

ORDINANCE 3189-20

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING ARTICLE IV "SIGN REGULATIONS" OF CHAPTER 58 LAND DEVELOPMENT CODE; PROVIDING FOR REVISED REGULATIONS RELATING TO AMENDMENTS TO DEFINITIONS; MODIFICATIONS FOR SIGNAGE IN CERTAIN ZONING LOCATIONS; CLARIFYING TYPES OF PERMITTED AND PROHIBITED SIGNS; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Winter Park (the "City") recognizes that the location and maintenance of signage affects the public health, safety, and general welfare of the businesses and residents of the City, and that in order to preserve and enhance the City as a desirable community in which to live and do business, a pleasing and visually attractive environment of utmost importance; and

WHEREAS, the City recognizes that the regulation of signage within the City is a means by which the aesthetics and character of the City may be maintained, and that the uncontrolled and unlimited proliferation of signage would degrade the attractiveness of the natural and manmade attributes of the City, thereby undermining the economic value of tourism, visitation, and permanent economic growth; and

WHEREAS, the City finds that the regulation of signage shall further improve pedestrian and traffic safety within the City, minimize the adverse possible impacts of temporary signage on nearby public and private property, lessen the competition and visual clutter that may otherwise be caused by the improper placement, excessive height, excessive size, that conceals or obstructs adjacent land uses or signs; and

WHEREAS, in accordance with section 163.3174, Florida Statutes, and section 58-3 of the City Code of Ordinances, the City's local planning agency, which is the designated planning and zoning board, has reviewed and made recommendations as to the amendments set forth herein;

NOW, THEREFORE, BE IT ENACTED BY THE CITY OF WINTER PARK, FLORIDA:

SECTION I: RECITALS. The above recitals are true and correct, are adopted and incorporated herein, and constitute the legislative findings of the City Commission of the City of Winter Park.

SECTION II: Portions of Chapter 58, Land Development Code, Article IV, Sign Regulations, are hereby amended to read as shown below, and words with single underlined type shall constitute additions to the original text and ~~strike through~~ shall constitute deletions to the original text.

* * *

SECTION III: Chapter 58, Land Development Code, Article IV, Sign Regulations, Subsection 58-123 "Definitions" is hereby amended to add or amend the definitions as shown below:

Sec. 58-123. – Definitions.

Canopy (or marquee) means a permanent roof-like shelter extending from part or all of a building face over the sidewalk or public right-of-way or a colonnade where the upper floor(s) extend over the pedestrian sidewalk and constructed of some durable materials such as wood, metal glass or plastic.

Monument sign means a freestanding ground mounted sign which is supported by and integrated with an internal structural framework covered by a solid base, as opposed to exposed poles, posts, columns or other such structural supports.

Signable area means an area of the façade of a building up to the roof line, not including parapet façade areas, which is free of windows and doors or ~~major~~ architectural detailing.

SECTION IV: Chapter 58, Land Development Code, Article IV, Sign Regulations, Subsection 58-124 "Signs permitted in zoning districts of the city" is hereby amended in subsection (d) (3) (5) and (6) and by the addition of a new subsection (g) as shown below:

Sec. 58-124. Signs permitted in zoning districts of the city.

(d) Commercial (C-2) district.

(3) Ground signs and projecting signs on properties or buildings within the ~~central business district~~ C-2 district shall be limited to an area of each face of 20 square feet and shall have a minimum clearance of seven feet unless such sign is a ground level monument sign.

(5) Signs attached to the underside of a canopy or colonnade shall have a copy area no greater than four ~~six~~ square feet for single tenant signs

and six square feet for multi-tenant signs, with a maximum letter height of nine inches, subject to a minimum clearance of seven and one half (7 1/2) feet from the sidewalk or pedestrian walkway. Under canopy signs shall not have any lighting either internal, on the sign face or external.

(6) Commercial (C-2) district properties may not have digital, electronic, and/or internally-illuminated signs, such as backlit plastic, acrylic or glass. Front lighting of signs is encouraged. External illumination must be provided by a light source that is installed to prevent direct light from shining onto the street or adjacent properties. Flashing or moving lights are not permitted. Backlit halo-type opaque sign lettering is permitted, however, the light color must be white or subdued and muted such as a pastel shade. Sign faces and sides may not be translucent and must be an opaque material such as metal or wood.

(e) General commercial (C-3), limited commercial (C-3A) and light industrial (I-1) districts.

(1) Each premises or building shall be permitted one ground sign indicating only the business, commodities, service or other activity sold, offered or conducted on the property. Where a premises building has in excess of 300 feet of frontage, one additional ground sign may be erected for each additional 300 feet of street frontage in excess to the first 300 feet. Ground signs shall also comply with the applicable provisions of [section 58-125](#). Service stations shall be permitted one additional ground sign not exceeding 32 square feet of area per face indicating only the prices of fuels sold on the premises. A ground sign must be located entirely on private property behind the lot line. Effective January 1, 2021, whenever a property is undergoing redevelopment such that the principal building has been demolished or more than 50% of the building structure or structural elements have been removed, then the ground or pylon sign must also be removed and the only type of ground sign that is permitted to be erected is a monument sign.

(g) Medical arts (MA) district.

(1) Signs in the medical arts district shall comply with the regulation for the office (O-1) and (O-2) districts except that the city commission may approve a master sign plan permitting additional signs, height and area as appropriate for the medical campus and buildings.

(2) Signs in the medical arts district shall also comply with the provisions of the office districts including paragraph (3) related to sign types, design and illumination.

SECTION V: Chapter 58, Land Development Code, Article IV, Sign Regulations, Subsection 58-125 "Ground signs" in subsection (d) "Height and area" in the text above Table I, is hereby amended as shown below:

Sec. 58-125. - Ground signs.

(d) *Height and area.* The maximum permitted height and area of signs should be related to the environment in which the sign will be seen and to the type of ground sign utilized either a pylon or pole supported sign or a monument supported ground sign. Therefore, the limits in Table I are based on traffic speed and number of lanes on streets in the city. The maximum height of any pylon or pole supported ground sign other than a monument sign shall not exceed the limits established by Table I, per sign face. ~~If the sign has more than one face, the total area shall not exceed twice the area permitted for one face.~~ The maximum height for a monument supported ground sign shall not exceed 20 feet on the four lane arterial roadways of Orlando Avenue, Aloma Avenue and Lee Road and shall not exceed 8 feet in height for all other roadways.

TABLE 1
MAXIMUM PERMITTED HEIGHT AND AREA
OF PYLON AND POLE SUPPORTED GROUND SIGNS

Street	Area Each Face (square feet)	Max. Height From Grade (feet)
2-Lane Streets	36	8
Orlando Ave., Aloma Ave., Lee Rd.	100	25
All other 4—6 lanes	50	20

SECTION VI: Chapter 58, Land Development Code, Article IV, Sign Regulations, Subsection 58-126 Wall signs is hereby amended as shown below:

Sec. 58-126. - Wall signs.

a) *Signable area determination.* The occupancy displaying a wall sign shall with the City's approval, determine the signable area by choosing one such area on the building facade or wall and by then calculating the number of square feet which are enclosed by an imaginary rectangle or square which is drawn around this wall area.

(b) *Area limits.* In all cases, wall sign areas refer to the area of copy including words, logos and decorative elements rather than the area of the and blank background or frame.

(1) Where an occupancy has no ground, roof or projecting sign on the same premises, 45 percent of the signable area may be used for copy.

(2) Where an occupancy has a ground sign but no roof or projecting sign on the same premises, 30 percent of the signable area may be used for copy.

(3) Where an advertiser has a projecting sign but no ground sign on the same premises, 15 percent of the signable area may be used for copy.

(4) However, in no case shall any wall sign exceed fifty (50) square feet, regardless of the amount of signable area.

(c) *Interruption of architectural features.* A wall sign shall not interrupt any ~~major~~ architectural features of the building, and shall not project from the wall by more than 12 inches.

~~(d) *When unrestricted.* One identification wall sign four square feet in area or less with non-illuminated letters up to but not exceeding three inches in height, is not restricted and shall be permitted in addition to regulated signage.~~

SECTION VII: Chapter 58, Land Development Code, Article IV, Sign Regulations, Subsection 58-128 "Canopy (or marquee) signs", subsection (6) is hereby amended to add or amend the definitions as shown below:

Sec. 58-128. Canopy (or marquee) signs.

(6) Signs attached to the underside of a canopy or colonnade shall have a copy area no greater than four ~~six~~ square feet for single tenant signs and six square feet for multi-tenant signs, with a maximum letter

height of nine inches, subject to a minimum clearance of seven feet from the sidewalk or pedestrian walkway in the ~~central business district~~ (C-2) zoning district, and eight feet from the sidewalk or pedestrian walkway in all other districts and shall be mounted as nearly as possible at right angles to the building face. Under canopy signs shall not have any lighting either internal, on the sign face or external.

SECTION VIII: Chapter 58, Land Development Code, Article IV, Sign Regulations, Subsection 58-133 "Nonconforming signs", subsection (b) is hereby amended to add or amend the definitions as shown below:

Sec. 58-133. Nonconforming signs and signage permitted for redevelopment.

(b) Whenever the occupancy of a premises with nonconforming signs changes, the new occupant shall be required to remove, change or alter such signs to conform to the provisions of these regulations. This requirement is not intended to apply to changes in ownership where the same type of business, continues to occupy the premises. Whenever a building is demolished or more than 50% of the building or structural elements have been removed for redevelopment, any existing ground signs shall also be demolished and completely removed including all parts of the structure and base at the same time as the demolition is permitted and occurs and any new signs shall be required to conform to the provisions of these regulations.

SECTION IX: Chapter 58, Land Development Code, Article IV, Sign Regulations, Subsection 58-135 "Prohibited signs" is hereby amended by adding and amending subsections (12) through (14) as shown below:

Sec. 58-135. – Prohibited signs.

The following types of signs are expressly prohibited in all districts, except as otherwise provided by this article:

(13) Human signs.

(14) Signage, lettering or logos on any sidewalk café seating umbrella, chair or table located within a public right-of-way.

(15) Any sign not expressly permitted in article IV, sign regulations, or elsewhere in this code is prohibited.

(16) Any signage attached to or made as a part of any traffic signal box or cabinet.

SECTION X. INCONSISTENCY. If any Ordinances or parts of Ordinances are in conflict herewith, this Ordinance shall control to the extent of the conflict.

SECTION XI: SEVERABILITY. If any section, subsection, sentence, clause, phrase, provision, or word of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then such invalidity or unconstitutionality shall not be held to invalidate or impair the validity, force, or effect of any other remaining provisions of this Ordinance.

SECTION XII: CODIFICATION. Sections II through IX of this Ordinance shall be codified and made a part of the City of Winter Park Land Development Code, and the sections of this Ordinance may be renumbered or re-lettered to accomplish this intention. The word "Ordinance" may be changed to "Section," "Article," or other appropriate word. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener's errors.

SECTION XIII: This Ordinance shall become effective immediately following approval by the City Commission at its second reading.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 11th day of November, 2020.

City of Winter Park

Steven M. Leary, Mayor

Attest:

Rene Cranis, City Clerk