

**ORDINANCE NO: 2020-12**

**AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE CITY OF MOUNT DORA LAND DEVELOPMENT CODE; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING FOR AN AMENDMENT TO CITY OF MOUNT DORA LAND DEVELOPMENT CODE, CHAPTER VI, DESIGN STANDARDS, SECTION 6.7, SIGNS; PROVIDING FOR AN AMENDMENT TO CITY OF MOUNT DORA LAND DEVELOPMENT CODE, CHAPTER VIII, DEFINITIONS; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statutes, Chapter 166, confers upon a local government, the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizens; and

**WHEREAS**, pursuant to its home rule powers, the City of Mount Dora may regulate land use matters and design standards within the City limits through the adoption of Land Development regulations; and

**WHEREAS**, from time to time the City of Mount Dora provides updates and amendments to its Land Development regulations in the best interest of its residential and business citizens; and

**WHEREAS**, on July 17, 2018, the City adopted Resolution No. 2018-108, which created a Special Code Advisory Committee that was ultimately empaneled for the purpose of recommending necessary changes to sign regulations set forth in the City's Land Development Code; and

**WHEREAS**, it is the desire of the City to preserve the unique and special charm of the City of Mount Dora and at the same time ensure compliance with the First Amendment to the United States Constitution and the United States Supreme Court's interpretations thereof; and

**WHEREAS**, on June 18, 2020, following absolute dedication, clear focus to the task at hand and receipt of extensive public input, the City of Mount Dora Special Code Advisory Committee approved the amendments to the City of Mount Dora sign code as set forth herein; and

**WHEREAS**, the City of Mount Dora finds and determines that it is appropriate to update and revise its Land Development Code relative to signage; and

**WHEREAS**, the City finds and determines that the amendments to its Land Development Code, as set forth herein, are consistent with all applicable policies of the City of Mount Dora Comprehensive Plan; and

**WHEREAS**, the City finds and determines that the amendments to its Land Development Code, as set forth herein, are not in conflict with the public interest; and

**WHEREAS**, the City finds and determines that the amendments to its Land Development Code, as set forth herein, will not result in incompatible land uses; and

**WHEREAS**, this Ordinance advances a legitimate public purpose and promotes and protects the health, safety and welfare of the citizens of the City of Mount Dora.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF MOUNT DORA, FLORIDA, AS FOLLOWS:**

**SECTION 1. LEGISLATIVE FINDINGS AND INTENT.** The City of Mount Dora has complied with all requirements and procedures of the Florida law in processing this Ordinance. The above recitals are hereby adopted.

**SECTION 2. IMPLEMENTATION OF ADMINISTRATIVE ACTIONS.** The City Manager is hereby authorized and directed to take such actions as deemed necessary and appropriate in order to implement the provisions of this Ordinance. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed prudent.

**SECTION 3. AMENDING CITY OF MOUNT DORA LAND DEVELOPMENT CODE, CHAPTER VI, DESIGN STANDARDS, SECTION 6.7, SIGNS.** The City of Mount Dora Land Development Code, Chapter VI, Design Standards, Section 6.7, Signs, is hereby repealed in its entirety and replaced with the following:

**Note:** Underlined words and any and all pictures and/or charts appearing between the underlined text shall constitute additions.

**6.7.1 General**

1. Purpose and Intent

The purpose and intent of this section is to establish regulations for the size, color, illumination, movement, materials, location, height and condition of all signs placed on private property for exterior observation within the city. These regulations are hereby established in order to promote the overall economic well-being of the businesses in the city, while at the same time providing for the health, safety and welfare of its citizens by reducing any adverse effects of signs and displays on driver and roadway safety, aesthetics, property value, neighborhood character, and the enjoyment of the scenic beauty of the city.

2. Message Neutrality

Any commercial or noncommercial constitutionally protected copy or image placed on any sign display area, which is allowed under this section may be substituted with any constitutionally protected commercial or noncommercial copy without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent

favoring of content. This provision shall take precedence over any more specific provision to the contrary.

The message substitution set forth hereinabove is a continuing right that may be exercised any number of times. Substitution of message applies to the whole or any part of any legally existing sign display area. The substitution right shall apply to the sign owner and to any other message sponsor displaying copy or an image on the sign display area with the owner's consent, regardless of whether a fee or any other consideration is given for the right to use the sign display area.

### 3. Relationship to Florida Building Code

These sign regulations are intended to complement the requirements of the Florida Building Codes adopted by the Florida Legislature. Wherever there is inconsistency between these regulations, the Florida Building Codes as adopted from time to time shall apply.

#### **6.7.2 Definitions**

Words and terms used in this code shall have the meanings given in this section. Unless expressly stated otherwise, any pertinent word or term not part of this listing but vital to the interpretation of this ordinance, shall be construed to have their legal definition, or in absence of a legal definition, their meaning as commonly accepted by practitioners including civil engineers, surveyors, architects, landscape architects, and planners. Terms and definitions not listed in this section are also contained within Article VIII of this Code.

*Apartment sign:* A sign designating the name of a particular apartment complex which is erected at an entryway.

*Awning sign:* Information painted on, or imprinted on, awnings. An awning is defined as a sheltering screen, usually of canvas fabric, extending over or before any place which has windows, doors, outside walks or the like, and providing shelter or protection against the weather. Awning signs shall be calculated as a portion of the square footage allowed for on the site as outlined in this code.

*Balloon sign:* A bag of varying types of material, inflated with gas, either attached to or located on a site used for the purpose of attracting attention to the business or location.

*Banner sign:* A sign intended to be hung either with or without frames, possessing characters, letters, illustrations or ornamentation applied to paper, plastic or fabric of any kind. National flags, flags of political subdivisions, symbolic flags of any institution or business, or information painted or imprinted on awnings, as defined in this article, shall not be considered banners for the purpose of this article, such definition shall not include over-highway announcement signs erected by the city.

*Bench sign:* A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way, except for publicly installed bench signs.

Beacon lighting: A source of electric light, whether portable or fixed, the primary purpose of which is to cast a concentrated beam of light generally skyward as a means of attracting attention to its location rather than to illuminate any particular sign, structure, or other object.

Building frontage: The maximum linear width of a building measured in a single straight line parallel, or essentially parallel, with the abutting public street or parking lot.

Community center sign: A sign associated with and erected by a community center. For this purpose, community centers are defined as those building or structures open to the general public which are owned and operated by a governmental, public, or not-for-profit entity for the purpose of hosting an assemblage of persons.

Construction sign: Any sign giving the name or names of principal contractors, architects and lending institutions responsible for construction on the site where the sign is placed, together with other information included thereon.

Directional sign: A sign of a variety that indicates ingress and egress points only. The intent of these signs is to allow for vehicular visibility to access points for nonresidential development. Directional language and logos may be incorporated into the sign design but may not exceed the sign area requirements.

Directory sign: A sign on which the names and locations of occupants or the use of a building is given. This shall include office building and church directories.

Electronic Variable Message sign: A sign or portion thereof that displays electronic images, graphics and/or text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade or repixelization. Electronic variable message signs include, but are not limited to, computer programmable, microprocessor controlled electronic or digital displays.

Flag: A cloth, plastic, canvas, or other similar flexible material typically attachable by one edge, and used as a decoration, signaling device and/or symbol or emblem of a governmental institution or other entity.

Freestanding sign: A mobile or portable sign structure, not structurally secured to the ground or to any other structure.

Ground sign: A sign which is supported by structures in or upon the ground and independent of support from any building.

*Illuminated sign:* A sign illuminated in any manner by an artificial light source.

*Inflatable sign:* A sign that is a gas- or air-inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and may be equipped with a portable blower motor that provides a constant flow of air into the device.

*Integral sign:* Memorial signs or tablets, names of buildings and/or date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials mounted on the face of a building. This definition shall include memorial plaques placed on city-placed benches for public seating.

*Marquee sign:* A sign attached to and made a part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.

*Menu board:* A sign which carries only the name of a restaurant and the current list and prices of food or food preparations available in that restaurant.

*Monument sign:* A sign which has the vertical structure supports concealed in an enclosed base which has the same or greater width and depth dimension as the sign.

*Mural:* A painting or other work of art executed directly on a wall, a vertical enclosure, or surface of a structure, as defined herein.

*Nonconforming sign:* A sign which does not conform to the regulations of this code.

*Occupant identification sign:* A sign which carries only the name of the firm, major enterprise or products offered for sale on the premises, lot or parcel of land.

*Outdoor advertising sign:* Sign which advertises a business, organization, event, person, place or thing not on the premises of said business, organization, event, person, place or thing.

*Pedestal sign:* A movable sign constructed of permanent materials able to withstand the elements and supported by a base so as to allow the sign to stand in an upright position.

*Personal Expression sign:* An on-premises sign that expresses an opinion, interest, position, or other non-commercial message.

*Pole sign:* A sign placed on or affixed to a pole which is not concealed from public view.

Projecting sign. A sign other than a wall sign affixed to any building or wall whose leading edge extends beyond such building or wall and projects no more than forty-eight (48) inches beyond the face of such wall. All projecting signs shall maintain a seven-foot six-inch (7'-6") vertical clearance from public or private sidewalks, walkways or paths.

Public sign: Governmental information or direction signs, historical markers, signs relating to national defense and security and other emergency signs, and ornamental signs of a permanent character displaying only the name of a commonly known and accepted name of a section of the city, deemed by the city council to be of general public interest, may be located in any zoning district. Public signs shall also include street banner signs at city designated locations which meet the following criteria:

1. The applicant is a public body or is a fraternal, benevolent, charitable, eleemosynary, philanthropic, altruistic, civic, community, veteran, educational organization or other organization of like or similar nature;
2. The sign solely advertises an event, function or thing of general public interest;
3. The location of the sign will not interfere with the traffic or public safety;
4. The copy of the sign does not violate any provision of this article;
5. Signs shall be permitted for a maximum of fourteen (14) days.

Roof sign: Any sign erected or constructed wholly upon and over the roof of any building and supported solely on the roof structure.

Sandwich board: A two (2)-sided, self-supporting sign with the base of the sign being the supporting structure and the connecting point located at the top of the sign.

Security sign: An on-premises sign regulating the use of the premises, such as a "no trespassing," "no hunting," or "no soliciting" sign. (Also known as warning sign).

Sidewalk sign: A sandwich board or pedestal sign.

Signs: A letter, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, illustration, stroke, stripe, line, trademark, reading matter, or illuminated surface, which shall be so constructed, placed, attached, painted, erected, fastened, or manufactured in any manner whatsoever, so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise, whatsoever, which is displayed in any manner whatsoever.

Site: A tract, lot, or parcel of land or combination of tracts, lots, or parcels of land which is in one ownership, or contiguous and in diverse ownership where development is to be performed as part of a unit, subdivision, or project.

Snipe sign: A sign of any material whatsoever that is attached in any way to a utility pole, tree, fence post or any other similar object, or placed within public property or within a public right-of-way without city approval.

Subdivision development sign: A sign advertising a subdivision development of property which denotes the owner, developer, architect, construction contractor(s) and or lot layout.

Subdivision sign: A sign denoting the name of a subdivision as a means of identifying the development. Subdivision signs may be placed on entry walls or be constructed as a separate monument sign. In nonresidential subdivisions, these signs shall not be calculated toward the overall allowable signage for the particular site. These signs must be located at the entrance to the subdivision.

Swing sign: A sign projecting from the outside wall or walls of any building, or from an awning, which has a horizontal dimension equal to or exceeding its vertical dimension, and which is suspended from a projecting structure in such a manner that neither the sign itself, nor any part thereof, is attached directly to the building or wall.

Trailer sign: Any sign on a vehicle normally licensed by the State of Florida as a trailer and used for advertising or promotional purposes.

Wall sign: A sign painted on or attached to an erected structure parallel to the face of, or erected and confined within the limits of, the outside wall of any building and supported by such wall or building and which displays only one advertising surface.

Walking or human sign: Signs held, carried, balanced or worn by any person, including hand-held, walking signs, mascots, costumes and characters intended to advertise or attract attention to sales, products, services, businesses, activities, events or issues, and which are visible from a public right-of-way, adjacent property, or a public area. "Human sign" means a sign that is held or worn by a person.

Window sign: A permanent sign placed inside or upon a window facing the outside and which is intended to be seen from the exterior. Permanently attached signs (i.e. illuminated, painted, affixed by mechanical means, etc.) shall be calculated in the total allowable sign area. Temporary and signs integrally related to business operation (i.e. open/closed signs, hours of operation, etc.) shall be allowed but not be included in the allowable copy area.

### **6.7.3 Applicability**

All signs placed upon lands within the City of Mount Dora shall conform to the standards set forth in this code except where deviations have been permitted by PUD zoning or an applicable development order.

#### **6.7.4 Signs**

##### 1. Generally

The city recognizes that there are persons and entities that have an interest in communicating with the public using signs that serve to identify businesses and services, residences and institutions, and provide for expression of opinions. Every sign and sign structure shall be designed as a compatible architectural element and shall be in scale with the building to which it relates, the building's site and adjacent structures, and the neighborhood in which it is located.

##### 2. Specifically

The regulations contained in this subsection shall provide uniform sign criteria that regulates the size, height, number and placement of signs in a manner that is compatible with the character of Mount Dora:

- a. Sign Types: No sign shall be constructed, installed or erected within the city unless the sign is included within one of the following construction classifications:
  1. Awning
  2. Integral
  3. Marquee
  4. Menu
  5. Monument
  6. Pedestal
  7. Projecting
  8. Sandwich Board
  9. Swing
  10. Wall
  11. Window
  12. Temporary Signs as set forth in this Code

- b. C-2 Central Business Sign District: For the purpose of this sign code, special sign provisions and standards are provided for the “C-2 Central Business Sign District.” Those lands that are zoned C-2 and are located within the boundary depicted in *Illustration 1* are defined as being described as the “C-2 Central Business Sign District” as subject to special sign standards: Bounded on the south by the railroad right-of-way, on the north by 6th Avenue, on the east by Baker Street, and on the west by McDonald Street. The C-2 Central Business Sign District may be revised from time to time by the City of Mount Dora through the adoption of a Resolution.



- c. *Illustration 1: C-2 Central Business Sign District Sign Uses:* The following sign uses shall be allowed under the conditions and criteria indicated. Additionally, except for temporary and public signs, the following sign uses shall be allowed if they only indicate the name of the enterprise located on the premises and/or the products and/or services for sale thereon:

Community Center	
Community centers	<p>Ground mounted signs for community centers established more than fifty (50) years ago, where centers were constructed in violation of the setbacks established for the zoning district in question, may be placed within the right-of-way by permission of the City Council, at its sole discretion, upon on following conditions being met:</p> <ol style="list-style-type: none"> <li>1. The right-of-way is the only reasonable location where a ground mounted sign can be constructed.</li> <li>2. The sign will be set back as far from the edge of pavement as reasonably possible.</li> <li>3. The sign will be a monument sign of no more than six (6) feet in height.</li> <li>4. The sign is constructed in accordance with this section and any other conditions established by the City Council.</li> </ol>

<b>Directional</b>	
Zoning districts allowed	RP, OP, C-1, C-2, C-2A, C-3, WP-1, WP-2, PLI
Sign types allowed	Monument or pole
Sign size	Four (4) sq. ft. per sign
Other criteria	<ol style="list-style-type: none"> <li>1. One sign for each ingress point.</li> <li>2. One sign for each egress point.</li> <li>3. Three (3) ft. high maximum.</li> <li>4. There shall be no setback requirement from property lines; however, no sign structure may be placed in a manner which obstructs vehicular or pedestrian site visibility at intersections.</li> </ol>
C-3 sites of 10.00 acres or greater with access points (ingress/egress) located on US Highway 441 only	Sign type allowed: Monument or pole Maximum Sign Size: Eight (8) sq. ft. Other Criteria: <ol style="list-style-type: none"> <li>1. One sign for each ingress point.</li> <li>2. One sign for each egress point.</li> <li>3. Five (5) ft. high maximum.</li> <li>4. There shall be no setback requirement from property lines; however, no sign structure may be placed in a manner which obstructs vehicular or pedestrian site visibility at intersections.</li> <li>5. Must be distanced at least forty (40) ft. from any other sign structure(s).</li> </ol>
<b>Directory</b>	
Zoning districts allowed	RP, OP, C-1, C-2, C-2A, WP-1, WP-2, PLI
Sign types allowed	Projecting, wall
Sign size	Six (6) sq. ft. maximum
Other criteria	<ol style="list-style-type: none"> <li>1. May only indicate: Building name, Building address and Tenant names.</li> <li>2. Building must have more than one (1) occupant to be allowed a directory sign</li> </ol>
<b>Occupant Identification</b>	
Zoning districts allowed	RP, OP, C-1, C-2, C-2 Central Business Sign District, C-2A, C-3, WP-1, WP-2, and PLI
Sign types allowed	RP: awning, monument, projecting, swing, wall OP: awning, monument, projecting, swing, wall, window C-1: awning, integral, marquee, monument, projecting, swing, wall, window C-2: awning, integral, marquee, monument, pedestal, projecting, sandwich, swing, wall, window C-2 Central Business District: awning, integral, marquee, pedestal, projecting, sandwich, swing, wall, window C-2A: awning, monument, projecting, swing, wall, window; menu, pedestal, and sandwich board allowed on Highland Street only C-3: awning, integral, marquee, monument, projecting, swing, wall, window WP-1/WP-2: PLI: awning, monument, projecting, swing, wall, window
Sign size	RP: 1 sq. ft./linear foot building frontage, twenty (20) sq. ft. max. OP: 1 sq. ft./linear foot building frontage, one hundred (100) sq. ft. max. C-1: 1 sq. ft./linear foot building frontage, thirty-five (35) sq. ft. max. C-2: 1 sq. ft./linear foot building frontage, one hundred (100) sq. ft. max. C-2 Central Business District: 1 sq. ft./linear foot building frontage, fifty (50) sq. ft. max. C-2A: one (1) sq. ft./linear foot building frontage, one hundred (100) sq. ft. max. C-3 (bldg. setback < two hundred fifty (250) ft.): one (1) sq. ft./linear foot building frontage, one hundred fifty (150) sq. ft. max. For wall type signs only. C-3 (bldg. setback two hundred fifty-one (251)-four hundred (400) ft.): one and a half (1.5) sq. ft./linear foot building frontage, two hundred (200) sq. ft. max. For wall type signs only. C-3 (bldg. setback >four hundred one (401) ft.): two (2) sq. ft./linear foot building frontage, two hundred fifty (250) sq. ft. max. For wall type signs only.

	<p>WP-1/WP-2: one (1) sq. ft./linear foot building frontage, one hundred fifty (150) sq. ft. max.          PLI: one (1) sq. ft./linear foot building frontage, one hundred (100) sq. ft. max., six (6) ft. max. height, five (5) ft. setback from property lines</p>
<p><b>C-3 Monument Sign Criteria.</b></p> <p>The C-3 monument sign copy area is in addition to the wall sign size of this code. One (1) monument per site and sign size and height limitations are based on the maximum building gross floor area are as follows:</p> <p>Building Nineteen thousand, nine hundred ninety-nine (19,999) sq ft or less          Max. Size (fifty) 50 sq ft          Max. eight (8) ft height</p> <p>Building twenty thousand (20,000) ninety-nine thousand, nine hundred ninety-nine-(99,999) sq ft          Max. Size seventy-five (75) sq ft          Max. eight (8) ft height</p> <p>Building one hundred thousand (100,000)- one hundred forty-nine thousand (149,000) sq ft          Max. Size one hundred (100) sq ft          Max. ten (10) ft height</p> <p>Building one hundred fifty thousand (150,000) sq ft or greater          Max. Size one hundred (150) sq ft          Max. ten (10) ft height</p>	
<p><b>RP zoning district monument sign criteria</b></p> <p>The RP monument sign copy area is in addition to the wall sign size of this code. One monument per site and sign height and size limitations are as follows:</p> <ol style="list-style-type: none"> <li>1. Maximum sign height shall be six (6) feet.</li> <li>2. Maximum sign copy area for a single building shall be fifteen (15) square feet.</li> <li>3. Maximum sign copy area for two (2) or more buildings shall be thirty (30) square feet.</li> </ol>	
<p>Occupant Identification Other criteria</p>	<ol style="list-style-type: none"> <li>1. All monument signs must be set back at least five feet from all property lines in RP, OP, C-1, C-2, C-3, and C-2A zoning districts.</li> <li>2. Unless specified in this code, multiple wall signs are allowed. For C-3 zoning there are separate size computations for wall type and monument signs.</li> </ol>
<b>Public</b>	
Zoning districts allowed	All (see definition for Public Sign)
<b>Menu, Pedestal and Sandwich</b>	
Zoning districts allowed	C-2, C-2 Central Business District, and C-2A (Highland Street only)
Sign types allowed	Pedestal, sandwich board, wall
Sign size	Pedestal: four (4) ft. ht. x two (2) ft. width x two (2) ft. depth maximum. Sandwich Board: twelve (12) sq. ft. maximum. Wall: three (3) sq. ft. maximum.
Other criteria	<u>Sidewalk (sandwich board or pedestal sign):</u> <ol style="list-style-type: none"> <li>1: Four (4) ft. high maximum.</li> <li>2: Five (5) feet walking area clearance must be maintained along sidewalks.</li> <li>3: Ingress/egress to adjacent structures may not be impeded.</li> <li>4: Only allowed for retail sales and restaurants.</li> </ol>

	<p>5: Only one sidewalk sign allowed per business.</p> <p>6: Release and indemnification must be provided to city.</p> <p>7: Does not count against other allowable sign area, unless the sidewalk sign is used as a menu board in which instance it will be counted against allowable menu board signs.</p> <p>8: A sidewalk sign may be used as a menu sign; however, only one (1) sandwich board or pedestal sign will be allowed per business.</p> <p>9: A sidewalk sign must be positioned so that it is adjacent to the building's frontage in relation to the adjacent roadway.</p> <p>10: No less than fifty (50) percent of the area of a sidewalk sign shall consist of permanent copy for business identification purposes.</p> <p>11: A business located above the first floor of a building may place one (1) sidewalk sign on the ground level of the building in which the business is located.</p> <p>12. Must be minimum twelve inches (12") setback from curb or edge of roadway.</p>
<b>Residential Subdivision</b>	
Zoning districts allowed	All Residential Zoning Districts
Sign type allowed	Monument
Sign size	Residential Subdivision: sixty-four (64) sq. ft. of copy maximum for each access point located on separate named roadways. Apartment: two (2) sq. ft. per unit, sixty-four (64) sq. ft. maximum
Other criteria	<ol style="list-style-type: none"> <li>1. Subdivision must be approved, platted and actively under development and sale.</li> <li>2. Eight (8) ft. high maximum.</li> <li>3. Sign must be set back a minimum of five (5) feet from right-of-way or site distance triangle of the current version of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance (Florida Greenbook), whichever setback is greater.</li> </ol>
<b>Historic Monument Sign</b>	
Zoning districts allowed	C-2 and C-2 Central Business Sign District and are restricted to individual sites listed on the National Register of the United States National Register of Historic Places (NRHP).
Sign type allowed	Monument
Sign size	Fifty (50) square feet
Maximum height	Six (6) feet. Sign height excludes decorative lighting fixtures, appurtenances, or similar design features that are integral part of the sign.
Other criteria	<p>Off-site or on-site monument type sign with the conditions and criteria indicated below:</p> <ol style="list-style-type: none"> <li>1. Signs may be located on private property or within the city's public right-of-way provided they do not conflict with utilities (above or underground), pedestrian or vehicle site visibility, or other physical features.</li> <li>2. Architectural design, materials, and exterior color scheme of the monument sign structure must be consistent with the historic character of the downtown area and in keeping with the architecture of the primary building.</li> <li>3. Landscaping consisting of shrubs is required around the sign structure.</li> <li>4. Must be approval by the Historic Preservation Board prior to issuance of a sign permit thru the City's Certificate of Appropriateness review process.</li> <li>5. The Historic Preservation Board may impose various or additional design requirements, size limitations, height restrictions, or other features that are in keeping with the intent of the historical identification and scale of the surrounding area at the city's sole discretion.</li> </ol>

d. Additional Regulations (general): The following standards shall apply to all signs within the City of Mount Dora:

1. Frontage Calculations

a. A building façade facing a secondary street is allowed additional sign area calculated at one (1) square foot for each linear foot of the building for the building façade facing the secondary street, provided the overall total wall signage copy area does not exceed the sign limitations of this code.

b. In developments where creative designs are utilized and the building has no adjacent public street frontage, the customary building frontage shall be utilized to determine the building frontage area.

c. For purposes of this subsection, “architectural design to indicate front street orientation” shall mean:

1) For new construction to which the architectural guidelines found in subsection 6.13.3 apply, those design characteristics required in subsection 6.13.3 for front facades.

2) For existing structures of twenty thousand (20,000) square feet of gross building area or more, the façade in question must have a minimum of a public entry and be comprised of fifty-five (55) percent windows or must be comprised of a minimum of sixty (60) percent windows with no public entry. For existing structures between five thousand (5,000) and nineteen thousand, nine hundred ninety-nine (19,999) square feet, inclusive, of gross building area, the façade in question must have a minimum of a public entry and be comprised of forty-five (45) percent windows or must be comprised of a minimum of fifty-five (55) percent windows with no public entry. For existing structures of less than five thousand (5,000) square feet of gross building area, the façade in question must have a minimum of a public entry and be comprised of thirty-five (35) percent windows or must be comprised of a minimum of fifty (50) percent windows with no public entry. Windows shall not appear to be false or applied.

2. Copy Calculations: In computing sign area in square feet, standard mathematical forms for known common shapes will be used. In the case of irregular shapes, straight lines drawn closest to the extremities of the shape will be used. On any sign with more than one (1) face, only the face or faces visible from any one direction at one (1) time will be counted; provided, however, that all faces of a multi-faced sign shall be equal in size and

contained within a common perimeter. Double-faced ground signs with an interior angle greater than thirty (30) degrees will be considered two (2) signs for square footage calculations.

3. Location: One ground-mounted (monument) sign may be permitted when the lot upon which it is to be placed has a minimum of forty (40) linear feet of frontage. If any lot shall have forty (40) linear feet or more of frontage, then no ground sign shall be erected closer than forty (40) feet to any other ground sign. No part of any such sign shall be located within five (5) feet of any right-of-way line in OP, C-1, C-2, C-3 or C-2A zoning districts nor be located to interfere with the sight triangle of an intersection.
4. Exposed Sign Structure: No structure or framework may be exposed by removal of sign faces or advertising copy for a period in excess of ten (10) days without approval from the zoning official.
5. Historic Signs: Any sign determined to possess historical value by the Mount Dora Historic Preservation Board will be allowed to remain, be repaired and maintained notwithstanding any provision of this section.
6. Sign Height: The height of any sign shall be measured as the difference between the highest point of the structure and the grade of the site directly adjacent to the sign base. For purposes of this measurement, any mounding of the site upon which the sign is located shall be considered part of the sign base.
7. Sign Clearance: Signs that project over public rights-of-way shall meet the following clearance standards:
  - a. All signs over pedestrian ways shall provide a minimum of seven feet six inches (7'-6") of clearance.
  - b. All signs over vehicular ways shall provide a minimum of thirteen feet six inches (13'-6") of clearance.
8. Distance Between Signs: where a minimum distance between signs is specified, that distance shall be measured by radius from the leading edge of the base of the sign structure.
- e. Additional Regulations (specific): The following standards shall apply to sign types or uses as noted below:
  1. Signs in WP-1 and C-3 zoning districts:
    - a. All signs shall be located at least twenty (20) feet from all property lines in all WP-1 zoning districts.

- b. All signs in WP-1 and C-3 zoning districts shall maintain the minimum distance from all residential districts as follows:

<b>Zoning District</b>	<b>Minimum Distance (feet)</b>
R-1AAAA	Five hundred (500)
R-1AAA	Four hundred (400)
R-1AA	Three hundred (300)
R-1A	Two hundred (200)
R-1	One hundred fifty (150)
R-1B	One hundred (100)
R-2	One hundred (100)
R-3	One hundred (100)

2. Monument Signs:

- a. Monument Sign Design Requirements: A sign which has the vertical structure supports concealed in an enclosed base. The width of such enclosed base shall be equal to at least the horizontal width of the sign surface. A planter structure or alternative landscaping shall enclose the foot of the base. The planter shall be between two (2) and three (3) feet in height above the ground, with a minimum length equal to the width of the sign and a minimum width of three (3) feet. The base and planter shall be of brick or compatible material matching the finish of the primary structure. In lieu of a brick planter the sign may be located in a landscaped buffer provided low-growing shrubbery is planted to conceal the base of the sign.
- b. Monument signs may not be located closer than five (5) feet from the adjacent right-of-way and may not obstruct any sight triangles at intersections or driveways.
- c. Monument sign height OP, C-1, C-2 and C-2A zoning districts: Six (6) feet.
- d. Monument sign height WP-1 and WP-2 zoning districts: Ten (10) feet.
- e. Monument sign height C-3 zoning district: Per this code.
- f. Monument signs may not be located closer than five (5) feet from the adjacent right-of-way and may not obstruct any sight triangles at intersections or driveways.
3. Illumination of Signs: Any light from any illuminated sign shall be shaded, shielded or directed so that the light intensity or brightness shall not adversely affect the surrounding or facing premises or affect adversely the safe vision of operators of vehicles moving on public or private roads, highways or parking areas. Light shall not shine directly on or into residential structures. Illumination of signs is regulated as follows:

- a. Illuminated signs facing water bodies shall not create a hazard to or nuisance to navigation by boaters and shall not be directed on the water surface more than twenty (20) feet from the sign.
- b. Sign lighting shall not be designed or located to cause confusion with traffic or emergency vehicle lights. Internal illumination allowed for Directional, Directory and Historic Monument signs.
- c. Internal illumination allowed, except on awning signs, for Occupant Identification signs in RP, OP, C-1, C-2, C-2A, C-3, WP-1, WP-2 and PLI zoning districts.
- d. Within the C-2 Central Business Sign District the use of neon, fluorescent colors, backlit, and signs using lights to form letters or images are prohibited.

### **6.7.5 Temporary Signs**

#### 1. Generally

It is the intent of this section to provide uniform criteria for Temporary Signs in order to place the fewest possible restrictions on personal liberties, property rights, commerce and the free exercise of constitutional rights, while achieving the city's goal of creating a healthy and safe environment that does not contain clutter or visual distractions for motorists, bicyclists and pedestrians, and maintains the aesthetic quality and scenic beauty of the city.

#### 2. Specifically

Temporary Signs are unlawful unless they meet the following standards:

- a. Permitted:
  - 1. Zoning districts: All as set forth herein.
  - 2. Construction Type: All signs approved in subsection 6.7.4.2 and including pole signs.
- b. Placement of All Temporary Signs:
  - 1. Must not be located within any right-of-way whether dedicated as an easement or owned in fee simple; and
  - 2. Must only be located on property with the permission of the property owner; and
  - 3. Must not be placed on any utility pole, streetlight, similar object or on public property; and
  - 4. Must not be illuminated; and

5. Must not be placed for more than seventy (70) days prior to the Subject which is the basis of the sign; and
  6. Must be removed within ten (10) days after the conclusion of the Subject which is the basis for the sign.
  7. For purposes of this section related to Temporary Signs, the term “Subject” shall mean a specific person, place or thing.
- c. Limits on All Temporary Signs:
1. A property owner of a non-residential property, except if the property is located in the C-2 Central Business Sign District, may place one-sided or two-sided Temporary Signs, subject to the Placement requirements set forth hereinabove, so long as the aggregate size of all Temporary Signs located on the same property does not exceed twenty-four (24) square feet at any time, on a property that is one (1) acre or less in size. Six (6) additional square feet of Temporary Signage shall be permitted for each additional one (1) acre of contiguous property under the same ownership with a maximum total aggregate size of all Temporary Signs on the property not exceeding forty-eight (48) square feet. Only one (1) Temporary Sign, representing each Subject, may be placed on a property at any one time.
  2. A property owner of a non-residential property in the C-2 Central Business Sign District, may place one-sided or two-sided Temporary Signs, subject to the Placement requirements set forth hereinabove, so long as the aggregate size of all Temporary Signs does not exceed six (6) square feet at any time on a property. Only one (1) Temporary Sign, representing each Subject, may be placed on a property at any one time. For purposes of this section related to Temporary Signs, the lessee of a property is considered the same as the record property owner. If there are multiple lessees of a property, each lessee has equal rights and duties as set forth herein.
  3. A property owner of a residential property may place one-sided or two-sided Temporary Signs, subject to the Placement requirements set forth hereinabove, of no larger than six (6) square feet each, for any one sign placed on the property so long as the aggregate size of all Temporary Signs does not exceed twenty-four (24) square feet at any time on the property. Only one (1) Temporary Sign, representing each Subject, may be placed on a property at any one time.
- d. Additional Temporary Signs for All Zoning Districts:
1. One (1) additional one-sided or two-sided Temporary Sign may be placed on a property, not to exceed six (6) square feet in size, on a day when the property owner is opening the property to the public.

2. One additional one-sided or two-sided Temporary Sign may be placed on the property, not to exceed six (6) square feet in size, for one (1) day not to exceed six (6) separate days in a calendar year.

### **6.7.6 Off-Site Advertising Signs**

#### 1. Generally

Off-site outdoor advertising signs are defined as signs erected on premises other than where the goods, services or occupants listed or advertised upon the sign in question are located.

#### 2. Specifically

Off-site signs shall be allowed within the City of Mount Dora only if they meet the following requirements:

- a. Zoning districts allowed: WP-1 and WP-2.
- b. Sign size: Maximum size of outdoor advertising signs shall not exceed a maximum gross area of one hundred twenty (120) square feet.
- c. Other criteria:
  1. Shall be permitted only if approved as a conditional use in industrial zoning.
  2. Shall be set back in accordance with the applicable building setback requirements for the zoning district but shall not be allowed within one hundred (100) feet of any public right-of-way and shall not be located nearer than two hundred (200) feet to a residential district.
  3. Shall be no closer than two thousand (2,000) feet from any other outdoor advertising sign, nor closer than one hundred (100) feet from any occupant identification sign on the same side of the road.
  4. The number of signs on any one street shall be limited to a maximum of two (2) in any ten (10)-mile distance if these signs advertise the same business, product or activity.
  5. No single-faced billboard shall have an interior angle from road to face of sign in excess of thirty (30) degrees and shall be installed to minimize a view of the rear of a sign. No multi-faced outdoor advertising sign shall be permitted.
  6. No sign may project more than fifteen (15) feet in height or above the crown of the road which the sign is designed primarily to serve.

### **6.7.7 Off-Premise Advertising Signs**

#### 1. Generally

Off-Premise Advertising Signs Special Provisions for Spring Harbor Boulevard and Lake Park Court Developed parcels that are zoned C-3, OP, or R-3 without U.S. Highway 441 parcel frontage with frontage along Spring Harbor Boulevard and Lake Park Court may be allowed off-site advertising sign copy area for an existing or proposed monument sign, if they comply with the following standards:

## 2. Specifically

Off-Premise Advertising Signs must meet the following regulations:

- a. An off-site advertising sign shall be located within two thousand (2,000) feet of the subject being advertised. This is measured from the property line of the subject property to the off-site advertising sign structure. The off-site advertising sign structure must be located on a parcel with U.S. Highway 441 frontage and has access to Spring Harbor Boulevard.
- b. Off-site advertising signs shall only be allowed for uses located on parcels that do not have frontage on U.S. Highway 441.
- c. The conversion or installation of a monument sign to share other off-site business advertising is allowed. Sign advertising panels must be included to accommodate all users.
- d. The maximum sign copy area allowed shall comply with the host sign requirements (height, copy area, sign type, landscaping, setbacks, etc.) for the district in which the sign is located. No additional sign copy area is allowed nor may be transferred.
- e. Assign easement(s) to share the off-site advertising monument sign is optional between the host business parcel and the off-site parcel user(s).
- f. In cases where an off-site advertising sign is proposed to be placed on a nonconforming sign, the nonconforming sign shall comply with the current sign code requirements of the underlying zoning district.
- g. Off-Premise Advertising Signs which provide four (4) or more individual sign panels at least four (4) square feet per panel may be allowed additional size as follows: The sign copy area for off-premise sign may be allowed additional twenty-five (25) square feet in addition to the allowable sign copy area by zoning district per this code.
- h. Off-Premise Advertising Signs which provide four (4) or more individual sign panels at least four (4) square feet per panel may be allowed additional sign height as follows: The maximum height may increase three (3) feet in addition to the height of the allowable monument sign by code.

### **6.7.8 Off-Premise Directional Signs**

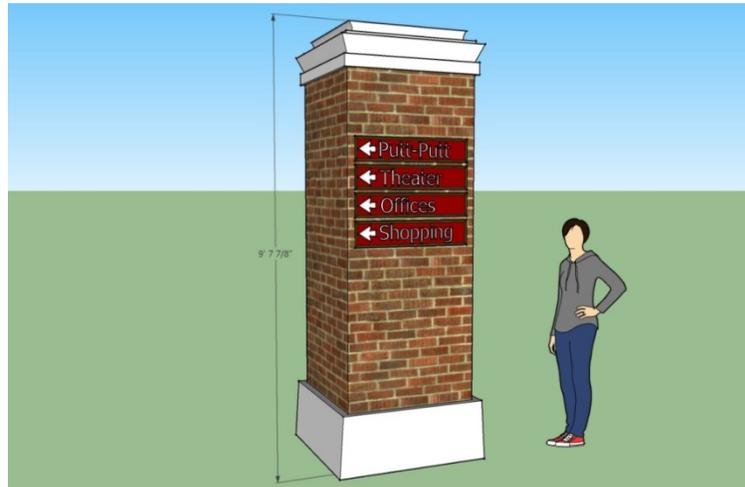
#### 1. Generally

An off-premise directional sign helps travelers access a business, activity, product or service not located on the premises where the sign is installed.

#### 2. Specifically

Off-premise directional signs shall be allowed within the City of Mount Dora only if they meet the following requirements:

- a. Zoning district allowed: C-3 (Highway Commercial).
- b. Size type: Ground mounted monument sign with a clearly defined base flush with the ground and a decorative cap distinguishable from the sign column, similar to the construction design shown *Illustration 2*.
- c. Sign size: Maximum width of the sign shall be three (3) feet and the maximum height, including decorative cap, shall be ten (10) feet.



*Illustration 2: Off-Premise Directional Sign Example*

- d. Sign location: Signs may be located at the following US 441 intersections: Spring Harbor Boulevard, Eudora Road and Lake Park Court. Signs shall be oriented so that wayfinding guidance is toward the traffic flow on US 441. Must be located at intersections only. Only in cases where there is an existing frontage road, such sign structures may be located in right-of-way subject to applicable State, County, and City permits.
- e. Other criteria:
  - 1. The sign shall be constructed of brick in a pattern and color like that found on Mount Dora gateway signs.
  - 2. The sign shall have a designated area for directional information, designed to accommodate up to six (6) panels of equal size for up to four (4) separate and distinct development names. The maximum panel height shall be eight (8) inches. Lettering shall be four (4) inches in height and match the font used on existing Mount Dora gateway (brick and stone) signs.
  - 3. Only the name, type and/or logo under which a development is known or designated, and a directional arrow, shall be permitted on the panels.

4. Developments identified on off-premise directional signs shall be subject to the following:
  - a. The development is a non-residential use.
  - b. The site/parcel is located no further than one-quarter mile (1,320-ft.) from the intersection where said sign is located.
  - c. The development does not have direct access to US 441.
  - d. One (1) off-sign per developed site/parcel.
  - e. Those business sites with lot frontage greater than fifty (50) linear feet or have an existing permitted free-standing sign (i.e. existing monument sign) along US Highway 441 are not eligible for the off-premise sign of this section.
  - f. For the purposes of this section, distances shall be measured by drawing a straight line, without regard to intervening structures or objects, between the closest property lines of the proposed or existing business site to the off-premise directional sign structure. Measurement shall be made in a straight line, without regard to municipal boundaries.
5. The sign may be illuminated but shall not cause glare to motorists.
6. Signs shall be located so that no part of the sign encroaches within the minimum clear vision triangle at intersections, as determined by the City of Mount Dora or by the Florida Department of Transportation, whichever is more restrictive.
7. Signs may be placed at property line, provided it does not obstruct vehicle or pedestrian corner visibility. Off-premises signs shall be placed in such manner as not visually obstruct existing on-site signs.
8. No off-premise directional sign shall be located closer than twenty (20) feet from any on-site sign.

#### **6.7.9 Prohibited Signs**

##### 1. Generally

It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained, any sign not expressly authorized by, or exempted from, this section. Generally, signs are prohibited as set forth in sub-section 6.7.9.2.

##### 2. Specifically

The following signs are prohibited within the City of Mount Dora:

- a. Banner (except as authorized by the city for specific public events or informational/instructional purposes).
- b. Bench.

- c. Electronic Variable Message Sign, except for permitted gas station fuel price displays and signs placed on City owned property.
- d. Freestanding (except pedestal signs and sandwich boards where expressly permitted by this section).
- e. Offsite (except those signs permitted in subsection 6.7.4).
- f. Pole (except if erected as a public sign or temporary sign).
- g. Roof (except those roof signs attached to the lower vertical section of a gambrel roof located in the C-2, C-2 Central Business District, and C-2A zoning districts).
- h. School bus stop shelters used for advertising.
- i. Snipe.
- j. Signs which bear or contain statements, words or pictures of an obscene pornographic or immoral character, or which contain advertising matter which is untruthful.
- k. Signs on private property which in any way simulate emergency traffic control signs or devices.
- l. Any private sign placed on public property.
- m. Any vehicle with a sign or signs attached thereto or placed thereon subject to the following exceptions:
  - 1. Any vehicle parked on private property when parked within the confines of a building or in some other manner which provides for effective screening so as not to allow the sign or signs on the vehicle to be viewed from any public street.
  - 2. Any vehicle upon which is placed a sign identifying the firm or its principal products or services if such vehicle is one which is operated during the normal course of business.
  - 3. Buses, taxicabs and similar common carrier vehicles which are licensed or certified by the city.
- n. Except as provided elsewhere in this section, any sign incorporating or consisting of banners, pennants, ribbons, streamers, spinners or wind-operated devices. These devices, when not an integral and functional part of any sign, are similarly prohibited.

- o. Any advertisement which uses a series of two (2) or more signs placed in a line parallel to the roadway or in a similar fashion, and carrying a single advertising message, part of which is contained on each sign.
- p. Any sign which the Mount Dora Police Department determines obstructs sight lines at intersections and/or driveways.
- q. Any sign which incorporates a beacon light or lights.
- r. Balloon signs.
- s. Outdoor mobile sandwich board signs consisting of two (2) placards fastened together at the top with straps supported on the shoulders of the carrier.
- t. String of lights, bulbs, rope lights, of similar illumination used on commercially developed parcels to frame windows, doors, or used as light bands for the building or landscaping, except has permitted in this code.
- u. Inflatable signs.
- v. Walking or human signs.

#### **6.7.10 Administration**

##### **1. Generally**

In no event shall any sign be erected within the City of Mount Dora except in conformance with this section.

If any part, subsection, paragraph, sentence, phrase, term or word within this section 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, subsection, paragraph, sentence, phrase, term or word within this section.

##### **2. Permit Application**

No person shall erect, alter, repair or relocate any sign without first obtaining a building permit for such work from the city. No permit shall be issued until the Planning and Development Department determines that such work is in accordance with the requirements contained in this section:

- a. Drawing: Every application shall be accompanied by scaled drawings (plan and elevation as appropriate) of the proposed sign showing the location, height, size and distances from other signs, where applicable, and all other information required to determine zoning compliance.
- b. All signs shall be designed and installed in compliance with the requirements of the building and electrical codes of the City of Mount Dora.

- c. Certification: Signs over thirty-two (32) square feet in area, signs that project perpendicularly from the surface to which they are attached and are more than twelve (12) square feet in area, and/or signs that are higher than six (6) feet above grade shall be designed and certified by a State of Florida registered engineer or architect for structural integrity and wind loading.
- d. Exception for changeable copy sign: The changing of advertising copy or message on signs which are specifically designed and approved for the use of replaceable copy shall not require a building permit.
- e. Fees: Fees shall be adopted by the city by resolution and may be amended from time to time as appropriate.

### 3. Permit Review, Approval and/or Appeal

Upon receipt of a fully completed application, a permit shall either be issued or denied within thirty (30) working days thereof. A permit not issued within this thirty (30)-day period shall be deemed to be denied. An applicant who has been denied a permit hereunder or who has been granted a permit with conditions may appeal such denial or grant with conditions to the Planning and Zoning Commission. Any such appeal must be filed in writing within ten (10) calendar days of the permit denial or grant with conditions. The appeal before the Commission shall be *de novo*. Any person aggrieved by a decision of the Planning and Zoning Commission may file a petition for *writ of certiorari* in the Circuit Court of the Fifth Judicial Circuit in and for Lake County, Florida. In order to be valid, any petition for *writ of certiorari* must be filed within thirty (30) days of the date of final action by the Planning and Zoning Commission.

### 4. Exemptions

The following signs are exempt from the requirements of this section, provided they are not placed or constructed to create a hazard of any kind:

- a. Flags provided the following:
  - (1) Flags and flagpoles shall not be located within any right-of-way.
  - (2) Flagpole Height and Flag size - Non-Residential: A free standing flagpole shall have a maximum height of forty-five (45) feet in non-residential districts. The following are the maximum allowable Flag sizes for a Flag placed on a flagpole in a non-residential district:

<b><u>Flag Pole Height</u></b>	<b><u>Maximum Flag Size</u></b>
<u>Up to 20 feet</u>	<u>(4 x 6) 24 square feet</u>
<u>21 – 25 feet</u>	<u>(5 x 8) 40 square feet</u>
<u>26 – 39 feet</u>	<u>(6 x 10) 60 square feet</u>
<u>40 – 45 feet</u>	<u>(8 x 12) 96 square feet</u>

(3) Flagpole Height and Flag size - Residential: A free standing flagpole shall have a maximum height not to exceed the existing building height of the primary residential structure or thirty-five (35) feet whichever height is less. The following are the maximum allowable Flag sizes for a Flag placed on a flagpole in a residential district:

<u>Flag Pole Height</u>	<u>Maximum Flag Size</u>
<u>Up to 20 feet</u>	<u>(3 x 5) 15 square feet</u>
<u>21 – 25 feet</u>	<u>(4 x 6) 24 square feet</u>
<u>26 – 35 feet</u>	<u>(6 x 10) 60 square feet</u>

(4) Number. No more than three (3) flags per lot in residential districts, and no more than five (5) flags per lot in all other districts or non-residential uses.

(5) Size of Flags. Maximum Flag size for a Flag not located on a flagpole is twenty-four (24) square feet in residential districts and thirty-five (35) square feet in all other districts or non-residential uses.

(6) Flags containing commercial messages may be used as permitted freestanding or projecting signs, and, if so used, the area of the flag shall be included in, and limited by the computation of allowable area for signs on the property.

(7) Flags up to three (3) square feet in area containing noncommercial messages are considered Personal Expression Signs.

- b. Art and Murals, provided such signs do not contain any commercial messaging.
- c. Personal expression signs of any sign type, including flags, provided that they do not exceed three (3) square feet in area per side, are non-commercial in nature, and not illuminated.
- d. Signs that are not designed or located to be visible from any street or adjoining property.
- e. Traffic control signs and street name signs installed by the city and that bear no commercial message.
- f. Transportation signs such as those indicating bus stops, taxi and valet stands, train stations and similar transportation facilities.
- g. Signs required by federal or state statute or regulation, or local ordinance or regulation.
- h. Wayfinding or informational signs located within City right of way.

- i. Signs erected by a public utility, where such signs convey safety and/or warning information and are erected and displayed incidental to the public interest.
- j. Works of art that do not constitute advertising.
- k. Merchandise displays behind storefront windows so long as no part of the display moves or contains flashing lights.
- l. Incidental objects such as small decals affixed to window or door panes that indicate membership in business organizations or acceptance of certain credit cards.
- m. No trespassing, no dumping, no solicitation, private property, vacancy/no vacancy signs and other similar declarations not exceeding two (2) square feet in area.
- n. Nameplate and street address signs not exceeding one (1) square foot in area.
- o. Public signs.
- p. Signs associated with approved Special Event Permits authorized by this Code.
- q. Legal notices.
- r. Security and warning signs. These limitations shall not apply to the posting of conventional “no trespassing” signs in accordance with state law.
  - (1) Residential districts. Signs not to exceed two (2) sq. ft. in area.
  - (2) Non-residential districts. Maximum of one (1) large sign per property, not to exceed five (5) sq. ft. in area. All other posted security and warning signs may not exceed two (2) sq. ft. in area.
- s. Temporary Signs placed in compliance herewith.

## 5. Enforcement

Enforcement shall be pursuant to the City of Mount Dora Code Enforcement system as set forth in City of Mount Dora Code of Ordinances, Chapter 2, Administration.

- a. Maintenance: Signs and sign structures shall maintain a neat and clean appearance. All parts and supports of any sign shall be maintained, treated and/or painted to be safe, prevent rust or deterioration, and to maintain their appearance. All electrical parts and lighting fixtures shall be maintained in accordance with all building and electrical codes. The vegetation around, in front of, behind, and underneath the base of ground signs for ten (10) feet shall be kept trimmed and free of trash and debris.

- b. Inspection: The city may inspect at any time each sign or other advertising structure regulated by this section for the purposes of ascertaining whether the structure is safe, in need of repair or maintenance, not in conformance with the approved permit or otherwise in violation of the provisions of this section. If it is determined that a violation has occurred, the city shall give written notice to the owner or lessee of such structure. If the owner or lessee fails to remove or alter the structure to comply with the regulations set forth in this section within the time prescribed in the notice, such sign or other advertising structure may be removed or altered to comply by the city at the expense of the owner or lessee of the property upon which it is located.
- c. Unsafe Signs: The city may cause any sign or other advertising structure that presents an immediate peril to persons or property to be removed at the expense of the owner or lessee of the property upon which the sign is located.
- d. Abandoned Signs: Signs shall be removed by the owner or lessee of the premises upon which a sign is located when the business which a sign advertises is no longer conducted on the premises. If the owner or lessee fails to remove the sign within ninety (90) days from the termination of the business which was conducted on the premises, the sign may be removed at the expense of the owner or lessee of the property upon which the sign is located. Conforming sign structures may be retained if the message is deleted.

#### 6. Non-Conforming Signs

It is the intent of this section to allow nonconforming signs permitted before the adoption of this Code to continue under the provisions of this subsection until they are no longer used, or become hazardous, but not to encourage their survival. Such signs are hereby declared to be incompatible with the overall intent of this section.

- a. All nonconforming signs and their supporting members shall be completely removed from the premises or brought into conformance not later than five (5) years from the effective date of these land development regulations, unless allowed to remain by state law.
- b. Any sign which lawfully existed on property annexed into the city limits of the city may continue in existence, although such sign does not conform to all of the provisions contained herein, provided that all such nonconforming signs and their supporting members shall be completely removed from the premises or brought into conformance not later than five (5) years from the date of annexation; and further providing that nothing herein shall be construed as permitting the continuance of any prohibited sign.
- c. No existing nonconforming sign shall be altered structurally, repaired or moved unless brought into conformation with the requirements of this section; however, this restriction shall not apply to the change of copy or changeable copy signs. "Repaired" shall mean repairs which cost in excess of fifty (50)

percent of the replacement cost of the sign, such cost of repairs to include the cost of labor and materials.

- d. No sign shall be considered to be a nonconforming sign if it was erected without the approval of the Planning and Development Department and a building permit having been obtained or if the sign was erected contrary to the provisions or limitations of a building permit. Any such sign shall be considered unlawful and shall be subject to removal in accordance with the provisions of this section.

**SECTION 4. AMENDING CITY OF MOUNT DORA LAND DEVELOPMENT CODE, CHAPTER VIII, DEFINITIONS.** The City of Mount Dora Land Development Code, Chapter VIII, Definitions, is hereby amended as follows:

**Note:** Underlined words constitute additions to existing text, ~~strikethrough~~ constitutes deletions from existing text and asterisks (\*\*\*) indicate omitted parts which are intended to remain unchanged.

A. CHAPTER VIII. DEFINITIONS

The following definitions shall apply throughout this code. Words not specifically defined or otherwise explained within this code shall be as defined in a standard dictionary or as understood by the development review coordinator. Definitions specifically related to signage shall be found within Chapter VI, Design Standards, Section 6.7, Signs.

B. The following definitions are deleted in their entirety from Chapter VIII, Definitions:

~~*Apartment sign:* A sign designating the name of a particular apartment complex which is erected at an entryway.~~

\*\*\*

~~*Awning sign:* Information painted on, or imprinted on, awnings. An awning is defined as a sheltering screen, usually of canvas fabric, extending over or before any place which has windows, doors, outside walks or the like, and providing shelter or protection against the weather. Awning signs shall be calculated as a portion of the square footage allowed for on the site as outlined in this code.~~

~~*Balloon sign:* A bag of varying types of material, inflated with gas, either attached to or located on a site used for the purpose of attracting attention to the business or location.~~

\*\*\*

~~*Banner sign:* Any sign intended to be hung either with or without frames, possessing characters, letters, illustrations or ornamentation's applied to paper, plastic or fabric of any kind. National flags, flags of political subdivisions, symbolic flags of any institution or business, or information painted or imprinted on awnings, as defined in this article, shall not be considered banners for the purpose of this article, such definition shall not include over highway announcement signs erected by the city.~~

~~*Bench sign:* A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right of way, except for publicly installed bench signs.~~

\*\*\*

~~*Campaign sign:* A sign which announces or promotes a candidate for election to public office.~~

\*\*\*

~~*Community center sign:* A sign associated with and erected by a community center. For this purpose, community centers are defined as those building or structures open to the general public which are owned and operated by a governmental, public, or not-for-profit for the purpose of hosting an assemblage of persons.~~

\*\*\*

~~*Construction sign:* Any sign giving the name or names of principal contractors, architects and lending institutions responsible for construction on the site where the sign is placed, together with other information included thereon.~~

\*\*\*

~~*Directional sign:* A sign of a variety that indicates ingress and egress points only. The intent of these signs is to allow for vehicular visibility to access points for nonresidential development. Directional language and logos may be incorporated into the sign design but may not exceed the sign area requirements.~~

~~*Directory sign:* A sign on which the names and locations of occupants or the use of a building is given. This shall include office building and church directories.~~

\*\*\*

~~*Freestanding sign:* Any mobile or portable sign structure, not structurally secured to the ground or to any other structure.~~

\*\*\*

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

\*\*\*

~~*Illuminated sign:* Any sign illuminated in any manner by an artificial light source.~~

\*\*\*

~~*Integral sign:* Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials mounted on the face of a building. This definition shall include memorial plaques placed on city placed benches for public seating.~~

\*\*\*

~~*Marquee sign:* Any sign attached to and made a part of a marquee. A marquee is defined as a permanent roof like structure projecting beyond a building wall at an entrance to a building~~

~~or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.~~

~~\*\*\*~~

~~*Menu board:* A sign which carries only the name of a restaurant and the current list and prices of food or food preparations available in that restaurant.~~

~~\*\*\*~~

~~*Monument sign:* A sign which has the vertical structure supports concealed in an enclosed base.~~

~~\*\*\*~~

~~*Nonconforming sign:* Any sign which does not conform to the regulations of this code.~~

~~\*\*\*~~

~~*Occupant identification sign:* Any sign which carries only the name of the firm, major enterprise or products offered for sale on the premises, lot or parcel of land.~~

~~\*\*\*~~

~~*Outdoor advertising sign:* Sign which advertises a business, organization, event, person, place or thing not on the premises of said business, organization, event, person, place or thing.~~

~~\*\*\*~~

~~*Pedestal sign:* A movable sign constructed of permanent materials able to withstand the elements and supported by a base so as to allow the sign to stand in an upright position.~~

~~\*\*\*~~

~~*Pole sign:* A sign placed on or affixed to a pole which is not concealed from public view.~~

~~\*\*\*~~

~~*Projecting sign.* Any sign other than a wall sign affixed to any building or wall whose leading edge extends beyond such building or wall and projects no more than 48 inches beyond the face of such wall. All projecting signs shall maintain a seven-foot vertical clearance from public or private sidewalks, walkways or paths.~~

~~\*\*\*~~

~~*Public sign:* Governmental information or direction signs, historical markers, signs relating to national defense and security and other emergency signs, and ornamental signs of a permanent character displaying only the name of a commonly known and accepted name of a section of the city, deemed by the city council to be of general public interest, may be located in any zoning district.~~

~~Public signs shall also include street banner signs at city designated locations which meet the following criteria:~~

- ~~1. The applicant is a public body or is a fraternal, benevolent, charitable, eleemosynary, philanthropic, altruistic, civic, community, veteran, educational organization or other organization of like or similar nature;~~

- ~~2.—The sign solely advertises an event, function or thing of general public interest;~~
- ~~3.—The location of the sign will not interfere with the traffic or public safety;~~
- ~~4.—The copy of the sign does not violate any provision of this article;~~
- ~~5.—Signs shall be permitted for a maximum of 14 days.~~

\*\*\*

~~*Real estate sign:* Any sign which is used to offer for sale, lease or rent the property upon which the sign is placed.~~

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~~*Roof sign:* Any sign erected or constructed wholly upon and over the roof of any building and supported solely on the roof structure.~~

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~~*Sandwich board:* A two sided, self supporting sign with the base of the sign being the supporting structure and the connecting point located at the top of the sign.~~

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~~*Sidewalk sign:* A sandwich board or pedestal sign.~~

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~~*Signs:* Any letter, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter, inflatable device, or illuminated surface, which shall be so constructed, placed, attached, painted, erected, fastened, or manufactured in any manner whatsoever, so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise, whatsoever, which is displayed in any manner whatsoever.~~

\*\*\*

~~*Snipe sign:* Any sign of any material whatsoever that is attached in any way to a utility pole, tree, fence post or any other similar object, or placed within public property or within a public right of way without city approval.~~

\*\*\*

~~*Subdivision development sign:* A sign advertising a subdivision development of property which donates the owner, developer, architect, construction contractor(s) and or lot layout.~~

~~*Subdivision sign:* A sign donating the name of a subdivision for means of identifying the development. Subdivision signs may be placed on entry walls or be constructed as a separate monument sign. In nonresidential subdivisions, these signs shall not be calculated toward the allowable sign over area for any particular site. These signs must be located at the entrance to the subdivision.~~

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~~*Swing sign:* Any sign projecting from an angle or the outside wall or walls of any building, or from an awning, which has a horizontal dimension equal to or exceeding its vertical dimension,~~

~~and which is suspended from a projecting structure in such a manner that the sign itself, or any part thereof, is not attached to the building or wall.~~

~~\*\*\*~~

~~*Trailer sign:* Any sign on a vehicle normally licensed by the State of Florida as a trailer and used for advertising or promotional purposes.~~

~~\*\*\*~~

~~*Wall sign:* Any sign painted on or attached to an erected structure parallel to the face of, or erected and confined within the limits of, the outside wall of any building and supported by such wall or building and which displays only one advertising surface.~~

~~\*\*\*~~

~~*Window sign:* Any sign placed inside or upon a window facing the outside and which is intended to be seen from the exterior. Permanently attached signs (i.e. illuminated, painted, affixed by mechanical means, etc.) shall be calculated in the total allowable sign area. Temporary and signs integrally related to business operation (i.e. open/closed signs, hours of operation, etc.) shall be allowed but not be included in the allowable copy area. Signs attached to supporting structures inside the business but oriented to customer or vehicular traffic shall be considered permanent window signs.~~

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## **SECTION 5. CODIFICATION AND SCRIVENER'S ERRORS.**

A. The revisions to City of Mount Dora Land Development Code, Chapter VI, Design Standards, Section 6.7 Signs, and Chapter VIII, Definitions, as set forth in Sections 3 and 4 above shall be codified in the City of Mount Dora Code of Ordinances.

B. The sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate by the codifier of the City of Mount Dora Land Development Code.

C. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

**SECTION 6. SAVINGS CLAUSE.** All prior actions of the City pertaining to the amendments to City of Mount Dora Land Development Code, Chapter VI, Design Standards, Section 6.7 Signs, and Chapter VIII, Definitions, as well as any and all other applicable matters, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

**SECTION 7. CONFLICTS.** All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that any code or ordinance that provides for an alternative process to effectuate the general purposes of this Ordinance shall not be deemed a conflicting code or ordinance.

**SECTION 8. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

**SECTION 9. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon enactment by the City of Mount Dora.

**FIRST READING:** \_\_\_\_\_

**SECOND READING:** \_\_\_\_\_

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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**CATHERINE T. HOECHST**  
**MAYOR of the City of Mount Dora, Florida**

ATTEST:

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GWEN KEOUGH-JOHNS, MMC  
CITY CLERK

For the use and reliance of  
City of Mount Dora only.  
Approved as to form and legality.

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Sherry G. Sutphen  
City Attorney