGNS** BY ESTABLISHING SIGN SIZES FOR R4, R4A AND R5 ZONING DISTRICTS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS on June 19, 2017, the City of Fort Pierce Commission adopted Ordinance 17-019 for the purpose of amending Chapter 15 - Signs; and

WHEREAS Ordinance 17-019 provides size restrictions for temporary signs determined by the zone district in which the sign is located; and

WHEREAS due to the variation of lot sizes throughout the R4, R4A and R5 residential zones, two sign size specifications are established based upon the size of the parcel.

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida:

SECTION 1. Chapter 15 – Signs and Billboards, Sec. 15-1 – Definitions of the Code of Ordinances of the City of Fort Pierce, Florida, is hereby amended so that the same shall read hereinafter as follows:

Chapter 15 - SIGNS AND BILLBOARDS

Sec. 15-1. - Definitions.

The following definitions shall apply in this chapter:

"A" frame or sandwich sign: A portable upright, rigid supporting sign in the form of a triangle or an inverted V.

Advertising structure: A sign or sign structure erected or intended for advertising purposes, with or without advertisement displayed thereon, situated upon or attached to real estate, upon which any poster, bill, printing, painting or device is fastened, affixed or displayed.

Animated sign: A sign which depicts action or motion or which changes color. An animated sign differs from a flashing sign in that it uses movement to create a special effect or scene, rather than as an attention-getting technique.

Banner sign: A sign made of cloth, fabric, paper, nonrigid plastic or similar type of material.

Billboard: (See off-premises sign.)

Completely obliterated: Not only complete removal of old signage such that it will not be visible, but also that restoration of the wall area upon which the signage was affixed shall be in the same color, and of the same texture, and materials as the rest of the wall.

Construction project sign: A temporary sign identifying an active construction project.

Directional sign:

(1) A sign erected by an official government agency to denote the name of any thoroughfare; to point out the route to any city, educational institution, public building, historic place or hospital; to direct and regulate traffic; and to denote any railroad crossing, bridge or other transportation facility for the convenience and safety of the general public.

(2) A sign giving directions or information about an establishment without advertising except that business logos are permitted. Such name and/or logo shall not exceed fifty (50) per cent of sign area. Directional signs may be used to identify entrances, exits, parking areas, clearances, standpipes, business hours, restrictions and traffic directions and order boards.

Facade: (See wall face.)

Flag of the United States of America: Often referred to as the American flag, it consists of thirteen (13) equal horizontal stripes of red (top and bottom) alternating with white, with a blue rectangle in the canton (referred to specifically as the "union") bearing fifty (50) small, white, five-pointed stars arranged in nine (9) offset horizontal rows, where rows of six (6) stars (top and bottom) alternate with rows of five (5) stars.

Flag—All other: A piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as the symbol or emblem of a country or institution or as a decoration during public festivities.

Flashing sign: Any sign which contains a continually intermittent or sequential flashing light source.

Ground sign: A sign affixed to the ground, either flush or on poles, and not attached to any building for support, which may include a reader board (also called a detached, pole or freestanding sign).

Group of establishments: Two (2) or more commercial, industrial or public establishments that share common frontage, access points, off-street parking, loading and identity containing one or more structures approved as a single development.

Illuminated sign: Any sign designed to emit artificial light or designed to reflect light from one or more sources of artificial light.

Interchange of copy: The change or replacement of lettering on a sign without the replacement of the sign face itself.

Main street: An abutting public right-of-way which has the greatest vehicular design capacity or current traffic volume relative to all other abutting public rights-of-way.

Marquee: Any hood, awning or canopy of permanent construction which projects from the wall face of a building.

Marquee sign: A sign which is attached to a marquee.

Message sign: An electronically changeable sign upon which graphic displays, symbols or words can be varied upon the face or faces of the sign by a computer controller.

Mural: A painting or artistic work composed of graphics, photographs or arrangements of color, that displays a non-commercial message and is painted on the side walls of a building or similar rigid surface. This definition includes any painting, regardless of content, when the painting is done by a paid or unpaid artist and the artist; or when the painting is done by any other person(s) or entity without compensation.

Obscene: The status of material which the average person, applying contemporary community standards, would find, taken as a whole, appeals to the prurient interest, or depicts or describes, in a patently offensive way, sexual conduct, or taken as a whole lacks serious literary, artistic, political or scientific value.

Off-premises sign: Any sign which advertises a use, establishment, product or service that is sold, produced, manufactured or furnished at a place other than on the property on which said sign is located. (Also called an outdoor advertising sign or billboard.)

On-premises sign: A sign which advertises or directs attention to a use or establishment located on-premises or a product or service available on-premises.

Out parcel: A parcel of property containing a single structure with one tenant located within a group of establishments which may be separately owned or leased from the owner of the group of establishments.

Parapet: A false front or wall extension above the roof line.

Pedestrian sign: A sign which is attached to the underside of a cantilevered roof, portico or overhang that extends from the wall face of an establishment or use and covers a pedestrian passageway.

Pennant: Any relatively long, tapering flag or banner.

Pole banner: A banner that is attached to and displayed upon an upright pole or staff; also called a vertical banner or feather banner.

Portable sign: A moveable sign not secured or permanently attached to the ground. (Also a trailer, "A" frame or sandwich sign.)

Projecting sign: A sign which is affixed to and extends from the outside wall or facade of a building.

Reader board: A sign upon which copy is manually changed periodically to advertise special sales or to otherwise convey a message to the public.

Roof sign: Any sign erected over or on the roof of a building.

Sign: Any exterior identification, description, illustration or device which directs attention to a product, service, place, activity, person, establishment, institution or business; or any emblem, painting, banner, pennant, placard or temporary sign designed to advertise, identify or convey information.

Sign areas:

- (1) *Ground and projecting signs:* The entire area within and enclosed by the exterior perimeter of all cabinets or modules within a single, continuous geometric figure, including but not limited to, all written copy, logos, symbols, decorative embellishments and border or roof treatments. This shall include all open areas within said perimeters and all space separating said cabinets or modules. Only one face (the largest) of any multiple-faced sign shall be counted in calculating sign area.
- (2) *Wall signs:* The entire area within a single continuous perimeter composed of squares, rectangles or other geometric figures which enclose the extreme limits of all sign elements affixed to the wall, including but not limited to, cabinet structures, written copy, logos, symbols and illustrations.

Sign face: The part of a sign that is or may be used for advertising purposes.

Sign structure: All the interrelated parts and materials, such as beams, poles, and mounts, which are constructed for the purpose of supporting or displaying a message or informative content.

Special event sign: A sign which calls attention to activities of a temporary nature.

Temporary sign: A sign which advertises, for a limited period of time, issues including but not limited to political candidates, parties or issues; active construction projects and proposed development projects; real estate for sale, rent or lease; business grand openings, sales events or other types of special events that do not require a special event permit under section 12-301.

Trailer sign: An advertising structure mounted on skids, wheel or wheels, constructed for the sole purpose of advertising, licensed or unlicensed.

Vehicular sign: A sign affixed to a vehicle or trailer for the purpose of advertising. For the purposes of this chapter, such signs shall only be applicable when said vehicle or trailer is temporarily or permanently located on a parcel for the primary purpose of conveying a business message.

Wall face: The entire building front, including the parapet.

Wall sign: A sign erected parallel to the outside wall facade of any building including flat, painted, individual letter or cabinet signs. Mansard and marquee signs shall conform to wall sign provisions.

Window sign: A sign which is painted on or displayed within a storefront window or door.

SECTION 2. Chapter 15 – Signs and Billboards, Sec. 15-7 – Permitted Signs of the Code of Ordinances of the City of Fort Pierce, Florida, is hereby amended so that the same shall read thereafter as follows:

Sec. 15-7. - Permitted signs.

The following types and sizes of signs or advertising structures shall be permitted within the following zoning districts:

(1) *Single-family residential zoning districts (E-1, E-2, E-3 R-1, R-2 and R-3).*

- a. *Semi-restricted uses.* Temporary signs that comply with Sec. 15-6(d) and that do not to exceed eight (8) square feet and one non-illuminated-wall sign per individual dwelling unit, which shall not exceed one square foot in sign area.
- b. *Conditional uses.* Types and sizes of signs or advertising structures as permitted by section 15-8(3) in an office commercial zoning district, except that ground signs shall not exceed eighteen (18) square feet in sign area.

(2) *Multi-family residential zoning districts (R-4, R-4A and R-5).*

a. *Semi-restricted uses:*

1. Temporary signs that comply with Sec. 15-6(d) and that do not to exceed thirty-two (32) square feet on lots of one (1) acre or more, or eight (8) square feet on all other parcels; and one non-illuminated wall sign per individual dwelling unit, which shall not exceed one square foot in sign area.
2. One non-illuminated wall or ground sign per entrance of a permitted principal building or use, which shall not exceed eighteen (18) square feet in sign area. Ground signs shall not exceed six (6) feet in height.
3. Non-illuminated directional signs, which shall not exceed six (6) square feet in sign area, may be installed as needed with the approval of the director in accordance with section 15-9.

- b. *Conditional Uses.* Types and sizes of signs or advertising structures as permitted by section 15-8(4) in limited commercial zoning districts except that ground signs shall not exceed thirty-two (32) square feet in sign area.
- (3) *Office commercial and Edgartown Settlement zoning districts (C-1, ES).*
- a. *Semi-restricted uses.*
 - 1. Temporary signs that comply with Sec. 15-6(d) and that do not to exceed thirty-two (32) square feet. Temporary signs must be placed a minimum of twenty-five feet (25') apart and one wall sign per tenant or occupant which shall not exceed two (2) square feet in sign area.
 - 2. One wall sign per building, which shall not exceed twenty-four (24) square feet in sign area.
 - 3. Any establishment, or group of establishments, which has main street lot frontage of sixty (60) linear feet or more, shall also be permitted one ground sign, which shall not exceed forty-eight (48) square feet in sign area and six (6) feet in height.
 - 4. Directional signs, which shall not exceed six (6) square feet in sign area may be installed as needed with the approval of the director in accordance with section 15-9.
 - b. *Conditional uses.* Types and sizes of signs or advertising structures as permitted by section 15-8(4) in limited commercial zoning districts unless restricted by the city commission when the conditional use is approved.
- (4) *Limited commercial and Open Space / Recreational zoning districts (C-2, C-5, C-6, OS-1, OS-2, A-1 and A-2).*
- a. *Semi-restricted uses.*
 - 1. One wall sign or one projecting sign per tenant, which shall not exceed a sign area equal to twenty (20) per cent of the total wall face area fronting on the main street.
 - 2. Any establishment, or group of establishments, which has a main street lot frontage of sixty (60) linear feet or more, shall also be permitted one ground sign. Such sign shall not exceed a sign area equal to one square foot for every three (3) linear feet of main street of lot frontage, up to a maximum of two hundred (200) feet. Structures on out parcels with a single tenant having sixty (60) feet of frontage or more shall also be permitted a separate ground sign subject to the restrictions above. The out parcel frontage shall not be subtracted in calculating the frontage for the group of establishments.
 - 3. One pedestrian sign per tenant, which shall not exceed six (6) square feet in sign area.
 - 4. One rear entrance wall sign per tenant which shall not exceed six (6) square feet in sign area.
 - 5. Window signs per tenant, which shall not exceed twenty-five (25) per cent of such open window display area.
 - 6. Directional signs, which shall not exceed six (6) square feet each in sign area, may be installed as needed with the approval of the director in accordance with section 15-9.
 - 7. Temporary signs that comply with Sec. 15-6(d) and that do not to exceed thirty-two (32) square feet. Temporary signs must be placed a minimum of twenty-five feet (25') apart.
 - b. *Conditional uses.* Same as semi-restricted uses.
- (5) *General commercial and industrial zoning districts (C-3, C-4, CP, I-1, I-2, and I-3).*
- a. *Semi-restricted uses.*
 - 1. Off-premises signs.

2. One wall sign or one projecting sign per tenant, which shall not exceed a sign area equal to twenty (20) per cent of the total wall face area fronting on the main street.
 3. Any establishment, or group of establishments, which has a main street lot frontage of sixty (60) linear feet or more, shall also be permitted one ground sign. Such sign shall not exceed a sign area equal to one square foot for every three (3) linear feet of main street of lot frontage, up to a maximum of two hundred (200) square feet except that one additional ground sign shall be permitted when the main street lot frontage exceeds five hundred (500) feet. The second ground sign shall not exceed a sign area equal to one square foot for every three (3) linear feet of main street lot frontage in excess of the first five hundred (500) feet of frontage, up to a maximum of two hundred (200) square feet. Structures on out parcels with a single tenant having sixty (60) feet of frontage or more shall also be permitted a separate ground sign subject to the restrictions above. The out parcel frontage shall not be subtracted in calculating the frontage for the group of establishments.
 4. One pedestrian sign per tenant, which shall not exceed six (6) square feet in sign area.
 5. One rear entrance wall sign per tenant, which shall not exceed six (6) square feet in sign area.
 6. Window display signs per tenant, which shall not exceed twenty-five (25) per cent of such open window area.
 7. Directional signs, which shall not exceed six (6) square feet in sign area, may be installed as needed.
 8. Temporary signs that comply with Sec. 15-6(d) and that do not exceed thirty-two (32) square feet. Temporary signs must be placed a minimum of twenty-five feet (25') apart.
- b. *Conditional uses.* Same as semi-restricted uses.
- (6) *Planned development and planned unit redevelopment zoning district (PD or PUR).* Except for temporary signs that comply with Sec. 15-6(d) and that do not exceed thirty-two (32) square feet, the types and sizes of signs and advertising structures permitted shall be determined by the city commission as part of the final development or redevelopment plan except that in no instance may the permitted signage exceed that permitted by section 15-8(5)(a)2, 3, 4, 5, 6, 7 and 15-8(5)(b).
- (7) *I-95 and turnpike interchange district.*
- a. *Area defined.* The area subject to this section shall include all commercial and industrial lots or parts thereof located within:
 - One half mile of where I-95 N intersects with State Road 70; or
 - One half mile of the commencement of the southbound turnpike off ramp; or
 - Extends a half mile both north and south of State Road 70 between the two interchanges.
 - b. *Ground sign standards.* Any establishment or group of establishments, which has a main street frontage of sixty (60) linear feet or more, located on a lot which lies in whole or in part in the district provided for by this section, shall be permitted one ground sign. Such sign shall not exceed a sign area equal to one square foot for every three (3) linear feet of main street frontage, up to a maximum of three hundred (300) square feet. The maximum height shall be sixty-five (65) feet.
 - c. *Other standards.* Additional signs in this district shall conform with regulations and standards provided by this chapter or the appropriate zoning category.

SECTION 3. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4. All Ordinances or parts of Ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 5. This Ordinance is and the same shall become effective immediately upon final passage hereof.

APPROVED AS TO FORM
AND CORRECTNESS:

James M. Messer, Esquire
City Attorney

STATE OF FLORIDA)
ST. LUCIE COUNTY)^{SS}

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No.17-029 was duly advertised by title only in the St. Lucie News Tribune on December 8, 2017; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on December 18, 2017; and was duly introduced, read by title only, and passed on second and final reading January 2, 2018 by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of January, 2018.

Linda Hudson,
Mayor Commissioner

ATTEST:

Linda W. Cox,
City Clerk

(City Seal)