

# PASCO COUNTY LAND DEVELOPMENT CODE

## SECTIONS RELATING TO SIGNS

### CHAPTER 400. PERMIT TYPES AND APPLICATIONS

#### SECTION 406. MISCELLANEOUS PERMITS

##### 406.1. Signs

##### 406.1.1. General

###### A. Intent and Purpose

The intent and purpose of this section is to provide the minimum control of signs necessary to promote the health, safety, and general welfare of the citizens of the County by lessening hazards to pedestrians and vehicular traffic, by preserving property values by preventing unsightly and detrimental signs that detract from the aesthetic appeal of the County and lead to economic decline and blight, by preventing signs from reaching excessive size and numbers disproportionate to the size or intensity of use of the parcel on which they are located or that they obscure one another to the detriment of the County, by ensuring good and attractive design that will strengthen the County's appearance and economic base, and by preserving the right of free speech and expression in the display of signs.

It is not the purpose of this section to regulate or control the copy, the content, or the viewpoint of signs. Nor is it the intent of this section to afford greater protection to commercial speech than to noncommercial speech. Noncommercial signs are allowed in all districts and may be substituted for any sign expressly allowed in this section, and any sign permitted by this section may display a noncommercial message. If any or all of the other provisions of this section are held to be unconstitutional, it is the explicit intent of the Board of County Commissioners (BCC) that, at a minimum, the standards in Section 406.1.12 be considered severable and enforced as the minimum standards for signs in the County.

###### B. Applicability

All signs proposed to be located or currently existing in the unincorporated area of the County are subject to the requirements of this section. All persons proposing to locate a sign or in control of an existing sign are subject to the requirements of this section. Nonconforming signs shall comply with this Code, Section 1203. The Florida Department of Transportation and the County are specifically exempt from this section. This does not apply to billboards which are regulated pursuant to Section 406.2.

##### 406.1.2. Authorization for Signs

###### A. Applications and Permits for Signs

1. Permit required. No person shall erect or assist in the erection, construction, alteration, and relocation of any sign for which a Sign Permit, and any other required permit, has not been obtained. "Alter" shall include, but not be limited to, the addition of sign surface area, changing a static sign face to an activated sign face, a multiprism sign face, or any technology that automatically changes the sign face, and the changing or relocation of the light source. Alter includes any and all structural changes in the sign, but shall not include the changing of copy on a sign, which is designed as a changeable copy sign, or the sign face. Any sign erected, constructed, altered, or relocated without the required permits, as applicable, is illegal and a violation of this Code. The repair and maintenance of an existing sign shall not require a Sign Permit provided the work performed does not exceed that

necessary to keep the sign, including the sign structure, in a good state of repair. If the repair and maintenance of the sign requires a Building Permit, e.g., electrical work is involved, that permit shall be obtained prior to commencement of the work.

2. Application; determination of completeness. Before any Sign Permit is issued, a written application in the form provided by the County Administrator or designee, shall be filed, together with such drawings and specifications as may be necessary to fully advise the County of the location, construction, materials, manner of illuminating, method of securing or fastening, the number of signs applied for, the consent of the property owner, the required application fee, and proof of issuance of or application for any required development and Building Permits for the structure. Upon the submission of an application, staff shall have ten (10) business days to determine whether it is complete. If staff finds that the application is not complete, they shall provide the applicant with written notice of the deficiencies within the ten (10) day period. Upon resubmission of the application, staff shall have five (5) additional business days to determine whether the applicant's revisions are sufficient to complete the application. If they are not, staff will again inform the applicant of any remaining deficiencies in writing. This process shall continue until the applicant has submitted a complete application or demands that the application be reviewed "as is."
3. Administrative review. Administrative review of Sign Permit applications shall include the review of all information submitted to determine conformity with this Code and an on-site inspection of the proposed sign location. Sign and landscape conflicts may be resolved by an administrative variance, see Section 407.3. Proposed structural and safety features and electrical systems shall be in accordance with the requirements of the County's adopted Construction Code. No sign shall be approved for use unless it has been inspected and found to be in compliance with all the requirements of this Code and the County's adopted Construction Code.
4. The County Administrator or designee shall approve or deny the Sign Permit application based on whether it complies with the requirements of this Code and the County's adopted Construction Code and shall approve or deny the Sign Permit within thirty (30) calendar days after receipt of a complete application or from the date the applicant demands that the application be reviewed "as is." The County Administrator or designee shall prepare a written notice of its decision describing the applicant's appeal rights and send it by certified mail, return receipt requested to the applicant pursuant to Section 407.1. The applicant may file an appeal application to the BCC within thirty (30) calendar days after the date of mailing the County's written notice. The BCC shall hear and decide the appeal at the next available BCC meeting that is at least thirty (30) calendar days after the date of receiving the appeal application. If the BCC does not grant the appeal, then the appellant may seek relief in the Circuit Court for the County, as provided by law.
5. Sign Permit tag. For each permit issued, the permittee shall permanently affix a permit identification tag which shall be printed or impressed thereon, a number corresponding to the permit number, plus any additional information deemed appropriate by the County Administrator or designee subject to the following. The Sign Permit will become void unless the permit tag is properly displayed on the permitted sign within thirty (30) days after the completion of the installation of the sign.
  - a. No sign as herein defined, unless specifically exempted, shall be erected, displayed, rebuilt, repaired, or otherwise maintained which does not have such tag securely attached thereto, or to its supporting structure in such a manner as to be plainly visible from the street or roadway.
  - b. The absence of an identification tag shall be prima facie evidence that the sign or advertising structure has been erected or is being operated in violation of the provisions of this Code.

- c. The permittee, owner of the property where the sign is located, a tenant/occupant of the land where the sign is located, and the owner of the sign are each responsible for maintaining a valid permit tag on each permitted sign at all times.
- d. The tag shall be no smaller than 5" X 2" and shall contain numbers not less than one (1) inch high.

B. Extension and Expiration of Sign Applications and Permits

1. An application for a Sign Permit for any proposed work shall be deemed to have been abandoned six (6) months after the date of filing for the Sign Permit, unless before then a Sign Permit has been issued. One (1) or more extensions of time for a period of not more than ninety (90) days each may be allowed by the County Administrator or designee for the application, provided the extension is requested in writing and justifiable cause is demonstrated.
2. Time to complete construction. Every Sign Permit issued shall become invalid unless the work authorized by such Sign Permit is commenced within six (6) months after its issuance, or if the work authorized by such Sign Permit is suspended or abandoned for a period of six (6) months after the time the work is commenced. If a Building Permit for the sign is applied for within thirty (30) days after the Sign Permit is issued, and the Building Permit is issued, the work authorized by the Sign Permit shall be commenced and at least one required inspection shall be successfully completed within six (6) months after issuance of the Building Permit. If the work has commenced and the Sign Permit is revoked, becomes null and void, or expires because of lack of progress or abandonment, a new Sign Permit covering the proposed work shall be obtained before proceeding with the work.

C. Permit Revocation

The County Administrator or designee is hereby authorized and empowered to revoke, in writing, any permit issued by the County upon failure of the holder thereof to comply with the provisions of this Code or if the permit was issued on the basis of a mistake by the County, or misstatement of facts or fraud by the applicant. The County Administrator or designee shall send the revocation by certified mail, return receipt requested to the sign owner. Any person having an interest in the sign or property may appeal the revocation by filing a written notice of appeal with the County within fifteen (15) calendar days after mailing the written notice of revocation. The BCC shall hear and decide the appeal at the next BCC meeting that is at least in thirty (30) calendar days after the date of receiving the written notice of appeal. If the BCC does not grant the appeal, then the appellant may seek relief in the Circuit Court for the County, as provided by law.

D. Relationship to Other Permits

No permit for any on-site sign shall be issued by the County until a Building Permit or Development Permit has been issued for the establishment to which it relates.

E. Signs on County Property

For those circumstances when the BCC is acting in its proprietary capacity, the BCC may authorize signs on County property by written agreement or through a Board-adopted policy. All such approved signs must meet the County's advertising policy.

### 406.1.3. Prohibited Signs

A variance may not be approved for a prohibited sign. The following types of signs are prohibited.

- A. Activated signs and devices.
- B. Revolving signs.
- C. Snipe signs.
- D. Signs other than sandwich signs placed on the sidewalk or curb.
- E. Swinging signs.
- F. Vehicle signs.
- G. Signs which imitate or resemble any official traffic or government sign, signal, or device. Signs which obstruct, conceal, hide, or otherwise obscure from view any official traffic or government sign, signal, or device.
- H. Any sign which:
  - 1. Has unshielded, illuminated devices that produce glare or are a hazard or nuisance to motorists or occupants of adjacent properties.
  - 2. Due to any lighting or control mechanism, causes radio, television, or other communication interference.
  - 3. Is erected or maintained so as to obstruct any fire-fighting equipment, window, door, or opening used as a means of ingress or egress for fire escape purposes, including any opening required for proper light and ventilation.
  - 4. Does not comply with the specific standards required for that type of sign as elsewhere required in this Code.
  - 5. Is erected on public property or a public right-of-way, except as expressly allowed in this Code.
- I. Bench signs located on private property.
- J. Abandoned signs.
- K. Inflatable signs or devices.
- L. Illegal signs.
- M. Beacon lights.
- N. Roof signs located above the top line of the mansard, parapet, eaves, or similar architectural features.
- O. Window signs which, in aggregate, cover more than twenty-five (25) percent of the total window surface.
- P. Signs in or upon any river, bay, lake, or other body of water within the unincorporated limits of the County. Signs attached to or painted on piers or seawalls.
- Q. Pole signs except for temporary signs.

- R. Multiprism signs.
- S. Portable signs.
- T. Pennants.
- U. Festoons.
- V. Any unpermitted sign for which a Development, Building, or Sign Permit is required and the permit(s) has not been obtained.
- W. Any sign exempt from obtaining a Sign Permit that does not comply with the applicable requirements of Section 406.1.5.
- X. Off-site signs other than registered billboards as provided for in this Code.
- Y. Signs located on public rights-of-way without a valid Right-of-Way Use Permit.

#### 406.1.4. Abandoned Signs

- A. An abandoned sign is prohibited and shall be removed. An abandoned sign is any sign or sign structure which, for a period of six (6) consecutive months, has any, all, or a combination of the following characteristics:
  1. The sign or structure does not bear copy.
  2. Is not maintained as required by this Code.
  3. The property upon which the sign is located remains vacant for a period of six (6) consecutive months or more.
- B. Signs which have any or all of the characteristics listed above shall be covered and remain covered with an opaque covering by the property owner.
- C. Signs on parcels with active Building Permits will not be considered abandoned during the period that a permit is active provided that the internal fixtures are covered and the sign is maintained as required by this Code.

#### 406.1.5. Signs Exempt from Obtaining Sign Permits

- A. The following on-site signs are not required to obtain a Sign Permit provided, however, that such signs are erected in conformance with all other requirements of this Code and provided that all required permits have been issued. In nonresidential zoning districts:
  1. A permit is not required to change or replace the copy, message, or sign face on changeable copy signs. However, the change or replacement of the copy, message, or sign face must not enlarge, increase, or decrease the sign surface area, sign structure area, nor adversely affect the original design integrity. If, in order to change or replace the copy, message, or sign face, the supporting sign structure must be unfastened, loosened, or removed, then a Sign Permit shall be required. Copy shall not be replaced such that the sign becomes an off-site sign.
  2. One (1) sandwich sign per business establishment having a Certificate of Occupancy, when the sign is placed on the sidewalk no further than five (5) feet from the main entrance door of the establishment and with a maximum height of 3½ feet and maximum sign structure width of two (2) feet. The sign shall not be placed so as to obstruct pedestrian traffic along the sidewalk.

3. Window signs which comprise, in aggregate, twenty-five (25) percent of the total window area or less.
- B. In residential districts, one (1) nonilluminated wall sign not to exceed two (2) square feet in sign surface area.
- C. In addition, all parcels may display the following without a permit(s):
  1. Flags when displayed on a pole(s) or other supporting structures and provided that the flags do not bear a commercial message.
  2. Signs or tablets not bearing a commercial message when cut into any masonry surface or when constructed of bronze or other noncombustible materials and located on a building or monument.
  3. Interior signs as defined by this Code. Such signs shall not be counted as part of the maximum sign square footage permitted on any parcel.
  4. One (1) noncommercial sign per premises not to exceed four (4) square feet in sign surface area and six (6) feet in height.

#### 406.1.6. Temporary Signs

##### A. Generally

All allowed temporary signs shall meet the following general standards, as applicable, in addition to any applicable specific standards as provided in this Code:

1. Time of display. Temporary signs may be displayed before, during, and up to five (5) calendar days after an event to which the sign relates. Temporary signs shall not be posted more than fifteen (15) calendar days prior to the time of the event or activity to which they relate and shall be removed no later than five (5) calendar days after the conclusion of that event or activity. For the purposes of illustration, temporary political campaign signs may be posted no earlier than fifteen (15) days prior to the date of candidate qualification and must be removed no later than five (5) calendar days after the election to which they relate.
2. Location on parcel. A temporary sign shall not create a physical or visual hazard for pedestrians or motorists and shall be set back a minimum of five (5) feet from the right-of-way line and twenty (20) feet from the intersection of any rights-of-way. Temporary signs shall not be located within public rights-of-way.
3. Permitting. Temporary signs, other than advertising banners and balloons, shall not require a Sign Permit.
4. Temporary signs shall not be illuminated.
5. Residential districts. One (1) temporary sign per premises is allowed and shall not exceed four (4) square feet in sign surface area and six (6) feet in height.
6. Nonresidential districts. One (1) temporary sign per premises is allowed and shall not exceed thirty (32) square feet in sign surface area and eight (8) feet in height.

##### B. Specific Standards for Certain Types of Temporary Signs

1. Real estate signs. One nonilluminated sign may be displayed per street frontage, subject to the following restrictions:

- a. In residential zoning districts:
  - (1) A maximum of 4½ square feet in sign surface area, where the property has a street frontage of less than 500 feet.
  - (2) A maximum eight (8) square feet in sign surface area, where the property being advertised or developed has a street frontage of 500 feet or more.
  - (3) In E-R Estate-Residential and ER-2 Estate-Residential, a maximum of six (6) square feet in sign surface area.
  - (4) Parcels bordering a navigable waterway or golf course may have one (1) additional sign on the waterfront or golf course side of the property.
  - (5) Shall not exceed six (6) feet in height.
  - (6) Shall not be posted more than fifteen (15) days prior to the listing of the property for sale or lease or the filing of applications for the development of the property and shall be removed within five (5) days after the sale or lease of the property or the completion of development as evidenced by the issuance of a Certificate of Occupancy (CO).
- b. In nonresidential zoning districts:
  - (1) A maximum of thirty-two (32) square feet in sign surface area.
  - (2) Shall not exceed ten (10) feet in height.
  - (3) Shall not be posted more than fifteen (15) days prior to the listing of the property for sale or lease or the filing of applications for the development of the property, and shall be removed within five (5) days after the lease or sale of the property or the completion of development as evidenced by the issuance of a CO.
- 2. Construction signs. One (1) nonilluminated sign may be displayed per street frontage, subject to the following restrictions:
  - a. Shall not be erected more than fifteen (15) days prior to issuance of a Building Permit and located upon a site under construction.
  - b. Shall be removed within five (5) days after the completion of the building or construction activity as evidenced by the issuance of a CO.

In residential zoning districts:

- (1) Four and one-half square feet in sign surface area where the property has a street frontage of less than 500 feet.
- (2) Eight (8) square feet in sign surface area where the property has a street frontage of 500 feet or more.
- (3) Shall not exceed six (6) feet in height.

In nonresidential zoning districts:

- (1) A maximum of eight (8) square feet in sign surface area where the property has a street frontage less than 200 feet.

(2) A maximum of thirty-two (32) square feet in sign surface area where the property has a street frontage of 200 feet or more.

(3) Shall not exceed ten (10) feet in height.

- C. In nonresidential districts, one (1) banner sign or advertising balloon for each establishment having a CO may be displayed a maximum of four (4) times per calendar year, with a maximum sign surface area for banners of forty (40) square feet. A Sign Permit shall be obtained for such banner or advertising balloon, pursuant to Section 406.1.2, and the permit number and expiration date shall be displayed on the banner or advertising balloon as provided in the permit. The Sign Permit shall be valid for thirty-five (35) days for each occurrence.

#### 406.1.7. Signs in Rights-of-Way

- A. Bench signs as permitted in this Code, Section 406.5, may be placed in public rights-of-way within the County.
- B. Signs for which a valid Right-of-Way Use Permit and a License and Maintenance Agreement have been obtained from the County prior to December 31, 2011, may be placed in the public right-of-way subject to the terms of the Right-of-Way Use Permit and the License and Maintenance Agreement. However, such signs are nonconforming structures pursuant to this Code, Chapter 1200.
- C. Signs permitted as interim uses, pursuant to Section 901.2 of this Code, may be located within the public right-of-way subject to the requirements for a Right-of-Way Use Permit and a License and Maintenance Agreement.
- D. Prohibition of all other signs on rights-of-way. It shall be unlawful for any person, firm, corporation or other entity, for its own or the benefit of another, to erect, place, post, install, affix, attach, or in any other way locate or maintain a sign upon, within, or otherwise encroaching on a right-of-way or upon a structure located within such a right-of-way. In limited circumstances, County signs may be permitted within a public right-of-way in accordance with this Code, Section 406.1.2.E.

#### 406.1.8. General Standards

All signs for which a Sign Permit is sought or has been issued shall meet the following general standards, as applicable, in addition to any applicable specific standards as provided in this Code.

- A. For the purpose of determining the spacing requirement found in this subsection, distances shall be measured from the leading edge of the sign structure to the property line of the property from which the distance is being measured.
- B. Illuminated signs, including neon signs, shall not produce more than one (1) foot-candle of illumination four (4) feet from the sign, when measured from the base of such sign. Exposed neon tubing shall not be permitted on ground signs.
- C. Signs shall not be placed in the clear sight triangle or in the rights-of-way (unless otherwise permitted as per this Code, Section 406.1.2.E).
- D. Maintenance of signs. All signs for which a permit is required by this Code, including their supports, braces, guys, and anchors, shall be maintained so as to present a neat, clean appearance. Painted areas and sign surfaces shall be kept in good condition and illumination, if provided, shall be maintained in safe and good working order. Trash, rubbish, and debris shall be kept clear in front of, behind, underneath, and around the base of signs for a distance of five (5) feet. On-site signs not currently in use, but that are not abandoned signs pursuant to Section 406.1.4, shall also be maintained in a neat and clean appearance.



- E. Height. The height of all signs shall include berms or permanent planters if the sign is located thereon and shall be measured at an elevation equal to the elevation of the closest portion of the nearest paved right-of-way to the highest point of the sign structure.
- F. Ground signs shall be designed with an enclosed base. The width of such enclosed base shall be equal to at least two-thirds of the width of the sign structure measured at its widest point. The finish shall be consistent with materials used on the building that the sign serves.
- G. Number of signs. For the purpose of determining the number of signs, a sign shall be construed to be a single display surface or device containing elements organized, related, and composed to form a single unit. In cases where material is displayed in a random or unconnected manner, or where there is reasonable doubt as to the intended relationship of such components, each component or element shall be considered to be a separate sign. A projecting sign or ground sign with a sign surface on both sides of such structure shall be construed as a single sign provided that the back to back sign faces do not exceed an angle of ninety (90) degrees and the total area of such sign shall be the area computed on a single side of the sign.
- H. Nothing contained in this section shall be construed to allow the display of signs when otherwise prohibited or restricted by private restrictions or covenants of residential or nonresidential property.

406.1.9. Standards for Signs in Residential Districts

- A. All signs for which a Sign Permit is sought or has been issued shall meet the following general standards.
  - 1. Noncommercial signs are allowed in all residential districts and may be substituted for any sign expressly allowed and any such sign may display a noncommercial message. Noncommercial signs are subject to the same permit requirements, restrictions on size and type, and other conditions and specifications as to the sign for which they are being substituted.
  - 2. On-site signs meeting the general and specific standards of this Code, as applicable, are allowed in residential districts. Off-site signs are prohibited in residential districts.
  - 3. An individual firm, partnership, association, corporation, or other legal entity other than the County shall be designated as the person responsible for perpetual maintenance of the sign(s).
  - 4. A sign shall not create a physical or visual hazard for pedestrians or motorists entering or leaving a development and shall be set back a minimum of five (5) feet from the right-of-way line and twenty (20) feet from the intersection of the rights-of-way. Signs located in medians of residential development entrance streets need not comply with the setback requirements of this subsection.
  - 5. Each sign structure area shall not exceed ten (10) feet in height.

B. Signs at Entrances to Residential Developments

One (1) double-faced ground or up to two (2) single-faced signs may be located at each entrance to a residential development and each individual village, pod, or distinct neighborhood. One (1) additional sign may be located at each terminus (or farthest edge) of the residential development, provided each additional sign is located at least 1,000 feet from the main development sign, up to a maximum of two (2) additional signs. Each sign surface area shall not exceed forty (40) square feet.

C. Signs Internal to a Residential Development

1. An unlimited number of permanent signs located on lands in common ownership shall be allowed to fulfill the functions of the residential community, not exceeding five (5) feet in height and twenty-four (24) square feet of sign structure area and meeting the right-of-way setback requirements of this subsection.
  2. Other permanent directional signs, as necessary, not to exceed four (4) square feet in sign structure area and thirty (30) inches in height. A Sign Permit is not required unless the sign is illuminated.
- D. Nonresidential permitted uses, such as churches; special exception uses, such as day cares; and conditional uses, such as residential treatment and care facilities located in residential or agricultural districts; shall be allowed one (1) ground sign or wall sign not exceeding eight (8) feet in height and eighty (80) square feet in sign structure area, including architectural features. The sign shall not create a physical or visual hazard for pedestrians or motorists entering or leaving the property and shall be set back a minimum of five (5) feet from the right-of-way line, twenty (20) feet from the property line if adjacent to a residential use, and twenty (20) feet from the intersection of any rights-of-way. Illuminated signs shall not be allowed facing residential uses unless the nonresidential use is separated from the residential use by an arterial or collector road. For nonresidential permitted uses within residential communities, one (1) ground sign not exceeding five (5) feet in height and twenty-four (24) square feet in sign structure area is allowed. This subsection does not apply to home occupations.

406.1.10. Standards for Signs in Nonresidential Districts

- A. All signs for which a Sign Permit is sought or has been issued shall meet the following general standards:
1. Noncommercial signs are allowed in all nonresidential districts and may be substituted for any sign expressly allowed and any such sign may display a noncommercial message. Noncommercial signs are subject to the same permit requirements, restrictions on size and type, and other conditions and specifications as to the sign for which they are being substituted.
  2. On-site signs meeting the general and specific standards of this Code, as applicable, are allowed in nonresidential districts. Off-site signs, other than registered billboards, are prohibited in nonresidential districts.
  3. Signs on properties in nonresidential districts which abut a residential district shall not be erected closer than ten (10) feet from any residential zoning district.
  4. A sign shall not create a physical or visual hazard for pedestrians or motorists and shall be set back five (5) feet from the right-of-way line and twenty (20) feet from the intersection of any rights-of-way. When located on the intersection of two (2) or more one (1) way streets, the setback from any intersection may be reduced to fifteen (15) feet, so long as the sign does not interfere with the clear sight triangle.
  5. The finishing materials used on the sign shall be consistent with those used on the structure to which the sign relates.
  6. Official address numbers and/or the range of official address numbers shall be posted on the ground sign structure and shall not be considered when figuring copy area.

**B. Ground Signs**

1. One double-faced ground or up to two (2) single-faced signs maybe located at each entrance to a nonresidential development and each individual distinct pod. Each sign surface area shall not exceed forty (40) square feet.
2. One (1) ground sign is allowed for each parcel having frontage on a street. If a parcel has street frontage in excess of 300 feet, one (1) additional ground sign shall be allowed for each additional 300 feet of street frontage. At least 600 feet of street frontage is needed for a second sign, and the signs shall be placed no closer than 300 feet from each other on the same parcel.
3. Ground signs shall not exceed eleven (11) feet in height except that a ground sign may contain an ornamental top feature that is sculptural or artistic in nature that exceeds the eleven (11) foot height limitation. The ornamental top feature shall not exceed fifteen (15) percent of the overall height of the sign structure.
4. Maximum sign structure area and maximum copy area.

To encourage innovative design and aesthetically pleasing ground signs in the nonresidential districts of the County, the sign structure must contain architectural features equal to at least fifty (50) percent of the total square footage of the copy area and comply with the following standards:

- a. Single occupancy parcels. The maximum allowable copy area and total sign structure area for any single occupancy parcel shall be determined by the table below:

<b>Building Size Square Feet</b>	<b>Maximum Copy Area Square Feet</b>	<b>Maximum Sign Structure Area (Including Copy Area) Square Feet</b>
0-75,000	100	200
75,000-250,000	125	250
Over 250,000	150	300

- b. Multioccupancy parcels. The maximum allowable copy area for any multioccupancy parcel shall be determined by the table above by aggregating the size of the buildings, proposed and existing, if the parcel has multiple buildings, and/or by calculating the copy area equal to twelve (12) square feet for each tenant, proposed and existing, or a combination of these two (2) approaches to achieve the higher number of square feet allowed for copy area. However, the maximum allowable copy area for a sign on a multioccupancy parcel shall not exceed 200 square feet, and the maximum sign structure area shall not exceed 400 square feet.
- c. Multioccupancy parcels with 600 feet or more of frontage. If a parcel is entitled to more than one (1) sign under Section 406.1.10.B.3.a and is a multioccupancy parcel, all allowable ground signs may be combined into a single ground sign not to exceed 400 square feet in sign structure area. Such a combined sign may not exceed fifteen (15) feet in height, except for an ornamental top feature that is sculptural or artistic in nature, that exceeds the fifteen (15) foot height limitation. However, the ornamental top feature shall not exceed fifteen (15) percent of the overall height of the structure. The combined sign may be divided into two (2) signs, if the frontage of the parcel exceeds

1,500 feet. The total area of the combined signs shall not exceed 400 square feet in sign structure area and the height of each sign shall not exceed fifteen (15) feet.

5. Location of multioccupancy signs. Multioccupancy signs or signs for a large scale, commercial, retail building may be located on an outparcel if the out-parcel and the multioccupancy parcel or the large scale, commercial, retail building have shared common access. The out-parcel may also have its own sign, the size of which shall be determined by the single occupancy parcel table located in this section.

#### C. Wall Signs

Wall signs shall be allowed in nonresidential districts provided the following specific regulations are met in addition to the general regulations stated above:

1. The maximum allowable sign structure area for wall signage shall not exceed 1½ square feet per linear foot of establishment frontage, excluding parking garages linear footage, if applicable, facing a street. Notwithstanding the foregoing, the maximum sign structure area shall not exceed 150 square feet for each frontage.
2. Wall signs shall not project above the roof line, the top line of the mansard, parapet, eave, or other architectural features as applicable, or side walls of the establishment to which the wall sign is attached nor shall the wall sign project more than eighteen (18) inches from the wall to which it is attached.
3. One (1) wall sign shall be permitted for each establishment in a multioccupancy parcel. Establishments located at a corner shall be allowed one (1) wall sign for each side of the establishment that faces a street.

#### D. Projecting Signs

Projecting signs shall be allowed in nonresidential districts, provided the following specific regulations are met, in addition to the general regulations stated above:

1. Projecting signs may be substituted for the wall sign, provided that the sign structure area of the projecting sign is not greater than the maximum sign structure area permitted for a wall sign.
2. Projecting signs shall not project more than four (4) feet from the wall to which the projecting sign is attached.
3. Projecting signs shall not be located above the roofline of the building nor more than eighteen (18) feet above the grade of the street, whichever is less.
4. Projecting signs shall not be located closer than ten (10) feet from an interior lot line or an adjacent establishment.
5. Projecting signs which project over any public or private pedestrian way shall be elevated a minimum of nine (9) feet above such pedestrian way. Projecting signs which project over any public or private street shall be elevated a minimum of fifteen (15) feet above such street.

#### E. Regulations for Marquee, Canopy, and Awning Signs

Marquee, canopy, and awning signs shall be allowed in nonresidential districts, provided the following specific regulations are met, in addition to the general regulations stated above:

1. An awning, canopy, or marquee sign may be substituted for a wall sign.

2. Any sign located on an awning, canopy, or marquee shall be affixed flat to the surface and shall not rise in a vertical dimension above the awning, canopy, or marquee.
3. The maximum sign structure area for awning, canopy, and marquee signs shall not exceed four (4) square feet per linear foot of building frontage facing a street. The aggregate copy shall not exceed twenty-five (25) percent of the total area of the awning, canopy, or marquee surface. The awning or canopy sign may be illuminated only if the material of which it is made is opaque.

F. Signs Internal to a Nonresidential Development

The intent and purpose of this subsection is to allow for signage internal to a nonresidential development that directs customers to destinations within the development and where such signage is not readily visible from adjacent rights-of-way.

1. An unlimited number of permanent signs may be located within a multioccupancy parcel or multiple parcels, developed under a Unified Plan of Development, not exceeding a height of five (5) feet and thirty-two (32) square feet of sign structure area, and meeting the right-of-way setback requirements of this subsection. The signs may be ground, wall, or projecting signs as appropriate to the site design.
2. Unlimited permanent signs, as necessary, not to exceed four (4) square feet in sign structure area and thirty (30) inches in height. No Sign Permit is required unless illuminated.
3. Colonnade signs. One (1) colonnade sign per establishment may be suspended at least nine (9) feet above a walkway limited to pedestrian traffic or at least fifteen (15) feet above a walkway open to vehicular traffic, not exceeding six (6) square feet of sign structure area.

G. Miscellaneous Nonresidential Signs

1. Signs for drive-through restaurants. In addition to the signs otherwise permitted by these sign regulations, a drive-through restaurant shall be allowed two (2) signs placed in proximity to each drive-through lane. Such sign shall be set back to the minimum building setback for the appropriate zoning district, or forty (40) feet, whichever is less. Sign surface area may not exceed twenty-four (24) square feet and the sign structure area may not exceed eleven (11) feet in height.
2. Two (2) signs are allowed per driveway not exceeding four (4) square feet in sign surface area and the sign structure area may not exceed thirty (30) inches in height. If such sign is to be illuminated, then an Electrical Permit shall be obtained. Directional signs may be placed with a one (1) foot setback from the right-of-way provided that such signs meet all other applicable regulations.

406.1.11. Unified Sign Plans for Developments

A. Intent and Purpose

The intent and purpose of a Unified Sign Plan (USP) is to provide applicants with an opportunity to create attractive signage having uniform or cohesive design of color, texture, materials, or architectural features which contribute to placemaking throughout the development.

Further, USPs are intended to logically establish sign metrics (number, size, height, types) and/or blend sign types (residential and nonresidential) in a manner that is responsive to the specific site characteristics, function of the development, and/or the mix of uses therein.

USPs provide an opportunity for developments to incorporate signs with features which may not meet the specific provisions of the remainder of Section 406.1, but are appropriate due to the outstanding design, placemaking, theming and way-finding features of those signs.

#### B. General Requirements

1. A USP shall be for an entire Master Planned Unit Development (MPUD) or distinct portion thereof, an entire Common Plan of Development or a distinct portion thereof. Where a portion of the MPUD or Common Plan of Development is proposed to have a USP, the area to be included within the boundaries of the USP must be contiguous and reasonably compact.

Contiguous shall mean that a substantial portion of each parcel within the USP shall be coterminous with the other parcels that the USP is composed of. The existence of a public area, wetland, right-of-way, easement, railway, water course, or other minor geographical of a similar nature running through the USP shall not be deemed to destroy contiguity. However, nothing herein shall be construed to allow rights-of-way, easements, railways, watercourses and the like to be used to fashion or gain contiguity.

Reasonably compact shall mean the concentration of the parcels that shall be used to form the boundaries of the USP and precludes the creation of finger areas or serpentine like patterns. The existence of a minor enclave within the USP boundaries shall not destroy compactness.

2. Standards for ground signs. Ground signs shall be designed with a height no taller than 20 feet from the ground to top of a decorative/architectural cap. The base shall be a minimum of 18 inches in height and have a width no less than 1/3 the width of the sign face, including any decorative/architectural features around the sign face.

#### C. Submittal Requirements

An applicant shall submit required information in the form as specified by the County Administrator or designee. The application package shall include:

1. Applicant information
  - a. Proof of Ownership, i.e. copy of deed;
  - b. Agent of Record Letter, if applicable;
  - c. Application Fee as required for a Development Agreement; and
  - d. The location of the proposed USP.
2. A narrative statement describing the proposed USP, demonstrating how the proposed USP meets or exceeds the County's intent and purpose for USPs and contributes to placemaking and way-finding for the subject project area. The narrative shall include analysis of the factors used to evaluate a USP (See Section 406.1.11 E). This narrative shall also include analysis of the extent to which the USP is in conformance with Section 406.1 of this Code. In circumstances where the USP is not in conformance with Section 406.1, a discussion of how the proposed alternative meets or exceeds the intent of this section.
3. A description of all allowed signage pursuant to Section 406.1 including the number of signs, the approximate location on site of each sign and the sign type, the total square footage of sign structure area, height of signs and the sign copy area for all signs allowed pursuant to this Section within the subject development.

4. A description of all signage not in compliance with Section 406.1 including the number of signs, the approximate location on site of each sign and the sign type, the total square footage of sign structure area, height of signs and the sign copy area for all signs allowed pursuant to this Section within the subject development. For those signs not meeting the requirements of Section 406.1 of this Code, graphic renderings of each sign shown in context of the proposed location.
5. As applicable, whether the USP has been approved by an architectural review board of the subject development.

D. Prohibited Signs

The following sign types are prohibited in a USP:

1. Activated signs and devices;
2. Revolving signs;
3. Snipe signs;
4. Signs other than sandwich signs placed on the sidewalk or curb;
5. Swinging signs;
6. Vehicle signs;
7. Signs which imitate or resemble any official traffic or government sign, signal or device. Signs which obstruct, conceal, hide or otherwise obscure from view any official traffic or government sign, signal or device;
8. Any sign which;
  - a. Has unshielded, illuminated devices that produce glare or are a hazard or nuisance to motorists or occupants of adjacent properties.
  - b. Due to any lighting or control mechanism, causes radio, television or other communication interference.
  - c. Is erected or maintained as to obstruct any firefighting equipment, door or opening used as a means of ingress or egress for fire escape purposes, including any opening required for proper light and ventilation.
  - d. Does not comply with the specific standards required for that type of sign as elsewhere required in this Code.
9. Bench signs located on private property.
10. Abandoned signs;
11. Inflatable signs or devices;
12. Illegal signs;
13. Beacon signs;
14. Multi-prism signs;
15. Portable signs;

16. Pennants;
17. Festoons;
18. New Billboards; this Section shall not require the removal of lawfully existing billboards.
19. Signs located on public rights-of-way; and
20. Signs advertising premises not subject to the USP.

E. Review Process

The application for approval of a Unified Sign Plan shall be distributed to appropriate review parties as determined by the County Administrator or designee.

The County Administrator or designee shall prepare a recommendation for consideration by the Development Review Committee (DRC) and the Board of County Commissioners.

The following factors shall be considered in the evaluation of all requests for Unified Sign Plans:

1. Whether the USP meets or exceeds the intent of a USP by creating a uniform or cohesive design for proposed signage based upon color, texture, materials, or architectural features.
2. Whether the USP contributes to place making within the development.
3. Whether the USP meets or exceeds the intent of the USP to logically use allowed signage in a manner that is responsive to the specific site characteristics, function of the development, and/or the mix of uses therein.
4. Whether those signs included in the USP that do not meet the specific provisions of the remainder of Section 406.1 are deemed appropriate due to the outstanding design and place making features of those signs, including consideration of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size and the size and style of lettering.
5. Whether the proposed USP is consistent with the applicable Market Area Policies, Mission and Vision as enumerated in the Comprehensive Plan.
6. Additionally, the request for a USP shall demonstrate:
  - a. The location and placement of the proposed signs in the USP will not endanger motorists;
  - b. Sign lighting will not cause hazardous or unsafe conditions for motorists;
  - c. The proposed signs will not cover or blanket any prominent view of a structure or façade of historical or architectural significance;
  - d. The proposed signs will not obstruct views of users of adjacent buildings to side yards, front yards, or to open space; and
  - e. The proposed signs will not negatively impact the visual quality of a public open space such as a public recreation facility, square, plaza, courtyard; and the like.
7. Whether the requested USP proposes signs prohibited by this section.



#### F. Recommendation

The recommendation by the County Administrator or designee may be to:

1. Approve;
2. Approve with modifications or conditions; or
3. Deny.

#### G. Hearings Required

1. The DRC shall consider the request for a USP at an advertised public hearing. Notice shall be published pursuant to this Code. Additionally, there shall be notice given to adjacent property owners within five hundred feet. The DRC shall consider the recommendation of the County Administrator or designee, comments made at the public hearing, and the requirements of this section in preparing its recommendation for the Board of County Commissioners.
2. The DRC may recommend:
  - a. Approve;
  - b. Approve with modifications or conditions; or
  - c. Deny.
3. The Board of County Commissioners shall consider the request for a USP at an advertised public hearing. Notice shall be as required for the DRC hearing. The Board of County Commissioners shall consider the recommendation of the County Administrator or designee, the recommendation of the DRC, comments made at the public hearing, and the requirements of this section in rendering its decision. Approval or denial of a USP shall be in writing. The written approval may include conditions as necessary to ensure compliance with this Code.

#### H. Effect of Approval

1. Approval of a USP allows for the approved signage to be used in locations anywhere within the USP without those signs being considered off-site signs.
2. Substantial modifications to an approved USP shall be made through an amended Agreement in accordance with Section 406.3, as approved by the Board of County Commissioners after receiving a recommendation by the DRC.
3. Existing signage not incorporated into the request for approval of the USP shall be removed within the time specified in the Agreement.
4. All signs in the area of the USP shall be in conformance with the USP. Additional permitting fees may be required to ensure compliance with the USP.
5. For any large-scale commercial retail development proposed to be located within the USP, such development is exempt from Section 1102.4.I. of this Code.
6. The Agreement shall be recorded in the public records of Pasco County in a manner that future purchasers will be notified of the existence of the USP.
7. The applicant shall be responsible for notifying tenants of the requirements of the USP.

#### 406.1.12. Minimum Criteria for All Signs in the County

It is the intent of the BCC that, should any provision of this Section 406.1 be declared unconstitutional, the unconstitutional subsection(s) hereof is intended to be severable from the remaining provisions of Section 406.1. Should all other provisions of Section 406.1 be declared unconstitutional, notwithstanding any other provision of this Code, the following minimum criteria shall also be met by all signs erected in the County.

- A. Residential districts. No sign may be erected in a residential district that exceeds the following dimensions:
  - 1. Maximum sign height: Ten (10) feet.
  - 2. Maximum sign structure area: Forty (40) square feet.
- B. Nonresidential districts. No sign may be erected in a nonresidential district that exceeds the following dimensions:
  - 1. Maximum sign height: Fifteen (15) feet.
  - 2. Maximum sign structure area: 400 square feet.

#### 406.1.13. Enforcement

In addition to the enforcement provisions of Section 108, the County may apply any one (1) or combination of the following remedies in the event of a violation of this section.

- A. Whenever a violation(s) of this section occurs or exists or has occurred or existed, any person, individual, entity, or otherwise, who has legal, beneficial, or equitable interest in the facility, or instrumentality causing or contributing to the violation(s), and any person, individual, entity or otherwise who has legal, beneficial, or equitable interest in the real or personal property upon which such violation(s) occurs or exists or has occurred or existed, shall be liable for such violation(s). The owner or marketer of goods, services, and/or events which are advertised on a sign, which is displayed in violation of this Code, is presumed to have a legal, beneficial, or equitable interest in the facility or instrumentations causing or contributing to the violation. Such presumption can only be rebutted by clear and convincing evidence. In addition, any person with control or responsibility over the condition or appearance of the premises where a violation exists, such as a manager, any owner or marketer of goods, services, and/or events, which are advertised on a sign which is displayed in violation of the Code, is liable for the violation. Any person who erects a sign in violation of this ordinance or any person who otherwise causes or contributes to a violation shall be liable for the violation.
- B. Information contained in any sign, including names, addresses, or telephone numbers of persons or entities benefiting from or advertising on the sign, shall be sufficient evidence of ownership or beneficial use or interest for purposes of enforcing this section. More than one (1) person or entity may be deemed jointly and severally liable for the placement or erection of the same sign. Each unlawful sign shall be deemed a separate violation of this section.
- C. Removal of Signs on Rights-of-Way

Any sign on a right-of-way or on public property in violation of this section shall be subject to immediate removal and impounding, without notice, by the County Administrator or designee at the joint and several expense of the owner, agent, lessee, or other person having beneficial use

of the sign, the sign contractor or, if non-County right-of-way, the owner or lessee of the land upon which the sign is located.

1. Illegal signs of negligible or no value; destruction. Any sign placed or erected in a right-of-way or on public property in violation of this section, which has negligible or no value due to its perishable or nondurable composition including, but not limited to, those made out of paper, cardboard, or poster board, shall be deemed abandoned and may be destroyed by the County after removal. No notice or opportunity to reclaim such a sign shall be given by the County.
  2. Recovery of impounded signs; abandonment and destruction. Except for those signs described in Subparagraph 1 above, any sign removed and impounded by the County shall be held in storage and the owner, if the owner's identity and whereabouts are known to the County, shall be provided with written notice via certified mail and regular mail of impoundment and fifteen (15) days from the date of notice to reclaim any such sign. Any impounded sign stored by the County may be destroyed if not reclaimed within fifteen (15) days of the written notice date or within fifteen (15) days of the date of removal if the identity and/or whereabouts of the owner are not known to the County.
- D. Removal of signs on private property for immediate peril. The County Administrator or designee may cause, without notice, the immediate removal of any sign which is an immediate peril to persons or property at the joint and several expense of the owner, agent, lessee, or other person having beneficial use of the sign, the sign contractor, or the owner or lessee of the land upon which the sign is located.

#### 406.2. Billboards

##### A. Intent and Purpose

It is the intent and purpose of this section to promote the health, safety, and welfare of persons within the County and avoid an environment that encourages visual blight by prohibiting the installation, construction, placement, or erection of new billboards, which are hereby determined to be detrimental to the aesthetic senses and public health, safety, and general welfare of the citizens of the County.

##### B. Applicability

Billboards that registered with the County as of September 30, 1999, are subject to the requirements and prohibitions of this section.

##### C. Modifications to Registered Billboards

Registered billboards may be modified in compliance with the following and only upon issuance of a Building Permit.

1. Modifications shall not increase the area of the sign face by more than ten (10) percent of the registered billboard.
2. Modifications shall not increase the overall height of the billboard, including supporting structure, by more than ten (10) percent of the registered billboard, measured from grade to the highest point of the sign face or supporting structure, whichever is higher.
3. Modifications may not employ a different technology than the original registered billboard. Modifications prohibited by this section include, but are not limited to, changing a static sign face to an activated sign face, a multiprism sign face, or any similar technology that automatically changes the sign face or changes the source of illumination of the sign, if any. If the original registered billboard is illuminated, the power source of that illumination may be modified to incorporate solar power.

C. Reconstruction of Registered Billboards

Registered billboards may be reconstructed upon the original location of the registered billboard, provided that the replacement billboard complies with all restrictions pertaining to modifications of registered billboards, Section 406.2.C, and that all applicable demolition and Building Permits are obtained. Upon removal from a site for six (6) months or longer, the registered billboard will be considered abandoned and shall not be reconstructed. This time period shall be extended when there is an active Building Permit on the property, or if an owner gives written notice to the County of the necessity for temporary removal of the billboard for a time period exceeding six (6) months, and providing a date for replacement is within two (2) years of removal.

E. Relocation of Registered Billboards

Registered billboards may be relocated in compliance with the following and only upon issuance of required demolition and Building Permit(s).

1. The relocated registered billboard shall comply with all restrictions pertaining to modifications of registered billboards, Section 406.2.C.
2. The new location shall not be on a different road.
3. The new location shall be within a 1,320-foot radius from the initial location of the registered billboard proposed to be relocated.
4. The new location shall be on a location within a parcel where such billboard would have been permissible pursuant to the County regulations in effect at the time such billboard was originally permitted and constructed.
5. If relocation is necessary due to governmental eminent domain action, and the criteria in E.2, E.3, or E.4 cannot be met, the County and owner may agree to an alternate new location. Size and height may be varied by agreement due to the difference in physical characteristics of the alternate new location and the original location. The County may require abandonment of other registered billboards owned by the same individual or entity if the alternate new location is more visible or heavily traveled than the original location.

F. Prohibitions

Billboards not registered with the County as of September 30, 1999, are prohibited in the unincorporated area of the County.

G. Enforcement

In addition to the enforcement provisions of Section 108, the County may apply any one (1) or combination of the following remedies in the event of a violation of this section.

1. Whenever a violation(s) of this section occurs or exists or has occurred or existed, any person, individual, entity, or otherwise, who has legal, beneficial, or equitable interest in the facility, or instrumentality causing or contributing to the violation(s), and any person, individual, entity, or otherwise who has legal, beneficial, or equitable interest in the real or personal property upon which such violation(s) occurs or exists or has occurred or existed, shall be liable for such violation(s). The owner or marketer of goods, services, and/or events which are advertised on a billboard, which is displayed in violation of this Code, is presumed to have a legal, beneficial, or equitable interest in the facility or instrumentations causing or contributing to the violation. Such presumption can only be rebutted by clear and convincing evidence. In addition, any person with control or responsibility over the condition or appearance of the premises where a violation exists, such as a manager, any

owner or marketer of goods, services, and/or events, which are advertised on a billboard which is displayed in violation of the Code is liable for the violation. Any person who erects a billboard in violation of this ordinance, or any person who otherwise causes or contributes to a violation shall be liable for the violation.

2. Information contained in any billboard, including names, addresses, or telephone numbers of persons or entities benefiting from or advertising on the billboard, shall be sufficient evidence of ownership or beneficial use or interest for purposes of enforcing this section. More than one (1) person or entity may be deemed jointly and severally liable for the placement or erection of the same billboard. Each unlawful billboard shall be deemed a separate violation of this section.

## SECTION 407. RELIEF APPLICATIONS

### 407.2 Zoning Variances \*

\* See Pasco County Land Development Code Section 407.2, which includes sign variances, for complete details.

### 407.3. Administrative Variances (edited to list only those references relating to signs.)

- A. The County Administrator or designee may approve, with conditions, the following type of administrative variance, subject to the following criteria:
  6. Landscaping and Sign Conflicts. An administrative variance to eliminate required trees (not to exceed two [2]) and corresponding shrubbery to allow for a reasonably necessary line of sight to a sign may be granted.
- B. Denial of administrative variance. Any request for an administrative variance which does not meet the criteria above will be denied. If the administrative variance is denied the applicant may:
  1. Comply with the requirements;
  2. Cure the encroachments; or
  3. Request consideration of the administrative variance request at a hearing to be held by the Development Review Committee (DRC) in a manner consistent with requests for zoning variances as outlined in Section 407.2. The standard of review by the DRC shall be the same as for the County Administrator or designee. However, if the request exceeds the quantitative threshold provided in this section, a zoning variance pursuant to Section 407.2 may be required.
- C. Effect of Approval. The granting of an administrative variance authorizes the applicant to proceed with any additional applications for development approval which the County may require for proposed development of the property or to continue the use or encroachment permitted by such administrative variance.
- D. A violation of conditions imposed upon any administrative variance is a violation of this Code.

### 407.5. Alternative Standards (edited to list only those references relating to signs.)

The intent of an alternative standard is to provide design alternatives that meet or exceed the technical or design requirements of this Code or provide relief when no feasible engineering or construction solutions can be applied to satisfy the regulation. The County Administrator or designee is authorized to approve alternative standards with conditions.

- A. Requests for alternative standards may be made in conjunction with the filing of a development application. Alternatively, an application may be filed prior to submittal of an application. In that circumstance, sufficient information shall be submitted to permit a reasoned consideration of the request. Prior to filing a request for alternative standards, any applicant should review Section 303.6.C, Modification to Submittal Requirements. Sufficient information must be provided for the administrative official to make a determination.
- B. The County Administrator or designee shall consider the following criteria when reviewing an alternative standards request. 1 or 2 shall be met and all of 3, 4, and 5 shall be met:
1. The alternative standard meets or exceeds the intent and purpose of the Code requirement at issue.
  2. No feasible engineering or construction solutions can be applied to satisfy the regulation.
  3. The alternative standard does not adversely affect compliance with other Code provisions, development order(s), or permit(s).
  4. The alternative standard is not in conflict with other mandatory substantive requirements of local, State, or Federal law.
  5. The alternative standard is consistent with the applicable provisions of the Comprehensive Plan.
- D. For alternative standard requests regarding signs, the DRC shall consider the request at a public hearing duly noticed pursuant to this Code, Section 304.

1. Purpose and Intent

The purpose of this section is to provide the circumstances where alternative standards may be approved. Granting a request shall meet or exceed the intent to:

- a. Ensure no pole signs or other prohibited sign is erected;
- b. Approve signs which are compatible with other nearby signs, other elements of street and site furniture, and with adjacent structures. Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size, and the size and style of lettering;
- c. Ensure the location and placement of the sign will not endanger motorists;
- d. Ensure the sign will not cover or blanket any prominent view of a structure or façade of historical or architectural significance;
- e. Ensure the sign will not obstruct views of users of adjacent buildings to side yards, front yards, or to open space;
- f. Ensure the sign will not negatively impact the visual quality of a public open space as a public recreation facility, square, plaza, courtyard, and the like; and
- g. Ensure the sign's lighting will not cause hazardous or unsafe driving conditions for motorists.

2. Increase in Number of Monument Signs

The intent of this subsection is to provide for allowing an increase from one (1) to two (2) monument signs only when there is a reduction in the overall total sign area on the site. Approval of such a request shall require the DRC to affirmatively determine compliance with the following criteria:

- a. The request is consistent with the purpose and intent of this section, as stated in Section 407.5.D.1;
- b. The subject parcel shall have a total combined linear frontage between 590 and 600 linear feet of frontage. The combined sign structure area and copy area of both proposed monument signs shall not exceed the total sign structure area and copy area as would be allowed for one (1) monument sign on the subject parcel;
- c. The total allowed sign area of all other on-site signage; e.g., wall signs, awnings, etc., shall be reduced by at least thirty-five (35) percent.

3. Increase in Height of a Monument Sign or Size of a Wall Sign

Where an alternative standard is requested to increase the height of a monument sign, or to increase the size of a wall sign, the DRC shall affirmatively determine compliance with the following criteria:

- a. The request is consistent with the purpose and intent of this section, as stated in Section 407.5.D.1;
- b. Granting the request reduces the number of signs on the parcel and/or the number of registered billboards in the unincorporated areas of Pasco County. The request must achieve one or more of the following:
  - (1) Removal of one or more unconstructed monument signs on the parcel visible from any right-of-way which the applicant otherwise would have been permitted to erect on the parcel; or
  - (2) Removal of one or more nonconforming signs on the parcel visible from any right-of-way which the applicant otherwise would have been permitted to retain on the parcel; or
  - (3) One or more registered billboards from any parcel in unincorporated Pasco County; or
  - (4) Any combination of the above; and
- c. Granting the request reduces the overall sign structure area visible on the parcel from any right-of-way. The total sign structure area which applicant otherwise would have been permitted to erect or retain on the parcel must be reduced by at least thirty-five (35) percent. For the purposes of calculating the allowable sign structure area in this section, the actual size of registered billboards that are proposed to be removed will be used. All other requirements of Section 406.1 of this Code, including but not limited to, copy/sign structure ratios and required architectural features, must be observed for the proposed sign; and
- d. Granting the request does not result in excessive sign heights. The maximum height for a sign erected pursuant to this alternative standard may not exceed twenty (20) feet, or thirty (30) feet on controlled access roadways, even where a reduction in overall numbers of signs on the property and a reduction in overall sign structure area is achieved; and

- e. Granting the request does not result in the erection of pole signs or any other prohibited structures identified in this Code; and
  - f. Granting the request meets or exceeds the stated intent and purpose of:
    - (1) Section 406.1 of this Code; and
    - (2) This subsection. The specific intent and purpose of this subsection is:
      - (a) To allow applicants to combine monument sign height allowances (or to combine wall sign size allowances) in exchange for reducing the overall number and size of monument signs (or wall signs) which are, or may be, erected on the property; and
      - (b) To provide an incentive for property owners to remove nonconforming signs and registered billboards in return for increased flexibility in the height of monument signs or increased size of wall signs; and
      - (c) To give flexibility in height and size to allow signs that are proportionate for the property, but not to approve signs of excessive heights or heights that will be inharmonious or incompatible with its surroundings. The sign should be compatible with building heights of the existing neighborhood and should not impose a foreign or inharmonious element to an existing skyline.
  - g. Granting the request does not require Pasco County to compensate for any signage or registered billboards proposed to be removed. The owner(s) of any sign or registered billboard, and landowner(s) where such sign or registered billboard was erected, must provide a written acknowledgement in a form approved by the County Attorney's Office that:
    - (1) The increased height/size of signage obtained through approval of an alternative standard is just compensation, and is the sole compensation owing pursuant to Section 70.20, Florida Statutes and under any other legal theory available, for any sign and/or registered billboard removed from the property, or any sign which could have been erected but was not; and
    - (2) The sign/registered billboard owner and the landowner waive any right to additional compensation under Section 70.20, Florida Statutes, or under any other legal theory available, for any sign and/or registered billboard removed from the property, or which could have been erected but was not; and
    - (3) If the sign/registered billboard owner and landowner are not the same entity requesting approval of the alternative standard, the applicant for an alternative standard must agree to defend, indemnify, and hold the County harmless for any claim for compensation by other persons, in a form approved by the County Attorney's Office.
- E. Denial of Alternative Standards. Any request for an alternative standard which does not meet the criteria above will be denied, and the applicant shall either:
- 1. Comply with this Code.



2. For those alternative standards heard by the DRC pursuant to Section 407.5.C, a denial may be appealed to the Board of County Commissioners pursuant to this Code, Section 407.1.

CHAPTER 900. DEVELOPMENT STANDARDS

901.2 Transportation – Corridor Management (See Pasco County Land Development Code Section 901.2 for regulations regarding sign installations in a Pasco County right-of-way, when right-of-way dedication is required for a new development project.)

CHAPTER 1200. NONCONFORMITIES (Edited to list only those references to nonconforming signs.)

SECTION 1201. GENERALLY

1201.1. Intent and Purpose

The intent and purpose of this section is to protect the property rights of owners or operators of nonconforming uses, structures, or lots while encouraging the reduction of nonconforming uses within the County as provided in Chapter 2, Policy FLU 1.5.1, of the Pasco County Comprehensive Plan.

1201.2. Construction and Uses Approved Prior to December 1, 1975

Nothing herein contained shall require any change in plans or construction of a structure for which a Building Permit was issued prior to December 1, 1975, provided such construction was completed by December 1, 1976. Nothing herein shall require any change in a use of land or a structure provided such use lawfully existed before December 1, 1975, and has not since been abandoned as defined in this Code, Section 1202.4.

1201.3. Unlawful Use Not Authorized

Nothing in this section shall be interpreted as authorization for, or approval of, the continuance of any use of a structure or premises in a manner that violated State law and/or County ordinances in effect on December 1, 1975.

1201.4. Applicability

This section applies to all nonconformities. There are three (3) categories of nonconformities as described in Table 1201-1. (Edited: only 1 category pertains to signs.)

**TABLE 1201-1  
Nonconformities**

<b><u>Situation</u></b>	<b><u>Definition</u></b>
Nonconforming Structure	A nonconforming structure is a structure lawfully existing prior to the initial adoption of the County's first land development regulations or any subsequent amendment or government action which could not be built under the terms of the current Code by reason of restrictions governing area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot.

A nonconforming sign is a sign lawfully erected within the County on December 10, 2002, which does not conform to the requirements of this Code.

### 1202.3. Where Structure is Damaged

In circumstances where less than fifty (50) percent of the value of the structure (as determined by fair market value of the structure) in which a nonconforming use is located is damaged or destroyed by fire, explosion, flood, or other casualty, or legally condemned, the structure may be reconstructed and the nonconforming use continue provided that (a) the reconstructed structure shall not exceed the height, area, or volume of the structure destroyed or condemned; and (b) reconstruction shall be commenced within six (6) months from the date the structure was destroyed or condemned and shall be carried on without interruption. The act of receiving a Building Permit does not constitute commencement of construction.

### 1202.4. Abandonment

The nonconforming use of a structure or land, except a residential structure being used as a residence, which has been abandoned, shall not thereafter be returned to such nonconforming use. A nonconforming use shall be considered abandoned when one or more of the following conditions exists:

- A. When a nonconforming use has been discontinued for a period of 180 days. For the purposes of this section, the intent of the owner of the nonconforming use shall not be controlling in determining whether the nonconforming use has been abandoned. Discontinuance of the nonconforming use for a period of 180 days, regardless of the intent of the owner, shall constitute abandonment.
- B. When it has been replaced by a conforming use.

## SECTION 1203. NONCONFORMING STRUCTURES

### 1203.1. Repair, Maintenance, and Alterations

Except as below, only ordinary repairs and maintenance may be made to a nonconforming structure:

- A. A nonconforming structure may be altered or improved provided that any structural change shall not increase the degree of nonconformity. Structural changes which decrease or do not affect the degree of nonconformity shall be allowed.
- B. A nonconforming structure may be altered to the extent necessary, if such alteration is intended, and will result in the structure's conversion to a conforming structure.
- C. Nothing in this section shall prevent the strengthening or restoring to a safe condition of any portion of a nonconforming structure declared unsafe by the Building Official.

### 1203.2. Restorations

- A. In circumstances where less than fifty (50) percent of the value of the structure (as determined by fair market value of the structure) in which a lawful nonconforming structure is damaged or destroyed by fire, explosion, flood, or other casualty, or legally condemned, the structure may be reconstructed provided that (a) the reconstructed structure shall not exceed the height, area, or volume of the structure destroyed or condemned; and (b) reconstruction shall be commenced within six (6) months from the date the structure was destroyed or condemned and shall be carried on without interruption.
- B. In circumstances where fifty (50) percent or more of the value of the structure (exclusive of walls below grade) as of the date of the damage (as determined by fair-market value of the structure) in which a lawful nonconforming structure is damaged or destroyed by fire, explosion, flood, or other

casualty, or legally condemned, and which does not comply with the use, area, setback or height regulations of Chapter 500, the structure shall not be restored except in conformity with the regulations for the zoning district in which such structure is located.

C. A nonconforming sign shall not be replaced with another nonconforming sign.

1205.3. Existing lawful signs, lawful on-premises signs, or registered billboards shall not be required to comply with the setback or spacing requirements of this Code for signs and billboards, as amended, so long as such sign will be located a minimum of five (5) feet from the edge of the proposed right-of-way.

1205.5. Nonconforming on-site signs may be relocated or reconstructed if required as a result of condemnation action.

## Appendix

### Definitions - Signs

**Sign.** For the purposes of Signs, Section 406.1 of this Code, the following words shall be defined as follows.

1. "Sign." Any visual representation intended to advertise, identify, or communicate information to attract the attention of the public for any purpose and includes any symbols, letters, figures, illustrations, graphics, or other forms painted or otherwise affixed to any structure or device. Specifically excluded from this definition is any mural or painting or other artistic creation etched or painted on the wall of any structure, provided that the mural, painting, or artistic creation, contains only noncommercial speech or art work.
2. "Activated sign." Any sign which contains or uses for illumination any light, lighting device, or lights which change color, flash, or alternate; or change appearance of said sign or any part thereof automatically; any sign which contains moving parts as part of its normal operation, such as rotating signs, shall be considered an activated sign. Additionally, a sign that depicts or contains copy which moves or appears to be moving, or emits audible sound, vapor, smoke, odor particles, or gaseous matter, or electronic message center(s) or similar technology.
3. "Advertiser." Any person who is a lessee or owner of a sign, an agent of same, or anyone who has beneficial use of a sign.
4. "Advertising balloon." A sign constructed from nonporous material, which is inflated and is designed to rise and float in the atmosphere. Included in this definition are those advertising balloons that represent the form of a person, place, or thing. Aircraft that may meet this definition are not considered advertising balloons. Advertising balloons may be tethered or tied to the ground or may be designed to float freely in the atmosphere.
5. "Architectural feature." Any construction attending to, but not an integral part of a sign, such as, by way of example not limitation, landscape, building, or structural forms that enhance the site in general; it also includes, graphic stripes and other architectural painting techniques applied to a structure that serves a functional purpose, or when the stripes or other painting techniques are applied to a sign provided such treatment does not include lettering, logos, or pictures.
6. "Awning sign." A shelter supported entirely from the exterior wall of a building and composed of nonrigid materials, except for the supporting framework, upon which a sign is indelibly drawn, painted, or printed.
7. "Banner sign." Any sign intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind. "Banner" does not include ground signs or pole signs regardless of whether the ground signs or pole signs are on-site or off-site.
8. "Canopy sign." A roof-like cover, attached or unattached, extending from the exterior wall of a building and composed of supporting framework of rigid materials upon which a sign is indelibly drawn, painted, or printed.
9. "Changeable copy sign." Any framed sign, illuminated or not, which is principally devoted to and designed for changeable text and graphics. This definition shall not include activated signs.
10. "Colonnade sign." A sign suspended below the roof of a covered walkway, perpendicular to the facade of the structure, oriented to pedestrians, and identifying the premises adjacent to it.
11. "Construction sign." A temporary sign erected on a premises currently undergoing some type of building or construction activity.

12. "Copy." The letters, colors, text, or other graphics which comprise the message displayed upon the sign copy area.
13. "Copy area." The area on a sign containing the copy. The copy area of a sign shall be measured from the outside edges of the copy area frame should such a frame be used.
14. "Double-faced sign." A sign having two (2) display surfaces not necessarily displaying the same copy, which are parallel, back-to-back, and not more than forty-eight (48) inches apart.
15. "Entrance sign." A sign located at the entrance to a residential or nonresidential development.
16. "Exempt sign." A sign for which a permit is not required but which must conform to the requirements of this Code.
17. "Festoon." Fabric, paper, plastic, or foil draped and bound at intervals.
18. "Ground sign/monument sign." Any sign other than a pole sign which is placed upon or supported by structures or supports in or upon the ground and independent of support from any building which has the vertical structural supports concealed within an enclosed base. The width of such enclosed base shall be equal to at least two-thirds of the width of the sign structure measured at its widest point. The finish shall be consistent with materials used on the building that the sign serves. "Ground signs" shall include monument signs.
19. "Illegal sign." Any sign erected prior to the adoption of the zoning ordinance in 1975 and not conforming to this Code; any sign erected without a permit subsequent to the enactment of the zoning ordinance in 1975; and signs erected prior to or subsequent to the enactment of the zoning ordinance in 1975 in violation of the County, State, or Federal regulations shall be considered illegal signs.
20. "Illuminated sign." An illuminated sign is one which either:
  - a. Provides artificial light through exposed bulbs, lamps, or luminous tubes on the sign surface;
  - b. Emits light through transparent or translucent material from a source within the sign; or
  - c. Reflects light from a source intentionally directed upon it.
21. "Interior sign." A sign that is located in the interior of a structure or is located outside a structure but, because of the sign's placement, design, or orientation, is not readily visible to passersby.
22. "Marquee sign." Any sign which is attached to or hung from a permanent, roof like structure (marquee) which is supported by a building wall and which projects out from the building line usually, but not necessarily, over a public right-of-way such as a sidewalk.
23. "Multioccupancy sign." A ground sign/monument sign on a multioccupancy parcel or an out-parcel that is part of a common plan of development.
24. "Multiprism sign." Signs made with a series of triangular vertical sections that turn and stop to show three pictures or messages in the sign surface area.
25. "Nonconforming sign." Any sign lawfully in existence within the County on December 10, 2002, which does not conform to the requirements of this Code. This definition shall not be construed to include an illegal sign.
26. "Off-site sign." A sign that is displayed for a building, structure, or use that is located on another premise. A registered billboard is an off-site sign.

27. "On-site sign" (a.k.a. on-premises sign). A sign displayed on a premises, or in the case of a multioccupancy parcel, on a contiguous parcel or on another parcel located in the area covered by an approved Unified Sign Plan and specified within that plan. Any sign containing noncommercial speech is an on-site sign.
28. "Pennant." Any flag-like or streamer-like piece of cloth, plastic, foil or paper attached to any staff, cord, building, or other structure at only one (1) or two (2) edges, the remainder hanging loosely.
29. "Permanent sign." A permanent sign is one which is affixed to a building or the ground in accord with the requirements of this Code and any other applicable Federal, State, or local laws, and in such a manner as to be immobile without the use of extraordinary means such as disassembly.
30. "Pole sign." A sign, independent of support from any building, that is mounted on freestanding poles or other supports.
31. "Portable sign." Any sign other than a sandwich sign, double- or single-faced, which is not permanently erected on the site and which may readily be moved from place to place; except that this definition shall not apply to signs painted directly on vehicles or signs displayed through but not on windows.
32. "Projecting sign." Any sign which is attached to and which projects from the outside wall of any building or structure, excluding wall signs as defined herein.
33. "Real estate sign." A temporary sign erected on a premise for sale, lease, or exchange.
34. "Revolving sign" (a.k.a. rotating sign). Any sign so erected or constructed as to periodically or continuously change the direction toward which any plane containing the display surface area is oriented.
35. "Roof sign." Any sign erected, constructed, or maintained on the roof of any building, above the eaves or above mansards, parapets, or other similar architectural features of buildings or structures which are capable of supporting signs.
36. "Rotating sign." See "revolving sign."
37. "Sandwich board/sidewalk sign." A sign not secured or attached to the ground or surface upon which it is located, but supported by its own frame and most often forming the cross-sectional shape of the letter "A" when viewed from the side.
38. "Sign face." The part of a sign on which the copy or message is or could be placed.
39. "Sign structure." Any structure which is designed specifically for the purpose of supporting a sign, has supported, or is capable of supporting a sign and/or its copy area. This definition shall include any architectural features, decorative covers, braces, wires, supports, or components attached to or placed around the copy area. This definition shall not include a building or buffer wall to which a sign is attached.
40. "Sign structure area." The entire area of the sign including the copy area, the sign surface area and the sign structure. The structure area of the sign shall be measured from the outside edges of the sign structure.
41. "Sign surface area." The surface area of a sign is the entire area within the periphery of a regular geometric form, or combination of regular geometric forms, comprising all of the display area of the sign and including all of the elements of the matter displayed, but not including the sign structure bearing no copy. The surface area of the sign shall be measured from the outside edges of the sign or the sign frame, whichever is greater. The sign surface area shall include the aggregate sign area upon which copy could be placed and shall include the total of a single side of a sign surface upon which copy could be placed.

42. "Snipe sign." A sign made of any material when such sign is tacked, nailed, posted, glued, or otherwise attached to any pole, tree, or other natural feature, fence, fence post, bench, stakes, other sign, or other similar objects located on public or private property.
43. "Temporary sign." A sign which is not designed, constructed, or intended to be permanent. This definition shall not include prohibited signs.
44. "Vehicle signs." Any commercial sign attached to or placed on a vehicle, including automobiles, trucks, boats, campers, and trailers, that is parked on or otherwise utilizing a public right-of-way, public property, or on private property so as to be intended to be viewed from a vehicular right-of-way. This definition is not to be construed to include those signs within the normal unaltered lines of the vehicle, when and during that period of time such vehicle is traversing the public highways during the normal course of business.
45. "Wall sign." A sign which is painted on, fastened to, or erected against the wall of a building with its face in a parallel plane to the plane of the building facade or wall and which does not project more than eighteen (18) inches from such building.
46. "Window sign." A window sign is one which is painted on, attached to, or visible through a window.