



# Community Redevelopment Agency Advisory Board Regular Meeting Agenda



Monday, November 17, 2025 at 2:00 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach, FL 32136

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All meeting items will be continued until meeting is complete.

1. **Call the meeting to order**
2. **Pledge of Allegiance**
3. **Roll Call/ Determination of Quorum**
4. **Public Comments**
5. **New Business**
  - a. Elections
  - b. Establish CRAAB Monthly Meeting Schedule FY25/26
  - c. Communications/Outreach
  - d. CRA Capital Projects
  - e. Sign Ordinance
  - f. Noise Ordinance
  - g. Food Trucks
  - h. Farmers Market

6. **Board Comments**

7. **Staff Comments**

8. **Adjournment**

RECORD REQUIRED TO APPEAL: In accordance with Florida Statute 286.0105 if you should decide to appeal any decision the Commission makes about any matter at this meeting, you will need a record of the proceedings. You are responsible for providing this record. You may hire a court reporter to make a verbatim transcript. The City is not responsible for any mechanical failure of the recording equipment. In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk at (386) 517-2000 ext 233 at least 72 hours prior to the meeting. The City Commission reserves the right to request that all written material be on file with the City Clerk when the agenda item is submitted.



# Staff Report

Community Redevelopment Agency Advisory Board  
Regular Meeting



November 17, 2025

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**To:** Community Redevelopment Agency Advisory Board  
**From:** Casey Ryan, CRA Director  
**Meeting Date:** November 17, 2025  
**Item Name:** Elections

**Background:**

Resolution 2025-66, Section 8 requires election of officers:

**Chair:** Shall be elected by the membership for a one-year term, preside over meetings and other activities as deemed appropriate, and report Committee activities at Commission Meetings.

**Vice-Chair:** Shall be elected by the membership for a one-year term and assume the duties of the Chair in their absence.

**Fiscal Impact:**

N/A

**Staff Recommendation:**

Elect Officers

**Attachments:**

None



# Staff Report

## Community Redevelopment Agency Advisory Board Regular Meeting



November 17, 2025

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**To:** Community Redevelopment Agency Advisory Board  
**From:** Casey Ryan, CRA Director  
**Meeting Date:** November 17, 2025  
**Item Name:** Establish CRAAB Monthly Meeting Schedule FY25/26

### Background:

Per the Approved Ordinance passed in August 2025 establishing the Community Redevelopment Area Advisory Board (CRAAB):

### SECTION 7. Board Operations

The Board shall meet at least once monthly, on a date and time agreed upon by the members. The Board will have no authority other than as stipulated by the direction defined and approved by the Executive Board. A report of Board activities shall be provided at each Regular Meeting of the Executive Board.

In accordance with these provisions, CRAAB appointees completed availability surveys, and the results indicate that **Mondays at 2:00 PM** work for all members.

Discussion of future monthly meeting dates to be established to satisfy the monthly meeting requirement outlined in Section 7.

### Fiscal Impact:

N/A

### Staff Recommendation:

CRAAB appointees completed the availability surveys, and the results indicate that Mondays at 2 PM work for everyone. Establish meeting dates.

### Attachments:

None



# Staff Report

## Community Redevelopment Agency Advisory Board Regular Meeting



November 17, 2025

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**To:** Community Redevelopment Agency Advisory Board  
**From:** Casey Ryan, CRA Director  
**Meeting Date:** November 17, 2025  
**Item Name:** Communications/Outreach

### Background:

The CRAAB envisions serving as a resource to support communication efforts regarding activities and initiatives within the CRA District.

Residents can stay informed about City and CRA updates by following the City's Facebook page, visiting the website, and subscribing to Notify Me, which sends important news and project information straight to your email or mobile device.

A CRA Business and Resident Outreach Form was created by the CRA Director and has been distributed in person and electronically to local businesses and residents throughout the District. Staff requests that recipients complete and return the form, as it will help build a communication database to share relevant updates and information across the District.

### Fiscal Impact:

N/A

### Staff Recommendation:

Staff asks CRAAB to share feedback on communications/outreach initiatives.

Staff recommends that Board members stay up to date through the City's website, Facebook page, and Notify Me, and encourage others to subscribe as well. Sharing these posts would further support communication efforts.

Staff recommends that recipients complete and return the CRA Business and Resident Outreach Form to help build a communication database, and encourages the CRAAB to assist in this initiative.

### Attachments:

1. Notify Me instructions

2. Business Outreach Form with place for business card



# City of Flagler Beach

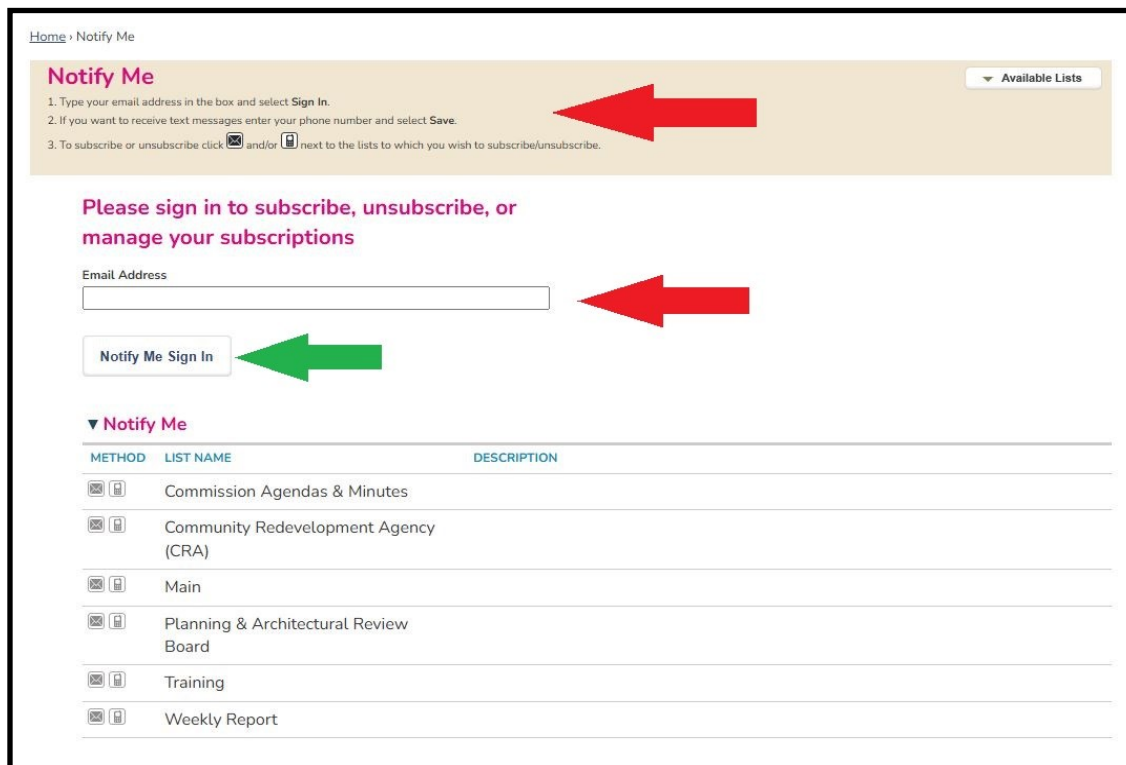
## NOTIFY ME SYSTEM OPT-IN INSTRUCTIONS



**Step 1: Go to [www.cityofflaglerbeach.com](http://www.cityofflaglerbeach.com) and click on NOTIFY ME**



**Step 2: Enter your email and click NOTIFY ME SIGN IN**





# City of Flagler Beach

## NOTIFY ME SYSTEM OPT-IN INSTRUCTIONS



### Step 3: Select if you would also like to get text messages

Home > Notify Me

### Notify Me

1. Type your email address in the box and select Sign In.  
2. If you want to receive text messages enter your phone number and select Save.  
3. To subscribe or unsubscribe click and/or next to the lists to which you wish to subscribe/unsubscribe.

**Your Profile Information** [Sign Out](#)

Email Address  
email@email.com

I prefer to receive HTML emails when available

I would like to be able to receive text messages on my mobile phone

[Unsubscribe from All Lists](#)

**▼ Notify Me**

METHOD	LIST NAME	DESCRIPTION
	Commission Agendas & Minutes	
	Community Redevelopment Agency (CRA)	
	Main	
	Planning & Architectural Review Board	
	Training	
	Weekly Report	

### Step 4: Enter your phone number and select method for each type, then SAVE

Home > Notify Me

### Notify Me

1. Type your email address in the box and select Sign In.  
2. If you want to receive text messages enter your phone number and select Save.  
3. To subscribe or unsubscribe click and/or next to the lists to which you wish to subscribe/unsubscribe.

**Your Profile Information** [Sign Out](#)

Email Address  
email@email.com

I prefer to receive HTML emails when available

I would like to be able to receive text messages on my mobile phone

Phone Number [Save](#)

Ex: 555-555-0123. Standard text messaging rates apply.

[Unsubscribe from All Lists](#)

**▼ Notify Me**

METHOD	LIST NAME	DESCRIPTION
	Commission Agendas & Minutes	
	Community Redevelopment Agency (CRA)	
	Main	
	Planning & Architectural Review Board	
	Training	
	Weekly Report	



CRA Business

CRA Resident

Business/Resident Name:

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Description of Business(If applicable):

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Physical Address:

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Public Phone Number:

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Standard Operating Hours(If applicable):

---

Mailing Address (If different from business address):

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Owner Name(s)

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Owner Cell:

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Owner Email:

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Date Business Opened:

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Return To:



**Casey Ryan**

Community Redevelopment  
Agency Director

City of Flagler Beach

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# Staff Report

## Community Redevelopment Agency Advisory Board Regular Meeting



**November 17, 2025**

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**To:** Community Redevelopment Agency Advisory Board  
**From:** Casey Ryan, CRA Director  
**Meeting Date:** November 17, 2025  
**Item Name:** CRA Capital Projects

### **Background:**

The Flagler Beach Community Redevelopment Agency (CRA) is dedicated to enhancing the City's redevelopment district through strategic investments that strengthen the local economy, improve public spaces, and preserve the community's unique coastal character. The CRA Capital Projects represent key initiatives aimed at revitalizing infrastructure, supporting local businesses, and improving the overall quality of life for residents and visitors. These projects are guided by the goals outlined in the City's Community Redevelopment Plan and are designed to promote sustainable development, encourage private investment, and enhance the visual and functional appeal of Flagler Beach's core areas.

Capital Projects planned for FY 2025–2026 are attached.

### **Fiscal Impact:**

The FY 2025–2026 CRA Capital Project Fund totals \$790,000, incorporating a \$170,000 reimbursable FRDAP grant to support the Wickline Playground Project.

### **Staff Recommendation:**

CRA Director recommends that the CRA Advisory Board (CRAAB) review and file the FY 2025–2026 Capital Projects summary.

### **Attachments:**

1. 2025-83

**RESOLUTION 2025-83**

**A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, SITTING AS THE COMMUNITY REDEVELOPMENT AGENCY, ADOPTING THE OPERATING AND CAPITAL IMPROVEMENTS BUDGETS FOR THE COMMUNITY REDEVELOPMENT AGENCY FOR THE FISCAL YEAR 2025-2026, FIXING APPROPRIATIONS THEREIN; PROPOSING EXPENDITURES THEREUNDER; AND PROVIDING AN EFFECTIVE DATE.**

**NOW, THEREFORE, BET IT RESOLVED BY THE CITY OF FLAGLER BEACH COMMUNITY REDEVELOPMENT AGENCY:**

**SECTION 1.** The budget for the City of Flagler Beach, Florida, CRA Trust Fund for the fiscal year commencing on October 1, 2025, and ending September 20, 2026, shall be outlines in Exhibit "A."


**SECTION 2.** All resolutions and parts of resolution in conflict with this resolution are hereby repealed.

**SECTION 3.** This Resolution shall become effective upon execution.

Upon motion duly made and carried, the foregoing Resolution was accepted by the City Commission of the City of Flagler Beach this 25<sup>TH</sup> day of September 2025.

**CITY OF FLAGLER BEACH, FLORIDA**

**ATTEST**

  
\_\_\_\_\_  
PENNY OVERSTREET, CITY CLERK

  
\_\_\_\_\_  
PATTI KING, MAYOR

CRA		2023-2024 ACTIVITY	2024-2025 ORIGINAL BUDGET	2024-2025 AMENDED BUDGET	2025-2026 PROPOSED BUDGET	% INCREASE (DECREASE) TO AMENDED BUDGET
<b>Dept 3100 - AD VALOREM, SALES AND USE TAXES</b>						
101.3100.311100	AD VALOREM TAXES	215,004	241,697	241,697	280,289	15.97%
101.3100.311300	CRA-AD VALOREM TAXES (COUNTY)	312,829	351,667	351,667	404,722	15.09%
101.3100.311400	CRA-AD VALOREM TAXES (EFMCD)	11,749	14,413	14,413	16,714	15.96%
<b>Totals for dept 3100 - AD VALOREM, SALES AND USE TAXES</b>		<b>539,582</b>	<b>607,777</b>	<b>607,777</b>	<b>701,725</b>	<b>15.46%</b>
<b>Dept 3200 - LICENSE &amp; PERMITS</b>						
101.3200.329202	WAYFINDER SIGNS		1,000	1,000	2,000	100.00%
<b>Totals for dept 3200 - LICENSE &amp; PERMITS</b>		<b>-</b>	<b>1,000</b>	<b>1,000</b>	<b>2,000</b>	<b>100.00%</b>
<b>Dept 3600 - MISCELLANEOUS REVENUE</b>						
101.3600.334393	CRA TRANSFER FROM FUND BALANCE		285,000	285,000	221,711	-22.21%
101.3600.361100	INTEREST INCOME	4,555			12,000	0.00%
<b>Totals for dept 3600 - MISCELLANEOUS REVENUE</b>		<b>4,555</b>	<b>285,000</b>	<b>285,000</b>	<b>233,711</b>	<b>-18.00%</b>
<b>TOTAL CRA FUND REVENUES</b>		<b>544,137</b>	<b>893,777</b>	<b>893,777</b>	<b>937,436</b>	<b>4.88%</b>
<b>Dept 5391 - CRA EXPENSE</b>						
101.5391.101200	SALARY	75,735	78,244	51,744	103,027	99.11%
101.5391.102100	FICA/MEDICARE	5,749	5,986	5,986	7,882	31.67%
101.5391.102200	RETIREMENT	4,360	5,086	5,086	6,697	31.68%
101.5391.102300	LIFE & HEALTH INSURANCE	10,463	12,471	12,471	9,579	-23.19%
101.5391.102400	WORKER'S COMPENSATION	552	138	138	147	6.52%
101.5391.303100	PROFESSIONAL SERVICES	11,489	40,000	40,000		-100.00%
101.5391.303200	AUDIT	6,200	6,200	6,200	5,000	-19.35%
101.5391.303400	CONTRACTUAL SERVICES	5,206	6,342	6,342	8,395	32.37%
101.5391.304000	TRAVEL/TRAINING	3,963	3,000	3,000	5,000	66.67%
101.5391.304100	TELECOMMUNICATIONS	404	600	600	1,600	166.67%
101.5391.304600	REPAIRS & MAINTENANCE	36,964	15,000	15,000	16,500	10.00%
101.5391.304700	PRINTING & BINDING	1,126	2,500	2,500	2,500	0.00%
101.5391.304800	PROMOTIONAL ACTIVITIES				2,000	0.00%
101.5391.304901	LEGAL & PERSONAL NOTICES	86	2,000	2,000	0	-100.00%
101.5391.305100	OFFICE SUPPLIES	499				0.00%
101.5391.305200	OPERATING SUPPLIES	314	1,000	1,000	22,000	2100.00%
101.5391.305400	MEMBRSHPS SUBSCRPTS DUES	1,732	1,700	1,700	1,000	-41.18%

FY 2025-26

		2023-2024 ACTIVITY	2024-2025 ORIGINAL BUDGET	2024-2025 AMENDED BUDGET	2025-2026 PROPOSED BUDGET	% INCREASE (DECREASE) TO AMENDED BUDGET
<b>CAPITAL FUND</b>						
<b>REVENUES</b>						
<b>Dept 3300- INTERGOVERNMENTAL</b>						
304.3300.331102	HYDROPLANKS GRANT			196,670	147,502	-25.00%
304.3300.331107	FRDAP GRANT			170,000	170,000	0.00%
<b>Totals for dept 3300 - INTERGOVERNMENTAL</b>		-	-	<b>366,670</b>	<b>317,502</b>	<b>-13.41%</b>
<b>Dept 3600 - MISCELLANEOUS REVENUE</b>						
304.3600.384000	OTHER FUNDING SOURCES			12,641		-100.00%
<b>Totals for dept 3600 - MISCELLANEOUS REVENUE</b>		-	-	<b>12,641</b>	-	<b>-100.00%</b>
<b>Dept 3800- NON REVENUES</b>						
304.3800.909200	TRANSFER FROM GENERAL FUND				1,349,933	0.00%
304.3800.909201	TRANSFER FROM RESERVE FUND BALANCE		476,250	662,511		-100.00%
304.3800.909301	TRANSFER FROM BCI		18,750	63,750	35,816	-43.82%
304.3800.909400	TRANSFER FROM CRA		577,731	577,731	620,000	7.32%
<b>Totals for dept 3800 - NON REVENUES</b>		-	<b>1,072,731</b>	<b>1,303,992</b>	<b>2,005,749</b>	<b>53.82%</b>
<b>TOTAL CAPITAL FUND REVENUES</b>		-	<b>1,072,731</b>	<b>1,683,303</b>	<b>2,323,251</b>	<b>38.02%</b>
<b>Dept 5391 - FUND EXPENSE</b>						
304.5392.606300.285	HURRICANE MILTON - IMPROV.			182,775		-100.00%
304.5392.606300.550	CRA - City Parking Lots		285,000	311,500	200,000	-35.79%
304.5392.606300.551	CRA - LIGHT REPLACEMENT		292,731	292,731	200,000	-31.68%
304.5392.606300.555	LIBRARY - BATHROOM RENOVATIONS		50,000	50,000		-100.00%
304.5392.606300.560	POLICE - DOOR ACCESS SECURITY SYSTEM		15,000	15,000		-100.00%
304.5392.606300.561	BCI/PZ - SOUND DAMPENING		25,000	25,000		-100.00%
304.5392.606300.563	FACILITIES - PARK IMPROVEMENTS		50,000	50,000	10,000	-80.00%
304.5392.606300.567	STREET PAVING		100,000	100,000	287,000	187.00%
304.5392.606300.572	IMPROV - HYDROPLANKS			196,670	147,502	-25.00%
304.5392.606300.598	CRA-VETERAN'S PARK IMPROVEMENTS				50,000	0.00%
304.5392.606300.600	CRA-WICKLINE PARK			340,000	340,000	0.00%
304.5392.606300.602	FIRE STATION REHAB				117,000	0.00%
304.5392.606300.611	LIBRARY - EXTERIOR REHAB				25,000	0.00%
304.5392.606300.618	STREETS - BRIDGE LIGHTING				203,000	0.00%
304.5392.606400.095	POLICE - VEHICLES		185,000	245,833	250,833	2.03%



# Staff Report

Community Redevelopment Agency Advisory Board  
Regular Meeting



November 17, 2025

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**To:** Community Redevelopment Agency Advisory Board  
**From:** Casey Ryan, CRA Director  
**Meeting Date:** November 17, 2025  
**Item Name:** Sign Ordinance

**Background:**  
Staff seeks comments on the City's Sign Ordinance.

**Fiscal Impact:**  
N/A

**Staff Recommendation:**  
Staff seeks comments on the City's Sign Ordinance.

**Attachments:**  
1. ARTICLE\_VII. \_\_\_SIGNS

## ***ARTICLE VII. SIGNS<sup>1</sup>***

### **Sec. 7.00.00. Purpose.**

The purpose of this article [is] to promote the public health, safety and general welfare through reasonable, consistent and non-discriminatory sign regulations. No part of these regulations shall be construed to favor commercial speech over non-commercial speech, nor restrict speech on the basis of content, viewpoint or message. Also these sign regulations reduce signage conflicts, promote traffic and pedestrian safety and increase the aesthetic value and economic viability of the city by classifying and regulating the location, size, type and number of signs and related matters in a content-neutral manner.

These sign regulations are especially intended to reach the secondary effects that may adversely impact aesthetics and safety. The City of Flagler Beach is a coastal community located in Flagler County and encompasses several miles of waterfront property. The economic base of the city is enhanced by tourism. In order to preserve and promote the city as a desirable community in which to live, vacation and do business, a pleasing, visually attractive environment is of primary importance. These sign regulations have been prepared with the purpose of enhancing the visual environment of the city and promoting its continued well-being, and are intended to:

- A. Encourage the effective use of signs as a means of communication in the city;
- B. Improve pedestrian and traffic safety;
- C. Minimize the possible adverse effect of signs on nearby public and private property;
- D. Promote the integration of signage with architectural and landscape designs;
- E. Lessen the visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height and excessive size (area) of signs, which compete for the attention of pedestrian and vehicular traffic;
- F. Allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs;
- G. Encourage and allow signs that are appropriate to the zoning district in which they are located and consistent with the category of use and function to which they pertain;
- H. Curtail the size and number of signs and sign messages to the minimum reasonably necessary to identify a residential or business location and the nature of any such business;
- I. Establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains;
- J. Categorize signs based upon the function that they serve and tailor the regulation of signs based upon their function;
- K. Preclude signs from conflicting with the principal permitted use of the site and adjoining sites;

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<sup>1</sup>Editor's note(s)—Ord. No. 2010-15, § 2, adopted Nov. 18, 2010, deleted the former Art. VII, §§ 7.00.00—7.07.00, and enacted a new Art. VII as set out herein. The former Art. VII pertained to similar subject matter. See the Code Comparative Table for full derivation.

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- L. Regulate signs in a manner that will not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians;
  - M. Except to the extent expressly preempted by state or federal law, ensure that signs are constructed, installed and maintained in a safe and satisfactory manner, and protect the public from unsafe signs;
  - N. Preserve, conserve, protect and enhance the aesthetic quality and scenic beauty of the city;
  - O. Protect property values by ensuring that sign types, as well as the number of signs and their size, height, illumination, movement, and brightness are in harmony with buildings, neighborhoods and conforming signs in the area;
  - P. Regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the city and that complements the natural surroundings in recognition of the city's reliance on its natural resources and beautification efforts; and
  - Q. Allow for traffic control devices consistent with national standards and whose purpose is to promote highway safety and efficiency by providing for the orderly movement of road users and pedestrians on streets and highways, and that notify road users of regulations and provide warning and guidance needed for the safe, uniform and efficient operation of all elements of the traffic stream.

(Ord. No. 2010-15, § 2, 11-18-10)

### **Sec. 7.01.00. Definitions.**

*Abandoned sign:* A sign which for a period of at least ninety (90) days no longer correctly relates to a bona fide business, lessee, owner, or activity conducted on the premises where the sign is displayed; and/or the sign has been damaged, and repairs and restoration are not started within ninety (90) days of the date the sign was damaged, or repairs are not diligently pursued, once started.

*Advertising:* Sign copy intended to aid, directly or indirectly, in the sale, use or promotion of a product, service, commodity, entertainment or real or personal property.

*Alter:* To make a change to a sign or sign structure, including but not limited to, changes in size, sign copy area to signs other than manual changeable copy signs, height, projection, illumination, shape, materials, placement and location on a site. Altering a sign does not include ordinary maintenance, repair or repainting an existing sign surface provided the sign copy area is not increased.

*Animated sign:* A sign which has any visible moving part, color change, flashing or osculating lights, visible mechanical movement of any description, or other apparent visible movement achieved by any means that move, change, flash, osculate or visibly alters in appearance. The term may include electronic changeable signs with optical illusion of movement, color change, or change of lighting, to depict action or create a special effect or scene; and signs using electronic ink, signs set in motion by movement of the atmosphere, any type of screen using animated or scrolling displays, such as an LED (light emitting diode) screen or any other type of video display.

*Artwork:* A two- or three-dimensional representation of a creative idea that is expressed in a form and manner as to provide aesthetic enjoyment for the viewer rather than to specifically convey a commercial and/or non-commercial message related to the premises upon which the artwork is displayed. All outdoor artwork shall conform to the maximum height and size restrictions of buildings in any particular zoning district in which it is located. All outdoor artwork shall also conform to any applicable building and safety standards.

*Awning:* A shelter projecting from and supported by the exterior wall of a building constructed of rigid or non-rigid materials on a supporting framework that may include a type that can be retracted, folded or collapsed against the wall of a supporting building.

*Awning sign:* A sign that is painted on, printed on, or attached flat against the surface of an awning.

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*Balloon sign:* A sign consisting of a membrane that relies on internal gaseous pressure or a semi-rigid framework for maintaining its form.

*Banner:* A temporary sign applied to cloth, plastic, paper, fabric or other light pliable material of any kind either with or without frames; and which is suspended, mounted or attached across its longest side to buildings or poles at two (2) ends. Flags are not considered banners.

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

*Bench sign:* A sign on an outdoor bench.

*Billboard:* A freestanding off-site sign or sign structure.

*Bus shelter advertising sign:* An advertising sign appearing on a bus shelter.

*Bus stop informational sign:* A freestanding or attached non-commercial sign located at a bus stop and providing information as to the route, hours or times of service.

*Canopy:* A roof-like structure with no walls that is attached or not attached to an adjacent structure. A canopy is not a marquee.

*Canopy sign:* A sign that is placed on, or integrated into, fabric or other material that is an integral part of a canopy.

*Changeable copy sign:* A sign that is designed so that characters, letters or illustrations can be manually changed or rearranged without altering the sign face.

*Clearance:* The distance between the finished grade to the lowermost portion of the sign.

*Cold air inflatable sign:* A balloon-type portable sign with a blower (fan) system which runs continuously to keep the sign standing tall. Often, the sign is anchored in place with tether straps.

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

*Construction sign:* A temporary on-site sign identifying the ongoing construction activity during the time that a building permit is active and prior to completion of the work for which the permit was issued, and containing sign copy that is limited to the ongoing construction activity and identifying the contractor and/or any subcontractor engaged to perform construction activity on the site.

*Copy:* The linguistic or graphic content of a sign.

*Directional sign:* An attached or freestanding on-site non-commercial sign directing the movement of pedestrian or vehicular traffic on the premises where it is located. These signs may use words such as "entrance," "exit," "caution," "no parking," "one way only," "no trespassing," and the like, or arrows or similar graphics.

*Directory sign:* A non-commercial sign that lists the names and locations of occupants or the use of a building, limited to multi-tenant buildings and a development made up of a group of buildings.

*Electronic changeable sign:* A sign that uses changing lights or an electronic medium to form an image, picture, or message of any kind, whether the image, picture, or message is moving or stationary, wherein the sequence of the messages and the rate of change are electronically programmed and can be modified by electronic processes. Electronic changeable signs include LED signs (light emitting diode technology or other similar semiconductor technology), OLED signs (transmissive, organic light emitting diodes), LEP signs (light emitting polymer), OEL signs (organic electro luminescence), or any similar technology.

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*Erect:* To construct, assemble, attach, hang, place, suspend, affix or alter a sign. Does not include ordinary maintenance, repair or repainting of an existing sign surface provided the sign copy area is not increased.

*Fixed aerial sign:* Any aerial advertising medium that is tethered to the ground or any object that is on the ground.

*Flag:* A piece of fabric of distinctive design that is displayed hanging free from a staff halyard or building to which it is attached, used as an ornamental flag or as a symbol of the United States, a nation, state, local government or other political subdivision, corporation, business, organization or a person. Flags are not banners.

*Flashing sign:* Any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever.

*Freestanding sign:* Any sign that is not attached to any building. The definition of a "freestanding sign" does not include a portable sign.

*Ground sign:* Any sign that is defined as a freestanding sign.

*Historical or landmark sign:* A sign erected in close proximity to a historic place, object, building or other landmark recognized by an official historical resources entity.

*Holiday and seasonal decorations:* Decorations that do not communicate informational messages apart from recognizing legal or other recognized holidays or to a season of the year and are not considered signage.

*Holographic display sign:* An advertising display that creates a three-dimensional image through projection, OLED (organic light emitting diode) or any similar technology.

*Illuminated sign:* A sign illuminated by an internal light source or an external light source primarily designed to illuminate the sign. There are four (4) types of illuminated signs that are defined as follows:

- A. *Internal illuminated message.* The sign is made of a non-translucent material and the message is cut out of the material and replaced with translucent material. The sign's light source is located inside the sign.
- B. *Internal illuminated sign.* The sign face is made of translucent material with internal light source.
- C. *Backlight illuminated sign.* The message is raised beyond the sign's background and the lighting illuminates the sign from behind in the form of backlighting or reverse channel lighting.
- D. *External illuminated sign.* The sign is illuminated only with steady, stationary, down directed and shielded light sources directed solely onto the sign and not visible from adjacent public rights-of way or adjoining properties.

*Interior sign:* A sign erected and maintained inside of a building that is not viewable from outside of the building.

*Machinery and equipment sign:* Any sign that is integral to the machinery or equipment and that identifies the manufacturer of the machinery or equipment that is placed on the machinery or equipment at the factory at the time of manufacture. Machinery and equipment signs are not vehicle signs as defined herein.

*Maintenance:* The repairing or repainting, provided the sign copy area is not increased, of a portion of a sign or sign structure, periodically manually changing changeable copy or renewing the copy provided there are no sign copy area changes for signs which have been made unusable by ordinary wear.

*Marquee:* A permanent roofed structure that is attached to or supported by a building and extending more than two (2) feet from the building, generally designed and constructed to provide protection from the weather.

*Marquee sign:* A sign that is integrated into, on or attached to a marquee.

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*Menu board:* A sign placed at the beginning of a drive-up service lane of a food service establishment that includes a two-way speaker system for taking food orders.

*Menu display sign:* A fully enclosed or otherwise protected from the elements on-site sign, including but not limited to a box, shadow box or cabinet, attached to a wall or freestanding, which is used solely for the purpose of displaying restaurant menus. A menu display sign may be used for a restaurant without drive-through service and for transient lodging facilities that have restaurant facilities open to the general public in addition to the registered guests. Menu display sign structures shall be limited to one (1) per establishment.

*Mobile billboard:* Any vehicle or wheeled conveyance that carries, conveys, pulls, or transports any sign or billboard for the exclusive purpose of advertising.

*Monopole sign:* A freestanding, on-site ground sign supported by a single vertical pole or column. The definition of a "monopole sign" includes a "pylon sign".

*Monument sign:* A freestanding, on-site ground sign not erected on one (1) or more poles or similar structures but has a solid supporting base on the ground equal or greater than the width of the sign face and generally made of stone, masonry or concrete, with no separations between the sign and base and which is of a finished or decorative-type construction.

*Multipole sign:* An allowable freestanding, on-site ground sign supported by two (2) vertical poles or columns.

*Mural:* A one-of-a-kind, hand-painted, hand-tiled, or digitally printed artwork on the exterior wall of a building presented in a creative and artistic manner for the primary purpose of providing aesthetic enjoyment for the viewer.

*Nameplate sign or occupant identification sign:* An attached wall sign indicating the name and/or profession or address of a person or persons residing on the premises where the sign is located or legally occupying the premises where the sign is located.

*Neon sign:* A sign manufactured utilizing neon tubing, which is visible to the viewer. Neon signs are considered to be illuminated signs. Neon signs which are animated, which flash, or are in motion are prohibited in this article.

*Neon tubing:* Electric discharge, cold cathode tubing manufactured into shapes that form letters, parts of letters, skeleton tubing, outline lighting and other decorative elements or art forms, in various colors and diameters and filled with inert gases.

*Non-commercial message:* Any message that is not a commercial message.

*Nonconforming sign:* Any sign that was lawful when it was erected but does not meet the requirements of this article at the time of its effective date.

*Obscene sign:* Any unlawful sign that which displays any statement, word, character, or illustration of an obscene, indecent or immoral nature as defined by F.S. ch. 847.

*Off-site sign:* A sign with either non-commercial and/or commercial message that is not related in its subject matter to the premises on which the sign is located.

*On-site sign:* A sign that (1) is located on the premises to which the sign pertains (2) identifies an activity conducted or products or services available on the premises where the sign is located, (3) displays a non-commercial message or (4) is any combination of the first three (3).

*Pedestrian wayfinding sign:* A directional sign that is provided by and controlled by the city on city property or rights-of-way and used to direct the public to a place of business or venue. Pedestrian wayfinding signs are only allowed within the City's Community Redevelopment Area Downtown Mixed-Use and A1A Retail Corridor Overlay Districts under certain conditions and restrictions.

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*Pennant:* Any small flag-like pieces plastic or paper attached to any staff, cord, building, or at only one (1) or two (2) edges, the remainder hanging loosely.

*Person:* Any person or persons, individual or groups of individuals, company, firm, corporation, partnership, organization or association.

*Pole sign:* A freestanding, on-site ground sign supported by one (1) or more vertical poles or columns. A pole sign with only one (1) supporting pole or column is defined as a monopole sign and is a prohibited sign type. A pole sign with two (2) poles or columns is defined as a multipole sign and is a permitted sign type.

*Portable sign:* A sign that is not permanently affixed to a building, structure or the ground and designed to be moved from place to place. A portable sign may fall within the definition of other types of signs, yet still be a portable sign. For purposes of this definition, a cold air inflatable sign and sandwich sign shall be considered to be portable signs. Vehicle signs as defined herein are not considered portable signs.

*Premises:* A lot together with all buildings and structures if any.

*Projecting sign:* A sign attached to a building or other structure extending in whole or in part more than twelve (12) inches beyond the surface of the portion of the building to which it is attached.

*Pylon sign:* A freestanding, on-site sign that is supported from the ground up by a single vertical pole or column.

*Real estate sign:* A temporary sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed temporarily. For purposes of this article, an open house or a model home sign shall be considered a real estate sign.

*Roof signs:* Any sign erected, constructed and maintained wholly upon the roof of any building with the principal support on the roof structure.

*Safety sign:* See Warning signs.

*Sandwich sign:* A portable, temporary sign that may be double or single faced, with the base of the sign being the supporting structure and the connecting point(s) located at the top. Sandwich signs may be easily moved. Sandwich signs are only allowed within the City's General Commercial, Highway Commercial and Tourist Commercial Zoning Districts, Community Redevelopment Area Downtown Mixed-Use and A1A Retail Corridor Overlay Districts under certain conditions and restrictions.

*Sign:* Any written and/or illustrated device or display including structural or supporting elements, consisting of letters, numbers, symbols, pictures, illustrations, announcements, decorations, emblems, cut-outs, insignias, trademarks or demonstrations, banner, flag, pennant, attached balloon, streamers, spinners, or ribbons, that is designed to convey information to the public. Wall murals and artwork that do not communicate informational messages, apart from any artistic or aesthetic enjoyment, are not signs.

*Sign copy:* The message or image conveyed by a sign.

*Sign copy area:* The surface area of a sign upon which the sign copy is displayed including all of the elements of the copy including frames and borders and structural elements or trim that forms the outer most perimeter of the sign.

*Sign face:* The sum of the surfaces of the sign copy area as seen from one (1) plane or elevation.

*Sign height:* The vertical distance measured from finished grade below the sign to the topmost point of the sign structure.

*Sign structure:* Any construction designed to support or to provide a surface for a sign, and including any marquee, canopy or awning.

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*Snipe sign:* Any sign tacked, nailed, fastened, affixed to, painted, posted, pasted, glued or otherwise attached to trees or other vegetation (living or dead), telephone poles, utility poles, or fences, with the message appearing thereon not applicable to the owner utility poles or present use of the premises upon which the sign is located. Specifically excluded are holiday and seasonal decorations, which are not signage, attached to utility poles in the right-of-way when such decorations are authorized by the utility company and installed by the city for the benefit of the citizens and visitors.

*Special event:* An event as defined by Section 4-103 of the Flagler Beach Code of Ordinances.

*Statutory sign:* A sign required by any statute of the State of Florida or the United States.

*Street address sign:* Any sign denoting the street address of the premises on which it is attached or located.

*Suspended sign:* A sign attached to and located below a canopy or similar structure.

*Temporary sign:* Any sign, banner, valance or display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames, constructed and installed to be displayed for a limited duration of time. Certain temporary signs require permitting by the city while others do not.

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

*Umbrella sign:* A sign printed on umbrellas used for legal outdoor eating and drinking establishments, push-carts, sidewalk cafes and which is made of a lightweight fabric or similar material.

*Vehicle sign:* A sign on a truck, vehicle, or trailer which displays an advertisement or business identification of its owner and is for the purpose of transporting equipment, owners or employees during the course of conducting the business advertised on the vehicle. Vehicle signs are not considered portable signs or mobile billboards.

*Wall sign/attached sign:* A sign that is attached to and extends no more than twelve (12) inches from a wall or painted on a wall of a building

*Warning sign or safety sign:* A sign that provides warning of a dangerous condition or situation that might not be readily apparent or that poses a threat of serious injury (e.g., gas line, high voltage, condemned building, etc.) or that provides warning of a violation of law (e.g., no trespassing, no hunting allowed, etc.).

*Wind sign:* A sign that uses objects or a series of fabric, paper, plastic, or other similar material fastened in such a manner as to move upon being subjected to pressure by wind, and shall include, ribbons, spinners, streamers or captive balloons; however, the term wind sign shall not include flags or pennants.

*Window sign:* A sign mounted, attached to, placed upon or painted on a window of a building that is viewable from the outside of the building.

(Ord. No. 2010-15, § 2, 11-18-10; Ord. No. 2011-12, § 1, 8-25-11; Ord. No. 2012-16, § 2, 11-8-12; Ord. No. 2019-08, § 2, 6-27-19; Ord. No. 2021-15, § 2, 1-13-22; Ord. No. 2022-07, § 2, 5-12-22)

## **Sec. 7.02.00. Sign permits, fees, applications and appeals.**

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### **Sec. 7.02.01. Permits and fees.**

- A. No sign shall be erected, altered or relocated, without paying the appropriate fee as set by resolution of the city commission and obtaining a city sign permit. This requirement applies to all signs, except those specifically exempted by this article and any signs existing on the date of adoption of this article, which shall be subject to Section 7.08.00 regarding nonconforming signs. The sign permit and fee is in addition to any building permit and fee required to be obtained pursuant to the Florida Building Code.
- B. No sign permit shall be issued for the display of a prohibited sign.
- C. A sign lawfully displayed may be repainted, or have ordinary and customary repairs performed, including replacement of plastic or glass panels, without a new sign permit; however, if such sign is to be structurally altered in any manner relocated or its sign copy area increased, a new sign permit shall be required and the altered sign must meet all requirements of this article, land development regulations, and the Florida Building Code.

(Ord. No. 2010-15, § 2, 11-18-10)

### **Sec. 7.02.02. Permit applications.**

- A. *Permanent signs.* Applications for a sign permit shall be made in writing upon forms furnished by the city. The applicant shall furnish the following information on or with the sign permit application form. City staff has the authority to require additional information on the form application that is not inconsistent with this article.
  - 1. Name, address and telephone number of the person making application for the permit. If the applicant is anyone other than the property owner, the applicant shall provide notarized authorization from the property owner permitting the installation of the sign.
  - 2. Name, address and telephone number of the property owner. If the owner is an entity other than an individual, list the contact person's name.
  - 3. Name, address and telephone number of the business tenant, if applicable. If the tenant is an entity other than an individual, list the contact person's name.
  - 4. Name, address, telephone and license number of the contractor, if applicable. If the contractor is an entity other than an individual, list the contact person's name.
  - 5. Address and legal description of the property upon which the sign is to be located.
  - 6. Lot frontage on all streets and public rights-of-way.
  - 7. Indicate in feet and inches the location of the sign in relation to property lines, public rights-of-way, easements, buildings and other signs on the property.
  - 8. Freestanding signs shall require a current boundary survey signed and sealed by a land surveyor or engineer licensed in Florida showing the proposed location of the sign.
  - 9. For all wall mounted signs, the facade elevation with dimensions, drawn to scale. Windows and doors and other openings shall be delineated and their dimensions given.
  - 10. Sign dimensions and elevation, drawn to scale.
  - 11. Sign height measured as defined by this article.
  - 12. Dimensions of the sign's copy area measured as defined by this article.

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13. Sign illumination, specifying illumination type, placement, intensity and hours of illumination.
  14. Three (3) copies of the plans, specifications, calculations and details, signed and sealed by an engineer or architect licensed in Florida, specifications documenting compliance with applicable provisions of the Florida Building Code.
  15. Number, type, location and surface area of all existing signs on the same premises.
  16. Landscape plan, as applicable.
  17. Signature of applicant.
- B. *Temporary freestanding signs.* Applications for erection and display of temporary signs shall be prepared and submitted on forms available at the office of the city manager or designee with an application fee as set by resolution of this council. Consistent with this article, approval or disapproval of an application shall not be based on the content of the message (i.e., the viewpoint expressed) on such signs. The applicant shall furnish the following information on or with the application form:
1. Name, address and telephone number of the person making application for the permit. If the applicant is anyone other than the property owner, the applicant shall provide written authorization from the property owner where the sign is to be located permitting the temporary installation of the sign. This information is to be used only in order to regulate the safety of the temporary special event signs and in order to regulate the duration of display of the signs. The information shall not be used in order to regulate viewpoint.
  2. Address of the property upon which the sign is to be located.
  3. Sign dimensions and elevation, drawn to scale.
  4. Maximum and minimum height of the sign measured from finished grade.
  5. The applicant shall not be required to provide to the city examples of the illustrations or artwork to be placed on the sign as part of the application process.
  6. How the temporary sign will satisfy the applicable criteria set forth in Section 7.07.03.
- C. *Special events parking signs.* Pursuant to Chapter 4 of the Code of Ordinances, special events parking signs may be erected so long as the applicant submits a parking signage site sketch as part of the application of the special event. No additional fee for parking signage shall be imposed when associated with a special event application.
- D. Unless a master sign plan is required pursuant to Section 7.06.11, the city manager or designee shall determine if the permit application complies with all applicable requirements of this article. If the city manager or designee determines that the permit application complies with all applicable requirements of this article, the city manager or designee shall issue a sign permit. The sign permit number shall be identified on the sign.
- E. Any permit issued under this article shall be void if no substantial physical action is taken in accordance with the sign permit, any permit conditions and the applicable requirements of this article within one hundred eighty (180) days following the date of its issuance.
- F. Any sign erected under this article shall remain in effect as long as the sign is maintained in compliance with the approved sign permit, all applicable provisions of this article and the applicant did not misrepresent or falsify any information provided in the application.
- G. *Staff review.*
1. The sign permit application shall be reviewed by the city manager or designee for a determination of whether the proposed sign meets the applicable requirements of this article, Florida Building Code and

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any applicable zoning law. The review of the sign permit application shall be completed by the city manager or designee within forty-five (45) days following receipt of a completed application and any applicable fees, not counting the day of receipt and not counting any Saturday, Sunday, or legal holiday which falls upon the first or the 45th day after the date of receipt. A sign permit shall either be approved, approved with conditions (meaning legal conditions existing in this article such as dimensional requirements), or disapproved, and the decision shall be reduced to writing. A disapproval shall include or be accompanied by a statement of the reason(s) for the disapproval. If disapproval is the consequence of a failure to decide upon the application within the deadline set forth herein, the city manager or designee shall upon request refund any applicable fee to the person who paid the fee. In the event that no decision is rendered within forty-five (45) calendar days following submission, the application shall be deemed denied and the applicant may appeal to the city commission. Any appeal shall be heard and a decision rendered within the time frames specified in this article for appeals.

2. For the purposes of calculating compliance with the forty-five-day deadline herein, for a decision upon an application, the decision shall be deemed made when deposited in the mail, transmitted electronically, or hand delivered to the applicant.
3. As exceptions to the foregoing, the forty-five-day deadline for approval shall not apply (that is, the time shall be suspended) for the following:
  - a. In any case in which the application requires a variance from any provision of the Code of Ordinances, submission of a site plan or master sign plan, a rezoning of the property, or an amendment to the comprehensive plan. In such cases, the time shall be suspended until a final decision is made upon the application for the variance, rezoning, site plan or master sign rezoning, or comprehensive plan amendment.
  - b. If the applicant is required to make any change to the application in order to obtain an unconditional approval, the time shall be suspended while the applicant makes such change.
  - c. If an applicant is required to obtain an approval from any other governmental agency, the time shall be suspended until such approval is obtained.
  - d. In any of the foregoing cases, the applicant may elect not to seek a variance, make no change to the application, or obtain no approval that may be required by another governmental agency, and may instead demand a decision upon the sign permit application as filed. In such event, the city manager or designee shall make a decision on the application as appropriate within five business days after receiving such demand. If a decision is not made in such a time, the application shall be deemed denied and the city manager or designee shall verify that any applicable fee was refunded to the person who paid the fee.
  - e. An application which is materially incomplete or which is not accompanied by the required fee shall not be deemed accepted and the time for review of the application shall not commence until a complete application accompanied by the required fee is filed with the city manager or designee. However, the city manager or designee shall keep the record of incomplete application or any application not accompanied by the correct fee, as required by applicable public record laws. In addition, the city manager or designee shall within, forty-five (45) days of receipt of such an application, send the applicant a written explanation of the deficiencies in the application and ask that the deficiencies be remedied, explaining that the application can not proceed forward otherwise and the review will be suspended pending receipt of the required information or documentation. The applicant must then submit a new application with the deficiencies corrected in order for it to be considered by the city manager or designee.

(Ord. No. 2010-15, § 2, 11-18-10; Ord. No. 2011-12, § 1, 8-25-11; Ord. No. 2011-21, § 2, 1-12-12)

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### **Sec. 7.02.03. Appeals.**

- A. Whenever it is alleged that there has been an error in any order, action, decision, determination, or requirement by the city manager or designee in the enforcement and application of any provision contained within this article pertaining to sign permits (including any allegation that an administrative official has failed to act within applicable time frames), the aggrieved party may file a written appeal to the city commission.
- B. The written appeal, together with any appeal fee as may be set by resolution of the city commission, shall be filed with the city clerk within thirty (30) days of the date of the alleged error. The written appeal shall describe the alleged error and the applicable provisions of the article pertaining to the city manager or designee's order, decision, requirement or failure to act.
- C. The city commission shall hold a hearing within forty-five (45) days following receipt of the written appeal, not counting the day of receipt and not counting any Saturday, Sunday, or legal holiday, which falls upon the first, or the 45th day after the date of receipt.
- D. The city commission shall render a decision within ten (10) days following the hearing.
- E. If the city commission does not render a decision within ten (10) days following the hearing, the appeal shall be deemed denied.
- F. Failure to appeal the decision of the city manager or designee to deny a sign application shall not be deemed a failure to exhaust administrative remedies. The applicant may choose to proceed directly to a judicial action once the sign application has been denied by the city manager or designee.
- G. Once a decision is appealed to the city commission, the city manager or designee shall take no further action on the matter pending the Commission's decision, except for unsafe signs that shall present an immediate and serious danger to the public in which case the city may pursue any proper legal remedy available to it.
- H. All decisions shall be mailed, transmitted electronically or hand delivered to the applicant. The city shall keep a record of the date of mailing, electronic transmittal or hand delivery.

(Ord. No. 2010-15, § 2, 11-18-10)

### **Sec. 7.03.00. Sign content.**

#### **Sec. 7.03.01. Substitution of non-commercial speech for commercial speech.**

Notwithstanding anything contained in this article to the contrary, any sign erected pursuant to the provisions of this article may, at the option of the owner, contain a non-commercial sign message in lieu of a commercial sign message and the non-commercial copy may be substituted at any time in place of the commercial copy provided that the sign complies with the sign standards and other applicable requirements contained within this article.

(Ord. No. 2010-15, § 2, 11-18-10)

#### **Sec. 7.03.02. Content neutrality as to sign message.**

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

(Ord. No. 2010-15, § 2, 11-18-10)

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## **Sec. 7.04.00. Exemptions from city sign permitting; posting of street address numbers.**

The following exempt signs, decorations and/or artwork do not require a sign permit but may require a permit pursuant to the Florida Building Code if determined to be a structure. The number of exempt signs and an exempt sign's copy area shall not be calculated in a lot or premises' total allowable number of signs and sign copy area unless otherwise specified in this article. However, these exemptions in no way waive any applicable limitation or restriction on the number, size, height, setback, placement or duration of such signs regulated by this article or any limitation or restriction under any other applicable law or regulation.

- A. All signs (except permanent window signs which are not "opened" and "closed" signs) located entirely inside the premises of a building or enclosed space and which are not readily visible from the exterior of the enclosed space or premises.
- B. Statutory signs, traffic control device signs, or signs required by law, administrative order or judicial order erected by public employees performing official duties.
- C. Up to one (1) temporary sign at any time provided such sign does not exceed six (6) square feet in sign copy area and five (5) feet in height on any residential zoned property or sixteen (16) square feet and six (6) feet in height on any non-residential zoned property. During the time any property is for sale or lease, the number of temporary signs exempted pursuant to this paragraph shall be increased by one (1) temporary sign. During the period beginning ninety (90) days prior to and extending to ten (10) days after any election being conducted within Flagler County or Volusia County, Florida at which Flagler County or Volusia County voters will be called upon to vote, the number of temporary signs exempted pursuant to this paragraph shall be increased by two (2) temporary signs. No additional temporary sign erected pursuant to this section may exceed four (4) square feet in sign copy area and three (3) feet in height on any residential zoned property or sixteen (16) square feet and six (6) feet in height on any non-residential zoned property. Temporary signs exempt pursuant to this paragraph shall not be included in any calculation of maximum sign number or sign square footage provided elsewhere in this article. Temporary signs exempt pursuant to this paragraph shall not be illuminated in any manner.
- D. RESERVED.
- E. Nameplate or occupant identification signs. For each residence, business or other occupancy within the city, one (1) attached wall nameplate sign may be displayed. For residences, the nameplate or occupant identification signs shall not exceed two (2) square feet in total sign area. Signs for home businesses shall be considered an occupant identification sign. In any nonresidential zoning district, the nameplate or occupant identification sign shall not exceed four (4) square feet in total sign area.
- F. No permit shall be required for changing the copy of a sign, as long as the sign copy is not increased and/or no changes are made to the sign's height, size, location, or structural design.
- G. Flags and flagpoles and pennants as regulated by Section 7.06.09 of this article.
- H. Bus stop informational signs up to four (4) square feet in area shall be allowed in all zoning districts. These signs shall have a maximum height of six (6) feet unless otherwise required by applicable law.
- I. One (1) or more temporary window signs subject to the regulations regarding window signs contained in this article.
- J. Signs on buses, taxicabs, and similar common carriers that are licensed or certified by a governmental entity, and vehicle signs, except mobile billboards.
- K. Signs incorporated onto machinery and equipment by a manufacturer or distributor that identify the manufacturer, or product or service dispensed by the machine or equipment, such as signs customarily

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affixed to newspaper racks, gasoline pumps, telephone booths, mail drop-boxes, bus shelters, and vending machines.

- L. RESERVED.
- M. Stringlighting.
- N. Signs carried or worn by a person.
- O. RESERVED.
- P. RESERVED.
- Q. RESERVED.
- R. Non-commercial on-site parking space number or identification signs, not exceeding one (1) square foot of sign face per sign, shall be allowed on each parcel in non-commercial use having multiple parking spaces on-site. One (1) such sign shall be allowed for each parking space. The maximum height for a freestanding or attached wall sign shall be six (6) feet unless otherwise required by applicable law.
- S. Warning signs and safety signs, not exceeding four (4) square feet in sign area, shall be allowed in all zoning districts. The maximum height for these signs shall be six (6) feet unless otherwise required by applicable law.
- T. On-site non-commercial directional signs.
- U. RESERVED.
- V. Umbrella signs.
- W. RESERVED.
- X. RESERVED.
- Y. On-site temporary banner signs. It is the express intent of this ordinance that the erection of any on-site temporary banner signs shall satisfy the applicable criteria set forth in section 7.07.03. This type of sign will not require a permit, but the owners of the business will be required to go to the building department where there will be a sign-in sheet to be filled in, stating the business name, type of sign, and the date the sign is erected. There will be no fee for this. Any special events using on-site temporary banner signs will have to use the sign-in sheet, giving the name of the sponsoring group, type of sign, and the date the sign is erected.
- Z. Pedestrian wayfinding signs.

(Ord. No. 2010-15, § 2, 11-18-10; Ord. No. 2011-12, § 1, 8-25-11; Ord. No. 2011-21, § 2, 1-12-12; Ord. No. 2012-16, § 2, 11-8-12; Ord. No. 2019-08, § 2, 6-27-19; Ord. No. 2021-15, § 2, 1-13-22; Ord. No. 2023-03, § 2, 11-9-23)

### **Sec. 7.05.00. Prohibited signs.**

The following signs and sign-types are inconsistent with the purpose and intent of this article and are therefore prohibited. Any lawfully existing non-temporary sign or sign-type that is among the prohibited signs and sign-types listed below shall be deemed a nonconforming sign subject to the provisions of section 7.08.00.

- A. Animated signs.
- B. Electronic changeable signs except when required as traffic control device signs.
- C. Billboards.

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- D. Non-temporary banners, wind signs, ribbons, spinners, streamers or captive balloons or other inflatable signs or devices and fixed aerial signs.
  - E. Any sign which, or any part of which, is in motion by any mechanical or electrical means.
  - F. Any sign displaying flashing, undulating, swinging, rotating, revolving or scrolling lights; alternating or intermittent lights or lights of changing degrees of intensity, brightness, or color or move or appear to move.
  - G. Any sign that emits sparks, fire, sound, vapor, smoke, odor, particles or gaseous matter.
  - H. Any sign or exterior illumination sign that is not shielded so that the source of light (light bulb) can be seen from any abutting street or property or building other than the building or property to which the sign is related.
  - I. Any sign constructed or maintained by an entity or person which, by reason of its size, location, movement, coloring or manner of illumination may be confused with or construed as a traffic control device or which hides from view any traffic control device.
  - J. Any sign erected by an entity or person in or on or over any public right-of-way, or other public property, except where otherwise permitted under this article.
  - K. Any sign located in a manner that could impede traffic on any street, alley, sidewalk, bikeway or other pedestrian or vehicular travel way.
  - L. Any sign other than a traffic control device sign that uses the word "stop" or "danger," or presents or implies the need or requirement of stopping or the existence of danger, or which is a copy or imitation of a traffic control device sign and which is adjacent to the right-of-way of any road, street, or highway.
  - M. Any sign that is wholly or partially illuminated by flashing or intermittent lights, rotary beacon lights, strobe lights or similar devices.
  - N. Portable signs except sandwich signs that are located in the City Community Redevelopment Area's Downtown Mixed-Use and A1A Retail Corridor Overlay Districts.
  - O. Any sign that obstructs the sightline at private and public drives as determined by subsection 7.06.04 of this article.
  - P. Temporary signs except those allowed by this article.
  - Q. Snipe signs.
  - R. Sandwich signs except within the City's Community Redevelopment Area Downtown Mixed-Use and A1A Retail Corridor Overlay Districts.
  - S. Roof signs, except that roof signs shall be allowed in recreational zoning district east of the SR A1A right-of-way.
  - T. Signs that display any statement, word, character, or illustration of any obscene nature, as defined by F.S. ch. 847.
  - U. Mobile billboards consistently or repeatedly parked for more than twenty-four (24) consecutive hours at a fixed location on any street and are visible within one hundred (100) feet of any street.
  - V. Signs, other than those erected by a federal, state and/or local government, pursuant to federal or Florida law, within any waterway within the city.
  - W. Signs attached to a seawall, dock, tie pole, or pier, other than warning or safety signs.
  - X. Abandoned signs.

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- Y. Monopole signs.
  - Z. Bench advertising signs.
  - aa. Illuminated vehicle signs.

(Ord. No. 2010-15, § 2, 11-18-10; Ord. No. 2011-12, § 1, 8-25-11; Ord. No. 2021-15, § 2, 1-13-22)

### **Sec. 7.06.00. General sign provisions.**

This section establishes general physical standards and requirements applicable to signs in the city. More detailed standards applicable to specific types of signs are contained in section 7.07.00. Of this article.

(Ord. No. 2010-15, § 2, 11-18-10)

### **Sec. 7.06.01. Compliance with Florida Building Code.**

It shall be unlawful for any person or business or the person in charge of the business to erect, construct, alter or maintain a sign which must be constructed, altered, or maintained in accordance with the Florida Building Code, without first obtaining a building permit from the city. The requirement of a building permit under the Florida Building Code is separate and independent of the requirement for a sign permit under this article.

(Ord. No. 2010-15, § 2, 11-18-10)

### **Sec. 7.06.02. Sign copy area calculations.**

Sign copy area square footage shall be calculated using standard geometry formulas for common shapes. Common shapes shall include squares, rectangles, trapezoids, circles, and triangles. In the case of irregular shapes, the total sign area will be the area of the smallest common shape that encompasses the various components of the sign.

The supporting structure or bracing of a sign bearing no sign copy shall not be counted as a part of the sign copy area. Signs with three (3) or more sign faces or with two (2) sign faces not computed as a single sign pursuant to section 7.06.03. below shall have a sign copy area that is the sum of all the sign faces. The maximum allowable sign copy area allowed per lot or premises is provided in section 7.07.02.A of this article.

(Ord. No. 2010-15, § 2, 11-18-10)

### **Sec. 7.06.03. Number of signs.**

For the purpose of determining the number of signs, a single sign shall be construed to be a sign that has its copy area on one (1) side and contains elements organized, related and composed to form a single unit. A sign with sign copy area on both sides shall be construed as a single sign provided both copy areas are not more than three (3) feet apart at their closest point, and that they describe an internal angle between the copy area planes extended to no more than thirty (30) degrees.

(Ord. No. 2010-15, § 2, 11-18-10)

### **Sec. 7.06.04. Sign location and setbacks.**

- A. Freestanding signs shall not be located within any side or rear lot line required setback and closer than five (5) feet to any street right-of-way line unless otherwise provided by this article.

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- B. Signs erected on a corner lot shall comply with the city's Land Development Regulations, Section 2.05.01.4, Intersection Visibility requirements.
  - C. If a driveway intersects a public right-of-way, no sign shall obstruct sight lines at elevations from two and one-half (2.5) feet and ten (10) feet within a triangular area of property on both sides of a driveway formed by the intersection of each side of the driveway and the public right-of-way line with two (2) sides of each triangle being ten (10) feet in length from the point of intersection and the third side being a line connecting the ends of the two (2) other sides.

(Ord. No. 2010-15, § 2, 11-18-10)

#### **Sec. 7.06.05. Sign lighting.**

- A. Sign lighting shall comply Article IV, Resource Protection Standards, Section 4.04.00, Protection of Sea Turtles, or shall comply with this section, whichever lighting requirement is more restrictive.
- B. Any external lighting used to illuminate signs shall be shielded such that the light source (light bulb) cannot be seen from abutting roads or properties.
- C. Sign lighting shall not be designed or located to cause confusion with traffic lights.
- D. Illumination by floodlights or spotlights is permissible if none of the light emitted shines directly onto an adjoining property or into the eyes of the motorist using or entering public streets.
- E. Illuminated signs shall have luminance no greater than three hundred (300) foot candles.
- F. Illuminated signs shall not have lighting mechanisms that project more than eighteen (18) inches perpendicularly from any surface.
- G. Illumination shall be constant in intensity and color and shall not consist of flashing, animated or changing lights.
- H. No unshielded light source may be visible from the edge of the public right-of-way at a height of three (3) feet.
- I. Illuminated signs on vehicles are prohibited.

(Ord. No. 2010-15, § 2, 11-18-10)

#### **Sec. 7.06.06. Maximum sign number and copy area.**

When the maximum number of signs and the maximum allowable copy area is specified, the maximum number of signs shall not be exceeded even though the maximum allowable copy area is not used. However, signs exempted from this article, menu boards, menu display signs, signs integral to gas pumps and sandwich signs in the City Community Redevelopment Area's Downtown Mixed-Use and A1A Retail Corridor Overlay Districts and temporary signs shall not be calculated in determining the maximum number and area of signs permitted on a premises.

(Ord. No. 2010-15, § 2, 11-18-10)

#### **Sec. 7.06.07. Window signs.**

Copy area of window signs shall not exceed fifty (50) percent of the area of any window as viewed from the outside of the building. For purposes of calculation, such signage shall include permanently and temporarily affixed window signs, neon displays, or any other sign displayed in a manner to be readily visible from the exterior of the

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building. Copy area shall be measured as set forth in Section 7.06.02, provided, however, that when characters, letters, or symbols are placed directly on otherwise transparent glass, a standard geometric shape shall be drawn around each line of text or graphics to calculate the copy area so that the transparent glass between lines is not counted toward the total copy area. Window signs existing as of July 11, 2024, shall be brought into compliance with the coverage limitation provided herein on or before December 31, 2024.

(Ord. No. 2010-15, § 2, 11-18-10; Ord. No. 2011-12, § 1, 8-25-11; Ord. No. 2021-15, § 2, 1-13-22; Ord. No. 2024-03, § 2, 7-11-24)

### **Sec. 7.06.09. Flags and flagpoles and pennants.**

#### **A. Residential Districts:**

- i. *Flag size* — The flag size of flags located on all residential zoned lots shall not exceed twenty-eight (28) square feet.
- ii. *Location* — All flagpoles shall be setback a minimum of five-feet from front and rear property line, ten (10) percent from side property line and fifteen (15) feet from a side street on a corner lot .
- iii. *Maximum height* — The maximum height of a flagpole or supporting structure shall not exceed twenty (20) feet.
- iv. *Maximum number of flags* — The maximum number of flags and pennants shall not exceed a total of three (3) per lot.
- v. *Pennant criteria* — Pennants shall not exceed eight (8) square feet and the maximum height shall not exceed nine (9) feet.
- vi. *Number of signs* — Flags, flagpoles, and pennants shall not be calculated in a lot or premises' total allowable number of permanent signs and sign copy area unless otherwise specified in this article.

#### **B. Non-residential districts:**

- i. *Flag size* — The flag size of flags located on all non-residential zoned lots shall not exceed thirty-five (35) square feet.
- ii. *Location* — All flagpoles shall be setback a minimum of five-feet from all property lines.
- iii. *Maximum height* — the maximum height of a flagpole or other supporting structure shall not exceed forty (40) feet.
- iv. *Maximum number of flags* — The maximum number of flags and pennants shall not exceed a total of three (3) per lot.
- v. *Pennant criteria* — Pennants shall not exceed eight (8) square feet and the maximum height shall not exceed nine (9) feet.
- vi. *Number of signs* — Flags, flagpoles, and pennants shall not be calculated in a lot or premises' total allowable number of permanent signs and sign copy area unless otherwise specified in this article.

(Ord. No. 2010-15, § 2, 11-18-10; Ord. No. 2017-10, § 2, 10-26-2017)

### **Sec. 7.06.10. Signs on or over public property.**

- A. Except as otherwise provided herein, no person except the governmental entity owning the property shall erect a sign on or over any public right-of-way or public property.

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- B. Temporary signs in city public parks shall be allowed only for events to be held at the public park which are open to the public upon application for a permit, pursuant to this article. Applicants shall not be required to provide a bond or public liability insurance unless a temporary sign is associated with a special event required to be permitted under the city's Code of Ordinances. Standards for such signs in city parks are governed by Section 7.07.03.
- C. Pedestrian wayfinding sign blades owned and controlled by the city may be provided by the city and shall be located only on pedestrian wayfinding sign posts as provided by the city in the city's sole discretion within public rights-of-way. Pedestrian wayfinding sign are subject to the following quantity and specifications:
1. Pedestrian wayfinding sign blades shall be limited to one (1) directional sign blade per side per business or venue where a valid local business tax receipt has been obtained or is not required;
  2. The city shall charge a fee established by resolution of the city commission to have each sign blade made after receipt and approval of an application from an eligible business;
  3. After approval of an application from an eligible business, the city shall install and maintain each sign blade;
  4. The city shall charge an annual maintenance fee established by resolution of the city commission for each sign blade, which maintenance fee shall be due on October 1, of each year; failure to pay the annual maintenance fee within thirty (30) days of the date due shall result in removal of the applicable sign blade(s).
  5. The total number of pedestrian wayfinding sign blade locations shall be limited to six (6) sign blades per side;
  6. Sign blade locations on pedestrian wayfinding sign posts shall be allocated on a first-come, first-served basis;
  7. No application for a pedestrian wayfinding sign blades shall be approved for a business or venue located within one hundred fifty (150) feet, measured along the right-of-way, from the pedestrian wayfinding sign post requested;
  8. Pedestrian wayfinding sign blades shall not exceed eight (8) inches tall by twenty (20) inches wide and shall include a four (4) inch wide "A1A Blue" directional panel at the right end of the sign blade with a white three (3) inch by three (3) inch arrow and white distance to the destination in blocks;
  9. The city may remove the sign blade for the business located furthest away from the pedestrian wayfinding sign post to install a sign blade for a business located closer to the pedestrian wayfinding sign post at no cost to the business located furthest away. The city will refund the annual maintenance fee for the removed sign blade on a prorated basis;
  10. Pedestrian wayfinding sign blades shall be limited to logos and/or a dark background with white lettering in "Arial Black" font;
  11. The city will remove any pedestrian wayfinding sign blade for any business or venue that relocates, ceases operation, and/or closes;
  12. Relocated businesses or venues that desire a new pedestrian wayfinding sign blade must complete a new application for approval; and
  13. The city may install pedestrian wayfinding sign blade(s) for one (1) or more institutions on pedestrian wayfinding sign posts.

(Ord. No. 2010-15, § 2, 11-18-10; Ord. No. 2011-12, § 1, 8-25-11; Ord. No. 2012-16, § 2, 11-8-12; Ord. No. 2013-22, § 2, 1-9-14)

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### **Sec. 7.06.11. Freestanding sign landscaping.**

Freestanding signs shall be landscaped at their base in a way harmonious with the landscape concept for the whole site. Landscaping shall form an attractive, dense cluster at the base of the sign and shall be shown on the sign plan. The landscaped area shall have a minimum area of one (1) square foot for each square foot of sign area. All landscape materials shall comply with the applicable provisions of the Land Development Regulations Section 5.04.01 and shall not exceed a height of thirty (30) inches above the surface of the ground. Existing signs shall be subject to these landscaping requirements if there is a change in use of the property or a site plan modification submitted to the city for review and approval. For purposes of this regulation, landscape materials include turf, woody or herbaceous groundcover and other plant materials and loose organic or inorganic materials. Hardscape materials such as stone, brick, concrete and lumber may also be used with landscaping materials but said hardscape materials shall not exceed twenty-five (25) percent of the required landscaped area.

(Ord. No. 2010-15, § 2, 11-18-10)

### **Sec. 7.06.12. Master sign plan.**

- A. A master sign plan shall be required and approved as part of a site development plan before any signs for such development may be erected on the property. All owners, tenants, subtenants and purchasers of individual units and/or outparcels within the development shall comply with the approved master sign plan.
- B. The master sign plan shall include:
  - 1. The proposed general locations for freestanding signs on a lot as well as the proposed location(s) for building signs on a building facade;
  - 2. The types of signs proposed;
  - 3. The materials proposed for all sign structures and sign surfaces;
  - 4. The maximum number, size and height of all proposed signs using calculations consistent with the requirements of section 7.06.02 of this article;
  - 5. The proposed style and color pallet for all letter colors, background colors and text font;
  - 6. The type and description of illumination, if any, proposed for all signs;
  - 7. Include a description of any ornamental structure (i.e., any wall or fence) upon which a sign face is proposed to be placed; and,
  - 8. Include, at a minimum, a typical landscape plan for freestanding signs consistent with the requirements of section 7.06.11 of this article.
  - 9. Include other information required in section 7.02.02.A. for permit applications which are not listed herein.
- B. Prior to the issuance of a sign permit for the erection of a sign, all proposed sign plans shall be reviewed for conformity with the MSP and all applicable provisions of this article. If a proposed sign conforms to the regulations of this article and the approved MSP, such sign (s) shall be issued a permit by the city manager of designee.
- C. An MSP may be amended by submitting a revised MSP for consideration and approval by the city commission in the same manner as originally approved. Upon approval of a revised MSP, the revised MSP shall have the same force and effect as the original MSP.

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- D. For projects that were approved or developed prior to the effective date of the requirements for an MSP, the city manager or designee shall review applications for individual freestanding signs or building signs for consistency with other signs within the project or in the immediate area. A sign permit for the proposed sign shall only be issued if the city manager or designee finds that the proposed sign is consistent and compatible with other signs within the project or the immediate area. Any decision of the city manager or designee under this section may be appealed as provided by this article.

(Ord. No. 2010-15, § 2, 11-18-10)

**Sec. 7.07.00. Specific sign standards.**

**Sec. 7.07.01. The following sign standards shall apply in the R, P, C, REC, RECREATION/PUD, SFR, LDR and MDR zoning districts:**

- A. *Maximum allowable non-temporary sign copy area permitted per lot.*
1. Sign copy area for single-family residential zoned lots shall not exceed four (4) square feet, and multi-family residential zoned lots shall not exceed thirty-two (32) square feet.
  2. Sign copy area for non-residential zoned lots and non-residential permitted principal uses or special exceptions shall not exceed thirty-two (32) square feet.
  3. Sign copy area for signs located at the entrance of a residential planned unit development, subdivision, or mobile home park shall not exceed sixty-four (64) square feet.
  4. Sign copy area for roof signs, which are specifically allowed east of SR A1A in the recreational zoning district, shall not exceed seventy-five (75) percent of the roof area.
- B. *Maximum number of non-temporary signs permitted.*
1. Single-family and two-family residential zoned lots shall not exceed one (1) on-site non-temporary sign along each public street abutting the premises.
  2. Multifamily residential zoned lots shall not exceed one (1) on-site non-temporary freestanding sign and one (1) non-temporary wall sign along each public street abutting the premises.
  3. Non-residential permitted principal uses or permitted special exceptions shall not exceed one (1) on-site non-temporary freestanding and one (1) non-temporary wall sign along each public street abutting the premises.
  4. Freestanding and wall signs located at the entrance of a residential planned unit development, subdivision or mobile home park shall not exceed two (2) signs per entrance.
- C. *Maximum height of signs.* Sign height shall not exceed six (6) feet measured from finished grade to the highest point on the sign except that roof signs which are specifically allowed east of SR A1A in the recreational zoning district, shall not protrude above the top of the roof.

(Ord. No. 2010-15, § 2, 11-18-10; Ord. No. 2021-15, § 2, 1-13-22)

**Sec. 7.07.02. The following sign standards shall apply the TC, GC, LI and HC zoning districts:**

- A. *Maximum allowable non-temporary sign copy area permitted per lot.*
1. Sign copy area for a building having only one (1) occupant shall not exceed thirty-two (32) square feet for a freestanding sign and thirty-two (32) square feet for wall signage.

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2. Sign copy area for a multi-occupant building shall meet the requirements of Section 7.07.02.B.
  3. Signs located at the entrance of a commercial or industrial subdivision, park or planned unit development shall not exceed sixty-four (64) square feet.
- B. *Requirements by type of sign.*
1. Freestanding signs.
    - a. Only one (1) on-site freestanding sign shall be permitted per lot or outparcel along each public street abutting the premises. However, such signs shall not be placed in the right-of-way.
    - b. The freestanding sign copy area for multi-tenant building shall not exceed sixty-four (64) square feet.
    - c. Freestanding signs shall not exceed nine (9) feet in height above the base of the sign or if the sign is located on a berm or other raised landscape feature said sign shall not exceed nine (9) feet above the crown of the road to which the sign is adjacent.
  2. Wall signs.
    - a. Only one (1) wall sign shall be permitted for each use. On corner or double frontage lots, a maximum of two (2) wall signs are permitted provided that one (1) of the sign's copy area shall be figured on the basis of 0.5 square feet per linear foot of building wall facing a public street.
    - b. A multi-tenant building wall signage may be provided not to exceed a maximum of 1.5 square feet of signage per lineal foot of tenant store front facade length.
    - c. Wall signs may not exceed fifty (50) feet in width or sixty (60) percent of the width of the building frontage, whichever is less.
    - d. No wall sign shall extend above the wall of the building to which the sign is attached.
  3. Marquee signs. Only one (1) marquee sign not to exceed sixteen (16) square feet may be erected to or hung from a marquee. When said sign is hung from a marquee it shall have a minimum clearance of nine (9) feet above the finished grade of a sidewalk and further, said sign shall not extend outside the perimeter of the marquee. A marquee's sign copy area shall be counted as part of the total allowable copy area for wall signs.
  4. Projecting signs.
    - a. A maximum of one (1) projecting sign is permitted per use. A projecting sign's copy shall not exceed sixteen (16) square feet except that a projecting sign's copy area within the community redevelopment area shall not exceed eight (8) square feet.
    - b. A projecting sign may extend more than twelve (12) inches but less than four (4) feet beyond the wall of the building to which it is attached.
    - c. A minimum clearance of nine (9) feet above the finished grade of a pedestrian walkway not within the public right-of way shall be maintained but shall not impede pedestrian movement or cause a safety hazard.
    - d. The projecting sign copy area shall be counted as a part of the total allowable area for wall signs.
  5. Awning/Canopy signs.
    - a. The awning/canopy sign copy area shall be counted as a part of the total allowable area for wall signs.
    - b. The sign's copy area shall not exceed sixteen (16) square feet.

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- c. The supporting structure of an awning or canopy may not encroach into or over the public right-of-way.
  - d. A minimum clearance of nine (9) feet shall be maintained between the bottom of the awning/canopy to any pedestrian walkway not within a public right-of way.
6. Suspended signs.
    - a. One (1) suspended sign is permitted at a location immediately adjacent to the use the sign identifies but may not be located over or in the right-of-way or sidewalk.
    - b. Suspended signs of four (4) square feet or less in area are not counted in the total sign copy area. Suspended signs exceeding four (4) square feet in area shall be counted in the total aggregate sign copy area permitted for the premises.
    - c. Suspended signs should be mounted perpendicular with the building facade and shall maintain a minimum clearance of eight (8) feet between the bottom of the sign and the pedestrian walkway.
  7. Restaurant menu display signs. Each restaurant shall be allowed one attached menu display sign of no more than six (6) square feet of sign copy area, located at the entrance, or service window of a restaurant, and two (2) freestanding drive-through menu boards. The drive-through menu boards shall be placed so as to be viewed from the drive-through lane and shall contain only a listing of products offered for sale by the business with prices and may provide a mechanism for viewing and ordering products offered on the drive-through menu boards. The drive-through menu boards shall have copy area not exceeding thirty-two (32) square feet each. The top of the signs and their surrounding or supporting framings/structures shall not exceed eight (8) feet above ground level. The drive-through menu board lettering will be no larger than necessary in order to be read from a vehicle located in the drive-through lane. Drive-in restaurants may have one (1) additional attached sign, not exceeding six (6) square feet in total sign area, per drive-in stall or bay. These types of signs shall not be included in the total aggregate sign number and copy area permitted for the lot or premises.
  8. Motor vehicle service stations and convenience stores with fuel operations corporate stripes, logos, and designs, proposed for the principal structure or the canopy over the fuel operations, shall be counted as part of the overall permitted sign copy area. No additional sign copy area is permitted for canopies over fuel operations; however, permitted wall sign copy area for the principal structure may be transferred to the canopy.

(Ord. No. 2010-15, § 2, 11-18-10; Ord. No. 2021-15, § 2, 1-13-22)

### **Sec. 7.07.03. Standards for certain temporary signs.**

The number of such signs and a sign's copy area shall not be calculated in a lot or premises' total allowable number of signs and sign copy area unless otherwise specified in this article.

- A. *Temporary freestanding signs.*
  1. Only one (1) temporary freestanding sign may be erected on a lot. All temporary signs may be authorized for a total period not to exceed ninety (90) days during any calendar year. Said sign shall be removed upon the expiration of the above-described period.
  2. A temporary freestanding sign's copy area shall not exceed sixteen (16) square feet in the SFR, LDR, MDR zoning districts and thirty-two (32) square feet in all other zoning districts except the single- and two-family residential use portions of the comprehensive plan designated planned and limited development overlays and the mixed-use overlay. Temporary freestanding signs erected in the comprehensive plan designated planned and limited development overlays and

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the mixed-use overlay shall not exceed sixteen (16) square feet of copy area within single-family and two-family residential use areas and thirty-two (32) square feet of copy area in all other use areas.

3. Temporary freestanding signs shall not exceed six (6) feet in height measured from the finished grade to the highest point on the sign.

B. *On-site temporary banner signs.*

1. No more than one (1) temporary on-site banner sign of sixteen (16) square feet or less of copy area in a residential zone and thirty-six (36) square feet or less of copy area in a non-residential zone may be displayed for up to two (2) weeks, six (6) times per calendar year, with a minimum of thirty (30) days between times of display.
2. Applications for temporary on-site banner signs shall meet all of the following content-neutral criteria:
  - a. The temporary banner sign will not exceed nine (9) feet in height.
  - b. The temporary banner sign will not conceal or obstruct adjacent land uses or signs.
  - c. The temporary banner sign will not conflict with the principal permitted use of the site.
  - d. The temporary banner sign will not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians.
  - e. The temporary banner sign will be installed and maintained in a safe manner and in such a way that it will not disassemble, float, or fall in the event of wind.
3. Temporary signs erected as part of a special event approved pursuant to Chapter 4, Article III of this Code of Ordinances shall be exempt from this subsection provided that the signage to be erected for the special event has been approved by the city as part of the special event approval.

C. *Sandwich signs.*

1. Sandwich signs are temporary signs which are only permitted in the General Commercial, Highway Commercial and Tourist Commercial Zoning Districts, the Community Redevelopment Area's Downtown Mixed-Use Overlay District and A1A Retail Corridor Overlay District. All of the following regulations shall apply:
  - a. Only one (1) sandwich sign is allowed per business and can be displayed only during the business hours of the business it identifies and shall be stored indoors during non-business hours.
  - b. Maximum sign area is twelve (12) square feet, with a maximum height of four (4) feet.
  - c. A sandwich sign shall be placed in front of the use and shall allow for a minimum of at least five (5) feet of unobstructed pedestrian clearance adjacent to the sign. If a sandwich sign cannot be placed in front of the business because of these regulations, and the business is on a corner, the sandwich sign can be placed in the side yard.
  - d. The sign shall not be located in a public right-of-way or on a sidewalk.
  - e. A business located above the first floor of a building may place one (1) sandwich sign on the ground level of the building in which the business is located.
  - f. A sandwich sign does not count against other allowable sign number or area of a business.
  - g. A sandwich sign shall not be located in a manner which violates the provisions of Section 7.06.04 of this article.

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- h. A sandwich sign shall not be illuminated or electric, shall not have any electric devices attached thereto, and shall not contain any attachment for holding pamphlets, leaflets, written material, or any other items.
  - i. A sandwich sign shall be stored indoors during tropical storm/hurricane watches and warnings and other severe weather advisories.
- D. *Special events parking signs.* Signs directing participants on parking availability during a special event shall be no more than sixteen (16) square feet in sign copy area and six (6) feet in height.
  - E. The temporary signs shall comply with all other applicable sections of this article not in conflict with this section. Specifically, prohibited signs under Section 7.05.00 shall not be allowed.
  - F. The temporary sign permit is in addition to any other permit required by applicable county, state or federal statute, law or regulation.
  - G. Any decision of the city manager or designee regarding the display of temporary signs may be appealed in accordance with Section 7.02.03 except that the initial time in which the city must make a determination on the sign permit application shall be ten (10) days as opposed to the forty-five (45) days provided in Section 10.02.03.

(Ord. No. 2010-15, § 2, 11-18-10; Ord. No. 2011-12, § 1, 8-25-11; Ord. No. 2011-21, § 2, 1-12-12; Ord. No. 2021-15, § 2, 1-13-22; Ord. No. 2022-07, § 2, 5-12-22; Ord. No. 2024-03, § 2, 7-11-24)

Editor's note(s)—Ord. No. 2024-03, § 2, adopted July 11, 2024, amended § 7.07.03 and in doing so changed the title of said section from "Standards for temporary signs erected with a permit" to "Standards for certain temporary signs," as set out herein.

#### **7.07.04 Murals.**

In addition to the other signs allowed herein, each property not located within the highway commercial zoning district shall be allowed to apply murals as defined herein subject to the following restrictions and regulations:

- A. No mural shall exceed the dimensions of the wall upon which it is applied;
- B. All murals shall comply with all relevant building and safety codes and standards and be kept in good repair with no chipped, fading, or peeling paint;
- C. No mural shall contain electrical or mechanical components, moving structural elements, lighting elements, or automated elements that move or give the appearance of motion;
- D. Letters, numbers, and other alpha-numeric characters, including those expressing commercial and non-commercial messages, may be incorporated into murals located on property within non-residential zoning districts. Such letters, numbers, and alpha-numeric characters shall cumulatively comprise no more than ten percent (10%) of the total square footage of the mural or murals or thirty-two (32) square feet, whichever is less;
- E. Commercial and non-commercial messages incorporated into a mural consistent with this section shall not be counted toward the maximum sign square footage or number of signs on the property;
- F. No off-site commercial advertising shall be incorporated into any mural;
- G. No sign permit shall be required for a mural that meets all of the requirements of this section; however, a mural authorization shall be obtained from the city for any mural applied or altered after the effective date of this Ordinance. An application for a mural authorization shall contain at a minimum:

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1. The name of the artist;
  2. The dimensions of the wall upon which the mural will be applied; and
  3. A description of the intended mural including the materials to be used, the method of application, the need for scaffolding or other equipment to be attached to the building, the mural's intended dimensions and the location and dimensions of any letters, numbers or symbols;
- H. Except when there has been a change in occupancy within the building upon which a mural is applied, no mural shall be altered and no mural authorization shall be approved more frequently than once every six (6) months; provided, however, no mural authorization shall be required for maintenance or repair of prior authorized murals.
- I. A mural may be removed without a mural authorization; however, said mural may not be re-applied without a new mural authorization.
- J. Upon receipt of a complete application for mural authorization, the city manager, or designee, shall review the application materials to determine that:
1. The plans for application of the work is reasonable;
  2. Excessive maintenance should not be required;
  3. The materials to be used and the manner of application will not impact or harm neighboring properties, the public or the environment;
  4. The mural will comply with this Section and all other relevant provisions of this Code, the Florida Building Code, and Florida Statutes.

After review, the city manager, or designee, shall issue or deny the mural authorization based on the above stated determinations. The city manager, or designee, may consult with other city staff to obtain information needed to make the determinations.

- K. Any person aggrieved by the decision of the city manager, or designee, may submit a written appeal of such decision within fifteen (15) days thereof to the city commission. The city commission shall conduct a hearing on the appeal and shall apply the standards set forth in this section in reviewing the decision of the city manager or designee. The city commission may affirm, reverse or reverse with modifications the decision of the city manager or designee. The decision of the city commission shall be final.

(Ord. No. 2019-08, § 2, 6-27-19)

### **Sec. 7.08.00. Nonconforming signs.**

#### **Sec. 7.08.01. Additions.**

No additions or enlargements shall be made to a nonconforming sign except those additions or enlargements that are required by law.

(Ord. No. 2010-15, § 2, 11-18-10)

#### **Sec. 7.08.02. Modifications.**

A nonconforming sign that is modified by being moved, replaced or structurally altered shall be brought into conformance with this article.

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(Ord. No. 2010-15, § 2, 11-18-10)

**Sec. 7.08.03. Damage.**

- A. A nonconforming sign that is damaged shall not be repaired if the estimated cost to repair the sign exceeds seventy-five (75) percent of its appraised value immediately prior to the date of destruction of the damaged sign; "appraised value" shall mean either the appraised value for property tax purposes, updated as necessary by the increase in consumer price index since the date of last valuation, or the valuation determined by a professionally recognized appraiser. A damaged nonconforming sign that cannot be repaired shall be removed within thirty (30) days of the date the sign was damaged.
- B. Whenever a nonconforming sign is damaged and the estimated cost to repair the sign is seventy-five (75) percent or less of its appraised value immediately prior to the date of destruction of the damaged sign, before the sign was damaged, it may be repaired and restored to the condition it was in before it was damaged and may continue to be used as a nonconforming sign, provided that such repairs and restoration are started within ninety (90) days of the date the sign was damaged and are diligently pursued thereafter.
- C. Whenever repairs and restoration of a damaged nonconforming sign are not started within ninety (90) days of the date the sign was damaged or are diligently pursued once started, the sign shall be deemed abandoned. An abandoned sign shall be removed as provided by this article.

(Ord. No. 2010-15, § 2, 11-18-10)

**Sec. 7.08.06. Maintenance.**

- A. No nonconforming sign shall be permitted to remain unless properly maintained. A sign maintained in violation of this provision shall be removed as provided for by this article. Any nonconforming sign that is determined by the city to be an unsafe sign shall be removed as provided for by this article.
- B. Nothing in this section shall be deemed to prevent the maintenance of any sign or manual changes of sign copy on a nonconforming sign.

(Ord. No. 2010-15, § 2, 11-18-10)

**Sec. 7.08.07. Limitations.**

The casual, illegal, or temporary use of any sign shall not be sufficient to establish the existence of a non-conforming use or to create any rights in the continuance of such use.

(Ord. No. 2010-15, § 2, 11-18-10)

**Sec. 7.09.00. Enforcement of regulations and removal of signs.**

**Sec. 7.09.01. General.**

- A. All signs in the city shall be maintained structurally sound, in good repair, with proper anchorage. Owners and tenants shall not allow signs to become noticeably worn, rusty, torn, unreadable or corroded. Signs installed in violation of this article shall be removed or brought into compliance with the requirements of this article. The sign owner, the owner of the property on which the sign is placed and the sign contractor shall each be held responsible for adherence to this article and any other applicable laws or regulations. This

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article may be enforced through code enforcement proceedings or by any equitable or legal remedy available to the city.

(Ord. No. 2010-15, § 2, 11-18-10; Ord. No. 2011-12, § 1, 8-25-11)

**Sec. 7.09.02. Immediate removal of unsafe signs.**

If the city finds that when any sign is in violation of this article or other applicable regulations or state law or and by reason of its violation presents an immediate and serious danger to the public, the city may, without prior written notice, order the immediate removal or repair of the sign within a specified period. The city may remove or authorize others to remove the sign in the event that the owner for such sign cannot be found or if that person, after notification, refuses to repair or remove it. The owner of the building, structure, or premises on which the sign is located, are jointly and severally liable for the cost of removing such sign. The city shall have the right to recover from the owner or person placing such sign the cost of removal and disposal of such sign. Failure to pay an invoice sent by the city for costs incurred for sign removal shall be considered a separate violation and may be presented as a code enforcement case.

(Ord. No. 2010-15, § 2, 11-18-10; Ord. No. 2023-03, § 2, 11-9-23)

**Sec. 7.09.03. Removal of abandoned signs.**

The owner of an abandoned sign shall remove the abandoned sign within thirty (30) days of the date of the city's order to remove the sign. A sign need not be removed when a successor tenant, or business or property owner, agrees to maintain the sign as provided in this article, by filing a letter of intent with the city no later than thirty (30) days after receiving notice to do so from the city.

(Ord. No. 2010-15, § 2, 11-18-10)

**Sec. 7.09.04. Removal of signs erected without a permit.**

The city may remove or order the removal, without prior written notice, of any sign erected without a sign permit required by this article. The city shall have the right to recover from the owner or person placing such sign the cost of removal and disposal of such sign. Failure to pay an invoice sent by the city for costs incurred for sign removal shall be considered a separate violation and may be presented as a code enforcement case.

(Ord. No. 2010-15, § 2, 11-18-10; Ord. No. 2023-03, § 2, 11-9-23)

**Sec. 7.09.05. Removal of signs on public property.**

Any sign installed or placed on public property, except in conformance with the requirements of this article, shall be forfeited to the city and confiscated. The city shall have the right to recover from the owner or person placing such sign the cost of removal and disposal of such sign. Failure to pay an invoice sent by the city for costs incurred for sign removal shall be considered a separate violation and may be presented as a code enforcement case.

(Ord. No. 2010-15, § 2, 11-18-10; Ord. No. 2023-03, § 2, 11-9-23)

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### **Sec. 7.10.00. Variances.**

- A. The planning and architectural review board may recommend and city commission may grant variances from the regulations contained in this article:
  - 1. To permit a setback for a sign that is up to twenty-five (25) percent less than the required setback; or
  - 2. To permit the sign copy area of a sign to be increased up to twenty-five (25) percent of the maximum sign copy area allowed.
- B. The planning and architectural review board may recommend and city commission may grant a variance authorized by this section if the commission finds the variance requested is required by special or unique hardship because of:
  - 1. Exceptional narrowness, shallowness, or shape of the premises or lot on which a sign is located; or
  - 2. Exceptional topographic conditions or physical features uniquely affecting the premises or lot on which the sign is located.
- C. A showing that the display of a sign would be more profitable or would be more valuable is not a special or unique hardship as required by this section.
- D. A variance shall be granted only if the city commission finds that the variance is consistent with the comprehensive plan, and there are no other reasonable alternatives for displaying the sign permitted by this article if the variance is not granted.

(Ord. No. 2010-15, § 2, 11-18-10)

### **Sec. 7.11.00. Safety considerations.**

In addition to any requirements of this article, code, or other law, signs shall not be erected, maintained, and placed in such as way as to pose a safety hazard.

(Ord. No. 2010-15, § 2, 11-18-10)

### **Sec. 7.12.00. Conflicting requirements.**

These sign regulations shall not be construed to permit the erection, placement, or maintenance of any sign at any place or in any manner unlawful under any other City Code provision or other applicable law. In any case where a part of these sign regulations conflicts with a provision of any zoning, building, fire, safety, health ordinance or other code, the provision that establishes a stricter standard for the protection of the public health and safety shall prevail.

(Ord. No. 2010-15, § 2, 11-18-10)

### **Sec. 7.13.00. Severability.**

#### **Sec. 7.13.01. General.**

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article, this Code, or any adopting ordinance is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article.

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(Ord. No. 2010-15, § 2, 11-18-10)

**Sec. 7.13.02. Severability where less speech results.**

Without diminishing or limiting in any way the declaration of severability set forth above in section 7.13.01, or elsewhere in this article, Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.

(Ord. No. 2010-15, § 2, 11-18-10)

**Sec. 7.13.03. Severability of provisions pertaining to prohibited signs.**

Without diminishing or limiting in any way the declaration of severability set forth above in section 7.13.01, or elsewhere in this article, Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article or any other law is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed under section 7.05.00 of this article. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of section 7.05.00 is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of section 7.05.00.

(Ord. No. 2010-15, § 2, 11-18-10)

**Sec. 7.13.04. Severability of prohibition on billboards.**

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article and/or any other Code provisions and/or laws are declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the prohibition on billboards as contained in this article and Code.

(Ord. No. 2010-15, § 2, 11-18-10)



# Staff Report

Community Redevelopment Agency Advisory Board  
Regular Meeting



November 17, 2025

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**To:** Community Redevelopment Agency Advisory Board  
**From:** Casey Ryan, CRA Director  
**Meeting Date:** November 17, 2025  
**Item Name:** Noise Ordinance

**Background:**  
Staff seeks comments on the City's Noise Ordinance.

**Fiscal Impact:**  
N/A

**Staff Recommendation:**  
Staff seeks comments on the City's Noise Ordinance.

**Attachments:**  
1. ARTICLE\_II. \_\_\_ NOISE (1)

## **ARTICLE II. NOISE<sup>1</sup>**

### **Sec. 13-22. Findings of fact.**

The City Commission of the City of Flagler Beach, Florida hereby finds:

- (1) The persistence of sound generated by some sources constitutes a public nuisance that adversely affects the public health, safety and welfare of the citizens of Flagler Beach.
- (2) Existing enforcement mechanisms have not been fully effective at assuring compliance with the city's sound control standards.
- (3) The city commission finds and determines that this situation necessitates action to provide the additional enforcement mechanism authorized in this article in order to help assure full compliance with city sound control standards.

(Ord. No. 2007-13, § 1(Exh. A), 5-24-07; Ord. No. 2013-02, § 1, 3-14-13; Ord. No. 2019-09, § 1, 8-8-19)

### **Sec. 13-23. Definitions.**

- (a) The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. All terminology used in this article which is not defined below, shall be in conformance with applicable publications of the American National Standards Institute (ANSI) or its successor body.

*A-weighted sound level* means the sound pressure level in decibels as measured on a sound level meter using the A-weighted network. The level so read is designated dBA.

*Ambient noise* means the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources.

*Building line* means an imaginary line extending at a ninety-degree angle from the right-of-way to the nearest corner of a building.

*City manager* means the city manager of the City of Flagler Beach or the manager's designee.

*C-weighted sound level* means the sound pressure level in decibels as measured on a sound level meter using the C-weighted network. The level so read is designated dBC.

*Decibel* means a unit for describing the amplitude of sound, equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micrometers per square meter.

*Emergency work* means any work performed for the purpose of preventing or alleviating physical trauma or property damage threatened or caused by an existing or eminent peril.

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<sup>1</sup>Editor's note(s)—Ord. No. 2007-13, § 1, adopted May 24, 2007, amended Art. II in its entirety to read as herein set out. Former Art. II, §§ 13-22—13-29, pertained to similar subject matter and derived from Ord. No. 2000-17, § 1(Exh. A), adopted August 24, 2000.

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*Noise disturbance* means any sound which:

- (1) Endangers or injures the safety or health of humans or animals; or
- (2) Annoys or disturbs a reasonable person of normal sensitivities; or
- (3) Endangers or injures personal or real property.

For purposes of this definition, any sound that exceeds the maximum permissible sound levels set forth in section 13-26 of this article shall constitute a noise disturbance per se. It is the intent and purpose of this definition that sounds that either meet the aforesaid criteria or exceed the sound levels in section 13-26 shall constitute a violation of this article.

*Originating property* means the property from which any sound originates.

*Receiving property* means property into which any sound is projected other than the originating property.

*Sound level* means the weighted sound pressure level obtained by the use of a metering characteristic and weighting A, B, or C as specified in American National Standards Institute specifications for sound level meters, ANSI S1.4-1983, or in successor publications. If the weighting employed is not indicated, the A-weighting shall apply.

*Sound level meter* means an instrument, which includes a microphone, amplifier, RMS detector, integrator or time averager, output meter, and weighing networks used to measure sound pressure levels. The output meter reads sound pressure levels when properly calibrated, and the instrument is to type 2 or better, as specified in the American National Standards Institute Publications, S1.4-1983, or its successor publications.

*Sound pressure level* means twenty (20) times the logarithm to the base ten (10) of the ratio of the RMS sound pressure level to the reference of twenty (20) micronewtons per square meter.

*Testing protocol* shall be at least two (2) fifteen (15) second readings taken from a receiving property as provided herein. In cases where the city has received a complaint regarding sound levels, the readings shall be taken from the property from which the complaint is made, if known. In cases where the city has received no complaint or where the location of the complainant is not known, the readings shall be taken from the right-of-way adjacent to the nearest developed receiving property to the originating property from approximately the point at which the building line nearest to the originating property intersects the right-of-way.

(Ord. No. 2007-13, § 1(Exh. A), 5-24-07; Ord. No. 2013-02, § 1, 3-14-13; Ord. No. 2019-09, § 1, 8-8-19)

### **Sec. 13-24. Compliance.**

It shall be unlawful, except as expressly permitted in this article, to make, cause or allow the making of any noise or sound in such a manner as to create a noise disturbance.

(Ord. No. 2007-13, § 1(Exh. A), 5-24-07; Ord. No. 2013-02, § 1, 3-14-13)

### **Sec. 13-25. Measurement of sound.**

Standards, instrumentation, measurement procedures, and instrumentation maintenance used in the measurement of sound shall be in accordance with ANSI S1.4-1983 or its successor publications. City personnel that will be taking sound level measurements shall be trained to use sound testing devices.

(Ord. No. 2007-13, § 1(Exh. A), 5-24-07; Ord. No. 2013-02, § 1, 3-14-13)

**Sec. 13-26. Maximum permissible sound levels by use occupancy category.**

No person shall cause, suffer, allow or permit the operation of any source of sound in such a manner as to create a sound level that exceeds the sound level limits listed in table 1 when measured beyond the originating property's property line. Sound or noise projecting from one zoning district into another zoning district with a different decibel level limit shall not exceed the limits of the zoning district into which the noise is projected when measured from within such receiving zoning district. Sound pressure levels in excess of those established in table 1 shall constitute prima facie evidence that such sound is in violation of this article. The sound shall be measured using the "A" and "C" scale in slow time constant. In circumstances where the ambient noise level is equal to or exceeds the sound pressure levels established in table 1, the ambient noise level shall represent the maximum sound pressure level for purposes of performing the measurement provided for herein.

TABLE 1  
 MAXIMUM SOUND LEVELS FOR  
 USE OCCUPANCY CATEGORY  
 RECEIVING LAND USE

Use Occupancy Category <sup>1</sup>	Time	Maximum Sound Level Limit—dBA	Maximum Sound Level Limit—dBC
Residential <sup>2</sup>	7:00 a.m.—10:00 p.m.	60	65
	10:00 p.m.—7:00 a.m.	55	60
Commercial or Tourist	7:00 a.m.—10:00 p.m.	70	75
	10:00 p.m.—7:00 a.m.	65	70
Light Industrial	At all times	75	80

<sup>1</sup> The city's zoning map shall be relied upon for purposes of defining the "use occupancy category". In cases of multiple uses, with the exception of multiple uses as described in footnote 2 below, the more restrictive use category shall prevail. Hospitals, nursing homes, schools, libraries, and church uses shall be considered residential uses. Any area not otherwise classified shall conform to commercial standards.

<sup>2</sup> The commercial or tourist use occupancy category's maximum sound levels shall apply to residential uses located within the GC-General Commercial and the TC-Tourist Commercial zoning districts.

(Ord. No. 2007-13, § 1(Exh. A), 5-24-07; Ord. No. 2013-02, § 1, 3-14-13; Ord. No. 2019-09, § 1, 8-8-19)

**Sec. 13-27. Noise level exemptions.**

The following uses and activities shall be exempt from this article's noise level regulations except as listed in table 1.

- (1) Air conditioners when functioning in accord with the manufacturers' [specifications], standard mufflers and noise-reducing equipment in use and in proper operating condition according to standards promulgated by the American Refrigeration Institute. The same exception shall apply to lawn mowers and agricultural equipment during daylight hours.
- (2) Non-amplified crowd noises resulting from activities such as those planned by student, governmental or community groups.
- (3) Construction operations for which building permits have been issued, or construction operations not requiring permits due to ownership of the project by an agency of government; providing all

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equipment is operated in accord with the manufacturers' specifications and with all standard equipment, mufflers and noise-reducing equipment in use and in proper operating condition.

- (4) Noises of safety signals, warning devices, emergency pressure relief valves and bells and chimes of churches.
- (5) Noises resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of emergency.
- (6) Noises resulting from emergency work.
- (7) Any other noise resulting from activities of a temporary duration permitted by law and for which a permit therefor has been granted by the city in accordance with this article. Regulation of noises emanating from operations under permit shall be according to the conditions and limits stated on the permit and contained in this article.
- (8) Noises made by persons having obtained a permit to use the streets.
- (9) All noises coming from the normal operations of aircraft (not including scale model aircraft).
- (10) Motor vehicles defined in F.S. Ch. 316.
- (11) All noises generated by the city and its agents and/or from city sponsored events.
- (12) All noises generated during the July 4th holiday.

(Ord. No. 2007-13, § 1(Exh. A), 5-24-07; Ord. No. 2013-02, § 1, 3-14-13); Ord. No. 2019-09, § 1, 8-8-19)

### **Sec. 13-28. Reserved.**

Editor's note(s)—Ord. No. 2019-09, § 1, adopted August 8, 2019, repealed § 13-28 in its entirety. Former § 13-28 pertained to ambient noise and derived from Ord. No. 2007-13, § 1(Exh. A), adopted May 24, 2007.

### **Sec. 13-29. Other noise.**

- (a) Some sounds may be such that they are not measurable or may not exceed the limits but they may be excessive, unnatural, prolonged, and unusual and are a detriment to the public health, comfort, convenience, safety, welfare and prosperity of the residents of the city.
- (b) With the exception of those exemptions provided by state law, noises prohibited by this section are unlawful, notwithstanding the fact that no violation of section 13-26 is involved, and notwithstanding the fact that the activity complained about is exempted in section 13-27.
- (c) Thus, the following acts are declared to be loud, disturbing and unnecessary noises in violation of this article:
  - (1) The sounding of any horn or signaling device on any automobile or other vehicle, except as a danger warning;
  - (2) The creation by means of any signaling device of any unreasonably loud or harsh sound;
  - (3) The sounding of any signaling device for any unnecessary or unreasonable period of time; and the unreasonable use of any signaling device.

(Ord. No. 2007-13, § 1(Exh. A), 5-24-07; Ord. No. 2013-02, § 1, 3-14-13; Ord. No. 2014-02, § 1, 2-13-14; Ord. No. 2019-09, § 1, 8-8-19)

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**Sec. 13-30. Special permits for relief of maximum allowable noise levels.**

- (a) Applications for a special permit for relief from the maximum allowable noise level limits designated in this article may be made in writing to the city manager. Any special permit granted by the city manager hereunder must be in writing and shall contain all conditions upon which said special permit shall be effective.
- (b) The city manager may grant the relief as applied for under the following conditions:
  - (1) The city manager may require the applicant to exhaust all technically reasonable abatement measures before a special permit is issued. These abatement measures shall be selected and installed by the applicant at his/her own risk.
  - (2) Special permits may be granted for the purpose of entertainment that exceeds the maximum allowable noise levels established in this article under the following conditions:
    - a. The function must be open to the public (admission may be charged).
    - b. The function must take place on public property.
    - c. The special permit will be given for only four (4) hours in one (1) twenty-four-hour day.
    - d. The function shall be staged between the hours of 9:00 a.m. and 10:00 p.m.
  - (3) Special permits for non-entertainment special purposes may be issued under any of the following conditions:
    - a. If the special purpose relates to the operation of a trade or business, that the special purpose not be in the ordinary course of that trade or business; or if the special purpose does not relate to the operation of a trade or business, that the special purpose not be an ordinary event in the affairs of the applicant.
    - b. If the special purpose is a recurring purpose, that it not recur more often than four (4) times each calendar year.
    - c. That the special purpose be absolutely necessary to the operation of the applicant's trade or business; or if the special purpose does not relate to the operation of the trade or business, that the special purpose be compatible with the ordinary activities of the neighborhood in which the special purpose is to occur.
    - d. Except in emergency situations, as determined by the city manager, the special permit may be issued only four (4) hours between 7:00 a.m. and 10:00 p.m. on weekdays.
    - e. Special permits may be issued for no longer than fifteen (15) consecutive days, renewable by further application to the city manager.
  - (4) No special permit shall be issued to permit the use of any loudspeaker or sound-amplifying device on the exterior of any building, which at any time exceeds the sound level limits in table 1, except those used for emergency warnings.

(Ord. No. 2007-13, § 1, 5-24-07; Ord. No. 2013-02, § 1, 3-14-13)

**Sec. 13-31. License for use of loudspeakers or public address systems.**

- (a) Loudspeakers or public address systems used to produce sound signals from any source for either advertising or other purposes shall not be operated on or over public property and public rights-of-way, unless a license has been issued by the city manager. Such systems may be used Monday through Saturday during daylight

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hours only. No such systems shall be used, except systems used by police officers and/or city employees acting in an official capacity, systems approved in conjunction with special permits and special events approved by the city manager and special uses approved by the city commission.

- (b) Favorable recommendation of the police chief is required before issuance of a license. Such a recommendation must be given if the proposed activity will not violate any ordinance and will not endanger the public health and safety.
- (c) No loudspeakers or sound-amplifying devices shall be operated pursuant to this section within the hours of 10:00 p.m. and 9:00 a.m.
- (d) No loudspeakers or sound-amplifying devices shall be allowed to operate pursuant to this section during any hour of the day or night that exceeds the maximum permissible sound levels as described in section 13-26 unless a special permit for relief from the maximum allowable noise level limits established in this article has been approved by the city manager.

(Ord. No. 2007-13, § 1(Exh. A), 5-24-07; Ord. No. 2013-02, § 1, 3-14-13)

### **Sec. 13-33. Penalties.**

- (a) Each violation of this article shall carry the following civil penalties:
  - (1) First violation within a one hundred eighty-day period, a written warning and notice to cure.
  - (2) Second violation within a one hundred eighty-day period, a citation in the amount of two hundred fifty dollars (\$250.00).
  - (3) Third and subsequent violations within a one hundred eighty-day period, a citation in the amount of five hundred dollars (\$500.00).

In the event that a person contests the citation issued him or her, or if he or she is convicted of the above charge, the court will set the fine in an amount not exceeding the statutory limits plus any costs the court may impose. The city may also seek payment of outstanding expenses as restitution.

(Ord. No. 2007-13, § 1, 5-24-07; Ord. No. 2009-13, § 8, 8-6-09; Ord. No. 2013-02, § 1, 3-14-13)

### **Secs. 13-34, 13-35. Reserved.**



# Staff Report

Community Redevelopment Agency Advisory Board  
Regular Meeting



November 17, 2025

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**To:** Community Redevelopment Agency Advisory Board  
**From:** Casey Ryan, CRA Director  
**Meeting Date:** November 17, 2025  
**Item Name:** Food Trucks

**Background:**  
Staff seeks comments regarding food truck operations.

**Fiscal Impact:**  
N/A

**Staff Recommendation:**  
Staff seeks comments regarding food truck operations.

**Attachments:**  
None



# Staff Report

Community Redevelopment Agency Advisory Board  
Regular Meeting



November 17, 2025

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**To:** Community Redevelopment Agency Advisory Board  
**From:** Casey Ryan, CRA Director  
**Meeting Date:** November 17, 2025  
**Item Name:** Farmers Market

**Background:**

Staff seeks comments on the revised Farmers Market location and operations.

**Fiscal Impact:**

N/A

**Staff Recommendation:**

Staff seeks comments on the revised Farmers Market location and operations.

**Attachments:**

None