

ORDINANCE 2003-15

AN ORDINANCE AMENDING THE HERNANDO COUNTY CODE OF ORDINANCES, APPENDIX A, ZONING ORDINANCE, ARTICLE II, GENERAL REGULATIONS, SECTION 1. GENERAL REGULATIONS FOR STRUCTURES AND USES (E) REGULATION OF SIGNS (2) DEFINITIONS THROUGH ADDITION; BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE II, GENERAL REGULATIONS, SECTION 2. GENERAL REGULATIONS FOR STRUCTURES AND USES. (E) REGULATION OF SIGNS (4) FLAGS, BANNERS, TEMPORARY SIGNS AND DISPLAYS THROUGH MODIFICATION AND ADDITION; BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE II, GENERAL REGULATIONS, SECTION 2. GENERAL REGULATIONS FOR STRUCTURES AND USES (E) REGULATIONS OF SIGNS, THROUGH MODIFICATION OF ITEMS 11 & 12; BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE II, GENERAL REGULATIONS, SECTION 2. GENERAL REGULATIONS FOR STRUCTURES AND USES (E) REGULATION OF SIGNS, THROUGH MODIFICATION AND ADDITION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:

WHEREAS, the County's adopted Land Development Regulations contain zoning districts which permit commercial billboard advertising signs on property within Hernando County; and,

WHEREAS, the adopted Comprehensive Plan gives the County the ability to address permitted uses in zoning districts, and regulate signage through the Land Development Regulations.

WHEREAS, Section 125.01, Florida Statutes, authorizes the Board of County Commissioners to adopt ordinances to provide standards that provide for the health, safety, and welfare of the citizens of Hernando County; and,

WHEREAS, the Board of County Commissioners has determined that commercial billboard advertising signs negatively impact the aesthetics of development in Hernando County and therefore are detrimental to the health, safety, and welfare of the citizens of Hernando County, FL.

STATE OF FLORIDA
TALLAHASSEE, FLORIDA

2003 AUG 15 PM 3:36

FILED

SECTION 1. BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE II, GENERAL REGULATIONS, SECTION 2. GENERAL REGULATIONS FOR STRUCTURES AND USES (E) REGULATION OF SIGNS (2) DEFINITIONS THROUGH ADDITION OF ITEMS (h) & (i) AS FOLLOWS:

2. Definitions:
 - h. Community Service Use: includes places of public assembly, schools, community centers, parks and other similar community service uses.
 - i. Special event: temporary events including such uses as carnivals, circuses, tent revivals, festivals and other special events of a similar nature. Such special events must receive conditional use permit approval pursuant to the Zoning Ordinance, or a special event permit through the County or other applicable jurisdiction.

SECTION 2. BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE II, GENERAL REGULATIONS, SECTION 2. GENERAL REGULATIONS FOR STRUCTURES AND USES (E) REGULATION OF SIGNS (4) FLAGS, BANNERS, TEMPORARY SIGNS AND DISPLAYS THROUGH MODIFICATION AND ADDITION AS FOLLOWS:

4. Flags, Banners, Temporary Signs, Temporary Directional Signs, and Displays
 - a. No more than one (1) permanent banner with a maximum size of 3' x 8' shall be allowed on property zoned for commercial or industrial use except pursuant to paragraph c below. Such banner shall be securely mounted and kept in good maintenance. No zoning permit or certificate of use will be required for this permanent banner.
 - b. No more than three (3) flags shall be allowed on property zoned for commercial or industrial use, except pursuant to paragraph c below. Notwithstanding the foregoing, any commercial or industrial parcel with more than 300 feet of frontage on a roadway classified as arterial or major collector may display one permanent flag for each 100 feet of such frontage, or portion thereof. This section shall not apply to displays of the Official Flag of the United States as defined in Title 4, Chapter 1, U.S. Code, during the time that the Declaration of National Emergency by Reason Of Certain Terrorist Attacks by the President of the United States of America, dated September 14, 2001, remains in effect. No zoning permit or certificate of use will be required for these permanent flags.

- c. Except as provided in paragraphs a and b above or as otherwise expressly permitted by this ordinance, flags, pennants and banners, portable signs, streamers, balloons, sandwich board signs and other similar devices are hereby prohibited, except that such devices may be utilized on property zoned for recreational, commercial or industrial use not more than six times during a calendar year and the aggregate duration of all such events totals no more than 60 days per calendar year with no one event exceeding thirty (30) days in duration. The applicant for such temporary use is required to obtain a temporary sign permit from the county with the dates of display stated on the permit. No other zoning permit or certificate of use will be required for these types of devices. The county will commence the issuance of permits for such devices on July 1, 1999. By this requirement, it is the specific intent of the Board of County Commissioners that no such devices shall be allowed except pursuant to the provisions of this paragraph and that any provision of the Hernando County Code of Ordinances relating to non-conforming uses shall not apply to such devices.
- d. Temporary flags, pennants and banners, portable signs, streamers, balloons, sandwich board signs and other similar devices are allowable on a temporary basis for community service uses to promote events and activities associated with the community service use. Such temporary signage shall be removed upon the end of the event. No permit is required for the temporary community service event signage.
- e. Temporary directional signs shall be allowed on private property for special events, real estate open houses and garage sales. Such directional signs shall not be allowed on the County right-of-way. No permit is required for the temporary directional sign. These temporary directional signs shall serve to provide directions to a location. The sign shall indicate the dates of the event, the party responsible for the event and the address of the event. The event information is for county monitoring purposes only and is not required to be visible from the street. Such signs shall be made of durable water proof material and may be no greater than 4 square feet in size. A maximum of 4 riders may be added to the directional sign provided the maximum allowable square footage is not exceeded. Additional standards as follows:
 - 1. Temporary signs for special events which have a conditional use permit or a special event permit may be placed a maximum of 48 hours prior to the special event. The signs must be removed within 24 hours of the conclusion of the special event.

2. Real Estate directional signs for open houses may be placed no earlier than 7:00 a.m. on the day of the open house, and must be removed by sundown on the day of the open house.
 3. Garage sale directional signs may be placed no earlier than 7:00 am. on the first day of the garage sale and must be removed by sundown on the last day of the garage sale.
- f. The provisions of this subsection 4 shall not apply to portable signs and sandwich board signs which are:
1. displayed for informational purposes to persons or customers who are already physically on the property or other premises owned or leased by a business or nonprofit entity, and
 2. not intended for display or legibly visible to members of the general public not already on the specific business or entity property or leasehold.

For purposes of this limited exception, "leasehold" shall not include any common area shared with and by other lessees.

SECTION 3. BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE II, GENERAL REGULATIONS, SECTION 2. GENERAL REGULATIONS FOR STRUCTURES AND USES (E) REGULATION OF SIGNS, THROUGH MODIFICATION OF ITEM 11, REAL ESTATE SIGNS AS FOLLOWS:

11. Real estate signs: Unlighted real estate signs located on the premises being advertised for sale, lease or rent are permitted in all zoning districts. Such signs located in residential zoning districts and/or on residential property shall not exceed six (6) square feet in area. Such signs located on nonresidential property shall not exceed sixty-four (64) square feet in area. Signs located on nonresidential property exceeding six (6) square feet in area but not greater than sixty-four (64) square feet must be located at least five (5) feet from all lot lines. Real estate signs may be displayed along each road that borders the property with a limit of one sign for every five hundred (500) feet of road frontage. No zoning permit or certificate of use is required for these signs. Real estate signs must be removed within 14 days of the closing on the sale of the property.

SECTION 4. BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE II, GENERAL REGULATIONS, SECTION 2. GENERAL REGULATIONS FOR STRUCTURES AND USES (E)

**REGULATION OF SIGNS, THROUGH MODIFICATION OF
ITEM 12, POLITICAL CAMPAIGN SIGNS AS FOLLOWS:**

12. Political campaign signs: Political campaign signs which do not otherwise meet the terms of this ordinance may be erected on private property, but it shall be unlawful to erect such signs on public property or street rights-of-way. Such signs located in residential zoning districts and/or on residential property shall not exceed six (6) square feet in area. Signs may be erected no more than forty-five (45) days prior to the first election of the series of elections that determines a candidate or issue. Political signs shall be removed by the candidate or political party promoted on the face of the sign, organization that paid for the sign, or by the property owner within fourteen (14) days after the election which determines the candidate's or political party's election or defeat. If the signs are not removed within the fourteen (14) days, the specified candidate or political party or group supporting an issue promoted on the face of the sign shall be subject to the penalties contained herein. No zoning permit or certificate of use will be required for political signs.

SECTION 5. BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE II, GENERAL REGULATIONS, SECTION 2. GENERAL REGULATIONS FOR STRUCTURES AND USES (E) REGULATION OF SIGNS, THROUGH MODIFICATION AND ADDITION:

26. On-site garage sale sign: one garage sale sign no more than six (6) square feet may be placed on a residentially zoned property on the date of the garage sale.

SECTION 6. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this ordinance, for any reason, is held to be unconstitutional, void or invalid, the validity of the remaining portions of said ordinance shall not be affected thereby.

SECTION 7. INCLUSION INTO THE CODE

The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of Hernando County, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

SECTION 8. EFFECTIVE DATE

This Ordinance shall become effective upon receipt of the official acknowledgment from the office of the Secretary of State of the State of Florida that this Ordinance has been filed with said office.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS IN REGULAR SESSION THIS 5th DAY OF AUGUST, 2003

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

BY Mary E. Whitehouse
**MARY E. WHITEHOUSE,
CHAIRPERSON**

SEAL

ATTEST Karen Nicolai
KAREN NICOLAI, CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
BY [Signature] 8/8/03
County Attorney's Office