

AN ORDINANCE OF THE CITY OF EDGEWATER, FLORIDA, AMENDING ARTICLE II, ARTICLE VI, ARTICLE XVIII, ARTICLE XX OF CHAPTER 21 (LAND DEVELOPMENT CODE); PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY; PROVIDING FOR AN EFFECTIVE DATE, ADOPTION AND CODIFICATION.

WHEREAS, the City Council of the City of Edgewater, Florida, has made the following determinations:

1. On July 10, 2000, City Council adopted Ordinance #2000-O-12 which enacted Chapter 21 (Land Development Code) of the City of Edgewater Code of Ordinances.
2. On June 5, 2017, City Council adopted Ordinance # 2017-O-16 which amended and restated Chapter 21 (Land Development Code), Article II (Definitions), Article III (Permitted, Conditional, Accessory and Prohibited Uses), Article VI (Sign Regulations), Article XX (Ridgewood Avenue Corridor Design Regulations).
3. On May 6, 2024, City Council adopted Ordinance # 2024-O-10 which amended and restated Chapter 21 (Land Development Code), Article II (Definitions), Article III (Permitted, Conditional, Accessory and Prohibited Uses), Article VI (Sign Regulations), Article XX (Ridgewood Avenue Corridor Design Regulations).
4. Adoption of this Ordinance will modify the above-referenced Articles of Chapter 21 (Land Development Code).

PART B. CONFLICTING PROVISIONS.
All conflicting ordinances and resolutions, or parts thereof, in conflict with this ordinance, are hereby superseded by this ordinance to the extent of such conflict.

PART C. SEVERABILITY AND APPLICABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void by a court of competent jurisdiction, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provisions thereof shall be held to be inapplicable to any person, property, or circumstances by a court of competent jurisdiction, such holding shall not affect its applicability to any other person, property, or circumstance.

PART D. CODIFICATION.

Provisions of this ordinance shall be incorporated in the Code of Ordinances of the City of Edgewater, Florida, and the word “ordinance”, may be changed to “section”, “article”, or other appropriate word, and the sections of this ordinance may be renumbered or re-lettered to accomplished such intention; provided, however, that Parts B through F shall not be codified.

PART E. EFFECTIVE DATE.

This Ordinance shall take place upon adoption.

PART F. ADOPTION.

PASSED AND DULY ADOPTED this ____ day of _____, 2026.

ATTEST:

Diezel DePew, Mayor

Monique Toupin, CMC, Acting City Clerk
Passed on first reading on the ____ day of _____, 2026

REVIEWED AND APPROVED: _____
Anthony Sabatini, City Attorney

ARTICLE II
DEFINITIONS

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ARTICLE II

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DEFINITIONS

SECTION 21-20 - DEFINITIONS

21-20.01 - Intent

Unless otherwise expressly stated the following terms shall, for the purposes of these regulations have the meaning indicated. Words in the singular include the plural, and those in the plural include the singular. Words used in the present tense include the future tense. The words “person,” “subdivider,” “developer” and “owner” include a corporation, unincorporated association and a partnership or other legal entity, as well as an individual. The word “watercourse” includes channel, creek, ditch, spring and streams.

The words “should” and “may” are permissive. The words “shall” and “will” are mandatory and directive. Words not herein defined shall have the meanings given in Webster’s Unabridged Dictionary or the applicable state statutes and/or administrative rules. The words and terms herein shall have the meanings ascribed thereto.

21-20.02 - Definitions

ABANDON means to discontinue an existing use of land or structure for 181 consecutive days, other than cessation due to probate or mortgage foreclosure activities.

ABUT OR ABUTTING means to physically touch or border upon, or to share a common property line, or be separated from such a border by an alley, easement, street or canal.

ACCESS means a dedicated, or recorded right-of-way, road, lane, alley or easement affording perpetual ingress and egress to a subject property, to a public thoroughfare or to a water body.

ACCESSORY BUILDING means a structure, the use of which is customarily incidental and subordinate to that of the main building on the same lot, including but not limited to, detached garages, or carport, barns, greenhouse, woodshed, tool shed, gazebos, docks, boat houses and similar uses that are used to shelter and/or protect equipment, supplies, chemicals, goods, furniture and the like for use by the principal occupant.

ACCESSORY DWELLING UNIT means a residential dwelling unit located on the same lot as a primary residence as an attached or detached secondary dwelling with separate entrance. Also known as a Mother-in-law unit or Garage Apartment.

ACCESSORY USE means a use that is incidental, related, appropriate and clearly subordinate to the principal use of the building, lot or parcel and is under the direct control or ownership of any person who occupies or operates the principal use of the same building, lot or parcel.

ACTUAL START means the first placement of, permanent construction of a structure on

a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation.

ADJUSTED GROSS INCOME means all income including but not limited to wages, assets disbursements, cash on hand or gifts from persons outside the eligible household, and other income determined by the United States Department of Housing and Urban Development, then adjusted for family size, minus allowable deductions from the Internal Revenue Code.

ADMINISTRATIVE OFFICIAL means the Development Services Director or Building Official of the City of Edgewater.

ADULT DAY CARE CENTER means any building, buildings, whether operated for profit or not, in which is provided through its ownership or management, for any part of a day, basic services to three or more persons who are 18 years of age or older, who are unrelated to the owner or operator by blood or marriage, and who require such services.

ADVERTISING DISPLAY AREA OR DISPLAY AREA means the advertising display surface area (copy area) which may be encompassed within any regular geometric figure and which forms the informational component of a sign, not including the structural support components of a sign.

AFFILIATE means a person that directly or indirectly owns or controls, or has common ownership or control with another person. For purposes of this paragraph, the term own means to own an equity interest (or the equivalent thereof) of more than 10 percent.

AFFORDABLE HOUSING means residential units priced so that monthly costs do not exceed thirty (30) percent of the median adjusted household gross annual income.

AFFORDABLE UNIT(S) means residential rental units that are considered Affordable to eligible households and meet at least forty percent (40%) of the total rental units in a development.

AGRICULTURAL USE means the use of land in horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, beekeeping, pisciculture and all forms of farm products and farm production.

AGRICULTURE means general farming activities and attendant accessory uses and subsequent processing and industrial activities.

AIRCRAFT HANGER means an enclosed or semi-enclosed building specifically intended for the storage of aircraft.

ALLEY means a public right-of-way primarily designated to serve as a secondary means of access to the side or rear of abutting properties having principal lot frontage on a street.

ALTERED OR ALTERATIONS means any change in a building's structural parts;

stairways; type of construction; kind or class of occupancy; light and ventilation; means of ingress and egress; wiring, plumbing, heating or cooling system; and other changes affecting or regulated by building codes or the ordinances.

ALTERATION in regards to Historic Preservation means any act that changes the exterior features of a designated property.

ALTERED WETLAND means wetlands that have been substantially affected by development, but which continue to provide some environmental benefit.

ALTERNATIVE SUPPORT STRUCTURE means structures, other than telecommunication towers, including, but not limited to: buildings; water towers; light poles; power poles; telephone poles and other public utilities structures.

AMENITIES means an aesthetic natural or man-made feature of a development that increases the desirability of not only the development but also the community to which the development is constructed, increasing the marketability to the public. While amenities may differ from development to development, possible designs might include but not be limited to swimming pools, tennis courts, dog parks, tree preservation, and other unified building designs.

AMORTIZATION OR AMORTIZING means a method of eliminating nonconforming uses by requiring the termination of the nonconforming use after a specified period of time.

ANIMAL BOARDING means the housing of animals for compensation for more than 12 hours.

ANTENNA means any system of wires, poles, rods, reflecting discs or similar devices, used for the transmission or reception of electromagnetic waves external to, or attached to, the exterior of any building.

APARTMENT- see “Dwelling” for various housing types.

APPEAL means a request for a review of an administrative interpretation of any provision of this Code, a decision made by any City official, City board or the City Council.

APPLICANT means any person who submits appropriate documentation as required by the City relating to all aspects of this Code.

AQUACULTURE means raising aquatic animals for sale.

AQUACULTURE, LIMITED means the cultivation, production and raising of the natural products of water including hatcheries, nurseries and maintenance of products in above ground tanks less than 10,000 gallons of capacity.

AREA OF SHALLOW FLOODING means a designated AO or VO zone on a community’s Flood Insurance Rate Map (FIRM) with base flood depths from 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate and where velocity flow may be evident.

AREA OF SPECIAL FLOOD HAZARD means the land in a flood plain in a community subject to a one percent or greater chance of flooding in any given year.

ART SCULPTURE means an artistic form in which materials are worked into three-dimensional art objects that do not contain a commercial message.

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AS-BUILT SURVEY means a survey which depicts the location and dimension of all structures, parking areas, stormwater management facilities and associated grades, road easements or other improvements as may be required or constructed on the parcel and includes the location and limits of the 100-year flood plain, if any.

ASSISTED LIVING FACILITY (ALF) means any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator.

ATTACHED STRUCTURE means any structure which is connected to any other structure by means of but not limited to a structural connection, such as a roof, stairway, atrium, breezeway or other structural permanent connection.

AUDIBLE SIGN means a sign that projects an audible message intended to be heard by either pedestrians or vehicles.

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AUTOMOTIVE PAINT AND BODY SHOP means an establishment for automotive bodywork including the painting, repainting, restoring of a vehicle, parts or components including engine removal or dismantling, straightening or welding of vehicle frames or body parts, or the performance of other related vehicle services.

AUTOMOTIVE REPAIR means a use or establishment performing mechanical repair or serving work to automobiles and light trucks and does not include large trucks or other mechanical equipment. The term does not include any of the following activities or uses:

- (a) Vehicle paint and body shop.
- (b) Vehicle fabrication or assembly uses.
- (c) Vehicle welding services or repairs.

AUTOMOTIVE SERVICE STATION means an establishment that is used primarily for the retail sale and direct delivery to motor vehicles of motor fuels and lubricants.

AWNING means a roof-like structure, regardless of the material used for construction, attached to a building which shelters doors or windows from the weather.

AWNING SIGN means Any sign painted, printed, attached, or otherwise applied to any facet or support structure of an awning.

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BANNER SIGN means any sign intended to be hung either with or without frames, possessing characters, letters, illustrations or ornamentation applied to paper, plastic or fabric of

any kind, including such signs stretched across or hung over any public right-of-way.

BASE FLOOD means the flood having a one-percent (1%) chance of being equaled or exceeded in any given year (100-year storm event).

BASE FLOOD ELEVATION means the maximum elevation above mean sea level expected to be reached by flood waters during a 100-year storm event.

BASEMENT means that portion of a structure having its finished floor (below ground level) on all sides.

BEACON LIGHT SIGN means any sign or device which includes any light with beams capable of being revolved automatically.

BED AND BREAKFAST means a house or portion thereof where lodging rooms are available for short-term rental and meals may be provided to the guests renting the rooms and where the operator of the establishment lives on the premises.

BENCH SIGN means a bench or bus shelter upon which a sign is drawn, painted, printed, or otherwise affixed thereto, as further described in Chapter 337.408, F.S.

BERM means a manmade or natural mound of earth located so as to form a mound above the general elevation of the adjacent ground or surface.

BEST MANAGEMENT PRACTICES (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, treatment methods and other management practices to prevent or reduce pollutants from entering the MS4 (see definition).

BILLBOARD SIGN means a sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

BLOCK means a tract of land existing within well-defined and fixed boundaries, usually being a group of lots surrounded by streets or other physical barriers.

BOAT HOUSE means an accessory structure typically but not necessarily attached to a dock designed and used for the protection and storage of boats and boating supplies.

BOUNDARY LINE means a delineation that indicates or defines limits between differing lot or property lines.

BOUNDARY SURVEY means a survey that depicts the physical boundaries and dimensions of a parcel and its legal description.

BREAK POINT means the location on a communication tower of a designed feature which, in the event of a tower failure, would result in the tower falling entirely within the boundaries of the property on which it is located.

BREAKAWAY WALL means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevation portion of the building or the supporting foundation system.

BUFFER means a land area of specified width and/or height which is used to separate one use from another, or to shield or block noise, lights, or other nuisances.

BUILDABLE AREA means that portion of a lot remaining excluding the established front, rear and side setbacks.

BUILDING means any structure designed or built for the support, enclosure, shelter or protection of persons, animals, chattels or moveable property of any kind.

BUILDING ADDITION means any expansion to the perimeter of a building to which the addition is connected.

BUILDING FRONTAGE means the side of a building facing the principal road, street, highway or easement serving the building.

BUILDING HEIGHT means the vertical distance measured from the required minimum finished floor elevation to the highest point of the roof.

BUILDING PERMIT EXPIRATION means every permit issued shall become invalid unless the work authorized by such permit is commenced within six months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of six months after the time the work is commenced. One or more extensions of time, for periods not more than 90 days each, may be allowed for the permit. The extension shall be requested in writing and justifiable cause demonstrated. Extensions shall be in writing by the Building Official

BUILDING SETBACK LINE means a line within a lot or other parcel of land so designated on the final plat, between which line and the adjacent boundary of the street or street widening setback line, where applicable, upon which the lot or parcel abuts the erection of a building is prohibited, as prescribed by the zoning ordinance

BULKHEAD LINE means a line established to fix the maximum distance from the shoreline within which filling may occur.

BUSINESS TAX RECEIPT means a permit to engage in an activity that requires regulation and all regulated activities must operate from within a permanent structure.

CABINET SIGN means a sign structure consisting of the frame and face(s), not including the internal components, embellishments or support structure.

CALIPER means the trunk diameter of trees at a predetermined point.

CANOPY means a permanent structure or architectural projection of rigid construction over which a covering is attached that provides weather protection, identity or decoration. A

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canopy may be structurally independent (a "detached canopy") or supported by attachment to a building on one or more sides. ~~(FREESTANDING)/TEMPORARY CARPORTS means a rigid supported structure (capable of disassembly) covered with fabric, and supported by columns or posts embedded in the ground and/or attached at other points. Does not include the term carport.~~

CANOPY SIGN IN VEHICULAR AREAS means a sign that is permanently affixed or embedded in or on the canopy within a vehicular area such as a parking lot or drive aisle.

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CANOPY SIGN IN PEDESTRIAN AREAS means a sign that is permanently affixed or embedded in or on the canopy within an entry way to the structure.

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CAPACITY means the availability of a public or private service or facility to accommodate users, expressed in an appropriate unit of measure such as gallons per day or average daily trips.

CARTWAY means the actual road surface areas from curb line to curb line or the hard surface road width of the road surface when no curbs are present.

CARPORT means an accessory structure or portion of a principal structure consisting of roofed area open on one, two, or three sides and free standing or attached to the main building by support members for storage of one or more vehicle. Does not include the term canopy (freestanding).

CAMOUFLAGE COMMUNICATION TOWER means a tower designed to merge and blend into and conform in appearance with existing surroundings. An example of a camouflage communication tower would be one that is constructed in the form and shape of a tree in order to appear to be part a forested area or a tower constructed to appear to be a component of a bell tower or to be or appear to be a component of church steeple in order for the tower to be or appear to be part of these more aesthetically pleasing structures.

CANAL means an artificial, primary water conveyance facility with an open channel and usually a wet bottom.

CEMETERY means land used or intended to be used as a burial ground or burial place of the human dead and dedicated for crematories, mausoleums and mortuaries if operated in connection within the boundaries of such cemetery.

CERTIFICATE OF CONCURRENCY means a statement issued by the City and relating to a specific development project on a specific parcel of real property or part thereof, which is valid and states that all concurrency requirements are satisfied and that a specified quantity of concurrency facilities is reserved for a specified period of time.

CERTIFIED LOCAL GOVERNMENT means a government meeting the requirements of the National Historic Preservation Act Amendments of the 1980 (P.A. 96-515) and the implementing regulations of the U. S. Department of the Interior and the State of Florida.

CHANGEABLE COPY SIGN means a sign that is designed so that characters, letters or

illustrations can be changed or rearranged, including billboards.

CHANNEL LETTER means a fabricated or formed three-dimensional letter, number, logo or symbol.

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CHILD CARE FACILITY means any child care center or child care arrangement which provides child care for more than five children unrelated to the operator and which receives a payment, fee, or grant for any of the children receiving care, wherever operated, and whether or not operated for profit. The following are not included:

(a) Public schools and nonpublic schools and their integral programs, except as provided in Chapter 402.3025, F.S. (2005);

- (a) Summer camps having children in full-time residence;
- (b) Summer day camps;
- (c) Bible schools normally conducted during vacation periods; and
- (d) Operators of transient establishments, as defined in Chapter 509 (F.S.), which provide child care services solely for the guests of their establishment or resort provided that all child care personnel of the establishment are screened according to the level 2 screening requirements of Chapter 435.

CHRONIC NONMALIGNANT PAIN means pain unrelated to cancer or rheumatoid arthritis, which persists beyond the usual course of the disease or injury that is the cause of the pain, or more than ninety (90) days after surgery.

CITY means the City of Edgewater, a Florida municipal corporation.

CITY COUNCIL means the governing body of the City.

CITY ENGINEER means a professional engineer employed by the City or the designated consultant professional engineer.

CLEAN WATER ACT (CWA) means Public Law (PL) 92-500, as amended PL 95-217, PL 95-576, PL 6-483, and PL 97-117, 33 U.S.C. 1251 et seq., as amended by the Water Quality Act of 1987, PL 100-4.

CLEARING means the removal of trees and/or brush from a parcel, not including mowing.

CLUB means a building or facilities owned or operated by a corporation, association, person or persons for a social, educational, or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business and where the serving or sale of alcohol is not the primary use.

COASTAL HIGH HAZARD ZONE OR AREA means the area subject to high-velocity waters caused by, but not limited to, hurricane wave wash found in Category 1 storms.

CODE OF ORDINANCES means the laws, rules and regulations of the City of Edgewater which shall include, but not be limited to, the Code of Ordinances and the Land Development Code.

COMMERCIAL MOBILE SERVICES means the communications Act and the FCC's rules, and include cellular telephone services regulated under Part 22 of the FCC's rules, SMR services regulated under Part 90 of the FCC's rules, and PCS regulated under Part 21 of the FCC's rules.

COMMON AMENITY (INDOOR) means a shared indoor space which is provided for the private use of all residents, and their visitors, of a property. The space shall generally be used for recreational, social and cultural activities, and may include leisure, sports or fitness facilities, swimming pools, meeting rooms, kitchen and dining facilities (i.e., party rooms), or workshops. Guest rooms without cooking facilities may also be provided as indoor common amenity space. Indoor common amenity spaces shall not be used for commercial purposes.

COMMON AMENITY (OUTDOOR) means a shared open space primarily intended for the enjoyment and recreational use of all residents, and their visitors, of a property. The space shall generally be programmed for passive or active use and shall not include any drive aisle, parking area, or other space intended for an alternative functional purpose (e.g., storage, utility access, stormwater management, etc.). Illustrative examples of outdoor amenity use include: community gardens, swimming pools, landscaping, or recreational space for leisure activities normally carried out outdoors.

COMMUNICATION ANTENNA means an antenna designed to transmit or receive communications as authorized by the Federal Communications Commission (FCC).

COMMUNICATION TOWER means a tower greater than 35 feet in height (including the antenna component) which supports communication (transmission or receiving) equipment. Amateur radio operators' equipment, as licensed by the FCC, shall not be deemed a communication tower.

COMMUNITY RESIDENTIAL HOME means a dwelling unit licensed to serve residents who are clients of the Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or the Department of Children and Families or licensed by the Agency for Health Care Administration which provides a living environment for 7 to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents. Homes of six or fewer residents which otherwise meet the definition of a community residential home shall be deemed a single-family unit and a noncommercial, residential use for the purpose of local laws and ordinances. Homes of six or fewer residents which otherwise meet the definition of a community residential home shall be allowed in single-family or multifamily zoning without approval by the local government, provided that such homes shall not be located within a radius of 1,000 feet of another existing such home with six or fewer residents; provided that, prior to licensure, the sponsoring agency provides the local government with the most recently published data compiled from the licensing entities that identifies all community residential homes within the jurisdictional limits of the

local government in which the proposed site is to be located in order to show that no other community residential home is within a radius of 1,000 feet of the proposed home with six or fewer residents. At the time of home occupancy, the sponsoring agency must notify the local government that the home is licensed by the licensing entity.

COMMUNITY WATER SYSTEM - means a public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

COMPATIBILITY means a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is negatively impacted directly or indirectly by another use or condition.

COMPREHENSIVE PLAN means an ordinance of the City which contains the official statement of public policy for the development and/or redevelopment of the City, and which conforms to the relevant requirements of Chapter 163, Part II, F.S. and the appropriate portions of the Florida Administrative Code.

COMPUTERIZED SWEEPSTAKES DEVICE means any computer, machine, game or apparatus which, upon the insertion of a coin, token, access number, magnetic card, or similar object, or upon the payment of anything of value, and which may be operated by the public generally for use as a contest of skill, entertainment or amusement, whether or not registering a score, and which provides the user with a chance to win anything of value that is not de minimis. Machines designated for use by the State Lottery Commission are not Computerized Sweepstakes Devices for purposes of this definition.

CONCEPTUAL PLAN means a preliminary presentation and attendant documentation of a proposed development project of sufficient accuracy to be used for meaningful discussion.

CONCURRENCY means a finding that required public facilities and services necessary to support a proposed development are available, or will be made available concurrent with the impacts of the development. Roadways, wastewater, solid waste, drainage, potable water, open space/parks and recreation facilities and schools have or will have the necessary capacity to meet the adopted level of service standards at the time the impact of a new or expanded development occurs. Transportation facilities needed to serve new development shall be in place or under actual construction within 3 years after the local government approves a building permit or its functional equivalent that results in traffic generation.

CONCURRENCY MANAGEMENT means the procedure and process that the City uses to ensure that no development order or permit is issued by the City unless the necessary concurrent public facilities are available. This means public facilities and services for which a Level of Service (LOS) must be met concurrent with the impact of development, or an acceptable deadline as mandated in the Comprehensive Plan pursuant to Chapter 163, Florida Statutes, and 9J-5.0055, Florida Administrative Codes, and shall include but may not be limited to:

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|--------------------|---------------------------|-------------|
| (a) potable water | (d) recreation/open space | (g) schools |
| (b) sanitary sewer | (e) solid waste | |
| (c) drainage | (f) roadways | |

CONSTRUCTION PLANS means signed and sealed drawings by an appropriate professional, and/or specifications indicating specific locations of site improvements and other similar matters.

CONSTRUCTION SIGN means any sign giving the names of contractors, design professionals and lending institutions responsible for construction occurring on the same parcel.

CONSTRUCTION TRAILER means a temporary office placed upon a parcel for the purpose of supervising the development of said site, and can only be installed after site plan approval and must be removed within five days of the issuance of a Certificate of Occupancy.

CONDITIONAL USE means a use within a zoning district that may be permitted, pursuant to express standards and criteria, which are consistent with the Comprehensive Plan.

CONTIGUOUS means lands which abut each other or are separated by streets, easements, pipelines, power lines, conduits, or rights-of-way under ownership of the petitioner, governmental agencies, subdivision, or public or private utility.

CONTROLLED SUBSTANCE MEDICATION means any controlled substances identified in Schedules I, II, III or IV of Chapter 893, Florida Statutes as may be amended from time to time.

COSTS with regard to hazardous substances means those necessary and reasonable costs incurred by the City in connection with investigating, mitigating, minimizing, removing or abating discharges of hazardous substances, including but not limited to: the actual labor costs of city personnel or authorized agents, cost of equipment operation and rental, cost of expendable items, including but not limited to, firefighting foam, chemical extinguishing agents, absorbent material, sand, recovery drums, goggles and protective clothing (both structural and chemical protective, disposable or standard use). Costs shall further include overhead costs and indirect expenses allocable to the foregoing costs.

CREMATORIUM means an establishment in which a deceased body is reduced to ashes in a furnace. This type of facility must be licensed with the Florida Department of Business and Professional Regulation and meet the criteria of the Florida Department of Health Department of Environmental Protection, pursuant to Florida Statutes, Chapter 470.

DARK SKY means a lighting technology intended to provide safe exterior lighting while emphasizing the reduction or elimination of night glare above the light source. Various technologies are approved by the International Dark Sky Association.

DECISION OR RECOMMENDATION regarding Historic Preservation means when referring to the Recreation/Cultural Services Board, the executive action taken by the Board on an application for a designation or a certificate of appropriateness regardless of whether that decision or recommendation is immediately reduced to writing.

DEMOLITION means any act that destroys in whole or in part, a building or structure, landmark or archeological site.

DENSITY means an objective measurement of the number of residential units allowed per unit of land.

DESIGN CAPACITY means the limit of capacity of a public facility beyond which it ceases to function efficiently.

DESIGN HIGH WATER (DHW) means the water elevation expected to occur at a particular design storm event. Examples are:

DHW 10	10-year storm event
DHW 25	25-year storm event
DHW 100	100-year storm event

DEVELOPER means any person, partnership or corporation, or duly authorized agent who undertakes any material changes to land or other development activities under these regulations.

DEVELOPMENT means the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three (3) or more parcels and includes the following activities or uses:

- (a) A reconstruction, alteration of the size or material change in the external appearance of a structure or land;
- (b) A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure, or on land, or a material increase in the number of businesses manufacturing establishments, offices, or dwelling units in a structure or on land;
- (c) Alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal including any “coastal construction” as defined in Section 161.021, Florida Statutes;
- (d) Commencement of drilling, except to obtain soil samples, mining, or excavation on a parcel of land;
- (e) Demolition of a structure;
- (f) Clearing of land as adjunct of construction;
- (g) Deposit of refuse, solid or liquid waste, or fill on a parcel of land; or
- (h) The subdivision of land consistent with this regulation.

When appropriate to the context, “development” refers to the act of developing or to the result of development.

DEVELOPMENT AGREEMENT means an agreement entered into between the City and another party associated with the development of land, including agreements associated with development orders issued pursuant to Section 21-101 of this Code.

DEVELOPMENT ORDER means an order or permit granting, denying, or granting with conditions an application for a development permit.

DEVELOPMENT SIGN means a sign designed and intended to advertise and promote

the sale of buildings or subdivided lots on the same parcel.

DIAMETER AT BREAST HEIGHT (DBH) means the diameter of a tree, measured 4-1/2 feet above the average ground elevation at its base. If the tree, or shrub forks 4-1/2 feet above the ground level, it is measured below the swell resulting from the double stem. Stems that fork below 4-1/2 feet above the ground level should be considered a separate plant.

DIGITAL COPY means static images that are controlled by electronic communications that allow the images to be turned on or off intermittently.

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DIGITAL SIGN means a sign that displays digital copy, including any illuminated sign on which the illumination is not kept stationary or constant in intensity and color when the sign is in use, including any light emitting diode (LED) or digital panel, and which varies in color or intensity. In the sign industry, digital signs are also referred to as dynamic signs, changeable electronic variable message signs (CEVMS), electronic message centers (EMCs), etc.

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DIRECTORY SIGN means a sign on which the names and locations of occupants or the use of a building is given.

DISCHARGE shall mean any intentional or unintentional action or omission resulting in the release of liquid, solid or gaseous material and includes but is not limited to a release, spilling, leaking, seeping, pouring, emitting, emptying, and dumping of any substance or material.

DISPENSING FACILITY means a facility of a dispensing organization that dispenses low-THC cannabis and/or medical cannabis.

DISPENSING ORGANIZATION means an organization authorized by the Florida Department of Health to cultivate, process, transport and dispense low-THC cannabis or medical cannabis.

DOCUMENTATION means any photographs, slides, drawings, plans, electronic media, or additional written description or narrative relating to the specific matter.

DREDGING means excavation by any means that occurs in a water body or which is, or is proposed to be, connected to a water body via excavated water bodies or a series of excavated water bodies.

DRIPLINE means the ground area surrounding the trunk of a tree that is described by the vertical plane enclosing the outermost branches of the tree. For asymmetrical specimens, or those with unusually small crown spread, the drip line area shall in no case be less than that area described by a radial dimension of one foot for each one inch of trunk radius.

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DRIVE-THRU SIGN means a sign oriented to occupants of a vehicle utilizing a drive-through lane at an establishment that offers transactions or exchanges through a window, with or without ordering capability.

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DRIVEWAY means a vehicular accessway, serving one or more properties that is

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improved. Driveways may be used for parking.

DRIVEWAY-PATH means a stabilized vehicular access point allowing access to another area. Parking on driveway paths are prohibited

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DWELLING means any building or portion thereof designed or used exclusively for residential living occupancy.

DWELLING TYPES

SINGLE-FAMILY means a residential building designed for, or occupied exclusively by one family within a single dwelling unit.

DUPLEX means a residential building containing two dwelling units joined by a minimum 2-hour rated firewall each having separate entrances and kitchen facilities.

MULTI-FAMILY means a residential building on one parcel of land designed for, or occupied exclusively by three or more families with separate housekeeping and cooking facilities for each unit.

APARTMENT means a rented or leased room, or a suite of rooms, occupied, or which is intended or designed to be occupied as the home or residence of one individual, family, or household for housekeeping purposes with each unit separated by a minimum one-hour rated fire wall.

TOWNHOUSE means a one family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common wall with a minimum 2-hour rated fire wall.

GARAGE APARTMENT means a two-story attached accessory building with a ground floor automobile storage and single-family living quarters on the second floor located in a multi-family designated district.

GARDEN APARTMENT means a residential building containing more than four apartments, not exceeding three stories in height with units located side by side and on top of each other with each unit separated by a minimum one-hour rated fire wall.

UNIT means a group of interrelated rooms which are intended or designed for the use of one family, separated from other spaces by lockable doors, having access to the outdoors without crossing another dwelling, having living and sleeping facilities and cooking facilities, fixed or portable, and complete sanitary facilities.

MID-RISE means a residential building containing more than four apartments, not less than four stories with units located side by side and on top of

each other.

CLUSTER HOUSING means a development involving two or more detached dwellings to be constructed on a parcel on which all land areas not occupied by dwelling units shall be designated as common space.

DRY BOTTOM means any water retention, detention, or conveyance facility which evacuates its water level below its designated bottom within seventy-two hours of its deigned storm event, by either natural or artificial draw down means; and whose bottom is maintained a minimum twelve inches above the SHWT.

EASEMENT means any strip of land created by a subdivider, or granted by the owner for public utilities, drainage, sanitation or other specified and limited uses, the title to which shall remain in the name of the property owner subject to the right of use designated in the conveyance.

ELEVATED BUILDING means a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers).

EMF (electromagnetic field) means a wireless communication.

ENGINEER means a person practicing engineering and licensed in the State of Florida pursuant to the requirements of Chapter 471, F.S.

EMITTING SIGN means A sign that emits smoke, open flames, visible vapors, particles, sound, or odor.

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ENVIRONMENTAL CONSTRAINTS means natural resources or natural characteristics that are sensitive to improvements and require mitigative actions to be maintained by owner.

EQUIPMENT means the implements used in an operation or activity.

EQUIVALENT RESIDENTIAL UNIT (ERU) means 204 gallons per day potable water usage, and 204 gallons per day of wastewater contribution to be an equivalent residential unit.

ERECT shall mean to build, construct, attach, hang, place, suspend or affix, whether temporary or permanent, and shall include the painting of wall signs.

ERECTED means attached, altered, constructed, enlarged, reconstructed, or moved whether temporary or permanent.

EXCHANGE ACCESS means the offering of access to telephone exchange services or facilities for the purpose of the origination or termination of telephone toll services.

EXFILTRATION SYSTEM means water passing through a permeable substance such that water is filtered as it is discharged from a water conveyance facility (e.g., exfiltration pipe).

EXISTING CONSTRUCTION means any structure for which the “start of construction” commenced before June 17, 1974.

EXPOSED RACEWAY means an enclosed, visible channel used to route, protect, and conceal electrical or communication cables along walls, floors, or ceilings.

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F.A.C. means the most current version of the Florida Administrative Code which is the administrative rules implementing state statutes.

FAMILY means a group of individuals living under one roof. Those who dwell under the same roof and compose a family; a social unity comprised of those living together in the same dwelling.

FDEP means the Florida Department of Environmental Protection.

FEATHER FLAG means a type of temporary sign consisting of cloth, bunting, canvas, or similar fabric, attached to a single vertical support structure with distinctive color, words, patterns, or symbolic logos for display. Also known as a feather banner, flying banner, or a wave banner sign. ~~five (5) to fifteen (15) foot tall flag that is used to advertise a company and draw attention to an event or business.~~

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FEMA means the Federal Emergency Management Agency.

FENCE means a barrier, usually comprised of wooden, vinyl or metal posts, rails or chain link, used as a boundary marker or means of protection, concealment and/or confinement, but not including hedges, shrubs, trees, or other natural growth.

FILL DIRT means Earth and/ or any substance or material placed on a property by an individual which changes the original landscaping or grade of said property. Can include but not limited to sand, gravel, paver base, or mulch.

FINISHED FLOOR ELEVATION means the elevation of the finished floor of the habitable space of a building. The elevation should be referenced to a standard datum, typically the North American Vertical Datum of 1988 (NAVD-88).

FIREWALL means a wall as described in the Standard Building Code which is of sufficient fire resistance, durability and stability to withstand the effects of an uncontrolled fire exposure, which may result in collapse of the structural framework on either side. Openings in the wall, if allowed, must be protected.

FIRM means the Flood Insurance Rate Map.

FIS means Flood Insurance Study.

FIXED BASE OPERATIONS means directly related activities to operate and support an airport and its users.

FLASHING SIGN means a sign that contains an intermittent or sequential flashing light

source. An animated or moving sign shall not be considered a flashing sign. Such signs shall not be deemed to include time and temperature signs.

FLAG means a piece of fabric or other flexible material, with distinctive colors and patterns, customarily mounted on a pole or similar freestanding structure or a pole mounted on a building.

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FLOOD OR FLOODING means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (a) The overflow of inland or tidal waters.
- (b) The unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD HAZARD AREA means land in the flood plain within a community which is subject to a one percent (1%) or greater chance of flooding in any given year. Also defined as the one hundred (100) year storm event or Base Flood.

FLOOD INSURANCE RATE MAP (FIRM) means an official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY means a Federal Emergency Management Agency (FEMA) report containing flood profiles, flood boundary maps and the water surface elevation of the base flood.

FLOODWAY means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 1 foot.

FLOOD PLAIN means boundaries of the special flood hazard area indicating a flood having one percent (1%) chance of occurrence in any given year as indicated on the Federal Insurance Rate Map (FIRM) Flood Hazard Boundary Map. Flood plain can also be defined as or include a ten (10) year, twenty-five (25) year or one hundred (100) year storm event.

FLOOR means the top surface of an enclosed area in a building, i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction, but does not include the floor of a garage used solely for parking vehicles.

FLOOR AREA means the sum of the gross horizontal area of the several floors of a building, except that in structures used as a residence, cellar, basement, garage, carport, patio, porch and attic floor area not devoted to living use shall be excluded. All dimensions shall be measured between exterior faces of walls or the center line of the wall separating two attached buildings.

FLOOR AREA RATIO (FAR) means the gross floor area of a building or structure divided by the gross area of the parcel.

FOWL means any guineas, peafowl, pigeons, pheasants or poultry or similar wild birds.

FRONTAGE see “LOT FRONTAGE.”

F.S. means the most current version of the Florida Statutes.

FLORIDA FRIENDLY LANDSCAPING~~“Florida-friendly landscaping”~~ means quality landscapes that conserve water, protect the environment, are adaptable to local conditions, and are drought tolerant. The principles of such landscaping include planting the right plant in the right place, efficient watering, appropriate fertilization, mulching, attraction of wildlife, responsible management of yard pests, recycling yard waste, reduction of stormwater runoff, and waterfront protection. Additional components include practices such as landscape planning and design, soil analysis, the appropriate use of solid waste compost, minimizing the use of irrigation, and proper maintenance. ~~(Provided by Fla. Stat. §373.185(1b) (2025)~~

FREESTANDING SIGN means a single or double-faced sign supported by pole(s), post(s), or braces placed upon or in the ground or supported by the ground and not attached to any building. A flagpole shall not be considered a freestanding sign.

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FUTURE LAND USE MAP (FLUM) means a graphic representation of the land use categories adopted as part of the Edgewater Comprehensive Plan. The Future Land Use Map may also be referred to as the “Land Use Map” or “Future Land Use Map Series.”

GARAGE means an accessory building incidental to a dwelling unit which is intended for the off-street storage of motor vehicles belonging to the inhabitants of the dwelling unit on the parcel on which the garage is located; and is not intended to be used for any commercial business purpose.

GRADE means the slope of a road, street, unimproved land, or any other land improved, altered or changed; specified in percent.

GROCERY STORE means a retail business that has a minimum of 1,200 square feet of fresh food including but not limited to fruits, vegetables, meats, poultry, and seafood.

GROUND SIGN means a sign that is anchored to, and not elevated above, the ground and maintains essentially the same contour from the ground to the top of the sign.

GUEST COTTAGE means living quarters within a detached accessory building located on the same lot or parcel as the main building to be used exclusively for housing members of the family occupying the main building and/or their nonpaying guests; such quarters shall have no kitchen facilities and shall not be rented or otherwise used as a separate dwelling.

GUY-WIRE means a tensioned cable designed to add stability to a freestanding structure.

GUYED TOWER means a communication tower that is supported, in whole or in part, by guy-wires and ground anchors.

HANDHELD SIGN means a temporary sign held, suspended, or supported by an individual. Handheld signs do not include handheld signs utilized for traffic control or safety purposes. Also known as a human directional, sign spinner, or sign twirler sign.

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HAZARDOUS MATERIALS means any substance or material, solution, mixture, or a formulation containing such materials and includes any material which due to its chemical composition poses an unreasonable and eminent risk to the life, health, safety or welfare of persons, property or environment. Materials deemed hazardous are as specified in the following:

- (a) Chapter 38F-41 of the Florida Administrative Code
- (b) Title 40 of the Code of Federal Regulations, Part 261
- (c) Title 40 of the Code of Federal Regulations, Part 302.4
- (d) Title 40 of the Code of Federal Regulations, Part 355

HEALTH/EXERCISE CLUB means an establishment which provides for athletic and physical force training or health and recreational exercise whether private or public.

HIGHEST ADJACENT GRADE means the highest elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

HISTORIC DISTRICT means a geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, objects or areas, which are united by past events. A district also may be comprised of individual resources which are separated geographically but are linked by association or history.

HOME OCCUPATION means a commercial enterprise within a residence for the purpose of sending and receiving communication, maintaining records and similar functions; and where no business is conducted other than by phone, mail or electronically; and employing no persons other than members of the immediate family residing on the premises. No commercial delivery shall be allowed.

HOSPITAL means an institution where the sick or injured are given medical or surgical care.

HOTEL see "MOTEL."

HOUSING, EXTREMELY LOW-INCOME means according to the State of Florida Statutes "one or more natural persons or a family whose total annual household income does not exceed 30 percent of the median annual adjusted gross income for households within the state. The Florida Housing Finance Corporation may adjust this amount annually by rule to provide that in lower income counties, extremely low income may exceed 30 percent of area median income and that in higher income counties, extremely low income may be less than 30 percent of area median income." Fla. Stat. §420.004 (2023)

HOUSING, LOW- INCOME means according to the State of Florida Statutes "one or more natural persons or a family, the total annual adjusted gross household income of which does not exceed 80 percent of the median annual adjusted gross income for households within the state, or 80 percent of the median annual adjusted gross income for households within the

metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.” Fla. Stat. §420.004 (2023)

HOUSING, MODERATE- INCOME means according to the State of Florida Statutes “one or more natural persons or a family, the total annual adjusted gross household income of which is less than 120 percent of the median annual adjusted gross income for households within the state, or 120 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.” Fla. Stat. §420.004 (2023)

ILLEGAL SIGN means a sign that does not meet the requirements of this Code and that has not received nonconforming status.

ILLICIT CONNECTION means point source discharges to the City’s Municipal Separate Storm Sewer System (MS4) or to waters of the United States, which are not composed entirely of stormwater and are not authorized by a permit.

ILLICIT DISCHARGE means the discharge to the City’s MS4 or to waters of the United States which is not composed entirely of stormwater, unless exempted pursuant to local, state and/or federal permits.

ILLUMINATED SIGN shall mean any sign illuminated in any manner by an artificial light source.

IMPERVIOUS SURFACE AREA (ISA) means the area of a lot or parcel of land covered by any part of a building, street, parking lot, or any other structure, improvement, facility or material, except roof overhang, which restricts natural percolation by rain water. This includes swimming pools, all asphalt, brick or wooden surfaces and areas devoted to any outdoor storage and/or display of materials and merchandise. Unpaved parking shall be considered impervious surfaces.

IMPERVIOUS SURFACE RATIO (ISR) means the gross impervious surface area divided by the gross area of the parcel.

IMPROVEMENT means any building, structure, construction, demolition, excavation, landscaping, or any part thereof existing, built, erected, placed, made, or done on land or other real property for its permanent benefit. Property abutting a street, waterway or utility easement shall be considered improved.

INCIDENTAL SIGN means a sign with copy located on a panel and mounted on a pole or a wall or similar structure, with or without a structural frame, that is normally incidental to the allowed use of the property but can contain any message or content.

INFILL DEVELOPMENT means the addition of new housing or other buildings on scattered vacant sites or platted lots in a developed area or subdivision.

INFILTRATION means water passing through a permeable surface such that the water is filtered before it is collected by a water conveyance facility (e.g., under drain pipe).

INFORMATION SERVICES means the offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making available information via telecommunications, and includes electronic publishing, but does not include any use of any such capability for the management, control, or operation of a telecommunications system or the management of a telecommunications service.

INTEGRAL SIGN means memorial signs or tablets, including names of buildings and date of erection when cut into any noncombustible materials mounted on the face of a building.

INTERNET/SWEEPSTAKES CAFÉ means any business, establishment or portion of business or establishment, which conducts giveaways through drawings by chance conducted in connection with the sale of a consumer product or service, sweepstakes, game promotions, to include any giveaways obtained with any “Computerized Sweepstakes Device”, as defined in this Section, and that does not otherwise violate Florida law and is located for the use or entertainment of the public.

JUNKYARD see “SALVAGE YARDS.”

KENNEL means any place of business where dogs or cats regardless of number are kept for sale, breeding, boarding or treatment purposes, except an animal hospital, grooming facility or pet shop. The term “kennel” shall include any premises used for residential purposes where five (5) or more dogs or cats four (4) months or older are kept, harbored or maintained for monetary compensation.

LAND PLANNING AGENCY means the Planning and Zoning Board as designated pursuant to the requirements of Chapter 163.3174, F.S.

LANDMARK in regards to Historic Preservation means a building or structure meeting one or more of the criteria required in Article XIV of this Code. A “landmark” shall include the location of significant archeological structures, features or of an historical event.

LANDMARK SITE in regards to Historic Preservation means the land on which a landmark and related buildings and structures are located and the land that provides the grounds, the premises or the settings for the landmark.

LATTICE TOWER means a telecommunication tower that is constructed without guy wires and ground anchors.

LEVEL OF SERVICE STANDARD (LOS) means the volume of capacity per unit of demand for certain public facilities as adopted in the Comprehensive Plan.

LIGHT POLE SIGN means a sign applied to fabric or other flexible, durable material and attached to a light pole located on private property.

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LITTER means any garbage, rubbish, trash, refuse, cans, bottles, boxes, container paper, tobacco products, tires, appliances, electronic equipment, mechanical equipment or parts, building or construction material, tools, machinery, wood, motor vehicles or motor vehicle parts, vessels, aircraft, farm machinery or equipment, sludge from a water treatment facility, water treatment plant or pollution control facility; or substances in any form resulting from domestic, industrial, commercial, mining, agriculture or governmental operations as defined in Chapter 403.413, F.S.

LIVE LOCAL ACT (CS/SB 102) means a Florida Statute originally pass on July 1, 2023, which provides a statewide attainable housing strategy, designed to increase the availability of affordable housing by providing special incentives to developers.

LIVING AREA means space in a structure in which the air is conditioned by heating and/or air conditioning and the space is habitable and enclosed.

LOADING SPACE means a space within, or adjacent to, the main building on a lot providing for the standing, loading or unloading of trucks.

LOCAL REGISTER in regards to Historic Preservation means a method by which to identify and classify various sites, buildings and objects as historic and/or architecturally significant.

LOCATION means any lot, premises, building, structure, wall or any place whatsoever upon which a sign, structure or dwelling is located.

LOT means an area of land which abuts a street and which either complies with or is exempt from the City's regulations, and is sufficient in size to meet the minimum area and width requirements for its zoning classification as established in Article V of the Land Development Code or in Article VII entitled "Non-Conforming Uses" or a subdivision or any other tract or parcel of land, including the airspace above or contiguous thereto, intended as a unit for transfer of ownership or for development or both. The word "lot" includes the word "plot", "tract" or "parcel".

LOT AREA means the total horizontal area within the boundaries of a lot of record.

LOT, CORNER means either a lot bounded entirely by streets, or a lot that adjoins the point of intersection of two or more streets and includes lots on curves.

LOT COVERAGE means that portion of the lot area expressed as a percentage, occupied by all buildings.

LOT, FLAG means a lot or building site which has minimum required frontage on a public or private street typically behind another lot also fronting on the same street shaped similar to a flag.

LOT FRONTAGE means any portion of a lot which fronts upon a public or private street. The primary front line is that frontage on which the address is given.

LOT, THROUGH (DOUBLE FRONTAGE) means any lot, not on a corner, having both the front and rear property lines adjacent to a public street.

LOT LINE means the boundary of a lot.

LOT LINE, FRONT means the continuous line formed by the lot frontage.

LOT LINE, REAR means any lot line, except a front or side lot line.

LOT LINE, SIDE means a continuous line which runs back from an intersection with the lot front line, and which forms the boundary line between the lot and the adjacent parcel of land.

LOT LINE, ZERO means a single-family dwelling unit sited on a lot contiguous to one side lot line with no more than a 5-foot separation.

LOT OF RECORD means a lot or parcel whether or not a part of a subdivision which exists as shown or described on a plat or deed in the Official Records of Volusia County as of June 17, 1974.

LOUNGE means a building or portion of a building wherein alcoholic beverages are sold by the drink and consumed on the premises (includes the word Nightclub).

LOWEST FLOOR means the lowest floor of the lowest enclosed area (including basement). An unfinished shed or flood-resistant enclosure which is not within a basement but which is usable solely for parking of vehicles, building access or storage purpose, is not considered a building's (or structure's) lowest floor, providing such enclosure is built in compliance with applicable non-elevation design requirements of this Code.

LOW-THC CANNABIS means a plant of the genus *Cannabis*, the dried flowers of which contain 0.8 percent or less of tetrahydrocannabinol and more than 10 percent of cannabidiol weight for weight; the seeds thereof; the resin extracted from any part of such plant; or any compound, manufacture, sale, derivative, mixture, or preparation of such plant or its seeds or resin that is dispensed only from a dispensing organization.

MAJOR TRANSIT STOP means a location along selected points of a transportation route, such as a bus, train, or light rail, which picks up, drops off, or transfers passengers at a transit stop shelter or hub, but excludes vehicle repairs or storage facilities.

MAJOR TRANSPORTATION HUB means any bus, train, or light rail station which provides public transit with a mix of transportation options.

MANGROVE STAND means an assemblage of mangrove trees which is mostly low trees noted of a copious development of interlacing adventitious roots above the ground and which contain one or more of the following species:

- | | | |
|----------------|---|------------------------------|
| Black Mangrove | - | (<i>Avicennia nitida</i>) |
| Red Mangrove | - | (<i>Rhizophora mangle</i>) |

White Mangrove - (Laguncularia racemosa)
Buttonwood - (Conocarpus erecta)

MANSARD means a sloped roof or roof-like facade architecturally comparable to a building wall.

MANUFACTURED HOME (OR STRUCTURE) means a mobile home fabricated on or after June 15, 1976, in an off-site manufacturing facility for installation or assembly at the building site with each section bearing a seal certifying that it is built in compliance with the Federal Manufactured Home Construction and Safety Standard Act.

MANUFACTURING means a premises, or portion of a premises, occupied by an establishment primarily engaged in the making of a product, fabrication or processing of materials, products or personal property.

MARQUEE means a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall that is designed and constructed to provide protection against the weather

MEAN HIGH WATER means the average height of waters over a 19-year period. For shorter periods of observation, "mean high water," means the average height of the high waters after corrections are applied to eliminate known variations and to reduce the result to the equivalent of a mean 19year value.

MEAN SEA LEVEL means the average height of the sea for all stages of the tide and is used as a reference to establish flood plain elevations.

MECHANICAL REPAIR see "VEHICLE REPAIR."

MEDICAL CANNABIS means all parts of any plant of the genus *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, sale, derivative, mixture, or preparation of the plant or its seeds or resin that is dispensed only from a dispensing organization for medical use by an eligible patient as defined in Florida Statutes.

MICROWAVE means a dish antenna, or a dish-like antenna used to link communication sites together by wireless transmission of voice or data.

MINI-WAREHOUSE means a structure, or structures in a controlled access and fenced compound that contains varying sizes of individual climate controlled compartmentalized and controlled access stalls or lockers without water, sewer or electric connections for the dead storage of customers' goods or wares.

MINOR SUBDIVISION means any division or re-division of a parcel of land in single ownership whose entire area is ten (10) acres or less, into not more than three (3) lots if all of the following requirements are met:

- (a) All resultant lots or parcels front by at least twenty feet (20') on an existing public or private street and;
- (b) The division or re-division does not involve the construction of any new street, road or change in an existing street or road and;
- (c) The division or re-division does not require the extension of municipal water or sewer or the creation of any public improvement.

MIXED USE DEVELOPMENT means more than one (1) type of use in a single parcel or structure.

MOBILE and LAND BASED TELECOMMUNICATION FACILITY means whip antennas, panel antennas, microwave dishes, and receive-only satellite dishes and related equipment for wireless transmission with low wattage transmitters not to exceed 500 watts, from a sender to one or more receivers, such as for mobile cellular telephones and mobile radio system facilities.

MOBILE HOME means a structure, transportable in one (1) or more sections which is eight (8) body feet or more in width, and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. For the purpose of this section, a travel trailer is not classified as a mobile home.

MOBILE HOME PARK means a parcel or tract of land of contiguous ownership where lots or spaces are rented or leased to accommodate more than one (1) mobile home.

MOBILE VENDOR (Mobile Dispensing Vehicle) means any vehicle mounted public establishment that is self-propelled or otherwise moveable from place to place, and is self-sufficient for utilities, such as gas, water, electricity, and liquid waste disposal. Proof of inspection by the State of Florida Department of Motor Vehicles is required.

MODEL HOME CENTER means an area comprised of one (1) or more lots containing one (1) or more model dwellings upon which active sales or demonstration activities are conducted regardless of the ownership status of the model dwellings or lots.

MODULAR HOME means a structure constructed to the same state, local or regional building codes as site-built homes. Other types of system-built homes include panelized wall systems, log homes, structural insulated panels, and insulating concrete forms. A modular home is designed to be set on a permanent foundation and is not intended to be moved once set.

MONOPOLE TOWER means a telecommunication tower consisting of a single pole or spire self-supported by a permanent foundation, constructed without guy wires and ground anchors.

MONUMENT SIGN means a freestanding sign whose sign face is attached to a base or structural frame with a width and thickness of at least two-thirds the width of the widest part of the sign face or sign face mounted between two decorative columns.

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MOTEL means a building, or group of buildings, which contains sleeping accommodations for transient occupancy and may have individual entrances from outside the building to serve each such sleeping unit. Motels may have one (1) or more dining rooms, restaurants or cafes as accessory uses. For the purposes of this Code, motel and hotel shall have the same meaning.

MOVABLE SIGN means any mobile sign or sign structure, not securely attached to the ground or to any other structure, but does not include trailer signs as defined below.

MOVING SIGN means a sign all or part of which is in motion, including fluttering, rotating, revolving or any other motion.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) means a conveyance, storage area or system of conveyances and storage areas (including, but not limited to, roads with drainage systems, streets, catch basins, curbs, gutters, ditches, manmade channels, storm drains, treatment ponds, and other structural BMPs) owned or operated by a local government that discharges to waters of the United States or to other MS4's, that is designed solely for collecting, treating or conveying stormwater, and that is not part of a publicly owned treatment works (POTW) as defined by 40 Code of the Federal Register 122.2 or any amendments thereto.

MUNICIPALITY means a duly incorporated city, town, or village.

MURAL means a work of art that is hand-painted, hand-tiled, or digitally printed image on the exterior surface of a building. A mural is not a sign and shall not constitute advertising or commercial messages with the brand name, product name, company business name or logo, hashtag, trademark.

NATIONAL GEODETIC VERTICAL DATUM (NGVD) means a vertical control used as a reference for establishing varying elevations within the flood plain.

NAVD88 means the North American Vertical Datum of 1988.

NET DENSITY means the number of dwelling units per acre of land devoted to residential uses and excludes right-of-ways, wetlands and lands below the 100-year flood plain.

NEW CONSTRUCTION means any structure for which the "start of construction" commenced after adoption of this Article and includes any subsequent improvements to such structure.

NGVD29 means the National Geodetic Vertical Datum of 1929.

NIGHTCLUB See "Lounge."

NONCONFORMING BUILDING OR STRUCTURE means a structure or building existing as of June 17, 1974 which does not conform to the property development regulations of area, height, lot coverage, yard setbacks, lot location or other like requirements of the district in which it is located.

NONCONFORMING LOT means an existing single lot, tract or parcel of land at the effective date of this Code which does not conform to the property development regulations of area, lot width, depth or both or other like requirements of the district in which it is located.

NONCONFORMING MULTI-FAMILY COMPLEX (LEGAL) means any multi-family structure erected after the adoption of the affordable housing act CS/CS/SB 328 from February 28, 2024 and does not comply with the development's affordability period requirements.

NONCONFORMING USE means any use of land, building or structure which does not conform to all of the provisions, requirements and regulations of this Code at the time of adoption.

NONCONFORMING SIGN means any sign that was a legal sign prior to adoption of this Code, but which does not conform to all of the requirements of this Code.

NONRESIDENTIAL ACTIVITY means any activity occurring on any described parcel of land, whether or not within a structure, that is not a residential activity as defined herein.

NON-TRANSIENT NON-COMMUNITY WATER SYSTEM means a public water system that is not a community water system and that regularly serves at least 25 of the same persons over 6 months per year.

NUMBER PORTABILITY means the ability of users of telecommunications services to retain, at the same location, existing telecommunications numbers without impairment of quality, reliability, or convenience when switching from one telecommunications carrier to another.

NUISANCE means an offensive, annoying, unpleasant, or obnoxious object, odor, noise or practice; a cause or source of annoyance, especially a continuing or repeated invasion or disturbance of another's right, including the actual or potential emanation of any physical characteristics of activity or use across a property line, which emanation can be perceived by or affects a human being.

NURSING HOME means any facility which provides nursing services as defined in Chapter 464, Florida Statutes as may be amended from time to time.

OFF-SITE ADVERTISING SIGN means any sign which directs attention to a business, commodity, service, product or activity not conducted, sold, offered or available on the premises where such sign is located or to which it is affixed.

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OFFICIAL MAP means the map established by the City Council as amended from time to time showing the streets, highways and parks thereafter laid out, adopted and established by the law and any additions resulting from the approval of subdivision plans or annexations.

ON-SITE SIGN means a sign that identifies or advertises only goods, services, facilities, events or attractions available on the premises where the sign is located.

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OPEN SPACE means any parcel or area of land or water set aside, reserved or dedicated for the use and enjoyment of all owners and occupants of the project. Usable common space shall include area(s) readily accessible and generally acceptable for active or passive recreational use. Open space shall not include required setback areas, contain structures, impervious surfaces, or right-of-way's other than those intended for landscape or recreational purposes.

OUTSTANDING FLORIDA WATERS (OFW) means special designation by the FDEP, for waters worthy of special protection because of their natural attributes, pursuant to the criteria set forth in Section 17-3.041 of the Florida Administrative Code. The eastern border of the City of Edgewater along the Intracoastal Waterway also referred to as the Mosquito Lagoon, an aquatic preserve, is considered an OFW.

OWNER means any person, partnership, corporation or corporations, or other legal entity having legal title to the land sought to be subdivided or developed under this Code.

PAIN CLINIC (hereinafter "pain clinics" shall include, but not be limited to, pain clinics, pain management clinics, wellness clinics, urgent care facilities or detox centers) shall have the same meanings and same exemptions as provided for in Florida Statutes Chapter 458 and 459 as amended from time to time, or any successor state law. Pain clinic means a privately owned pain management clinic, facility or office which advertises in any medium for any type of pain management services or employs a physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, and is required to register with the Florida Department of Health pursuant to Florida Statutes Chapter 458 and 459 as amended from time to time, or any successor state law. A physician is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications when the majority of the patients seen are prescribed or dispensed controlled substance medications for the treatment of chronic nonmalignant pain. Pain management clinic does not include a clinic:

- (a) Licensed as a facility pursuant to Chapter 395, Florida Statutes, as may be amended from time to time;
- (b) Where the majority of the physicians who provide services in the clinic primarily provide surgical services;
- (c) Owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded fifty million dollars (\$50,000,000.00);
- (d) Affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;
- (e) That does not prescribe or dispense controlled substances for the treatment of pain; or
- (f) Owned by a corporate entity exempt from federal taxation.

PAINTED SIGN means Paint that is applied directly on a building wall to create a sign.

PANEL ANTENNA means an array of antennas designed to concentrate a radio signal in a particular area.

PARASITE SIGN means any sign not exempted from permitting by this sign code, for which no permit has been issued, and which is attached to another sign.

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PAWN SHOP means an establishment that engages, in whole or in part, in the business of loaning money on the security of pledges of personal property, or deposits or conditional sales of personal property, or the purchase or sale of personal property.

PENNANTS shall include the terms "ribbons" and "streamers" and shall mean pieces of cloth, flexible plastic or other flexible material intended to attract attention because of their bright colors and/or flapping caused by action of the wind and shall include a single pennant, ribbon or streamer or a series of such pennants, ribbons or streamers.

100 PERCENT CLEAR ZONE means the requirement that in the event of a tower failure, the entire height of the tower would fall completely within the boundaries of the subject parcel.

PERGOLA means a freestanding or attached structure of parallel colonnades supporting an open roof of crossing rafters or trellis'.

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PERMANENT CONSTRUCTION shall mean designed, constructed and intended to be used for more than 180 days, but does not include land preparation, such as clearing, grading and filling.

PERMANENT STRUCTURE means a building designed, and constructed from the ground up, meeting all building code and fire protection standards and intended to be used for more than 180 days, but does not include land preparation, such as clearing, grading, and filling.

PERSON means any individual, firm, association, organization, whether social, fraternal of business, partnership, joint venture, trust company, corporation, receiver, syndicate, business trust, or other group or combination acting as a unit, including any government.

PERSONAL SERVICES means a use primarily engaged to provide services involving the care of a person's appearance or apparel.

PLACE OF WORSHIP means a premises, or portion of, occupied by a religious organization operated primarily for worship and related activities; may also be called a church, temple, synagogue or other names appropriate to the worship and related activities. The term worship does not include day care facilities or educational facilities.

PLANNED UNIT DEVELOPMENT (PUD) means a land area under unified control, designed and planned to be developed for residential, commercial or industrial uses in an approved Final Development Plan.

PLAT means a map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and other information in compliance with the requirements of all applicable sections of this Code and any other local or state legislation including Chapter 177, F.S. and may include the terms "replat", "amended plat," or "revised plat."

POLE SIGN means a sign attached to, and elevated above, the ground by means of a pole or poles.

POLITICAL SIGN OR CAMPAIGN SIGN means a sign relating to any person, political party or matter subject to a public election.

PORTABLE SIGN means a sign that is mounted on a trailer or other chassis and is capable of being moved as an entire unit.

POST SIGN means a freestanding sign that projects perpendicular from a post, or that is suspended from or mounted between one or more posts constructed of wood, masonry, iron, or similar materials.

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POSTER FRAME SIGN means a frame or similar structurally delineated area on the exterior wall of a building designed to accept pre-printed signs that are generally displayed for weeks or months at a time.

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POTABLE WATER means water that is satisfactory for drinking, culinary and domestic purposes meeting current State and Federal drinking water standards.

POTABLE WATER SUPPLY WELL means water supply well which has been permitted for consumptive use by the SJRWMD.

PREMISES means a parcel of land with its appurtenances and buildings which because of its unity of use may be regarded as the smallest conveyable unit of real estate.

PRIMARY CONTAINMENT means the first level of product-tight containment, i.e., the inside portion of that container which comes into immediate contact on its inner surface with the hazardous substance being contained.

PROJECTING SIGN means any sign other than a wall sign affixed to any building or wall whose leading edge extends beyond such building or wall.

PUBLIC BODY means any department or branch of governmental, municipal, county, or state agency located within the United States.

PUBLIC SIGN means a sign erected by any governmental entity in conjunction with the conduct of any governmental program, operation or activity, including, but not limited to, federal, state, county, and city governments, and local school districts.

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REAL ESTATE SIGN means any sign that is used to offer for sale, lease or rent the property upon which the sign is placed.

RECHARGE AREA means a recharge area designated by the SJRWMD for the surficial aquifer in the City of Edgewater.

RECLAIMED WATER means treated wastewater effluent that has received at least advanced secondary treatment and high-level disinfection.

RECREATIONAL VEHICLE means a vehicle designed as temporary living quarters for recreational camping or travel use, which either has its own motor power or is mounted on, or

drawn by, another vehicle. The term recreational vehicle excludes park trailers, automotive vans and mobile homes, but includes travel trailers, camping trailers, truck campers and motor homes as defined by Chapter 320.01, F.S.

RECTILINEAR means contained by, consisting of, or moving in a straight line or lines.

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REPEAT VIOLATION means a violation of a provision of a code or ordinance by a person who has been previously found through the Code Compliance Board to have violated or who has admitted violating the same provision within five years prior to the violation, notwithstanding the violations which occurred at different locations.

RESIDENTIAL ACTIVITY means any structure, or portion thereof, that is used for residential purposes, including those customary and accessory residential activities.

RESTAURANT means where meals are prepared, and food, including beverages and confections, is served to customers, with the food and nonalcoholic beverage sales amounting to at least fifty-one percent (51%) of the total food sales.

RE-SUBDIVIDE means the making of a new subdivision and/or replatting of previously subdivided and/or platted parcels.

REUSE means the deliberate application of reclaimed water, in compliance with Florida Department of Environmental Protection and the St. Johns River Water Management District rules, for a beneficial purpose.

RIGHT-OF-WAY means land dedicated, deeded, used or to be used for a street, alley, walkway, boulevard, drainage facility, access for ingress and egress, utilities or other purpose by the public, certain designated individuals, or governing bodies.

ROADWAY/STREETS means public or private roads falling into one of several categories, more particularly defined as follows:

Expressway means a limited access facility of four (4) or more lanes designed primarily for the high-speed movement of traffic.

Arterial means a facility of two (2) or more lanes designed primarily to serve as a major access route to expressways and/or as a connector of subregions, inter-county and inter-city vehicular movement. The main function is to move large volumes of vehicles (greater than 6,000 Average Daily Trips (ADT's)).

Collector means roads of two (2) or more lanes designed primarily for traffic movement within and between residential neighborhoods, commercial and industrial areas and all other roads.

Cul-de-sac means a minor street with only one (1) outlet terminating at one (1) end with a circular turn around.

Local means road facilities designed primarily to provide direct access to abutting

property. Average daily trips are normally less than 1000 vehicles.

Marginal Access means roads which are parallel to, and adjacent to arterial streets and highways and which provide access to abutting properties and protection from through traffic.

Private means any street that has not been dedicated for public use.

Public means any street designed to serve more than one (1) property owner which is dedicated to the public use and accepted for ownership and maintenance by the City Council or other regulatory public body, includes any street right-of-way dedicated to the public prior to, or at the time of, adoption of this Code.

ROOF LINE means the top edge of the roof or the top of a parapet; whichever forms the top line of the building silhouette.

ROOF SIGN means any sign erected or constructed wholly upon and over the roof of any building and supported solely on the roof structure.

SALVAGE YARD means a location used for collection, storage and/or abandonment of discarded or waste materials.

SCHOOL means any public or private elementary school, middle school or secondary school.

SCREEN ENCLOSURE means an addition to an existing structure that is attached to the principal structure and is enclosed with screen and has a roof and three (3) sides.

SEASONAL HIGHWATER LEVEL (SHWL) means the elevation to which ground or surface water can be expected to rise during a normal wet season.

SEASONAL HIGH GROUND WATER TABLE (SHGWT) means the zone of water saturated soil at the highest average depth during the wettest season of the year.

SECONDARY CONTAINMENT means the level of product containment separate from the primary containment.

SELF-SUPPORT TOWER means a communication tower that is constructed without guy wires and ground anchors.

SEMI-TRAILER see “–VEHICLE-COMMERCIAL.”

SERVICE STATION means an establishment that is used primarily for the retail sale and direct delivery to motor vehicles of motor fuel and lubricants, as well as lubrication, washing, repairs and installation of automobile parts and accessories.

SETBACK (OR SETBACK LINE) means a line determined by measurement, parallel to a lot line, creating an area between the lot line and the setback line in which all structures (unless

otherwise permitted) may not be erected.

SHOPPING CENTER means a group of commercial establishments planned, developed, owned and managed as a unit, with off-street parking provided on a site of at least one (1) acre and related in its location, size and type of shops to the trade area which the unit serves.

SHRUBS AND HEDGES means that shrubs and hedges shall be self-supporting woody evergreen species and shall be a minimum of two (2') foot in height, immediately after planting. Plants shall be spaced no more than three (3') feet apart measured from center to center.

SIGN means any device, structure, fixture, or placard using graphics, identifiable corporate, or business symbols, and/or written copy for the primary purpose of identifying, providing directions, or advertising any establishment, product, goods or service.

SIGN AREA means the entire sign face, including the display surface and any framing, trim, or molding, but not including the supporting structure.

SIGN COPY means the graphic content of a sign in either permanent or removable words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images.

SIGN FACE means the area or display surface used for the graphic message.

SIGN HEIGHT means the vertical distance measured from the highest point of a sign to the lowest grade beneath the sign.

SIGN PERMIT means a permit authorizing the display, installation, construction or maintenance of a sign pursuant to the code.

SIGN STRUCTURE means any combination of materials or structures constructed for the purpose of attaching, fixing, or otherwise supporting a sign, whether installed on, above, or below the surface of the land, a building, or any other solid surface.

SILVICULTURE means the cultivation and harvesting of forest products for sale and which has an agricultural exemption from the State.

SINGLE OR SOLE SOURCE AQUIFER means the portion of the Florida Aquifer underlying most of Volusia County as designated pursuant to the requirements of Chapter 17-520, F.A.C.

SITE IMPROVEMENT means any man-made alteration to a parcel of land for the purpose of preparing the land for future construction, the actual construction/renovation of structure or paving of a surface and/or the planting or installation of permanent landscaping.

SITE PLAN means an illustration of the details of development of areas such as commercial, industrial, recreational, multi-family, residential and other uses not reflected on the plat.

SJRWMD means the St. Johns River Water Management District, a state agency

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designated by Chapter 373, F.S. with broad authority to manage the waters of the State.

SNIFE SIGN means any temporary unauthorized sign of any material whatsoever that is attached in any way to a utility pole, tree or any object to advertise anything not related to the location where the sign is located or situated within the right-of-way or on City-owned property. Also known as “bandit signs”.

SPECIMEN TREE means any tree that is unique by reason of age, size, rarity, or status as a landmark as determined by an arborist or botanist and includes the following species of trees with the minimum specified diameter in inches at breast height:

Common Name	Botanical Name	Inches (DBH)
Elm	Ulmus spp.	12 plus
Hickory	Carya spp.	12 plus
Loblolly Bay	Gordonia lasianthus	12 plus
Magnolia	Magnolia grandiflora	12 plus
Maple	Acer spp.	12 plus
Other Oak Species	Quercus spp.	12 plus
Red Bay	Persea borbonia	12 plus
Red Cedar	Juniperus silicicola	12 plus
Swamp Bay	Persea palustris	12 plus
Sweet Bay	Magnolia virginiana	12 plus
Sweet Gum	Liquidambar styraciflua	12 plus
Sycamore	Platanus occidentalis	12 plus
Turkey Oak	Quercus laevis	12 plus
Cypress	Taxodium spp.	12 Plus

Sugarberry/Hackberry	Celtis laevigata	12 Plus
Slash Pine	Pinus Elliotti	18 Plus
Longleaf Pine	Pinus Palustris	18 Plus

SPILL means the release or escape of a hazardous substance, directly or indirectly to soils, surface waters, or groundwater.

START OF CONSTRUCTION (except for construction, or substantial improvement under the Coastal Barrier Resources Act, PL97-348) means the date the building permit was issued and includes the first placement of permanent construction of a structure (including a manufactured or modular building) on a site or plot, such as the pouring of slabs or footings, installation of piles, construction of columns or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading and filling.

STEALTH FACILITY means any telecommunications facility which is designed to blend into the surrounding environment. Examples of stealth facilities include architecturally screened roof-mount antennas, antennas integrated into architectural elements, and telecommunications towers designed to look like light poles, power poles or trees.

STORAGE BUILDING means any structure used to shelter and/or protect equipment, supplies, chemicals, goods, furniture and the like for use by the principal occupant of the site.

STORAGE, OUTDOOR means the safekeeping of any goods, products, equipment or vehicles which are customarily incidental to the principal use, in an uncovered outdoor space and which is screened from view by the general public and neighboring properties.

STORAGE SYSTEM means any one or combination of tanks, sumps, wet floors, waste treatment facilities, pipes, vaults, or other portable or fixed containers used, or designed to be used, for the storage of hazardous substances at a facility.

STORY means that part of a building between the surface of a floor and the surface of the floor next above it, or if there is no floor above it then the space between the floor and the ceiling above it. For the purposes of this Code the minimum elevation change between a story shall be ten (10') feet. Any less dimension shall be considered a half-story.

STREAMER means an attention-getting device consisting of two or more balloons, ribbons, reflectors, fringes or similar objects strung together on a common line, pole, or sign structure, or attached to one or more products offered for sale.

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STRING LIGHT means a lighting fixture that is composed of electrical wiring encased in plastic with sockets for bulb placement.

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STRUCTURAL ALTERATIONS means any change, except for repair or replacement, in the supporting members of a building, such as bearing walls, columns, beams or girders, floor joists or roof joists or any substantial change in the roof or in the exterior walls of a building.

STRUCTURE means anything constructed, installed, or portable, which requires a

location on a parcel of land. It includes a moveable structure while it is located on land which can be used for housing, business, commercial or industrial purposes whether temporary or permanent. Structure shall include, but not be limited to walls, billboards, swimming pools and decks, communication towers, on-site signs, tents, porches, fences, privacy screens, docks, arbor, gazebos, canopies/temporary carports, sheds and similar structures. Structure shall not include, pipes, pump stations and any other construction below ground level.

SUBDIVIDER means any person, firm, partnership, association, corporation, estate or trust or any other group or combination acting as a unit, dividing or proposing to divide land so as to constitute a subdivision as herein described.

SUBDIVISION means the division of land into three (3) or more lots, parcels, tracts, tiers, blocks, sites, units or any other division of land, and includes establishment of new streets and alleys, additions, and resubdivisions and when appropriate to the context, relates to the process of subdividing or to the land or area subdivided. (See Chapter 177.031(18), F.S.)

SUBDIVISION ENTRY SIGN means a sign designed as a permanent structure containing only the name of a subdivision, and not used for promotional purposes.

SUBDIVISION PLAT, PRELIMINARY means a drawing to scale and other supporting data, of a proposed subdivision prepared for the purposes of establishing the overall general layout and design for the provision of streets, lots, blocks and the location, plans and specifications for streets, utilities and other improvements.

SUBDIVISION SKETCH PLAN means a drawing, not necessarily to scale, which shows a conceptual layout of the proposed subdivision.

SUBSTANTIAL DAMAGE See current Florida Building Code.

SUBSTANTIAL IMPROVEMENT See current Florida Building Code.

SURFACE AREA SIGN means a sign located on the front of a building, tenant space, residence, structure, post or pole, or similar feature within a front yard, or an authorized United States Postal Service mailbox, that displays copy for public safety and delivery of mail and official governmental notification.

SURVEYOR means a land surveyor duly registered in the State of Florida.

SUSPENDED SIGN means a type of signage attached to and hanging from the underside of a horizontal plane, such as an awning, marquee, canopy, building facade, or ceiling.

SWALE means a man-made trench or channel approximately 1-foot deep or less and having side slopes equal to or greater than 4-foot horizontal to 1-foot vertical.

SWIMMING POOL means a body of water in an artificial or semi-public or private swimming setting or other water-related recreational activity intended for the use and enjoyment by adults and/or children, whether or not any charge or fee is imposed upon such adults or children, operated and maintained by any person, and shall include all structures, appurtenances, equipment,

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appliances and other facilities appurtenant to and intended for the operation and maintenance of a swimming pool. This definition shall include whirlpools, spas, and hot tubs unless separately identified and shall exclude 110-volt plug-in Jacuzzi/hot tubs.

SWIMMING POOL, COMMERCIAL means a swimming pool and attendant equipment operated for profit or nonprofit open to the public and/or serving more than one family.

TATTOO PARLOR/BODY- PIERCING STUDIO means an establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following:

- (a) The placing of designs, letters, figures, symbols or other marks upon or under the skin of any person, using ink or other substances which result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin.
- (b) The creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration. This term does not include a permanent makeup establishment.

TELECOMMUNICATIONS means the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content.

TELECOMMUNICATION CARRIER means any provider of telecommunications services, except that such term does not include aggregators of telecommunications services. A telecommunications carrier shall be treated as a common carrier only to the extent that it is engaged in providing telecommunications services, except that the FCC shall determine whether the provision of fixed and mobile satellite services shall be treated as common carriage.

TELECOMMUNICATIONS EQUIPMENT means equipment, other than customer premises equipment, used by a carrier to provide telecommunications services, and includes software integral to such equipment (including upgrades).

TELECOMMUNICATION SERVICES means the offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

TEMPORARY SIGN means a sign based upon its materials, location, and/or means of construction, e.g., light fabric, cardboard, wallboard, plywood, paper, or other light materials, with or without a frame, intended or designed to be displayed for a limited period of time, any sign or advertising display intended for use for a period of time not to exceed twenty-four (24) days and designed and constructed in accordance with this intention.

TEMPORARY BANNER SIGN means a sign made of fabric, cloth, bunting, plastic, paper, or any other non-rigid material with no enclosing framework that is hung on the face of a building. This definition does not include flags, pennants or streamers.

TEMPORARY FREESTANDING BANNER SIGN means a sign made of fabric, cloth, bunting, plastic, paper, or any other non-rigid material with no enclosing framework that is hung

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from two poles that are inserted into the ground without a permanent foundation.

TEMPORARY SANDWICH BOARD SIGN means a portable sign that is ordinarily displayed as an A-frame with back-to-back sign faces, an easel, or a similar configuration.

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TEMPOIRARY SITE SIGN means A temporary freestanding sign constructed of vinyl, plastic, wood, metal, or similar material and designed or intended to be displayed for a limited period of time on a site with an active listing for sale or for rent, or on properties with active building permits.

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TEMPORARY YARD SIGN means a temporary freestanding sign constructed of paper, vinyl, plastic, wood, metal, or other comparable material, and designed or intended to be displayed for a limited period of time on a lot with one or more existing permanent structures.

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TEMPROARY SIGN COVER means a sign based upon its materials, placement, and/or means of construction, e.g., light fabric, plastic, or other light materials, intended or designed to cover a permitted monument sign for a limited period of time.

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TRAFFIC CONTROL SIGN means a sign erected in a public right-of way by an authorized governmental agency for the purposes of traffic regulation and safety.

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TRAILER means any non-self-propelled wheeled vehicle licensed by the State of Florida as a trailer, not otherwise regulated herein as “Commercial”, “Watercraft” or “Recreational”.

TRAILER SIGN means any sign mounted on a vehicle normally licensed by the State of Florida as a trailer.

TRANSIT STOP SHELTER means a covered waiting area which has a small-scale protection from weather and allows access to nearby services, as well as, a waiting area for buses, taxis, trains or light rails.

TRAVELING LIGHTS SIGN means any sign that includes a series of lights, or lighting device that appears to move or travel in automatic sequence on the display surface of the sign.

TREE means any living, self-supporting perennial plant which has a trunk diameter of at least six inches (6") at D.B.H.

TREE SURVEY means a drawing prepared by a licensed Surveyor or Arborist in a readable scale for the site’s size that provides the location, and common name for each tree equal to or greater than the defined DBH per each specimen and historic tree. The survey shall include a numbered list of the identified trees.

TRIP means a single or one-way vehicle movement.

TRIP END means the origin or destination of a trip.

TRIP GENERATION means the total number of trip ends produced by a specific land

use or activity.

UNLICENSED WIRELESS SERVICES means the offering of telecommunications services using duly authorized devices which do not require individual licenses; direct-to-home satellite services are excluded from this definition.

USE means the purpose for which land or a structure thereon is designed, arranged or intended to be occupied or utilized, or for which it is occupied or maintained.

Use, Permitted - means a use which is permitted in a particular zoning district providing it conforms with all requirements, regulations and standards of such district.

Use, Principal - means the primary purpose for which the land or building used as permitted by the applicable zoning district.

UTILITIES means, but is not limited to: water systems, electrical power, sanitary sewer systems, stormwater management systems, gas systems, communication systems, telephone and television cable systems, and street lighting.

UTILITY SHED means a building either constructed on site or pre-manufactured, containing 120 square feet or less.

UTILITY SERVICE FACILITIES means elements of utility distribution, collection or transmission networks required by their nature to be relatively dispersed throughout the service area. Typical facilities include, but are not limited to, electrical substations and telephone exchange structures.

VARIANCE means a modification of the strict application of site development requirements related to yard setbacks, building height, parking requirements, landscaping, drainage, and/or signage.

VEHICLE means any self-propelled conveyance designed and used for the purpose of transporting or moving persons, animals, freight, merchandise or any substance.

VEHICLE, ABANDONED means a vehicle that has no appearance of use for 60 days or more. Indication of an abandoned vehicle may include: no maintenance, no cover or screening, grass and weeds growing under and around vehicle and/or flat tires.

VEHICLE, COMMERCIAL means any vehicle, concession wagon, semi-trailer cab, or trailer with a rated capacity of more than one ton, and/or has more than two (2) axels, is over twenty-four (24) feet long, is intended or used for the transportation of people or goods as part of a business; and/or is either commercially or privately registered. Commercial vehicle shall not include rental vehicles designed for temporary personal use.

VEHICLE, LICENSED means any vehicle which is currently licensed by the State of Florida

VEHICLE, MARINE means any vehicle designed for and used on any water body.

VEHICLE PAINT AND BODY SHOP See “Automotive Paint and Body Shop.”

VEHICLE ACCESSORY INSTALLATION means the following:

- (a) Vehicle tune-up shops.
- (b) Installation, repair or services of vehicle glass, sun roofs, convertible tops, interiors, tinting, audio equipment, alarms and similar items.
- (c) Installation, repair or servicing of vehicle brakes, shock absorbers, radiators or air conditioning devices.
- (d) Installation, repair or servicing of vehicle electrical or ignition systems.
- (e) Washing, waxing, accenting and similar activities commonly known as detailing.

VEHICLE REPAIR means all maintenance of and modification and repairs to motor vehicles, and diagnostic work incident thereto, including, but not limited to, the rebuilding or restoring of rebuilt vehicles, warranty work, and other work customarily undertaken by motor vehicle repair shops.

VEHICLE SIGN means a sign that is printed, painted upon, or attached to a motor vehicle, including semi-truck trailers, used primarily for the delivery of products, transporting passengers or services or for business purposes other than primarily serving as a sign.

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VESTED RIGHTS, COMMON LAW means a right not created by statute or the provisions of the City of Edgewater Comprehensive Plan which would authorize the development of real property or the continued development of real property notwithstanding the provisions of the City of Edgewater Comprehensive Plan. The assignment of a particular zoning classification, or a particular land use designation to a parcel of real property does not guarantee or vest any specific development rights to any person or entity as to said real property.

VESTED RIGHTS, STATUTORY See Article I, Section 21.07.

VIOLATION means non-conformance with a code or ordinance, intentionally or unintentionally.

WALL SIGN means any sign painted on, or attached essentially parallel to, the outside wall of any building and supported by such wall with no copy on the sides or edges.

WAREHOUSE means a structure that stores goods and/or merchandise for use off-site.

WARNING SIGN means a sign that warns of a dangerous condition on a parcel of property or that posts the property warning of restrictions or that gives notice to the public of information required by law.

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WATERS means and shall include but not be limited to rivers, lakes, streams, springs, impoundments and all other waters or bodies of water whether surface or subsurface and whether navigable or non-navigable. The term shall encompass all bottom lands lying below the mean high

water mark, whether said bottom lands are submerged or not.

WATERS OF THE UNITED STATES means surface and ground waters as defined by Title 40 Code of the Federal Regulations (CFR) § 120.2.

WATERCRAFT means any vehicle designed for use in water.

WATERWAY means a channel, creek, ditch, drainage way, dry run, spring, stream, river and canal; but not a lake, pond or pool without a water outlet.

WELL means any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use of such excavation is for the location, acquisition, development, or artificial recharge of groundwater.

WELLFIELD means an area of land that contains one or more potable water supply wells.

WELLHEAD PROTECTION AREA means an area designated by the City, upon the advice of the SJRWMD, to provide land use protection for the groundwater source for a potable water wellfield, including the surface and subsurface area surrounding the wellfield.

WELLFIELD PROTECTION ZONE - PRIMARY means the land area immediately surrounding any potable water supply well and extending a radial distance of five hundred feet (500') from said well(s).

WELLFIELD PROTECTION ZONE - SECONDARY means the land area, adjacent and surrounding the primary wellfield protection zone extending and defined by a radial distance of one thousand feet (1,000') from the well(s).

WELLFIELD PROTECTION ZONE PERMIT means that permit issued by the city authorizing the activities.

WET BOTTOM means any water retention, detention, or conveyance facility which cannot evacuate its water level (naturally or artificially) below its design bottom within seventy-two (72) hours of its design storm event or those tidally influenced facilities that contain water above their bottom more than twelve (12) hours a day.

WETLANDS means those areas that are inundated or saturated by surface water or ground water at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include, but are not limited to, swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands

generally do not include longleaf or slash pine flatwoods with an under story dominated by saw palmetto. The delineation of actual wetland boundaries may be made by any professionally accepted methodology consistent with the type of wetlands being delineated but shall be consistent with any unified statewide methodology for the delineation of the extent of wetlands ratified by the Legislature.

WETLAND BOUNDARY means the location on the ground where:

- (a) The vegetation type shifts from dominantly wetland types to dominantly upland species; or
- (b) The soil type shifts from dominantly wetland types to dominantly upland types; or
- (c) Flooding, inundation, or saturated soil indicators are no longer present.

WETLAND BUFFER means the twenty-five feet (25') upland areas adjacent to wetlands that protect the wetlands and consists of the existing canopy, under story, and groundcover.

WETLAND MITIGATION means any action to restore and/or create wetlands in compensation for permitted development activities.

WHIP ANTENNA means a cylindrical antenna that transmits signals in three hundred and sixty (360) degrees.

WIND SIGN means an attention-getting device with or without copy, or a series of devices such as streamers, balloons, feather signs, and pennants with or without copy, fastened in such a manner as to move in the wind.

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WINDOW SIGN means any sign on a window facing the outside and which is intended to be seen from the exterior.

WRECKER/TOW TRUCK means a motor vehicle equipped with hoisting apparatus or other equipment designed for the towing or servicing of wrecked, disabled or inoperable automobiles, trucks, motor vehicles or industrial equipment.

XERISCAPE means a landscaping method that maximizes the conservation of water by the use of site-appropriate plants and an efficient watering system. The principles of xeriscape include planning and design, appropriate choice of plants, soil analysis, the use of solid waste compost, efficient irrigation, practical use of turf, appropriate use of mulches, and proper maintenance.

YARD means a required open space clear from the ground surface upward, unoccupied and unobstructed by any structure except for fences, walls, trees, and other living landscape material as provided herein.

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**ARTICLE VI
SIGN REGULATIONS**

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SECTIONS 21-61 THROUGH 21-69 RESERVED FOR FUTURE USE.

ARTICLE VI
SIGN REGULATIONS

21-60 - Purpose, intent, and scope

It is the purpose of this division to promote public health, safety and general welfare through reasonable, consistent, and non-discriminatory sign standards. The sign regulations in this article are also designed and intended to meet the statutory requirement that this municipality adopt land development regulations that regulate signage, a requirement set forth in F.S. § 163.3202(f). The sign regulations in this article are not intended to censor speech or to regulate viewpoints, but instead, are intended to regulate the adverse secondary effects of signs. The sign regulations are intended to address the secondary effects that may adversely impact aesthetics and safety. The sign regulations are designed to serve substantial governmental interests and, in some cases, compelling governmental interests such as traffic safety and warning signs of threats to bodily injury or death.

This article regulates signs, as defined in this code, which are placed on private property or on property owned by public agencies including the city and over which the city has zoning authority. This division is not intended to extend its regulatory regime to objects that are not traditionally considered signs for the purpose of government regulation.

In order to preserve and promote the city as a desirable community in which to live and do business, a pleasing, visually attractive environment is of foremost importance. The regulation of signs within the city is a highly contributive means by which to achieve this desired end.

These sign regulations have been prepared with the intent of enhancing the visual environment of the city and promoting its continued well-being, and are intended to:

- a. Encourage the effective use of signs as a means of communication in the city.
- b. Maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth.
- c. Improve pedestrians and traffic safety.
- d. Minimize the possible adverse effects of signs on nearby public and private property.
- e. Foster the integration of signage with architectural and landscape designs.
- f. Lessen the visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height, and excessive size (area) of signs which compete for the attention of pedestrian and vehicular traffic.
- g. Allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs.
- h. Encourage and allow signs that are appropriate to the zoning district in which they are located.

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- i. Establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains.
 - j. Preclude signs from conflicting with the principal permitted use of the site and adjoining sites.
 - k. Regulate signs in a manner to not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians.
 - l. Except to the extent expressly preempted by state or federal law, ensure that signs are constructed, installed, and maintained in a safe and satisfactory manner, and protect the public from unsafe signs.
 - m. Preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all districts of the city.
 - n. Allow for traffic control devices consistent with national standards and whose purpose is to promote highway safety and efficiency by providing for the orderly movement of road users on streets and highways, and that notify road users of regulations and provide warning and guidance needed for the safe, uniform, and efficient operation of all elements of the traffic stream.
 - o. Protect property values by precluding, to the maximum extent possible, sign types that create a nuisance to the occupancy or use of other properties because of their size, height, illumination, brightness, or movement.
 - p. Protect property values by ensuring that sign types, as well as the number of signs, are in harmony with buildings, neighborhoods, and conforming signs in the area.
 - q. Regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the city and that complements the natural surroundings in recognition of this city's reliance on its natural surroundings and beautification efforts in retaining economic advantage for its resort community, as well as for its major subdivisions, shopping centers and industrial parks.
 - r. Enable the fair and consistent enforcement of these sign regulations.
 - s. Promote the use of signs that positively contribute to the aesthetics of the community, are appropriate in scale to the surrounding buildings and landscape and advance the city's goals of quality development.
 - t. Provide standards regarding the non-communicative aspects of signs, which are consistent with city, county, state, and federal law.
 - u. Provide flexibility and encourage variety in signage, and create an incentive to relate signage to the basic principles of good design; and
 - v. Assure that the benefits derived from the expenditure of public funds for the improvement and beautification of streets, sidewalks, public parks, public rights-of-way, and other public places and spaces, are protected by exercising reasonable controls over the physical characteristics and structural design of signs.

21-60.02 - Applicability

All signs placed upon lands within the city shall conform to the standards set forth in this article except where deviations have been permitted by a Master Development Agreement for a Planned Unit Development (PUD) or Business Planned Unit Development (BPUD), Mixed Use Planned Unit Development (MUPUD), Industrial Planned Unit Development (IPUD), Variance, or other written agreement with the city.

- a. Signs may be erected, altered, and maintained only for a permitted use located on the same lot as the permitted use.
- b. Notwithstanding anything contained in this code to the contrary, any legal sign erected pursuant to the provisions of this code may, at the option of the owner, contain a non-commercial message in lieu of a commercial message and the non-commercial copy may be substituted at any time in place of the commercial copy. The non-commercial message (copy) may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to non-commercial messages, or from one non-commercial message to another non-commercial message, once per day as desired by the owner of the sign, provided that the size, height, setback, other dimensional criteria and permitting requirements contained in this code have been satisfied.
- c. Effective date: The effective date of this Article is July 6, 2026.
- d. All signs displayed, constructed, erected, or altered after the effective date of these regulations, shall be in conformance with the provisions of these regulations.
- e. All signs that exist at the time of the adoption of these regulations shall not be altered, modified, or enlarged without being brought into conformance with these regulations.
- f. Completion of permits commenced under previous code.
 1. A valid building permit issued for a permanent or temporary sign issued prior to the effective date of this article shall remain valid for the term of approval of the permit.
 2. A complete building permit application for a sign or any other type of approval for a sign shall be reviewed and considered in accordance with either the provisions of the code in place on the date of submittal of the application or the provisions of this code, at the applicant's option.
- g. The regulations and limitations contained in this section shall not apply to any signage that is placed or installed by the city, or at the direction of the city, on city property or within a public right-of-way when such signage has been approved by the city council or city manager as serving a public purpose.

21-60.03 - Permit required

An application for a sign permit shall be submitted to the development services department on the forms provided by development services to change copy, erect, move, alter, reconstruct, or repair any permanent or temporary sign, except signs that are exempt from permitting and in

compliance with this article. Each application for a sign permit shall include the following, unless waived by the Building Official, Development Services Director, or their designee:

1. An elevation drawing of the proposed sign, drawn to scale, showing the height, size, sign area, dimensions, the proposed copy, and all other information required to determine zoning compliance for the sign that is proposed to be erected or installed.
2. The color, finish, and construction materials of the sign and sign structure.
3. A scaled survey of drawing showing the location of the sign to be erected on the property along with distance from a right-of-way or driveway and all other relevant measurements required to determine zoning compliance.
4. Measurements of existing signage to remain on the property including the sign height, sign area, location, and number of existing signs, where applicable, to determine zoning compliance for the sign that is proposed to be erected or installed.
5. Engineered drawings certified by a State of Florida registered engineer for method of construction, attachment, structural integrity, wind design speed, and other requirements in accordance with the current edition of the Florida Building Code, where applicable.
6. A scaled landscaping plan or drawing that includes the dimensions of the landscape area and the number and type of shrubs and groundcover to be installed, if required.
7. Documentation and drawings for lighting and/or electrical components of the proposed sign(s) showing all pertinent electrical details are in accordance with the current edition of the Florida Building Code.
8. Additional submittal requirements to determine zoning compliance with this article, as requested at the discretion of the City.
9. The number of copies of application submittal items as determined by the city.

Upon receipt of a complete application along with any other requested documents by the City the City shall review the application for compliance with this section, all applicable Florida Building Code requirements, and any other applicable city codes and regulations, and either approve, approve with conditions, or deny the application. The City shall have the right to inspect the proposed sign location prior to acting on the application and shall also have the right to inspect the sign after construction to ensure compliance with these regulations and any conditions of approval.

21-60.04 - Exempt signs

The following signs are exempt from the permit requirements of 21-60.03; however, exempt signs remain subject to the remaining provisions of this article. Exempt signs shall otherwise be in conformance with all applicable requirements of this article, and the construction and safety standards of the city. Exempt signs shall be placed on private property by the property owner or by consent of the property owner and shall not reduce otherwise allowed signage for a property. Unless otherwise specifically provided, exempt signs may not incorporate illumination.

Exempt signs include:

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- 1) Ordinary repair and upkeep of an existing sign.
 - 2) Changing the changeable copy of a sign unless the changeable copy is being replaced with a permanent sign.
 - 3) Surface area signs less than four square feet.
 - a) On the front of a building, tenant space, residence, or structure.
 - b) On each side of an authorized United States Postal Service mailbox.
 - c) On one post which measures no more than 48 inches in height and six inches in width.
 - d) Within the front yard.
 - 4) Signs required to be installed by law or specifically authorized for a public purpose and erected by a government entity, including, but not limited to transit or bus stop signs, interpretive signs, commemorative or historic plaques or signs, wayfinding signs for public facilities, towing signs, traffic control signs, and civic or public event signs. These signs may utilize illumination for safety purposes.
 - 5) Warning sign not exceeding four square feet in area.
 - 6) Temporary decorations or displays that are displayed for a period of not more than 45 consecutive days nor more than 75 days in any one calendar year. Such decorations or displays may be of any type, number, area, height, location, illumination, or animation, provided that such decorations or displays:
 - a) Are maintained and do not constitute a fire hazard; and
 - b) Are located so as not to conflict with, interfere with or visually distract from traffic regulatory devices.

Figure VI.1 Examples of temporary decorations or displays



- 7) Merchandise displays behind storefront windows so long as no part of the display moves or contains flashing lights.
- 8) Incidental objects such as small decals less than two square feet affixed to machines, equipment, fences, gates, walls, gasoline pumps, public telephones, utility cabinets, or windows and door panes/panels.
- 9) A sign affixed to a vehicle, except as provided in 21-60.05 below.
- 10) Window signs, subject to the standards in this article.
- 11) Site signs, subject to the standards in this article
- 12) Yard signs, subject to the standards in this article

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- 13) Handheld signs so long as the person or the sign being held does not obstruct or makes hazardous the free passage of pedestrians and motor vehicles on any street, sidewalk, or public-right-of way.
- 14) Flags, subject to the following standards:
- a) A flag shall not exceed 32 square feet in area and shall be generally rectangular in shape.
 - b) A flag shall be attached to a permanent flagpole, flag bracket, or flag stanchion mounted to a building, dwelling, or accessory structure.
 - c) A maximum of three flags shall be allowed per lot. Unless otherwise required or authorized by law, no more than two flags are allowed on a flagpole, flag bracket or flag stanchion.
 - d) Flagpoles shall require building permits and are subject to the following:
 - i) The maximum height of a residential flagpole shall be no more than 20 feet. Residential Parcels shall require a building permit, dependent upon the setbacks and sightline requirements; however, further review may be required.
 - ii) Commercial Parcels shall require engineering and a building permit to install a flagpole.
 - e) A flag may be externally illuminated in compliance with this code.
 - f) A flag on a parcel zoned non-residential or multi-family shall maintain a minimum clearance of eight feet from any structure.
 - g) Flags shall not be torn, tattered, or in disrepair.
 - h) Any damage caused by the placement of the flagpole shall be the sole responsibility of the owner of the parcel.

Figure VI.2 Examples of flags



- 15) Umbrella signs subject to the following standards:
- a) An umbrella having a sign affixed shall only be allowed outside a seating area for a licensed business establishment where the outside seating area is designated on an approved site plan or building permit.
 - b) One umbrella sign per table is allowed.
 - c) An umbrella having an affixed sign shall not exceed ten feet in height.
 - d) An umbrella having an affixed sign shall be mounted on or in the table or in an umbrella holder adjacent to the table.
 - e) Changeable copy is not permitted on umbrellas.

21-60.05 - Prohibited signs

- a. The following types of signs are prohibited and shall neither be erected nor maintained within the city, except as noted:

1. All signs not expressly permitted in this article.
- 4-2. Pole Signs
- 2-3. Signs that communicate obscenities, child pornography, or other unprotected speech as defined by the Unites States Supreme Court.
- 3-4. Any sign other than traffic control signs, that is erected, constructed, or maintained within, over or upon a public right-of-way or city property, unless pursuant to the express permission of the city.
- 4-5. Abandoned signs.
- 5-6. Animated signs.
- 6-7. Audible signs.
- 7-8. Beacons or searchlights.
- 8-9. Emitting sign.
- 9-10. Billboards.
- 10-11. Parasite sign
- 11-12. Attention-getting devices.

Figure VI.3 Examples of attention-getting devices



- 12-13. Commercial off-site advertising sign, unless allowed by an approved variance or development agreement approved by the city.
- 13-14. Any sign that is projected onto a surface using light from a remote source.

~~14-15.~~ Any sign painted, erected, or constructed upon, above or over the roof or parapet of any building, unless permitted and installed in accordance with the standards set forth in subsection 11(c)(15) below.

~~15-16.~~ Snipe sign.

~~16-17.~~ Roof signs.

~~17-18.~~ Any sign which is of a size, location, movement, coloring, or manner which may be confused with, or construed as a traffic control sign, signal or device or which obscure or interfere any traffic or street sign or signal, such as those signs approved and shown in the current edition of the Uniform Traffic Code.

~~18-19.~~ Any sign which obstructs free ingress to or egress from a door, window, fire escape or other required exit way.

~~19-20.~~ Any sign, other than a bumper sticker, displayed on a vehicle, trailer, boat, or recreational vehicle that is used primarily to display the sign. Signs are permitted on a vehicle, trailer, boat, or recreational vehicle if the vehicle is used by a business owner or employee of the business primarily as a means of transportation of people or goods or for delivery of services (i.e. tow truck).

~~20-21.~~ Any sign erected within any navigable waterway within the city so as to be located beyond any established bulkhead line.

~~21-22.~~ Any signs mounted to fences or walls, except signage that is incorporated as part of an approved entrance feature for a residential subdivision with a recorded plat.

~~22-23.~~ Any sign that extends into or is placed within a public right-of-way unless specifically authorized by an approved license agreement, variance or other express approval by the city council.

~~23-24.~~ Any sign structure that no longer contains a sign panel.

~~24-25.~~ Signs, handbills, circulars, dodgers or other advertising distributed or placed or caused to be distributed or placed on any public or private property in the city any handbills, circulars, dodgers or other advertising matter in such a manner that the same may be blown, carried by water or otherwise scattered by the elements, or so as to constitute litter. Handbill or other similar form of advertising placed on or into vehicles within the city.

b. Removal of prohibited signs:

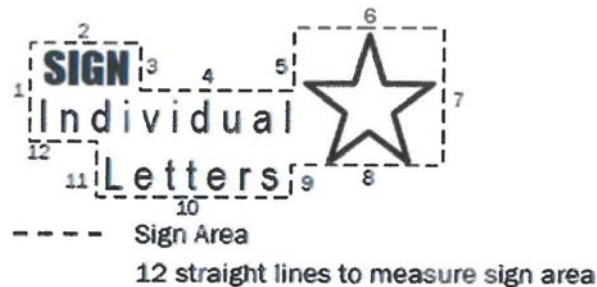
1. Prohibited signs located on public property or public rights-of-way shall be removed immediately and may be removed by the city or its agent without notice.
2. Any prohibited sign, except abandoned or billboard signs, located on private property shall be removed after receipt of written notification from the city.
3. Abandoned or billboard signs shall be removed by the owner, agent or person in charge of the premises after receipt of written notification by the city. If the sign is not removed in a timely manner, the city may initiate code enforcement proceedings.

21-60.06 - Sign measurement

a. *Area of single-faced signs.*

1. Sign area is the entire surface area of a sign, including non-structural trim, frame, or other material or color forming an integral part of the display or used to differentiate the sign's contents from the background against which they are placed. The supports, uprights, or structures on which any sign is mounted shall not be included in measuring sign area. A building's architectural features, structural supports, and landscape elements shall not be included within the sign area.
2. An awning, canopy, projecting, or non-cabinet wall sign's area shall be measured by including within a single continuous rectilinear perimeter of not more than 12 straight lines that enclose the extreme limits of writing, representation, lines, emblems, or figures contained within all modules together with any air space, materials, or colors forming an integral part or background of the display or materials used to differentiate such sign from the structure against which the sign is placed.

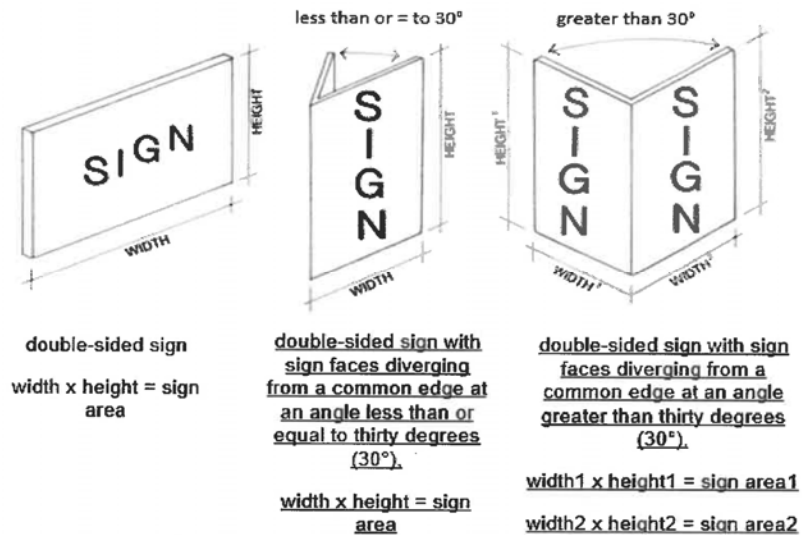
Figure VI.4 Example of calculating sign area



b. *Area of double-faced signs.*

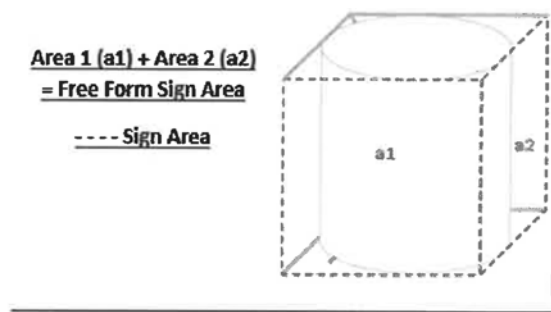
1. Sign area is the entire surface area of a sign, including non-structural trim, frame, or other material or color forming an integral part of the display or used to differentiate the sign's contents from the background against which they are placed. The supports, uprights, or structures on which any sign is mounted shall not be included in measuring sign area. If the sign faces are connected in a manner that forms an angle between the two sign faces of greater than 30 degrees, then each sign face is considered a separate sign.

Figure VI.5 Example of double-sided signs and sign area calculations



2. Sign area of a free form sign shall be the sum of two adjacent vertical faces as seen at the same time from a viewer's perspective, of the smallest cube that can encompass the sign.

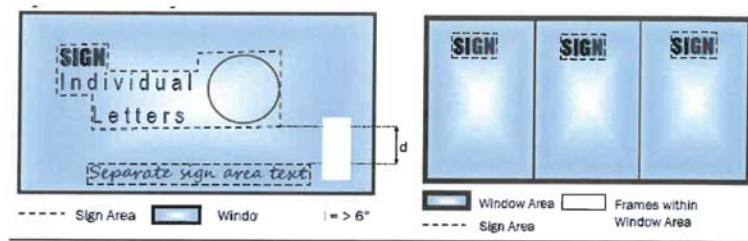
Figure VI.6 Example of calculating sign area for a free form sign



c. Area of window signs.

1. Window sign area is the total window area of all window signs for a tenant divided by percentage of window signage allowed. If a window includes multiple areas or frames, the outer most frame will determine the extent of the window area.

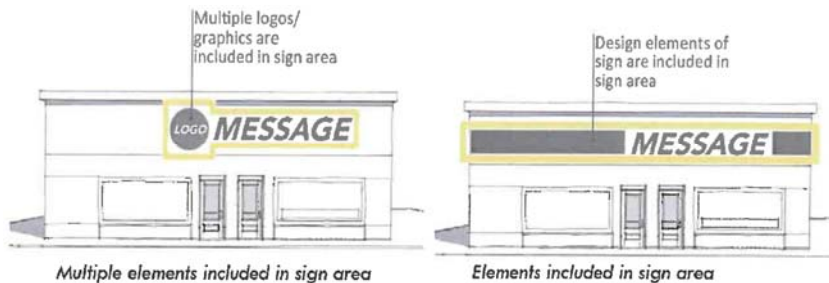
Figure VI.7 Examples of determining window sign area



d. *Area of multiple signs.*

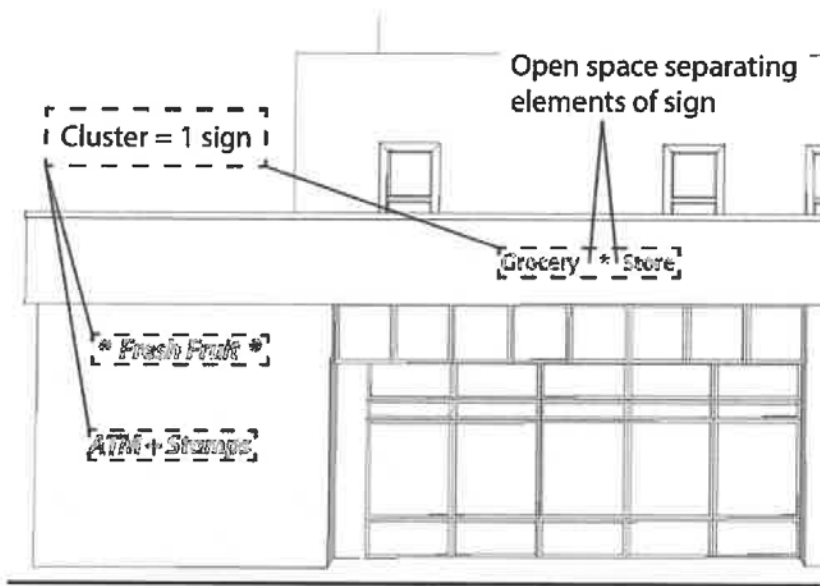
1. Whenever more than one sign is placed on a freestanding structure, or on a projecting structure, the combination of signs shall be considered as one sign for the purpose of computing sign area and determining the number of signs on a site.
2. Total sign area on a building shall be computed by adding the areas of the individual sign elements.

Figure VI.8 Example of determining sign area on a building



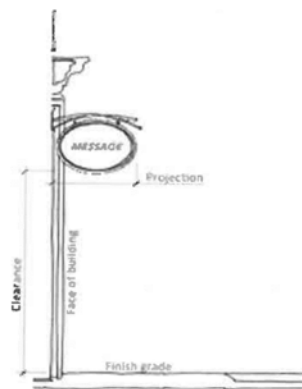
3. A distinct cluster of individual letters, figures or elements is considered a single sign for purposes of determining the number of attached signs per facade for each wall.

Figure VI.9 Example of determining distinct cluster of individual letters on a building



4. Projection is measured as the distance from the face of the building to which a sign is mounted to the furthest point on the sign away from the wall.
5. Clearance is measured as the shortest distance between the bottom of a sign and the grade below.

Figure VI.10 Example of determining projection and clearance



e. *Height.*

1. The height of a freestanding sign is the vertical distance to the top of the structure or sign face, whichever is higher, measured from the elevation of average grade in the area within the required landscape area around the base of the sign.
2. For freestanding signs adjacent to a street, if average grade around the base of the sign is lower than the average grade of the nearest abutting street, then the height of the sign shall be measured from the roadway line elevation of said street to the top of the sign face or sign structure, whichever is higher. This only applies to surface roadways and shall not apply to bridges, overpasses, or similar elevated roads.
3. The sign height of an attached sign is the vertical distance of the sign area.

Figure VI.11 Example of measuring sign height

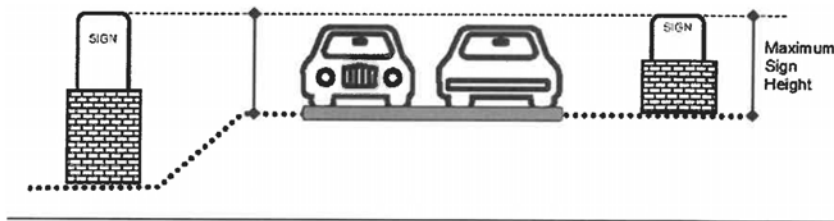
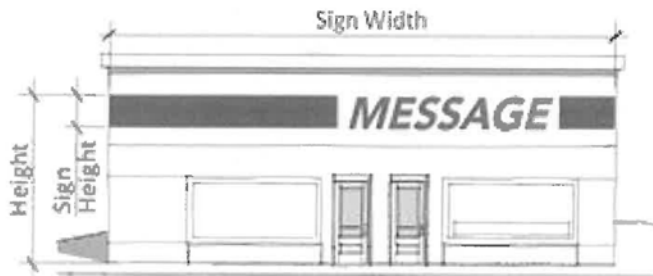


Figure VI.12 Example of measuring sign height on a building



21-60.07 - Sign placement or location

- a. A sign shall meet the Site Triangle Requirements, Article III, and setback requirements Article V of this code.

-
1. On existing lots of substandard width, where existing conditions or requirements conflict with the ability to meet the signage setback requirements of this article, the Building Official, Development Services Director, or their designee may allow the setback to be reduced to the largest dimension available.
 2. Front setback requirements for signs may be reduced or waived by the Building Official, Development Services Director, or their designee: where properties front on a dedicated right-of-way with sufficient width to accommodate any foreseeable future widening and still maintain a minimum 10 feet distance between the sign and the nearest edge of the travel lane.
- b. A sign shall be setback 25 feet from a side lot line unless reduced by the Building Official, Development Services Director, or their designee: pursuant to this section.
 - c. Frontage is the portion of a lot abutting a public right-of-way, alley, access easement, drive aisle, private access, public right-of-way, private right-of-way
 1. Primary is the frontage that a business or tenant abuts or adjacent to and addressed from.
 2. Secondary is the frontage that a business or tenant abuts or adjacent to that is not the primary frontage.
 - d. A sign shall not obstruct any window, door, fire escape, stairway, ladder or opening intended to provide light, air, ingress, egress for any building as required by law.
 - e. Window signs shall be arranged so as to provide visibility through windows at eye level, between four and six feet in height.
 - f. Signs shall be located to maintain clearance from all overhead electrical or utility lines. Clearance shall be determined by the electrical or other utility provider.

21-60.08 - Sign design and materials

- a. In general, permanent signs and supporting sign structures shall be designed as a compatible architectural element to the principal structure, overall development or neighborhood in which it is located and have common unifying elements which may include materials, primary finish and colors, size, scale with the building it advertises, height, letter style, sign type, shape, lighting, location on buildings, and design theme.
- b. Signs shall be constructed of durable, all-weather materials and may include but are not limited to metal, galvanized steel or of an equivalent corrosion resistant material, glass, stone, stucco or similar material, concrete, brick, plexiglass, fiberglass, wood, or other approved materials.
 1. Paint, vinyl, or other similar materials may be used for window or wall signage.
 2. Plastic substrate, particle board, Masonite, paper, fabric, plywood, unfinished wood, or similar materials are prohibited, unless it is shown to the satisfaction of the Building Official, Development Services Director, or their designee: that an otherwise prohibited material has been modified or packaged to eliminate any unacceptable characteristics affecting durability.

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- 3. Temporary signs shall be constructed of durable, all-weather materials and may include but are not limited to metal, plexiglass, fiberglass, wood, plastic substrate, plywood, woven fabrics, vinyl fabrics, or other approved materials.
 - c. Exposed raceways shall be as thin and narrow as possible and not exceed eight inches. Exposed raceways shall be finished to match the background wall and shall not extend in width or height beyond the area of the sign's lettering or graphics.
 - d. The numeric street address of the property upon which the sign is located shall be identified on the top portion of the side and front of a monument sign, unless waived by the Building Official, Development Services Director, or their designee: . The street address numbers shall be between 6 to 12 inches in height.
 - e. The supporting features or structures of a sign shall appear to be free of any extra bracing angle iron, guy wires, cables, etc. The supports shall appear to be an architectural and integral part of the building and/or sign.

21-60.09 - Digital signs and string lighting

- a. *Digital signs.* Digital signs are subject to the following standards:

Figure VI.13 Examples of digital signs



1. The digital sign area of a monument sign shall be integrated into the design of the sign. The digital sign area shall not be an add-on feature onto the monument sign, but rather must be fully integrated into the sign design.

Figure VI.14 Examples of electronic message area integrated into a monument sign



Figure VI.15 Example of the digital sign area not being integrated into a monument sign



2. Each message on the digital sign shall be displayed for at least 10 seconds in duration. Message changes shall be completed instantaneously and shall be unnoticeable.
3. Digital signs shall contain static messages changed only through dissolve or fade transitions and shall not have movement or the appearance or optical illusion of movement during the static display period of any part of the sign. A static message shall not include any flashing or the varying of light intensity, and the message shall not scroll. The change of message using dissolve or fade transition shall not exceed one second of time between each message displayed on the sign.
4. The intensity of the light source for a digital sign shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety, or welfare.
5. Digital signs shall not operate at brightness levels of more than 0.3 foot-candles above ambient light as measured using a foot candle (Lux) meter at a preset distance depending on sign area. Illuminance measurement requires two steps: First—ambient light shall be measured with the sign turned off. Second—sign light output shall be measured with the sign turned on as a solid white display. The difference between the two measurements shall be 0.3 foot-candles or less. The distance at which to take measurements is calculated with the following formula and rounded to the next whole number: Measurement distance = $\sqrt{\text{Area of sign square feet} \times 100}$
6. Prior to the issuance of a sign permit for a digital sign, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 0.3 foot-candles above ambient light and that the intensity level is protected from end-user manipulation by password-protected software or other similar method as deemed appropriate by the Building Official, Development Services Director, Or their designee: . The electronic message center shall have automatic dimmer software or solar sensors to control brightness for nighttime viewing or as ambient light conditions change.
7. The technology currently being deployed for digital signs is LED (light emitting diode), but there may be alternate, preferred and superior technology available in the future. Any

other technology that complies with the performance standards for digital signs, including the maximum brightness levels as stated above, is permitted.

8. A digital sign shall include systems and monitoring to either turn the display off, show "full black" on the display, or include a default mechanism that freezes the sign in one position if a malfunction occurs, and
 9. Be designed so that a catastrophic power surge will cause the sign to go dark or to deploy the maximum brightness limitations, and
 10. Digital sign faces shall have a pixel pitch of no more than eight millimeters.
 11. Prior to the issuance of a sign permit, the applicant shall provide the phone number and email address of a person or company available to be contacted at any time and to turn off the digital sign promptly if a malfunction occurs.
 12. The light modules for a digital sign shall be repaired or replaced if they become broken, burned-out or substantially dimmed.
- b. *String lights.*
1. String lights are allowed in all zoning districts as an accent element for outdoor dining area, porches, patios, event spaces, or similar structures or elements.
 2. String lights are not counted toward the maximum wall sign area allocation in this article.
 3. String lights on non-residential or multi-family zoned lots shall be shown and approved on a site plan, subdivision, building permit, or an approved application form provided by the city.
 4. The intensity of the light source for string lighting shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety, or welfare.

Figure VI.16 Examples of allowed string lighting



21-60.10 - District areas

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- a. Section below sets forth standards applicable to each of the following districts defined as follows:
1. *Residential (RES)*: Generally, this area is comprised of residentially zoned properties, or properties developed with residential uses (attached or detached). This area includes properties zoned AG, RT, R-1, R-2, R-3, R-4, R-5, MH-1, MH-2, RPUD, MUPUD.
 2. *Multi-family/institutional (MF/I)*: Generally, this area includes properties with multi-family or institutional zoned properties, or properties developed with multi-family or institutional uses. This area includes properties zoned R-5, R, P/SP.
 3. *Commercial (COM/IND)*: Generally, this area includes properties with commercial zoning or industrial zoning, B-2, B-3, and B-4, I-1, I-2, IPUD.
 4. *Mixed-use (MXU)*: Generally, this area includes properties that are zoned MUPUD within a district that allows mixed-use.
 5. *Ridgewood Corridor (RC)/ Indian River Blvd – S.R. 442 (442) Corridor Overlays*: Parcels that share a common boundary with Ridgewood Avenue or Indian River Boulevard will be subject to the requirements, standards and criteria contained in these regulations. Furthermore, these requirements apply to all residential, commercial, office, institutional and industrial development, including both public and private facilities within the Ridgewood Avenue Corridor and Indian River Boulevard – S.R. 442 Corridor. The provisions of this document are applicable to all properties that touch, front or are otherwise adjacent to Ridgewood Avenue and the Indian River Boulevard – S.R. 442 Corridor. Properties that include a complex or subdivision of buildings shall be considered to be included within the guidelines in their entirety, including parent tracts, out-parcels, flag lots, etc. They apply to both new development and redevelopment activities.

21-60.11 - Permanent signs

- (a) The standards of this section apply to all permanent signs. Permanent signs may be subject to additional standards set out elsewhere in these regulations. The standards below do not authorize the installation of a sign without first obtaining any necessary building permit in compliance with the current edition of the Florida Building Code and this code.
- (b) Upon receipt of written notification by the city that a sign is unlawfully illuminated or animated in violation of this article, the owner, his agent, or person in control of the premises, shall immediately terminate the prohibited illumination or animation of such sign.
- (c) *Permanent sign types*. Permanent signs include the following types:
 - (1) **Monument sign**. Monument signs are subject to the following standards:

Figure VI.17 Examples of monument signs



Figure VI.18 Examples of monument signs with a base, and/or columns consistent with and/or that complements the building design and materials:



- (a) All monument signs shall be located along a primary or secondary street frontage. A site only has one primary frontage which is determined by the street identified in its address. Sites may have one or more secondary frontages.
- (b) Monument signs can be designed with the sign placed on a base at least 18 inches in height measured from the average grade elevation or a sign mounted between two decorative columns. Monument sign base and column supports shall be consistent with and/or complement the building design and materials.
- (d) A sign shall be located in a landscaped area. A minimum of three-square feet (3 ft.²) of landscaping area shall be provided for one square foot (1 ft.²) of sign area. Only one face of a two-sided sign shall be counted for the sign area. The minimum quantity of trees, shrubs, or groundcover plants shall be based on the following:
 - (1) Monument signs that have the face of the sign parallel to the right-of-way shall be required to plant two understory trees on either side of the sign. Understory trees shall be placed no closer than seven (7) feet from the sign and no further than fifteen (15) feet from the sign. Understory trees shall be a minimum of five (5) feet from any curb, sidewalk, or drive aisle. Shrubs shall be provided at a rate of one (1) shrub per every ten (10) square feet and groundcover shall be provided at a rate of one (1) plants per square foot. The landscaped area shall be mulched. In

the Ridgewood/442 Overlay, the understory trees shall count towards the landscape buffer requirement to ensure consistency with the look of the corridor.

- (2) Monument signs that are perpendicular to the right-of-way or angled greater than parallel shall be required to plant two understory trees equidistant from each other at the rear of the sign furthest from the right-of-way. Understory trees shall be a minimum of five (5) feet from any curb, sidewalk, or drive aisle. Shrubs shall be provided at a rate of one (1) shrub per every ten (10) square feet and groundcover shall be provided at a rate of two (2) plants per square foot. The landscaped area shall be mulched. In the Ridgewood/442 Overlay, the understory trees shall count towards the landscape buffer requirement to ensure consistency with the look of the corridor.
- (e) Two additional feet in height for a monument sign shall be allowed for architectural embellishments that are consistent with and/or complement the building design and materials. The border on all sides of the sign shall be consistent with and/or complement the building design and materials. Illuminated sign containing internal illumination within a cabinet without a border are prohibited.
- (f) For all monument signs located on a lot in the commercial or mixed-use district areas, the border on all sides of the sign shall be consistent with and/or complement the building design and materials. Illuminated signs using internal illumination within a cabinet without a decorative base or columns and border around the cabinet are prohibited. The sign base or columns and cabinet border shall be constructed of brick, stone, stucco, wood, decorative concrete, high quality metal, or other similar materials as approved by the Building Official, Development Services Director, or their designee.
- (g) The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	No	No	Yes	Yes	Yes
Permit required	N/A	N/A	Yes	Yes	Yes
Max. number of signs for a single tenant building	N/A	N/A	1 per primary frontage	1 per primary frontage	1 per primary frontage, 1 per secondary frontage if parcel exceeds 700 linear feet of road frontage, not to exceed 2 total signs on a frontage
Max. sign area for single tenant building	N/A	N/A	60 sq. ft	60sq. ft	48 sq. ft
Max. height for single tenant building sign	N/A	N/A	10 ft.	10 ft.	8 ft.
Max. number of	N/A	N/A	1 per primary	1 per primary	1 per primary

signs for multi-tenant building			frontage .Sites with more than 700 feet of primary or secondary frontage shall be allowed to place an additional sign meeting these standards on the frontage the second sign is located	frontage. Sites with more than 700 feet of primary or secondary frontage shall be allowed to place an additional sign meeting these standards on the frontage the second sign is located	frontage Sites with more than 700 feet of primary or secondary frontage shall be allowed to place an additional sign meeting these standards on the frontage the second sign is located
Max. sign area for tenant in a multi-tenant building	N/A	N/A	56 sq. ft.— less than 10,000 sq. ft. of floor area 84 sq. ft.— 10,000 sq. ft. to 75,000 sq. ft. of floor area 112 sq. ft.— greater than 75,000 sq. ft.	56 sq. ft.— less than 10,000 sq. ft. of floor area 84 sq. ft.— 10,000 sq. ft. to 75,000 sq. ft. of floor area 112 sq. ft.— greater than 75,000 sq. ft.	48 sq. ft.
Min. size for tenant panel	N/A	N/A	10 sq. ft.	10 sq. ft.	6 sq. ft.
Max. sign height	N/A	N/A	10 ft.	10 ft.	8 ft.
Illumination	N/A	N/A	Internally, externally or halo lit	Internally, externally or halo lit	Internally, externally or halo lit
Changeable copy area	N/A	N/A	50% of the sign face	None	50% of the sign face
Digital sign	N/A	N/A	25% of the sign face	25% of the sign face	25% of the sign face

(2) **Post sign.** Post signs are subject to the following standards:

Figure VI.19 Examples of a post sign



- (a) The design of the post(s) for a post sign shall include a decorative base, decorative cap, ball or other similar embellishment, and be consistent with and/or complement the building design and materials.
- (b) The sign copy shall be engraved into or affixed onto a beveled edge sign panel or using similar materials and design to achieve an attractive appearance.
- (c) A sign shall be located in a landscaped area. A minimum of one square feet of landscaping area shall be provided for one square foot of sign area. Only one face of a two-sided sign shall be counted for sign area. The minimum quantity of shrubs or groundcover plants shall be based on the following formula: Total area of the sign face (in square feet) $\times 0.45$ = the number of shrubs or groundcover plants, rounded up to the nearest whole number. The Building Official, Development Services Director, Or their designee: may reduce or waive this requirement if the sign is installed within an approved right-of-way landscape buffer required by this code or in areas without reasonable access to water for irrigation.
- (d) The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	No	No	No	Yes	No
Permit required	N/A	N/A	N/A	N/A	N/A
Max. number	N/A	N/a	N/A	1 per primary frontage	N/A
Max. area	N/A	N/A	N/A	16 sq. ft.—sign with 1 pole	N/A
Illumination	N/A	N/A	N/A	Darksy Compliant	N/A
Max. sign height	N/A	N/A	N/A	6ft	N/A
Digital sign	N/A	N/A	N/A	No	N/A
Changeable copy	N/A	N/A	N/A	No	N/A

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- (3) **Subdivision entry sign.** These regulations apply to all subdivision entry signs:

Figure VI.20 Examples of subdivision entry signs



- (a) A sign may be affixed to a wall that complies with the architectural requirements in 21.60.14 of this code, provided the wall is expressly authorized by an approved subdivision plan, site plan, or building permit and is not located in a public right-of-way.
- (b) A sign shall be located at a primary or secondary subdivision entrance or entry drive, on privately owned common area, or a privately owned and maintained median. Such signs shall be setback at least ten feet from the nose of the median.
- (c) A sign must be constructed of an opaque background or uniform color and shall be of high-quality materials that are compatible with the character of the neighborhood. Freestanding sign bases or column supports shall be constructed of stone, brick, wood, decorative concrete, high-quality metal, or other similar materials.
- (d) A sign shall only be permitted for subdivisions with an active homeowners' associations (HOA) to ensure signs are properly maintained over time. If a HOA dissolves, the HOA shall be responsible for removal of the sign prior to dissolving.
- (e) In place of one sign at a subdivision entrance, a sign may be placed on each side of the street at the neighborhood entrance, provided the maximum area of both signs combined does not exceed the permitted maximum area for one sign.
- (f) A sign shall be located in a landscaped area on privately owned common area. A minimum of three-square feet of landscaping area shall be provided for every one-square foot of sign area. Only one face of a two-sided sign shall be counted for sign area. The minimum quantity of shrubs or groundcover plants shall be based on the following formula: Total area of the sign face (in square feet) $\times$ 0.45 = the number of shrubs or groundcover plants, rounded up to the nearest whole number. The Building Official, Development Services Director, Or their designee: may reduce or waive this requirement if the sign is installed within an approved right-of-way landscape buffer required by this code.
- (g) The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	Yes	Yes	No	No	Yes
Permit required	Yes	Yes	N/A	N/A	Yes

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Max. number	1 sign at main entry drive	1 sign at main entry drive	N/A	N/A	1
Max. sign area per roadway entrance	60 sq. ft.	48 sq. ft.—All roadways	N/A	N/A	48 sq.ft
Max. sign height	10 ft.	10 ft.	N/A	N/A	8 ft.
Illumination	Externally lit or halo lit – Dark Sky Compliant	Externally lit or halo lit – Dark Sky Compliant	N/A	N/A	Externally or halo lit – Dark Sky Compliant
Digital sign	No	No	N/A	N/A	No
Changeable copy	No	No	N/A	N/A	No

(4) **Incidental sign.** Incidental signs are subject to the standards below:

Figure VI.21 Examples of incidental signs with four square feet or less of sign area



Figure VI.22 Examples of incidental sign with greater than four square feet of sign area



- (a) Sign shall consist of a rigid background with a structural frame or similar frame.
- (b) Signs with four square feet or less sign area can be mounted on a base or pole.
- (c) Signs greater than four square feet of sign area shall be designed with a base at least 18 inches in height measured from the average grade elevation or mounted between two decorative columns and shall be constructed of brick, stone, stucco, wood, decorative concrete, high quality metal, or other similar materials and consistent with and/or complement the building design and materials.
- (d) The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	Yes, but only located on common area with HOA approval as applicable	Yes	Yes	Yes	Yes
Permit required	Yes	Yes	Yes	Yes	Yes
Max. number	Unlimited, subject to max. sign area allowed	Unlimited, subject to max. sign area allowed	Unlimited, subject to max. sign area allowed	Unlimited, subject to max. sign area allowed	Unlimited, subject to max. sign area allowed
Max. area	40 sq. ft. per phase	40 sq. ft.	Sites < 5 acres =	Sites < 5 acres =	Sites < 5 acres =

			40 sq. ft. Sites > 5 acres = 80 sq. ft.	40 sq. ft. Sites > 5 acres = 80 sq. ft.	40 sq. ft. Sites > 5 acres = 80 sq. ft.
Illumination	External, Internal	External, Internal or Halo lit – Dark Sky Compliant	External, Internal or Halo lit – Dark Sky Compliant	External, Internal or Halo lit – Dark Sky Compliant	External, Internal or Halo lit – Dark Sky Compliant
Max. sign height	8 ft.	8 ft.	8 ft.	8 ft.	8 ft.
Digital sign	No	No	No	No	No
Changeable copy	Yes	No	No	No	No

- (5) **Drive-thru signs.** Drive-thru signs are subject to the standards below:

Figure VI.23 Examples of drive-thru signs



- (a) A sign may emit sound only as part of a business transaction subject to the Code of Ordinances.
- (b) A sign is allowed in addition to freestanding and wall signs permitted by this article.
- (c) The sign support shall be constructed from similar materials and consistent with and/or complementary to the building design and materials.
- (d) The sign shall be screened from a public right-of-way by placement, landscape, or wall or fence.
- (e) The sign shall comply with section 9 of this article.
- (f) The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	No	No	Yes	Yes	Yes
Permit required	N/A	N/A	Yes	Yes	Yes
Max. number of	N/A	N/A	1 per drive- thru	1 per drive- thru	1 per drive- thru

signs			lane per tenant	lane per tenant	lane per tenant
Max. area	N/A	N/A	6 sq. ft.— building wall 54 sq. ft.— drive-thru per drive-thru	6 sq. ft.— building wall 54 sq. ft.— drive-thru per drive-thru	6 sq. ft.— building wall 54 sq. ft.— drive-thru per drive-thru
Max. height	N/A	N/A	12 ft.	12 ft.	12 ft.
Digital sign	N/A	N/A	100% of the sign area	100% of the sign area	100% of the sign area
Illumination	N/A	N/A	Internally or externally lit – Dark Sky Compliant	Internally or externally lit – Dark Sky Compliant	Internally or externally lit – Dark Sky Compliant
Changeable copy	N/A	N/A	Yes	Yes	Yes
Subject to max. wall sign allowance	N/A	N/A	No	No	No

(6) **Awning sign.** Awning signs are subject to the standards below.

Figure VI.24 Examples of awning signs



- The sign displayed on an awning shall be used to determine the sign area. The entire awning area shall not be included in sign area calculation.
- No awnings with signs shall extend above the roof line of a building, or the first story, whichever is lesser in height.
- No sign affixed to an awning shall project beyond, above, or below the face of the awning.
- The principal function of any awning with a sign shall be to provide shelter for a window, a door, or an outdoor seating area.
- Awnings that contain signs shall be designed to be compatible with the storefront in scale, proportion, material, and color.
- The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	No	Yes	Yes	Yes	Yes

Permit required	N/A	Yes	Yes	Yes	Yes
Max. number	N/A	1 per building	1 per awning installed	1 per awning installed	1 per awning installed
Max. sign area	N/A	40% of area of awning face	40% of area of awning face	40% of area of awning face	50% of area of awning face
Min. clearance	N/A	8 ft.	8 ft.	8 ft.	8 ft.
Illumination	N/A	No	No	No	No
Subject to max. wall sign allowance	N/A	Yes	Yes	Yes	Yes
Changeable copy	N/A	No	No	No	No
Digital sign	N/A	No	No	No	No

- (7) **Canopy signs in vehicular areas.** Canopy signs in vehicular areas are subject to the standards below:

Figure VI.25 Examples of canopy signs in vehicular areas



- Canopies in vehicular areas with signs shall be designed to be compatible with the associated building(s) in scale, proportion, and color.
- Sign on a canopy in a vehicular area shall be located on the face of the canopy that abuts a public roadway.
- Corporate stripes, logos, and designs proposed on the canopy in a vehicular area shall be counted as part of the overall permitted sign area.
- The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	No	Yes	Yes	Yes	Yes
Permit required	N/A	Yes	Yes	Yes	Yes
Max. number	N/A	1 per lot	1 per frontage	1 per frontage	1 per frontage
Max. sign area	N/A	20 sq. ft.	20 sq. ft.	20 sq. ft.	30 sq. ft.
Illumination	N/A	External	External, Internal or Halo lit	External, Internal or Halo lit	External, Internal or Halo lit
Max. sign height	N/A	3 ft.	3 ft.	3 ft.	3 ft.
Subject to max. wall sign allowance	N/A	Yes	Yes	Yes	Yes
Changeable copy	N/A	No	No	No	No
Digital sign	N/A	No	No	No	No

- (8) **Canopy signs in pedestrian areas.** Canopy signs in a pedestrian area are subject to the standards below:

Figure VI.26 Examples of canopy signs in a pedestrian area



- (a) Signs mounted to the top of a canopy shall be designed such that:
- (1) Sign can be affixed to the canopy and shall only be comprised of channel letters or other three-dimensional forms.
 - (2) Mounting hardware and supporting structures of the sign are to be concealed from view unless hardware and supporting structures are integral to the design of the structure.
 - (3) Sign does not extend more than two feet above the top of the canopy, or extend above the nearest roofline, whichever is lesser in height.
- (b) Sign shall not extend beyond the vertical edge of the canopy.
- (c) Canopy with a sign shall be designed to be compatible with the building in scale,

proportion, material, and color.

- (d) Corporate stripes, logos, and designs proposed on the canopy in a pedestrian area shall be counted as part of the overall permitted sign area.
- (e) The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	No	Yes	No	Yes	No
Permit required	N/A	Yes	N/A	Yes	N/A
Max. number	N/A	1 per lot	N/A	1 per frontage	N/A
Max. sign area.	N/A	20 sq. ft.	N/A	20 sq. ft.	N/A
Illumination	N/A	External	N/A	External, internal or halo lit	N/A
Max. sign height	N/A	2 ft.	N/A	2 ft.	N/A
Subject to max. wall sign allowance	N/A	Yes	N/A	Yes	N/A
Changeable copy	N/A	No	N/A	No	N/A
Digital sign	N/A	No	N/A	No	N/A

- (9) **Projecting signs.** Projecting signs are subject to the following standards:

Figure VI.27 Examples of projecting signs



- (a) Projecting signs may be attached vertically or horizontally to any building frontage that abuts an arterial or collector roadway.
- (b) Projecting signs shall not extend four feet above the top of the building wall to which it is attached.
- (c) Projecting signs shall be spaced a minimum of ten feet apart on multi-tenant buildings, unless there is less than ten feet separating tenant entrances.
- (d) The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	No	No	Yes	Yes	No
Permit required	N/A	Yes	Yes	Yes	N/A
Max. number	N/A	1 per building	1 per tenant	1 per tenant	N/A
Max. area	N/A	24 sq. ft.	24 sq. ft.	24 sq. ft.	N/A
Min. clearance	N/A	8 ft.	8 ft.	8 ft.	N/A
Max. projection from wall	N/A	4 ft.	4 ft.	4 ft.	N/A
Illumination	N/A	External	External, halo, or internal	External, halo, or internal	N/A
Subject to max. wall sign allowance	N/A	Yes	Yes	Yes	N/A
Changeable copy	N/A	No	No	No	N/A
Digital sign	N/A	No	No	No	N/A

- (10) **Suspended signs.** Suspended signs are subject to the following standards:

Figure VI.28 Examples of suspended signs



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(a) Sign shall be perpendicular to the primary face of the building wall and located under an overhang of a covered porch or walkway, within ten feet of the primary pedestrian entrance of the associated tenant or use.

(b) The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	No	No	Yes	Yes	No
Permit required	N/A	N/A	Yes	Yes	N/A
Max. number	N/A	N/A	1 per tenant	1 per tenant	N/A
Max. area	N/A	N/A	6 sq. ft.	6 sq. ft.	N/A
Min. clearance	N/A	N/A	8 ft.	8 ft.	N/A
Illumination	N/A	N/A	Internally or externally	Internally or externally	N/A
Subject to max. wall sign allowance	N/A	N/A	Yes	Yes	N/A
Changeable copy	N/A	N/A	No	No	N/A
Digital sign	N/A	N/A	No	No	N/A

(11) **Murals and art sculptures.** Murals and art sculptures are subject to the following standards:

(a) Murals may be located on a principal structure, accessory structure, fence or wall, or other structure on a lot.

- (b) Art sculptures may be located on a lot outside of required buffers and yard setbacks.
(c) The minimum dimensional requirements and number of murals and art sculptures allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	No	Yes	Yes	Yes	Yes
Permit required	N/A	Yes	Yes	Yes	Yes
Max. number	N/A	Unlimited	Unlimited	Unlimited	Unlimited
Max. area for murals	N/A	25% of an eligible building facade or accessory structure area	75% of an eligible building facade or accessory structure area	75% of an eligible building facade or accessory structure area	50% of an eligible building facade or accessory structure area
Max. height	N/A	Roof line	Roof line	Roof line	Roof line
Illumination	N/A	External	External	External	External
Subject to max. wall sign area allowance	N/A	No	No	No	No

Formatted Table

(12) **Wall signs.** The standards below apply to all wall signs:

- No sign part, including channel letters, shall project more than 12 inches.
- Signage area is determined, as shown below, based on the linear feet of the building frontage. Any sign area not used on the building frontage may be distributed onto the sides and/or rear of a building that is finished with a similar architectural facade treatment.
- Signage shall not be oriented toward an adjacent residential use.
- The sign area allowance for wall signs shall include any sign area utilized on a canopy sign, awning sign, illuminated window sign, or a projecting sign.
- Signage attached to a multi-story (greater than two stories) multi-tenant building shall be arranged so the signs share a common horizontal centerline along the façade,

-
- spaced evenly across the building facade, and are separated vertically from all other signs a minimum of twice the height of the largest sign on the building.
- (f) The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442	Formatted Table
Permitted	Yes	Yes	Yes	Yes	Yes	
Permit required	No	Yes	Yes	Yes	Yes	Formatted Table
Max. number for single tenant building	1 per dwelling unit	1 per building	2 per building	2 per building	2 per building	
Max. number for tenant in a multi-tenant building	N/A	Unlimited, subject to max. area for institutional uses	1 per each tenant	1 per each tenant	1 per each tenant	Formatted Table
Max. sign area	4 sq. ft.	2 sq. ft. per 1 linear ft. of the primary building frontage, not to exceed 64 square feet for a single tenant or 64 square feet per each tenant.	2 sq. ft. per 1 linear ft. of the primary building frontage, not to exceed 64 square feet for a single tenant or 64 square feet per each tenant	2 sq. ft. per 1 linear ft. of the primary building frontage, not to exceed 64 square feet for a single tenant or 64 square feet per each tenant	2 sq. ft. per 1 linear ft. of the primary building frontage, not to exceed 64 square feet for a single tenant or 64 square feet per each tenant	
Max. sign height for single tenant building	N/A	4 ft.	4 ft.	4 ft.	4 ft.	Formatted Table
Max. sign height for tenant in a multi-tenant building	N/A	4 ft.	4 ft.	4 ft.	4 ft.	
Illumination	External	External, internal or halo lit	External, internal or halo lit	External, internal or halo lit	External, internal or halo lit	Formatted Table
Digital sign	No	No	No	No	No	
Changeable copy	No	No	No	No	No	Formatted Table
Channel letters (raceway or mounted to wall)	N/A	Yes	Yes	Yes	Yes	
Cabinet & box sign	N/A	No	No	No	Yes	Formatted Table

(13) **Window signs.** Window signs are subject to the following standards:

Figure VI.29 Examples of window signs



- (a) A window sign may be painted on, attached to, or placed within three feet of the inside of a window.
- (b) The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	Yes	Yes	Yes	Yes	Yes
Permit required	No	No	No	No	No
Max. number	1	Unlimited, subject to max. area	Unlimited, subject to max. area	Unlimited, subject to max. area	Unlimited, subject to max. area
Max. sign area	6 sq. ft.	10% of total door and window area for a tenant	50% of total door and window area for a tenant	50% of total door and window area for a tenant	50% of total door and window area for a tenant
Illumination	No	Internal	Internal	Internal	Internal
Subject to max. wall sign area allowance	No	No	No	No	No

(14) **Light pole signs.** Light pole signs are subject to the following standards:

Figure VI.30 Examples of light pole signs



- (a) Light pole signs shall only be attached on a decorative parking light pole, walk light pole, or streetlight pole located on private property or within a private right-of-way that has been approved through city-approved site plan, subdivision, or building permit.
- (b) Light pole signs shall be consistent throughout the site, including size, height, cohesive theme and colors.
- (c) Light pole signs shall not encroach into existing tree canopies and trees shall not be unnecessarily trimmed in an effort to accommodate light pole signs.
- (d) Light pole signs shall be attached securely to a decorative parking light pole, walk light pole, or streetlight pole on all four corners to ensure they do not move, or flap and shall maintain the minimum clearance requirement.
- (e) All existing light poles on a property shall comply with the regulations in this code before a light pole sign permit is issued for any portion of the property.
- (f) Light pole signs can be changed out on intervals throughout the year as long as the sign continues to comply with the regulations in this article.
- (g) If light pole signs are not maintained in an accordance with this code the light pole signs are to be removed and replaced within 30 days with a new light pole sign in compliance with this article. Failure to maintain and replace the light pole signs in compliance with this code shall require the property owner to remove all light pole signs within 30 days.
- (h) Light pole signs shall be allowed only with approval from the owner(s) of the underlying real property and the light pole.
- (i) The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	Yes	Yes	Yes	Yes	Yes
Permit required	Yes	Yes	Yes	Yes	Yes
Max. number per subdivision or lot	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Max. number on a pole	2	2	2	2	2
Max. sign	6 sq. ft.	6 sq. ft.	6 sq. ft.	6 sq. ft.	6 sq. ft.

area					
Illumination	No	No	No	No	No
Subject to max. wall sign area allowance	No	No	No	No	No
Changeable copy	No	No	No	No	No
Clearance over pedestrian areas	8 ft.	8 ft.	8 ft.	8 ft.	8 ft.

21-60.12 - Temporary signs

- (a) The standards of this section apply to all temporary signs. Temporary signs may be subject to additional standards set out elsewhere within these regulations.
- (b) The purpose of a temporary sign is to display a message for a temporary duration. Temporary signs shall not be used to circumvent the regulations that apply to permanent signs or to add permanent signage to a property in addition to that which is allowed by these regulations.
- (c) If any person erects, or any business or organization causes to be erected, a temporary sign that requires a permit without first obtaining a permit, as herein provided, the person, business or organization shall be ineligible to receive a permit for a temporary sign for six months from the date of the violation, if the violation occurs more than once in any 12-month period.
- (d) In general, a temporary sign shall be removed as of the date:
 - (1) The sign becomes an abandoned sign, as defined in this code;
 - (2) The sign is no longer in the condition in which it was installed. This includes no longer being in an upright position, is missing structural components or has become detached from the structure to which it was affixed, or the sign copy is no longer legible; or
 - (3) It becomes expired as per the number of days in the tables below.
- (e) *Temporary sign types*. Temporary signs include the following types:
 - (1) **Banner.**

Figure VI.31 Examples of banners



- (a) Banners shall be attached to the wall of the building front elevation and shall not obstruct any portion of a window, doorway, or other architectural detail.
- (b) Banners shall not be attached to trees, non-metal poles or support, or landscaping. A banner can be attached between two temporarily installed metal poles not exceeding six feet in height.
- (c) The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	No	Yes	Yes	Yes	Yes
Permit required	N/A	Yes	Yes	Yes	Yes
Max. number	N/A	1 per lot	1 per tenant	1 per tenant	1 per tenant
Max. area	N/A	32 sq. ft.	32 sq. ft.	32 sq. ft.	32 sq. ft.
Max. height	N/A	Roof line or 25 ft., whichever is less in height if attached to a principal building & 6 ft. if display at ground mounted	Roof line or 25 ft., whichever is less in height if attached to a principal building & 6 ft. if display at ground mounted	Roof line or 25 ft., whichever is less in height if attached to a principal building & 6 ft. if display at ground mounted	Roof line or 25 ft., whichever is less in height if attached to a principal building & 6 ft. if display at ground mounted
Max. time permitted	N/A	30 days in a calendar year, not required to be consecutive	60 days in a calendar year, not required to be consecutive	60 days in a calendar year, not required to be consecutive	90 days in a calendar year, not required to be consecutive
Illumination	N/A	No	No	No	No

(2) ***Freestanding Banner.***

Figure VI.32 Examples of Freestanding Banner



(a) Freestanding Banner sign(s) shall not be placed in the right-of-way, within or

amongst shrubbery and trees within the landscape buffer, sight triangle, or as to obstruct pedestrian access or vehicular lines of sight. Free standing banner sign(s) placed within landscaped areas of the property shall only be placed in sodded areas.

- (b) Freestanding Banner sign(s) shall only be displayed during the hours of operation that the business is open and shall be removed from public display in its entirety when the business is not in operation.
- (c) Freestanding Banner sign(s) must be free-standing, may not be affixed to any permanent structure or object, may not have a foundation, and nothing can be attached to said freestanding banner sign(s). In the event that a property does not have a landscape buffer or the property line immediately abuts the right-of-way, a freestanding banner sign may be installed on said property within one parking space with a foundational base. The freestanding banner sign shall be secured through the use of a base to prevent the freestanding banner sign(s) from toppling over and creating a hazard.
- (d) The City of Edgewater is exempt from the regulations contained within the freestanding banner sign.

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	Yes	Yes	Yes	Yes	Yes
Permit required	Yes	Yes	Yes	Yes	Yes
Max. number	N/A	1	1 per tenant	1 per tenant	1 per tenant
Max. area	32 sq. ft.	32 sq. ft.	32 sq. ft.	32 sq. ft.	32 sq. ft.
Max. height	8ft	8ft	8ft	8ft	8ft
Max. time permitted	7 Calendar Days a Year - Must be taken down daily	7 Calendar Days a Year - Must be taken down daily	Must be taken down daily or when business is closed	Must be taken down daily or when business is closed	Must be taken down daily or when business is closed
Illumination	No	No	No	No	No

- (3) **Sandwich board sign.** Sandwich board signs are subject to the standards below:

Figure VI.33 Examples of sandwich board signs



- (a) A sandwich board may convey changeable messages through the use of re-writable

surfaces, such as chalkboards or dry-erase boards. Individual changeable copy plastic letters shall not be permitted, and paper signs shall not be attached to a sandwich board sign. Sandwich board signs with changeable copy shall not be composed of plastic.

- (b) A sandwich board sign shall not obstruct pedestrian access or movement. A minimum of four feet of sidewalk clearance or as otherwise required by law, including, but not limited to, the Americans with Disabilities Act (ADA) requirements, whichever is greater shall be maintained at all times.
- (c) Sandwich board signs must be removed each day at close of business and stored indoors.
- (d) Sandwich board signs shall be located no more than 15 feet from the main pedestrian entrance of the use. This distance may be increased only by the minimum amount necessary to achieve the minimum width for pedestrian ingress and egress or as required by the ADA.
- (e) Sandwich board signs must be anchored to the ground or weighted sufficiently to prevent movement by wind.
- (f) Other sign types similar to a conventional sandwich board sign such as an "A-frame", "T-frame", or other design may be approved by the Building Official, Development Services Director, Or their designee: .
- (g) The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	Yes, only for permitted model homes in a subdivision	Yes	Yes	Yes	Yes
Permit required	Yes	Yes	Yes	Yes	Yes
Max. number	1 per lot or parcel	1 per lot	1 per tenant	1 per tenant	1 per tenant
Max. area	6 sq. ft.	6 sq. ft.	6 sq. ft.	6 sq. ft.	6 sq. ft.
Max. height	4 ft.	6 sq. ft.	6 ft.	6 ft.	6 ft.
Illumination	No	No	external	external	external

- (4) **Site sign.** Site signs are subject to the following standards:

Figure VI.34 Examples of site signs



- (a) Site signs shall not be installed as an alternative to or in place of a permanent sign.
 (b) Site signs are only allowed on properties with active listings for sale or for rent, or on properties with an active building permit, site development permit, a subdivision development permit, or a special event permit approved by the city.
 (c) The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	Yes	Yes	Yes	Yes	Yes
Permit required	Yes, if sign area is greater than 6 sq. ft.	Yes, if sign area is greater than 6 sq. ft.	Yes, if sign area is greater than 6 sq. ft.	Yes, if sign area is greater than 6 sq. ft.	Yes, if sign area is greater than 6 sq. ft.
Max. number	1 per lot < then 3 acres & 2 per lot ≥ then 3 acres	1 per lot < then 3 acres & 2 per lot ≥ then 3 acres	1 per lot < then 3 acres & 2 per lot ≥ then 3 acres	1 per lot < then 3 acres & 2 per lot ≥ then 3 acres	1 per lot < then 3 acres & 2 per lot ≥ then 3 acres
Max. area	6 sq. ft. for lot < then 3 acres & 32 sq. ft. for parcel ≥ 3 acres	6 sq. ft. for lot < then 3 acres & 32 sq. ft. for parcel > 3 acres	32 sq. ft.	32 sq. ft.	32 sq. ft.
Max. height	6 ft. for lot <	8 ft.	8 ft.	8 ft.	8 ft.

	then 3 acres & 8 ft. for parcel $\geq$ 3 acres				
Illumination	No	No	No	No	No
Time Limit	No	No	No	No	No
Min. setback	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.

(5) **Yard sign.** Yard signs are subject to the standards below:

Figure VI.35 Examples of yard signs



- (a) In addition to the maximum number of yard signs shown in the table below, three additional small yard signs may be allowed during each period that is 45 days prior to an election day, as such term is defined in F.S. § 97.021 on any lot regardless of zoning district, or on a vacant property. Within five days after each election day, any additional yard sign authorized by this subsection shall be removed.
- (b) The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	Yes	Yes	Yes	Yes	Yes
Permit required	No	No	No	No	No
Max. number	1 per lot	1 per lot	1 per tenant	1 per tenant	1 per tenant

Max. area	6 sq. ft.	6 sq. ft.	6 sq. ft.	6 sq. ft.	6 sq. ft.
Max. height	4 ft.	4 ft.	4 ft.	4 ft.	4 ft.
Max. time permitted	None	None	None	None	None
Illumination	No	No	No	No	No
Min. setback	None	None	None	None	None

- (5) **Feather Flag.** Feather Flag signs are subject to the standards below.

Figure VI.36 Examples of Feather Flag signs



- Feather flag(s) shall not be placed in the right-of-way, within or amongst shrubbery and trees within the landscape buffer, sight triangle, or as to obstruct pedestrian access or vehicular lines of sight. Feather flag(s) placed within landscaped areas of the property shall only be placed in sodded areas.
- Feather flag(s) shall only be displayed during the hours of operation that the business is open and shall be removed from public display in its entirety when the business is not in operation.
- Feather Flag(s) must be free-standing, may not be affixed to any permanent structure or object, may not have a foundation, and nothing can be attached to said freestanding banner sign(s). In the event that a property does not have a landscape buffer or the property line immediately abuts the right-of-way, a freestanding banner sign may be installed on said property within one parking space with a foundational base. The feather flag sign shall be secured through the use of a base to prevent the feather flag sign(s) from toppling over and creating a hazard.
- Feather flag(s) shall be maintained in good condition. Good condition means that the feather flag(s) do not demonstrate fading of color, fraying of fabric, or damage.
- Feather flag sign(s) may be confiscated, at the owner's expense, if placed in the right-of-way area.
- The minimum dimensional requirements and number of signs allowed for each district shall be as follows:

Standard	RES	MF/I	COM/IND	MXU	RC/442
Allowed	No	No	Yes	Yes	Yes
Permit	N/A	N/A	Yes	Yes	Yes

required					
Max. number	N/A	N/A	1 per tenant	1 per tenant	1 per tenant
Max. area	N/A	N/A	33 sq. ft.	33 sq. ft.	33 sq. ft.
Max. height	N/A	N/A	13 ft	13 ft	13 ft
Max. time permitted	N/A	N/A	Must be taken down daily or when business is closed	Must be taken down daily or when business is closed	Must be taken down daily or when business is closed
Illumination	N/A	N/A	No	No	No

(7) **Temporary sign cover.** Temporary sign cover is subject to the standards below:

- (a) Applies to a temporary covering placed over a monument sign that has been constructed pursuant to an approved building permit.
- (b) Temporary sign cover shall be fitted tightly and be secured to the permanent monument sign to avoid movement in windy conditions.
- (c) A temporary sign cover may be displayed no more than a total of 60 days in a calendar year.
- (d) A permit is required each time a temporary sign cover is placed over a permanent sign.

21-60.13 - Maintenance

- (a) The owner or lessee of any sign shall be responsible for taking all reasonable actions to maintain signs and/or sign structures in accordance with this section.
- (b) All signs and sign structures shall be maintained in good condition, in compliance with this section and in accordance with the following:
 - (1) A sign or sign structure that is broken, torn, bent, has a broken, bent, or damaged support, or is not vertical, level and plumb, shall be repaired or reinstalled.
 - (2) A sign or sign structure that is disfigured, cracked, rippled, or peeling material or paint shall be repaired or repainted.
 - (3) A sign or sign structure, including lighting, shall function properly at all times as approved by a permit and/or required by this code.
 - (4) A sign panel that is broken or damaged shall be replaced with a tenant sign panel or a blank neutral color sign panel.
 - (5) The vegetation around, in front of, behind, and underneath an approved freestanding sign with column supports shall be kept trimmed and free of trash and debris as required by this code and the Code of Ordinances.
 - (6) A sign with a solid base shall be maintained so there is not visible area between the sign base and ground, except for an approved freestanding monument sign with columns.

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- (7) A sign that no longer contains a sign panel shall be removed or replaced with a blank neutral color sign panel within 30 days of the date on which the sign panel was removed.
- (8) A permitted temporary sign that has not been maintained in accordance with this code shall be removed within 48 hours after issuance of a notice of violation. In addition to any applicable code enforcement remedies available, failure to remove or repair the temporary sign within 48 hours after issuance of a notice of violation shall result in the person responsible for removal or repair of the temporary sign being ineligible to display a temporary sign for six months from the date of the violation, if the violation occurs more than once in any 12-month period.
- (c) All signs and sign structures shall be maintained in a safe condition, in compliance with all applicable building and electrical codes and this code. If it is determined that a violation has occurred, the city shall give written notice to the owner or lessee of such sign and sign structure. If the owner or lessee fails to remove or alter the sign and sign structure to comply with the regulations set forth in this article within the time prescribed in the notice, such sign or sign structure may be removed or altered to comply by the city at the expense of the owner or lessee of the property upon which it is located.
- (d) The issuance of any sign permit shall be conditioned upon the restoration of any building facade which has been damaged by placement of a previous sign. Such restoration shall include, but not be limited to, patching, repainting, and concealing visible electrical components, when applicable.
- (e) Repair work required by this code shall comply with the permit requirements in this code.
- (f) Should any sign become unsecured or in danger of falling, in disrepair or deteriorated, or otherwise unsafe in the opinion of the building official, the owner thereof, or person or firm maintaining it, shall, upon receipt of written notification from the building official immediately, in the case of imminent danger, or within ten days in other instances, secure the sign or cause it to be placed in good repair in a manner approved by the building official, or said sign shall be removed by the owner thereof. If such order is not complied with, the city may remove the sign at the expense of the owner and may place a lien for the cost thereof upon the property on which the sign was located together with any other cost incurred by the city by filing such lien. The lien may be foreclosed in the same manner provided by law for the foreclosure of mortgages and the city shall have the right to receive all costs of court including reasonable attorney fees.

21-60.14 - Nonconforming signs

- a. It is the intent of this article to allow nonconforming signs permitted before the adoption of this code to continue until they are no longer used, or become hazardous, but not to encourage their survival. Such signs are hereby declared to be incompatible with the overall intent of this article.
- b. All nonconforming and nonpermitted signs, except as provided herein, shall be removed immediately or as otherwise provided under this article.
- c. Use of a nonconforming sign may be continued, subject to the following regulations:
 1. No nonconforming sign shall be enlarged or increased in any way from its lawful size at the time it was installed or constructed, nor shall a nonconforming sign be relocated from its lawful location at the time it was installed or constructed.
 2. Nonconforming signs or sign structures that are considered abandoned signs under this article shall not be permitted for reuse.
 3. Use of a nonconforming sign shall immediately terminate upon a change of business type, business ownership or business name, regardless of whether property ownership of the lot on which the nonconforming sign is located has been transferred.
 4. Signs existing as of the date this article is adopted, whose height and/or sign area do not exceed 115 percent of that allowed by this article, shall be deemed conforming. Installation or construction of all new signs, and any modification or replacement of signs permitted under this subsection, shall comply with all applicable height, sign area, and other requirements of this article.
 5. Any sign that is nonconforming and is determined by the Building Official, Development Services Director, Or their designee: to be in good repair shall be permitted to continue past the compliance deadline established in subsection (4). Signs that have substantial rust, missing parts, dents, or other structural or aesthetic deficiencies shall not be considered in good repair.
 6. Nonconforming real estate or construction signs shall be removed no later than six months after the adoption of this article. Thereafter, all such nonconforming signs shall be deemed unlawful and prohibited and subject to the enforcement provisions of this article.
 - 6.7. Nonconforming pole signs on the Ridgewood Corridor shall not be enlarged or replaced without complying with the provisions of this code. These nonconforming pole signs may be altered to allow for a change of the copy area.
- d. Normal repairs, maintenance and improvements may be made to nonconforming signs or sign structures; however, the cost of such repairs, maintenance or improvements made during any two-year period shall not exceed 25 percent of the overall replacement cost of the sign or sign structure at the end of the two-year period.

- e. If any nonconforming sign is damaged by fire, flood, explosion, collapse, wind, war or other catastrophe to such an extent that the cost of repair and reconstruction will exceed 50 percent of the overall replacement cost of the sign at the time of damage, it shall not be repaired or reconstructed except in full conformity with the provisions of this code, except as follows:
 - 1. A nonconforming offsite sign damaged by catastrophe exceeding 50 percent of the overall replacement cost of the sign may be reconstructed pursuant to the authority set forth in F.S. § 70.20, if the reconstruction agreement complies with all of the requirements set forth as follows:
 - f. The reconstructed sign shall be located on the same property as the damaged sign.
 - g. The reconstructed sign shall be located within a commercially zoned district, not including a planned commercial development or a planned unit development zoned district and shall comply with the requirements of this article regarding prohibited signs.
 - h. The sign owner shall submit a proposed agreement for the reconstructed sign to the city for review.
 - i. City council shall determine whether to approve or deny the proposed agreement submitted in accordance with this section; The reconstructed sign shall be a nonconforming sign.
 - j. The sign owner agrees to remove or to abstain from rebuilding other damaged nonconforming signs within the city at a ratio of at least four sign faces for each reconstructed sign face
 - k. The sign owner agrees to remove or to abstain from rebuilding other damaged nonconforming signs within the city at a ratio of at least four sign faces for each reconstructed sign face.
 - l. The vertical dimension for the reconstructed sign face shall not exceed 25 percent of the permitted building height in the commercial district or 12 feet, whichever is greater in height.
 - m. The vertical dimension for the reconstructed sign face shall not exceed 25 percent of the permitted building height in the commercial district or 12 feet, whichever is greater in height.
 - n. The vertical dimension for the reconstructed sign face shall not exceed 25 percent of the permitted building height in the commercial district or 12 feet, whichever is greater in height.
 - o. The reconstructed sign face shall not exceed the square footage of the largest damaged sign face for any one sign display being removed or not rebuilt, notwithstanding the location within the city of the sign face removed or not rebuilt.
 - p. The reconstructed sign face shall not exceed the square footage of the largest damaged sign face for any one sign display being removed or not rebuilt, notwithstanding the location within the city of the sign face removed or not rebuilt.
 - q. Structural components surrounding the sign face shall not exceed a size of ten percent of the sign face.
 - r. The reconstructed sign face may change copy and if electronic or digital, the frequency of copy change shall not be less than ten second intervals.
 - s. The reconstructed sign, if electronic or digital, shall provide a high-quality resolution for

the display of not more than eight-millimeter pixel spacing, and shall include dimmers installed and operated to eliminate glare, and at night the sign face display light shall not exceed a brightness levels of more than 0.3 foot-candles above ambient light as measured using a foot candle (Lux) meter at a preset distance depending on sign area. Illuminance measurement requires two steps: First—ambient light shall be measured with the sign turned off. Second—sign light output shall be measured with the sign turned on as a solid white display. The difference between the two measurements shall be 0.3 foot-candles or less. The distance at which to take measurements is calculated with the following formula and rounded to the next whole number: Measurement distance = $\sqrt{\text{Area of sign square feet} \times 100}$.

- t. The tallest portion of the reconstructed sign, including appurtenances, shall not exceed the permitted building height in the commercial district.
- u. The sign agreement shall not contain any provision that would require the city to pay compensation for any sign removed or not rebuilt pursuant to the agreement.
- v. The reconstructed sign shall comply with setback, landscaping, and architectural standards consistent with the requirements for the construction of a building within the zoning district and applicable design manuals.
- w. The casual, temporary, or illegal use of any sign shall not be sufficient to establish the existence of a nonconforming use or to create any rights in the continuance of such use.

21-60.15 - Enforcement

- a. It shall be unlawful for any person to violate any provision of this article or fail to comply with any of the requirements of this article. Any person who has violated, causes to be violated or continues to violate the provisions of this article shall be subject to appropriate code enforcement action. Furthermore, any continuing violation of any of the provisions of this article shall be deemed a public nuisance and may be abated by the city as provided by law.

21.60.16 - Variances and appeals

- a. Variances to the requirements of this Article may be granted by the Planning and Zoning Board in conformance with the requirements of Article IX.

21-60.17 - Severability

- a. *Generally.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article.
- b. *Severability where less speech results.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection (a), or elsewhere in this article, this code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article is declared

unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.

- c. *Severability of provisions pertaining to prohibited signs.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection (a), or elsewhere in this article, this code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article or any other law is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed in this article. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of section 3 is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of section 3.
- d. *Severability of prohibition on billboards.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article and/or any other code provisions and/or laws are declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the prohibition on billboards as contained herein.

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ARTICLE XVIII

INDIAN RIVER BOULEVARD – S.R. 442 CORRIDOR DESIGN REGULATIONS

SECTION 21-410 - PURPOSE AND INTENT

These design regulations are intended to ensure high quality private development in the Indian River Boulevard Corridor. The two major components of these regulations are: 1) landscape, buffer and related site development treatments, especially areas immediately adjacent to the road and 2) building design standards for new and redeveloped structures, including signage.

Applicants for development within the Indian River Boulevard Corridor Overlay are required to obtain a copy of the complete design guideline package from City Hall.

SECTION 21- 420 - APPLICABILITY

Parcels that share a common boundary with Indian River Boulevard will be subject to the requirements, standards and criteria contained in these regulations. Furthermore, these requirements apply to all residential, commercial, office, institutional and industrial development, including both public and private facilities within the Indian River Boulevard Corridor. The provisions of this document are applicable to all properties that touch, front or are otherwise adjacent to Indian River Boulevard. Properties that include a complex or subdivision of buildings shall be considered to be included within the guidelines in their entirety, including parent tracts, out-parcels, flag lots, etc. They apply to both new development and redevelopment activities.

21-420.01 - Indian River Boulevard Corridor Districts

Indian River Boulevard has three distinct districts. These districts are defined below and are referred to throughout these regulations. In addition, intersecting roads are also defined below. Refer to the complete design guideline package available from the Development Services Department for a map showing the three separate districts.

21-38.00

21-38.01 District	21-38.02 Intersecting Street	21-38.03 Intersecting Street
21-38.04 The West Parkway District	21-38.05 Interstate 95	21-38.06 Pinedale Road
21-38.07 The Shores District	21-38.08 Pinedale Road	21-38.09 India Palm Drive
21-38.010 The East Village District	21-38.011 India Palm Drive	21-38.012 Riverside Drive

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21-420.02 - Primary and Other Streets

The following major streets that intersect Indian River Boulevard shall be considered as Primary and Other Streets:

21-38.013

21-38.014 Street Type	21-38.015 Intersecting Street	21-38.016 Number of feet from intersection that these regulations shall be applicable along these roads.
21-38.017 Primary	21-38.018 Old Mission Road	21-38.019 500
21-38.020 Primary	21-38.021 Air Park Road	21-38.022 500
21-38.023 Primary	21-38.024 U.S. Highway 1	21-38.025 500
21-38.026 Primary	21-38.027 River side Drive	21-38.028 500
21-38.029 Other	21-38.030 All other streets	21-38.031 100

21-420.03 - Corner Lots/Parcels

21-38.032 Corner lots/parcels shall be considered to have two (2) front perimeters. For other streets that intersect now or in the future, the parcels that are corner lots or corner developments adjacent to Indian River Boulevard shall comply with these requirements.

21-420.04 - Conflict with Other Provisions of Code

21-38.033 The requirements for the Indian River Boulevard Corridor Overlay Area supersede the general requirements within this Land Development Code, however properties zoned RP (Residential Professional) shall adhere to sign requirements as set forth in Article III. The RP (Residential Professional) sign requirements shall apply first in the RP (Residential Professional) zoned property in the event of a conflict. However, when not in conflict with Article III, the remaining requirements as set forth in Article XVIII shall apply to RP (Residential Professional) zoned properties.

Existing developed or vacant properties adjacent to Indian River Boulevard from U.S. Highway 1 to Willow Oak Drive shall be developed in accordance with the standards set forth in Article V (Site Design Criteria) until such time as a change in use is proposed. A change in use shall mean a change in character involving activities that result in a different external impact.

21-420.05 - Registered Landscape Architect Required

21-38.034 A Landscape Architect registered in the State of Florida shall be required to prepare landscape plans and related irrigation plans for all lands for which this Article applies.

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SECTION 21-430 - BUILDING LOCATION AND LANDSCAPE BUFFERS

The setback is the distance between the edge of the road's right-of-way, also referred to as the property line, and the closest edge or wall of the principal building on the site. The building location and landscape buffer requirements are identified below.

21-430.01 - West Parkway District

- a. **Setback and Buffer.** A minimum ~~thirty-five-foot~~ (3550') landscape buffer shall be provided in the West Parkway District. Buildings will not be allowed within ~~seventy five one hundred~~ feet (75400') of the property line adjacent to Indian River Boulevard or primary streets.
- b. **Management and Maintenance of Natural Vegetation.** Site plan submittals will be required to graphically identify the manner in which natural areas will be preserved and maintained. Site plan submittals shall identify where natural areas will be trimmed and to what limited extent they will be altered for visibility from the road.

If a certain view or angle from the road is desired, the site plan shall identify a "viewshed", i.e., the area within which trimming of small trees and understory vegetation is desired. The extent of trimming should be clearly noted in terms of extent and height, as well as the thinning of trees and vegetation. Trees larger than four inches (4") in diameter shall not be removed. Trimming of vegetation shall not be allowed lower than thirty-six inches (36") from the ground. Areas to remain undisturbed shall also be identified. This information becomes part of site plan approval, and will be utilized for maintenance as well as enforcement by the City.

21-430.02 - Shores District

~~21-38.035~~ A minimum ten-foot (10') landscape buffer shall be provided in the Shores District. Buildings shall not be allowed within forty feet (40') of the property line adjacent to Indian River Boulevard or primary streets.

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21-430.03 - East Village District

~~21-38.036~~ A minimum twenty-foot (20') landscape buffer shall be provided from the front property line in the East Village District. Buildings will not be allowed within forty feet (40') of the property line adjacent to Indian River Boulevard or primary streets.

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21-430.04 - Landscape Buffer Requirements for Primary Streets

~~21-38.037~~ The landscape buffer requirements along primary streets in the Indian River Boulevard Corridor shall be twenty feet (20') in width. Unless otherwise noted, additional requirements shall comply with the adjacent District within the Indian River Boulevard Corridor to the maximum extent practicable. Building will not be allowed within forty feet (40') of the property line adjacent to Indian River Boulevard or primary streets.

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21-430.05 - Landscape Buffer Requirements along Other Side Streets

~~21-38.038~~ The landscape buffer requirements along other existing or future streets that intersect Indian River Boulevard shall be a minimum of twenty feet (20') in width and shall comply

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with the adjacent District of Indian River Boulevard to the maximum extent practicable.

21-430.06 - Minimum Lot Width and Depth

~~21-38.039~~ The minimum lot width and depth for all new development along the corridor shall be 200 feet (200') by 200 feet (200'). This requirement ensures that minimum building setback and buffer requirements can be accomplished within the context of typical site development, building coverage, parking, stormwater and other customary site amenities. Any deviation from this standard for out-parcels, flag lots and other circumstances should ensure that the configuration of the resulting development site allows for compliance with the intent and purpose of these guidelines.

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21-430.07 - Minimum Landscape Requirements in Buffer Yard

~~21-38.040~~ The following requirements are intended for private property outside of the public right-of-way adjacent to the corridor and primary streets.

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- a. **West Parkway District.** These requirements shall provide the basis for infill vegetation as needed where natural vegetation is sparse. The minimum landscaping in the buffer yard shall be ~~seventy-eight (78) canopyshade~~ trees, ten (10) understory trees and seventy (70) shrubs per one hundred (100) lineal feet. To maintain a natural look, trees and shrubs shall be placed in an organic or curvilinear manner that is similar to and consistent with natural adjoining areas, which have been preserved. Linear arrangements are discouraged in the West Parkway District.
- b. **Shores District.** Canopy trees shall be coordinated with the placement of the poles within the FPL easement along Indian River Boulevard. Where feasible, the minimum landscape buffer shall be one (1) shade tree (e.g. Oak) per fifty lineal feet (50') on private property alternating with the City's oak trees in the public right-of-way. Understory trees are optional and recommended at two (2) per twenty lineal feet (20'). Shrubs are optional unless a fence is put up. If a fence is visible from the public right-of-way, shrubs are required along the entire length of the fence spaced just far enough apart for the species to grow.
- c. **East Village.** The minimum landscape buffer shall include a total of three (3) trees per every fifty lineal feet (50'). One (1) Magnolia placed every fifty (50) lineal feet. Two (2) Crepe Myrtles placed in between the Magnolia's fifty (50) lineal feet. Shrubs shall be placed at a minimum of forty (40) per one hundred (100) lineal feet.
- d. **Varied Color.** Landscaping shall be arranged to display variety and color by utilizing flowering and variegated species whenever possible. Such variety and color shall be accomplished by using a combination of shrubs and ornamentals as approved by the City. Ornamentals shall not constitute more than fifty percent (50%) of required shrubs.
- e. **Wetlands and Natural Vegetation Preservation.** Within the buffer, major wetlands shall be preserved as set forth in the City's Comprehensive Plan and Land Development Code. Natural uplands vegetation shall be preserved to the maximum extent feasible.
- f. **Side and Rear Yards.** The side and rear yards of all properties shall be provided with landscape treatment consistent with this Land Development Code.

21-430.08 - Protection from Vehicle Encroachment

~~21-38.041~~ Landscape buffers shall be protected from vehicles in the parking area with curbs for those parking spaces adjacent to the buffer. Plantings adjacent to parking areas shall be located a minimum of three and one-half (3½) feet from the front end of the parking space to prevent encroachment into required landscape areas. Wheel stops shall not be utilized in any portion of the parking area. No paved areas will be allowed in the buffer other than required traffic circulation access. In already developed areas such as the East Village District, no additional pavement will be allowed in the buffer area.

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21-430.09 - Stormwater in Buffer

~~21-38.042~~ In order to create shallow retention areas, removal of a maximum of fifty percent (50%) of understory trees and shrubs may be permitted to provide for shallow swales without removal or damage to existing shade trees.

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~~21-38.043~~ Landscape buffers on primary and other streets may be combined with approved on-site, wet or dry-bottom stormwater retention areas provided that these areas are designed as visual amenities without chain link fences (or similar utilitarian appurtenances) and with shade trees.

21-430.10 - Parking Location

~~21-38.044~~ These standards shall prevent automobiles from being highly visible from the roadway. This applies to parking areas, automobile service areas and other vehicular circulation areas. For screening, a forty-inch (40") high decorative wall, berm or hedge shall be provided at the same or above the finished grade of parking and other vehicular use areas. Dense existing natural vegetation that provides a similar forty-inch (40") high screen from Indian River Boulevard may substitute for a berm, hedge or wall. These requirements for a hedge may be combined with the required landscape buffer requirement for shrubs.

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21-430.11 - Pedestrian and Bicycle Circulation

~~21-38.045~~ The purpose of this subsection is to provide safe opportunities for alternative modes of transportation by connecting buildings with existing and future pedestrian and bicycle pathways and to provide safe passage from the public right-of-way to the building.

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21-430.12 - Sidewalks

~~21-38.046~~ Sidewalks are provided throughout most of the Shores and East Village Districts. As development continues, developers should provide sidewalks where not already available, especially in the West Parkway District, which does not have sidewalks. In all districts, sidewalks will be separated from the curb a minimum of four feet (4') to provide safety for pedestrians, for passing vehicles and adequate space for landscaping. In the West Parkway District, additional separation may be necessary to preserve natural vegetation.

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21-430.13 - Pedestrian Access Standards

~~21-38.047~~ Pedestrian circulation shall be provided by connecting buildings with existing and future pedestrian and bicycle pathways as well as by providing safe passage from the public right-of-way to the building in the manner set forth below.

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- a. **Number of Pedestrian Ways Required.** Pedestrian ways shall be provided at a minimum ratio of one (1) for each customer vehicular entrance to a project. For example, if there are two (2) driveways into the site, two (2) sidewalk entries are required. Entrances designed primarily for service and delivery vehicles are not included in this ratio.
- b. **Materials.** Pedestrian walkways shall be handicapped accessible. Materials may include specialty pavers, colored concrete or stamped pattern concrete. Natural materials for pedestrian paths may be encouraged in the West Parkway District.
- c. **Pedestrian Shade.** Pedestrian walkways shall provide intermittent shaded areas when the walkway exceeds one hundred (100) linear feet in length at a ratio of one hundred (100) square feet of shade for every one hundred (100) linear feet of walkway.

21-430.14 - Drive-Through Requirements

~~21-38.048~~21-38.00 Drive-through windows and lanes shall not be located on a side of the building visible from a public right-of-way. Drive-through lanes shall be designed primarily for pedestrian safety and crossing. Drive-through designs must have the same detail of the principal structure and match the materials and roof of the principal structure.

- a. **Screening Drive-Throughs.** A dense hedge of evergreen shrubs shall be provided in the following manner to screen drive-throughs:
 1. At initial planting and installation, shrubs shall be at least thirty inches (30") in height and shall be planted thirty inches (30") or less on center.
 2. Within one (1) year of initial planting and installation, shrubs shall have attained, and be maintained at a minimum height of four feet (4') and shall provide an opaque vegetative screen between the street and the drive-through. The hedge must continue for the entire length of the drive-through stacking area.
 3. In lieu of a vegetative hedge, the use of vegetated berms with appropriate landscape materials may be used in a manner that results in the visual separation of street right-of-way and the drive-through.
- b. **Stacking Distance.** The following stacking distances, measured from the point of entry to the center of the farthest drive-through service window area, are required:
 1. Restaurants, full service car washes and day care facilities: Two hundred twenty feet (220')
 2. Banks (per lane): One hundred seventy five feet (175')
 3. Self Service Car Wash (per bay) and Dry Cleaners: Sixty-five feet (65')
 4. Other uses may require the City to determine the stacking distance on a case-by-case basis.
 5. Facilities not listed above with more than one (1) drive-through lane shall provide one hundred feet (100') of stacking distance per lane measured from the point of entry to the center of the farthest service window area.

6. Drive-Through Separate From Other Circulation: The drive-through lane shall be a separate lane from the circulation routes and aisles necessary for ingress and egress from the property or access to any off-street parking spaces.

c. **Pass Through Lanes.** A pass-through lane shall be required for all drive-through facilities constructed adjacent to at least one (1) stacking lane in order to provide egress from the stacking lane.

SECTION 21-440 - ARCHITECTURAL DESIGN STANDARDS

The architectural design standards are intended to be flexible and encourage design diversity and variations. The criteria for development along the corridor will primarily ensure that the architectural integrity and details of existing structures are maintained, as well as affirm the appropriateness of new development into the character of the districts. Special attention has been placed on the creation of an attractive, safe and functional urban environment.

21-440.01 - Building Orientation

~~21-38.049~~ All buildings shall be oriented so that primary façades face public rights-of-way. Buildings on corner lots shall be considered to have two (2) fronts and shall be designed with additional architectural embellishments such as towers or other design features at the corner to emphasize their location as gateways and transition points within the community.

~~21-38.050~~ Although the main aesthetic emphasis shall be on the primary façade(s), all building elevations shall receive architectural treatment. The style of windows shall remain uniform on all sides of the building.

21-440.02 - Primary Building Entrance

~~21-38.051~~ In general, the primary pedestrian entrance to all buildings shall face Indian River Boulevard, and shall be clearly defined and highly visible for the pedestrian. Multiple tenant buildings shall have all customer entrances distinguished pursuant to these regulations. Primary entrances shall have either a protruding or raised roof, a stoop, a projection or recession in the building footprint a minimum of three feet (3') in depth that clearly identifies the entrance.

Corner lots shall provide an entrance on both public rights-of-way or a corner entrance.

In addition, every primary entrance shall have two (2) other distinguishing features from the list below:

1. Variation in roof height around door;
2. Canopy or portico;
3. Raised cornice or parapet over door;
4. Arches or columns;
5. Patterned specialty paving at entrance and along walkway;
6. Ornamental and structural architectural details other than cornices over or on the sides of the door; or
7. Any other treatment, which, in the opinion of the City, meets the intent of this Section.

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21-440.03 - Building Height and Transition

~~21-38.052~~ Buildings will not be allowed to be any higher than already permitted in the respective zoning district. New developments that are more than twice the height of any existing building within three hundred feet (300') shall provide transitional stepped massing elements to minimize the contrast between the buildings. The transitional massing element shall include a primary façade that is no more than the average height of the adjacent buildings.

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21-440.04 - Façade Treatments

~~21-38.053~~ Façade treatments of a building must be designed with consistent and uniform architectural style. Detail and trim features must be consistent with the style of the building. Diversity of architectural elements on the façade that are compatible with the style are required. These elements must be integrated with the massing and scale of the buildings.

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~~21-38.054~~ Building walls and façade treatments must avoid large blank wall areas by including at least three (3) of the design elements listed below or their equivalent design feature. Design elements should be in intervals of no more than thirty feet (30') apart, and repetition is encouraged. At least one of the design elements should repeat horizontally.

~~21-38.055~~ At a minimum, buildings must provide at least two (2) of the following building design elements on the primary façade:

1. Awnings or attached canopies;
2. Arcades or colonnades;
3. Display windows a minimum of six feet (6') in height along sixty-five percent (65%) of the primary façade;
4. Clock or bell towers;
5. Decorative landscape planters or wing walls which incorporate landscaped areas;
6. Pergola;
7. Benches or other seating components built into the building;
8. Texture or pattern change;
9. Material module change;
10. Ornamental or structural detail;
11. Varied building setbacks or projections; or
12. Expression of architectural or structural bays, through a change in plane of no less than twelve inches (12") in width, such as a reveal, an offset or a projecting rib.

~~21-38.056~~~~21-38.01~~ Changes in color along the façade that are compatible with each other and the style of the building are encouraged but not sufficient to break up the mass of the façade.

21-440.05 - Prohibited Façade Treatments

~~21-38.057~~ The following treatments or features are prohibited on any façade that are visible from the public rights-of-way:

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1. The use of reflective glass and reflective film is prohibited on all buildings. Windows and doors should be glazed in clear glass with no more than ten percent (10%) daylight reduction.

2. Garage doors used either as decoration or for vehicular service, storage or any other use (these elements must be side loaded).
3. Glass curtain walls.
4. Stained glass and art glass installations may be permitted, provided they are in character with the style of the building.

21-440.06 - Loading and Service Areas

~~21-38.058~~ Loading and service areas will be located behind or to the rear of buildings and will be screened with walls and landscaping. Materials, rooflines and colors are permitted to be consistent with the primary structures.

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21-440.07 - Outdoor Shopping Cart Storage

~~21-38.059~~ All outdoor storage of customer shopping carts adjacent to the building shall be screened by a wall a minimum of four feet (4') in height that is consistent in style, materials and color to the façade. Arcade or colonnade areas cannot be used for the storage of shopping carts.

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21-440.08 - Fenestration

~~21-38.060~~ Fenestration is the placement of windows and doors. Windows and doors must cover at least thirty percent (30%) of the area of the primary façade. Windows must be located between three feet (3') and seven feet (7') measured from ground level.

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- a. **Exterior Wall Materials.** All buildings subject to the terms of this Section shall be clad with typical Florida building materials that are durable and appropriate to the visual environment and climate. Design flexibility and creativity is encouraged using ornamentation from a wide variety of architectural styles.
- b. **Finish materials for walls.** Exterior walls are the most visible part of most buildings. Their exterior finishes shall be one of the following:
 1. Concrete block with stucco;
 2. Reinforced concrete with smooth finish or with stucco;
 3. Natural brick or stone (excluding ashlar or rubble construction look);
 4. Wood, pressure treated or naturally decay-resistant species;
 5. Fiber-reinforced cement panels or boards that simulate wood; or
 6. Synthetic stucco may be used only on non-façade walls.
- c. **Prohibited Materials.** No exterior wall shall be covered with the following materials:
 1. Plastic or vinyl siding;
 2. Corrugated or reflective metal panels, steel buildings;
 3. Applied stone in an ashlar or rubble look;
 4. Smooth, scored or rib faced concrete block;
 5. Any translucent material, other than glass; or
 6. Any combination of the above.

- d. ~~Corporate Design.~~ Corporate franchises should not be allowed to create visual clutter or to use architecture and building colors to act as signage. Therefore, exceptions to these guidelines shall not be made for corporate franchises. National corporate chains that typically design their buildings to read as signage have been known to modify their designs to blend with the character of the neighborhood.

21-440.09 - Roof Treatments and Materials

~~21-38.061~~ Variations in the rooflines must be used to add interest to and reduce the massing of buildings. Roof features and materials must be in scale with the building's mass and complement the character of adjoining and adjacent buildings and neighborhoods.

- a. **Roof Standards.** While any roof type is acceptable, the following standards shall apply:
1. All flat roofs and any shed roof with a slope of less than 1:6 must be concealed by a parapet;
 2. All hipped and gabled roofs and all shed roofs with a slope greater than 1:6 must have overhangs of at least eighteen inches (18");
 3. Mansard roofs must have the lowest sloped surface, begin above a cornice line and then slope upward and inward;
 4. Small towers, cupolas and widow's walks are encouraged (if they are compatible with the style of the building);
 5. Unless specifically designed otherwise, roof overhangs shall wrap around all four (4) sides of the building so that there is visual continuity around the entire building unless site-specific conditions warrant otherwise; or
 6. Skylight glazing must be flat to the pitch of the roof.
- b. **Permitted Roof Materials.** The following roofing materials are permitted:
1. Standing Seam Metal: Steel (galvanized, enameled or terne-coated), stainless steel, copper and aluminum;
 2. Architectural Shingles: Asphalt, fiber reinforced cement, metal, fiberglass and wood;
 3. Tile: Clay, terra cotta or concrete; or
 4. Flat roofs hidden by parapet: any material allowed by building code.
- c. **Equipment on Roof.** All equipment located atop a roof of a building must be concealed so that it is not visible by a person standing anywhere on the site or on an adjacent public street.

21-440.10 - Building Color

~~21-38.062~~ Simple color schemes are encouraged. As a general rule, building façade should not exhibit more than three (3) colors.

- a. **Prohibited Colors.** The use of garish or gaudy colors is prohibited. The use of black, neon or fluorescent colors is prohibited as the predominant building color.
- b. **Trim on Façade.** Building trim and accent areas may feature any color, limited to ten percent (10%) of the affected façade segment, with a maximum trim height of twenty-four inches (24") total for its shortest distance.

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21-440.11 - Multi-Building Complexes

~~21-38.063~~ Specific provisions must ensure a unified architectural design and site plan between a complex of buildings or between out-parcel buildings and the main building(s) on the site. The following standards assure an enhanced visual impact of the buildings, as well as providing safe and convenient vehicular pedestrian access and movement within the site.

- a. **Building Groups and Complexes.** Buildings and structures, which are a part of a present or future group or complex, shall have a unity of character and design and the use, texture and color of materials shall create a harmonious whole. In addition, the design, scale and location on the site shall enhance rather than detract from the character, value and attractiveness of the surrounding community or neighborhood.
- b. **Ancillary Structures.** Separate ancillary structures, including, but not limited to, car washes, cashier booths, and/or canopies over gas pumps shall have comparable pitch or parapets for roofs and shall otherwise have the same architectural detail, design elements, color scheme, building materials and roof design as the primary structure.
- c. **Out-Parcel Façade.** All exterior façade of an out-parcel building must be considered primary façade and must employ architectural site and landscaping design elements which are integrated with, and common to, those used on the main development including color, materials, and decorative treatments.
- d. **Connect Circulation of Out-Parcels.** Out-parcel structures that are adjacent to each other must provide for vehicular connections between their respective parking lots and provide interconnection of pedestrian walkways.
- e. **Common Wall and Side-By-Side Buildings.** When the use of common wall, side-by-side development occurs, continuity of façade and consolidated parking for several businesses in one parking lot may be used.
- f. **Service Areas.** Service areas shall not be located in front yards and shall not be visible from a public right-of-way. Waste disposal areas shall be screened one hundred percent (100%) by a masonry wall and landscape buffer. The wall shall be consistent in style, materials and color to the façade. The landscape buffer shall be a minimum of five feet (5') in width and shall contain a hedge three feet (3') in height at planting and capable of attaining five feet (5') in height and total opacity within eighteen (18) months.

Mechanical equipment, satellite dishes, and other service support equipment shall be located behind the building line and shall be fully screened from the view of adjacent properties both at ground and roof top levels.

- g. **Pay Phones.** All telephones on private property shall be confined to a space built into the building or buildings or enclosed in a separate structure compatible with the main building.
- h. **Building Security Devices.** Exterior mounted security gates or solid roll down metal windows shall be prohibited. Link or grill type security devices shall be permitted only if installed from the inside, within the window or doorframes. Other types of security devices fastened to the exterior walls are not permitted.

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SECTION 21-450 - SIGNS

Sign regulations are important because they ensure consistency of signage along the corridor and thereby prevent clutter and confusion exemplified by older, unregulated strip commercial areas. The purpose and intent of sign regulations will be to augment the City of Edgewater's existing sign code to fit the higher aesthetic standard being established for Indian River Boulevard. [Refer to Article VI, Sign Regulations.](#) ~~This Section covers freestanding or detached signs, attached or building signs, multi tenant development signs and specialty signs. Properties zoned RP (Residential Professional) shall adhere to sign requirements as set forth in Article III.~~

21-450.01—Freestanding Signs

21-38.064 Freestanding signs include signs that are typically placed in front of businesses and developments in order to achieve visibility from the highway. By definition, freestanding signs are unattached to the building(s).

21-450.02—Ground Signs Required

21-38.065 Freestanding ground signs shall be allowed in the Indian River Boulevard Corridor. Pole signs are prohibited.

- a. ~~Height.~~ The maximum height of the entire sign structure shall be eight feet (8').
- b. ~~Sign Area.~~ The sign area of ground signs shall be calculated at a ratio of one square foot (1') of sign area per two linear feet (2') of addressed building frontage, with the following maximums:
 1. ~~Typical Building.~~ Ground signs shall not exceed forty eight (48) square feet for buildings with Indian River Boulevard road frontage.
 2. ~~Primary Streets and Other Intersecting Streets.~~ Ground signs on primary streets and other streets intersecting Indian River Boulevard may be up to thirty two square feet (32').
- e. ~~Number of Ground Signs.~~ One (1) sign shall be allowed per parcel with four hundred feet (400') or less of road frontage. If a parcel's road frontage exceeds four hundred feet (400') and is less than seven hundred feet (700'), then a maximum of two (2) ground signs shall be allowed but no closer than three hundred feet (300') apart. If a parcel's road frontage exceeds seven hundred feet (700'), then a maximum of three (3) ground signs shall be allowed, but no closer than three hundred feet (300') apart.
- d. ~~Ground Sign Planter Specifications.~~ ~~Vertical structure supports for ground signs shall be concealed in an enclosed base. The width of such enclosed base shall be equal to at least two thirds (2/3) the horizontal width of the sign surface. A planter structure shall enclose the foot of the base. The planter shall be between two feet (2') and three feet (3') in height above the ground, with a minimum length equal to the width of the sign and a minimum width of three feet (3'). The materials will be consistent with the sign and principal structure. The planter shall be irrigated and planted with low shrubs, ornamentals or flowers. Such plantings shall be maintained indefinitely.~~

- e. ~~**Ground Sign Setback.** The planter setback shall be a minimum of ten feet (10') from the right-of-way.~~
- f. ~~**Movement.** No ground sign nor its parts shall move, rotate or use flashing lights.~~
- g. ~~**Electronic Message Centers (EMC)/Signage.** EMC signage shall conform to the requirements contained in Article VI, however, in the event of conflicting language, the requirements of Article XVIII shall supersede. All other requirements contained in this Article shall also apply.~~

21-450.03 – Business Identification Signs

21-38.066 Business identification signs include signs that are attached to the building wall or window. They include wall signs (flat against building wall), projecting/hanging signs (perpendicular to the building), window signs, canopy/marquis and awning signs.

21-38.067 The following general design criteria shall apply to all attached signs located in the Indian River Boulevard Corridor. No sign shall cover architectural detailing. Only one (1) business identification shall be allowed per sign to reduce clutter.

- a. ~~**Wall Signs.** Wall signs should be limited to one (1) per business per façade. The total amount of wall signs allowed shall be two (2) square feet of signage per one (1) linear foot of addressed business frontage, not to exceed sixty-four (64) square feet, provided however that copy area shall not exceed fifty percent (50%) of the primary frontage (width) of the tenant space. Wall signs should be placed on the building façade and not perpendicular to the wall.~~
- b. ~~**Projecting/Hanging Signs.** Projecting/hanging signs should not exceed four (4) square feet and should be located adjacent to the entry to the building or to the tenant space. If located under an awning or marquis, the projecting sign should be located perpendicular to the building face.~~
- c. ~~**Window Signs.** Window signs should be maintained properly. Window signs shall be painted or decal only and should not exceed twenty-five percent (25%) of window area. Sign location shall be between four feet (4') to six feet (6') above grade to allow visibility into the store for pedestrians. Promotional posters for civic events shall be permitted on windows and should not be included in the sign area calculation.~~
- d. ~~**Canopy/Marquis or Awning Valance Signs.** Signs shall not be permitted on canopy/marquis or awning valance structures.~~

21-450.04 – Multi-Tenant Buildings

21-38.068 Developments that have multiple tenants shall limit the ground sign to just the name of the center/complex (may also possibly include an anchor store) and wall signs to identify the individual tenants to prevent clutter along the corridor.

- a. ~~**Directory Signs (for multi-use developments).** Sites with two (2) or more businesses on the premises are allowed a directory sign. The size of the sign should not exceed six (6) square feet. The location of directory signs should be approved at the discretion of the City.~~

21-450.05—Specialty Signs

- a. ~~Easel.~~ Easel signs should be limited to one (1) sign per active store entranceway. The sign should relate to the business or merchandise line of the particular place of business. Easel signs should be no larger than twenty four inches (24") wide by thirty six inches (36") high.
1. ~~Signs placed on easels should be no larger than twenty four inches (24") wide by twenty four inches (24") high.~~
 2. ~~Signs shall be located directly in front of the business entrance at a distance of no greater than five feet (5') from the building and shall not block pedestrian movement.~~
- b. ~~Flags.~~ A maximum of one (1) state, one (1) federal and one (1) local/county flag per parcel; each a maximum of thirty five (35) square feet. ~~Flags shall be set back from road right-of-way a minimum distance of ten feet (10').~~
- e. ~~Opening Banners.~~ Opening banners shall be allowed from two (2) weeks prior to opening until one (1) month after opening. Banners shall be located on building walls.

21-450.06—Signage Performance Standards

- 21-38.069 ~~Only permanent durable materials allowed and must be maintained. Signs should be executed by a qualified, professional sign maker; homemade signs are prohibited.~~

21-450.07—Exempted Signs

- 21-38.070 ~~Real estate signs and construction signs shall meet Land Development Code standards.~~

21-450.08—Prohibited Signs

- a. ~~Signs that are prohibited in the Indian River Boulevard Corridor include animated signs, billboards, off site signs, flashing signs, snipe signs, portable signs (trailer signs), roof signs, beacon lights, trash receptacle signs, gutter signs, signs on public property, immoral display, obstruction, streamers, spinners and pennants. Bench signs are prohibited except those placed on public transportation benches and shelters as approved through a competitive selection process pursuant to City standard procedures.~~
- b. ~~No advertising or signage is allowed on any exposed amenity including but not limited to trash containers and fences. Bench signs are prohibited except those placed on public transportation benches and shelters as approved through a competitive selection process pursuant to City standard procedures.~~

21-450.09—Sign Illumination

- 21-38.071 ~~a. Sign lights shall be focused, directed and so arranged as to prevent glare or direct illumination or traffic hazard from said lights onto residential districts or onto the abutting roadways. No objectionable glare shall be directly visible from a public right-of-way or residential zone. Illuminated signs shall provide shielding from any source of illumination other than neon.~~

~~21-38.072 b. Any external, above-ground light source shall be located and hidden within the sign-planter bed. Light sources located outside the sign-planter bed shall be in a burial fixture.~~

~~21-450.10 Prohibited Lighting~~

~~21-38.073 a. No flashing or pulsating light shall be permitted on any sign. No sign shall be permitted which involves lighting or motion resembling traffic or directional signals, warnings or other similar devices, which are normally associated with highway safety or regulations. In addition, no sign shall be permitted which constitutes a safety hazard or hindrance because of light, glare, focus, animation, flashing or intensity of illumination. Lighted signs shall be designed and located so as to prevent direct glare or hazardous interference of any kind to adjoining streets or properties. High intensity lights such as beacon lights, spotlights or floodlights shall not be permitted in the Indian River Boulevard Corridor.~~

~~21-38.074 b. No prisms, mirrors or polished reflecting surfaces shall be used for purpose of augmenting intensity of light sources and no hi-intensity lights or stroboscopic lights or effect is permitted.~~

- ~~1. No more than forty-five (45) milli-amperes on high-voltage side of neon transformer shall be permitted.~~
- ~~2. Maximum wattage of incandescent bulbs shall be limited to eleven (11) watts.~~
- ~~3. A maximum of sixty (60) milli-amperes shall be permitted on neon tubing.~~
- ~~4. Letters or border-decoration of buildings with a maximum of eleven (11) watt maximum incandescent bulbs shall be permitted.~~
- ~~5. Strip lighting includes lighting used to outline a structure or any part thereof and shall be prohibited. Streamer lights and/or neon strip lighting shall be prohibited above the roof level of any building. Strip lighting, as referred to here, shall not include Christmas decorations and related lights.~~

SECTION 21-460 – NONCONFORMING STRUCTURES

21-460.01 – Existing Nonconforming Structures

These guidelines apply to buildings and structures. Further, any structure which is lawfully existing when these regulations are adopted (or amended) and which does not conform with all the provisions of these regulations may remain and be continued subject to the following regulations.

- a. The intent and purpose of these nonconforming structure provisions shall be to improve and otherwise encourage such structures to be redeveloped and revitalized in ways that conform with these regulations to the greatest extent feasible. Therefore, such structures, may be used, enlarged, replaced, altered and/or expanded subject to the following:
- b. Such use, enlargement, replacement, alterations, expansions and/or extension is approved (as a conditional use/special exception/administrative variance) by the Planning and Zoning Board under the procedures of these regulations.

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- c. All applications shall be subject to all appropriate safeguards and conditions necessary to ensure that any such approval will not be contrary to the public interest, the intent of these Indian River Boulevard Design Guidelines or injurious to the specific area in which the existing nonconforming structure is located.
- d. All applications shall provide complete and written justification regarding any provisions of these regulations that the applicant believes cannot be fully complied with. Such justification shall not include monetary considerations.
- e. Under no circumstances shall the provisions of this Section be construed to mean that any existing nonconforming structure may be changed, or that any provision, requirement and/or regulation contained within these regulations can be waived or reduced which can reasonably be complied with by the applicant. The provisions of this Section shall not be construed and/or applied in such a manner as to permit the enlargement, replacement, alterations, expansion and/or extension of any existing nonconforming structure without justifiable reasons based on a legally existing and nonconforming status; that would result in any undue hardship or injurious activity that would deprive adjacent individual property owners of their property rights; or that would be detrimental to the area surrounding the nonconforming premises in general.

21-460.02 – Guidelines for Nonconforming Structures

- a. No nonconforming structure shall be enlarged, replaced or altered in any way which increases it's nonconformity except in conformance with these regulations.
- b. It is further stated that any alterations, replacement or modification of the exterior of a nonconforming structure shall comply with these design guidelines to the maximum extent feasible.
- c. Nonconforming structures may be restored to a safe condition if declared unsafe, providing that such restoration does not constitute more than fifty-percent (50%) of the structure's appraised fair market value.
- d. If damaged by more than fifty-percent (50%) of its appraised fair market value, a nonconforming structure shall not be restored except in conformance with these regulations.
- e. Nonconforming structures may have normal repair and maintenance performed to permit continuation of the nonconforming structure.

~~21-460.03 – Existing Nonconforming Signs~~

- ~~a. No nonconforming sign shall be enlarged, replaced or altered in any way except in conformance with these regulations.~~

b. ~~It is further stated that any alterations, replacement or modification of the exterior of a nonconforming sign shall comply with these design guidelines to the maximum extent feasible.~~

e. ~~Non conforming signs shall be brought into conformance with this Article within a five (5) year grace period of the date of any permit issuance to modify and/or improve said non conforming sign. No permits to modify and/or improve a non conforming sign which heretofore grants the five (5) year grace period and does not bring said non conforming sign into conformance with this Article shall be issued after December 31, 2015.~~

~~SECTION 21-470-RESERVED~~

~~SECTION 21-480-RESERVED~~

~~SECTION 21-490-RESERVED~~

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ARTICLE XX

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ARTICLE XX

RIDGEWOOD AVENUE CORRIDOR DESIGN REGULATIONS

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SECTION 21-610 - PURPOSE AND INTENT

These design regulations are intended to ensure high quality private development in the Ridgewood Avenue Corridor. The two major components of these regulations are: 1) landscape, buffer and related site development treatments, especially areas immediately adjacent to the road and 2) building design standards for new and redeveloped structures, including signage.

SECTION 21- 620 - APPLICABILITY

Parcels that share a common boundary with Ridgewood Avenue will be subject to the requirements, standards and criteria contained in these regulations. Furthermore, these requirements apply to all residential, commercial, office, institutional and industrial development, including both public and private facilities within the Ridgewood Avenue Corridor. The provisions of this document are applicable to all properties that touch, front or are otherwise adjacent to Ridgewood Avenue. Properties that include a complex or subdivision of buildings shall be considered to be included within the guidelines in their entirety, including parent tracts, out-parcels, flag lots, etc. They apply to both new development and redevelopment activities.

21-620.01 - Corner Lots/Parcels

Corner lots/parcels shall be considered to have two (2) front perimeters. For other streets that intersect now or in the future, the parcels that are corner lots or corner developments adjacent to Ridgewood Avenue shall comply with these requirements.

21-620.02 - Conflict with Other Provisions of Code

The requirements for the Ridgewood Avenue Corridor Overlay Area supersede the general requirements within this Land Development Code, however properties determined to be located on U.S. 1 (Ridgewood Avenue) within the Indian River-S.R. 442 Corridor Overlay shall meet requirements set forth in Article XVIII.

Unless otherwise noted in this Article, all other development requirements shall meet the general requirements contained elsewhere in the Land Development Code.

21-620.03 - Registered Landscape Architect Required

A Landscape Architect registered in the State of Florida shall be required to prepare landscape plans and related irrigation plans for all lands for which this Article applies.

SECTION 21-630 - BUILDING LOCATION AND LANDSCAPE BUFFERS

The setback is the distance between the edge of the road's right-of-way, also referred to as the property line, and the closest edge or wall of the principal building on the site. The building location and landscape buffer requirements are identified below.

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21-630.01 – Location

- a. **Setback and Buffer.** Minimum setbacks shall be as set forth in Article V for each respective zoning designation.
- b. **Management and Maintenance of Natural Vegetation.** Site plan submittals will be required to graphically identify the manner in which natural areas will be preserved and maintained. Site plan submittals shall identify where natural areas will be trimmed and to what limited extent they will be altered for visibility from the road. If a certain view or angle from the road is desired, the site plan shall identify a “viewshed”, i.e., the area within which trimming of small trees and understory vegetation is desired. The extent of trimming should be clearly noted in terms of extent and height, as well as the thinning of trees and vegetation. Trees larger than four inches (4”) in diameter shall not be removed. Trimming of vegetation shall not be allowed lower than thirty-six inches (36”) from the ground. Areas to remain undisturbed shall also be identified. This information becomes part of site plan approval, and will be utilized for maintenance as well as enforcement by the City.

21-630.02 – Front Property Line Buffers

A minimum ten-foot (10’) landscape buffer shall be provided from the front property line in the Ridgewood Avenue corridors.

21-630.03 - Minimum Landscape Requirements in Buffer Yard

The following requirements are intended for private property outside of the public right-of-way adjacent to the corridor and primary streets.

- a. The minimum landscape buffer shall include a total of three (3) trees per every fifty lineal feet (50’). One (1) Magnolia placed every fifty (50) lineal feet. Two (2) Crepe Myrtles placed in between the Magnolia’s fifty (50) lineal feet. Shrubs shall be placed at a minimum of forty (40) per one hundred (100) lineal feet.
- b. **Varied Color.** Landscaping shall be arranged to display variety and color by utilizing flowering and variegated species whenever possible. Such variety and color shall be accomplished by using a combination of shrubs and ornamentals as approved by the City. Ornamentals shall not constitute more than fifty percent (50%) of required shrubs.
- c. **Wetlands and Natural Vegetation Preservation.** Within the buffer, major wetlands shall be preserved as set forth in the City’s Comprehensive Plan and Land Development Code. Natural uplands vegetation shall be preserved to the maximum extent feasible.
- d. **Side and Rear Yards.** The side and rear yards of all properties shall be provided with landscape treatment consistent with this Land Development Code.

21-630.04 - Protection from Vehicle Encroachment

Landscape buffers shall be protected from vehicles in the parking area with curbs for those parking spaces adjacent to the buffer. Plantings adjacent to parking areas shall be located a minimum of three and one-half (3½) feet from the front end of the parking space to prevent encroachment into required landscape areas. Wheel stops shall not be utilized in any portion of the parking area. No paved areas will

be allowed in the buffer other than required traffic circulation access.

21-630.05 - Stormwater in Buffer

In order to create shallow retention areas, removal of a maximum of fifty percent (50%) of understory trees and shrubs may be permitted to provide for shallow swales without removal or damage to existing shade trees.

Landscape buffers on primary and other streets may be combined with approved on-site, wet or dry-bottom stormwater retention areas provided that these areas are designed as visual amenities without chain link fences (or similar utilitarian appurtenances) and with shade trees.

21-630.06 - Parking Location

These standards shall prevent automobiles from being highly visible from the roadway. This applies to parking areas, automobile service areas and other vehicular circulation areas. For screening, a forty-inch (40") high decorative wall, berm or hedge shall be provided at the same or above the finished grade of parking and other vehicular use areas. Dense existing natural vegetation that provides a similar forty-inch (40") high screen from Ridgewood Avenue may substitute for a berm, hedge or wall. These requirements for a hedge may be combined with the required landscape buffer requirement for shrubs.

21-630.07 - Pedestrian and Bicycle Circulation

The purpose of this subsection is to provide safe opportunities for alternative modes of transportation by connecting buildings with existing and future pedestrian and bicycle pathways and to provide safe passage from the public right-of-way to the building.

21-630.08 - Sidewalks

Developers shall provide sidewalks to provide safe movement of pedestrians separately from motor vehicles.

21-630.09 - Pedestrian Access Standards

Pedestrian circulation shall be provided by connecting buildings with existing and future pedestrian and bicycle pathways as well as by providing safe passage from the public right-of-way to the building in the manner set forth below.

- a. **Number of Pedestrian Ways Required.** Pedestrian ways shall be provided at a minimum ratio of one (1) for each customer vehicular entrance to a project. For example, if there are two (2) driveways into the site, two (2) sidewalk entries are required. Entrances designed primarily for service and delivery vehicles are not included in this ratio.
- b. **Materials.** Pedestrian walkways shall be handicapped accessible. Materials may include specialty pavers, colored concrete or stamped pattern concrete.

21-630.10 - Drive-Through Requirements

Drive-through windows and lanes shall not be located on a side of the building visible from the right-of-way of U.S. 1. Drive-through lanes shall be designed primarily for pedestrian safety and crossing. Drive-through designs must have the same detail of the principal structure and match the materials and roof of the principal structure.

- a. **Screening Drive-Throughs.** A dense hedge of evergreen shrubs shall be provided in the following manner to screen drive-throughs:
 1. At initial planting and installation, shrubs shall be at least thirty inches (30") in height and shall be planted thirty inches (30") or less on center.
 2. Within one (1) year of initial planting and installation, shrubs shall have attained, and be maintained at a minimum height of four feet (4') and shall provide an opaque vegetative screen between the street and the drive-through. The hedge must continue for the entire length of the drive-through stacking area.
 3. In lieu of a vegetative hedge, the use of vegetated berms with appropriate landscape materials may be used in a manner that results in the visual separation of street right-of-way and the drive-through.
- b. **Stacking Distance.** The following stacking distances, measured from the point of entry to the center of the farthest drive-through service window area, are required:
 1. Restaurants, full service car washes and day care facilities: Two hundred twenty feet (220')
 2. Banks (per lane): One hundred seventy five feet (175')
 3. Self Service Car Wash (per bay) and Dry Cleaners: Sixty-five feet (65')
 4. Other uses may require the City to determine the stacking distance on a case-by-case basis.
 5. Facilities not listed above with more than one (1) drive-through lane shall provide one hundred feet (100') of stacking distance per lane measured from the point of entry to the center of the farthest service window area.
 6. Drive-Through Separate From Other Circulation: The drive-through lane shall be a separate lane from the circulation routes and aisles necessary for ingress and egress from the property or access to any off-street parking spaces.
- c. **Pass Through Lanes.** A pass-through lane shall be required for all drive-through facilities constructed adjacent to at least one (1) stacking lane in order to provide egress from the stacking lane.

SECTION 21-640 - ARCHITECTURAL DESIGN STANDARDS

The architectural design standards are intended to be flexible and encourage design diversity and variations. The criteria for development along the corridor will primarily ensure that the architectural integrity and details of existing structures are maintained, as well as affirm the appropriateness of new development into the character of the area. Special attention has been placed on the creation of an

attractive, safe and functional urban environment.

21-640.01 - Building Orientation

All buildings shall be oriented so that primary façades face public rights-of-way. Buildings on corner lots shall be considered to have two (2) fronts and shall be designed with additional architectural embellishments such as towers or other design features at the corner to emphasize their location as gateways and transition points within the community.

Although the main aesthetic emphasis shall be on the primary façade(s), all building elevations shall receive architectural treatment. The style of windows shall remain uniform on all sides of the building. All telephones on private property shall be confined to a space built into the building or buildings or enclosed in a separate structure compatible with the main building. Exterior mounted security gates or solid roll down metal windows shall be prohibited. Link or grill type security devices shall be permitted only if installed from the inside, within the window or doorframes. Other types of security devices fastened to the exterior walls are not permitted.

21-640.02 - Primary Building Entrance

In general, the primary pedestrian entrance to all buildings shall face Ridgewood Avenue, and shall be clearly defined and highly visible for the pedestrian. Multiple tenant buildings shall have all customer entrances distinguished pursuant to these regulations.

Primary entrances shall have either, a protruding or raised roof, a stoop, a projection or recession in the building footprint a minimum of three feet (3') in depth that clearly identifies the entrance.

Corner lots shall provide an entrance on both public rights-of-way or a corner entrance.

In addition, every primary entrance shall have two (2) other distinguishing features from the list below:

- 1. Variation in roof height around door;
- 2. Canopy or portico;
- 3. Raised cornice or parapet over door;
- 4. Arches or columns;
- 5. Patterned specialty paving at entrance and along walkway;
- 6. Ornamental and structural architectural details other than cornices over or on the sides of the door; or
- 7. Any other treatment, which, in the opinion of the City, meets the intent of this Section.

21-640.03 - Building Height and Transition

Buildings will not be allowed to be any higher than already permitted in the respective zoning district. New developments that are more than twice the height of any existing building within three hundred feet (300') shall provide transitional stepped massing elements to minimize the contrast between the buildings. The transitional massing element shall include a primary façade that is no more than the

average height of the adjacent buildings.

21-640.04 - Façade Treatments

Façade treatments of a building must be designed with consistent and uniform architectural style. Detail and trim features must be consistent with the style of the building. Diversity of architectural elements on the façade that are compatible with the style is required. These elements must be integrated with the massing and scale of the buildings.

Building walls and façade treatments must avoid large blank wall areas by including at least three (3) of the design elements listed below or their equivalent design feature. Design elements should be in intervals of no more than thirty feet (30') apart, and repetition is encouraged. At least one of the design elements should repeat horizontally.

At a minimum, buildings must provide at least two (2) of the following building design elements on the primary façade:

- 1. Awnings or attached canopies;
- 2. Arcades or colonnades;
- 3. Display windows a minimum of six feet (6') in height along sixty-five percent (65%) of the primary façade;
- 4. Clock or bell towers;
- 5. Decorative landscape planters or wing walls which incorporate landscaped areas;
- 6. Pergola;
- 7. Benches or other seating components built into the building;
- 8. Texture or pattern change;
- 9. Material module change;
- 10. Ornamental or structural detail;
- 11. Varied building setbacks or projections; or
- 12. Expression of architectural or structural bays, through a change in plane of no less than twelve inches (12") in width, such as a reveal, an offset or a projecting rib.

Changes in color along the façade that are compatible with each other and the style of the building are encouraged but not sufficient to break up the mass of the façade.

21-640.05 - Prohibited Façade Treatments

The following treatments or features are prohibited on any façade that are visible from the U.S. 1 right-of-way:

- 1. Windows and doors should be glazed in clear glass with no more than ten percent (10%) daylight reduction.

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2. ~~Garage doors used either as decoration or for vehicular service, storage or any other use (these elements must be side loaded).~~

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3. Glass curtain walls.

4. Stained glass and art glass installations may be permitted provided they are in character with the style of the building.

5. Murals may be allowed subject to approval from Development Services.

a. A mural application, found within the Development Services Department is required. The applicant must provide the following: Architectural Elevations for the entire building or building(s), the proposed image of the mural both within the Architectural Elevation and as a standalone image, the dimensions of the mural, materials and façade treatments.

b. Development services will review the application and notify applicants within thirty (30) days of submission if the Mural application is complete. If the Mural application is deemed incomplete, Development service's staff shall notify the applicant requesting a resubmission. Once Development Services staff deems the application complete, the mural shall be administratively approved.

c. For Development Services to approve a mural, staff must make the following findings of facts:

~~i. The mural does not depict obscene or pornographic imagery.~~

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~~ii. The mural is located within the B-3, Highway Commercial zoning district.~~

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~~iii. The mural shall not constitute or create a traffic hazard through the use of neon or fluorescent color(s).~~

~~iv. The mural shall be limited to one façade and the mural shall not include letters, trademarks, logos, lights, moving lights or moving parts.~~

~~v. A mural located on the front façade may not occupy more than 50 percent (50%) of said wall and shall not exceed twelve (12) feet in height.~~

~~vi. A mural on a side façade shall not occupy more than 100 percent (100%) of a blank wall when the wall is below 16 feet in height. A mural on a side façade with a wall greater than sixteen (16) feet in height shall have murals limited to 50 percent (50%) of said wall. Murals may not exceed twenty-four (24) feet in height.~~

~~vii. A mural may not be located on a rear façade wall.~~

~~viii. The mural shall be applied utilizing weather resistant paint or materials.~~

d. Should Development Services staff deny the mural application, the applicant may request to appeal the decision to City Council within fifteen business days of the denial.

21-640.06 - Loading and Service Areas

Loading and service areas will be located behind or to the rear of buildings and will be screened with walls and landscaping. Materials, rooflines and colors are permitted to be consistent with the primary structures.

21-640.07 - Outdoor Shopping Cart Storage

All outdoor storage of customer shopping carts adjacent to the building shall be screened by a wall a minimum of four feet (4') in height that is consistent in style, materials and color to the façade. Arcade or colonnade areas cannot be used for the storage of shopping carts.

21-640.08 - Fenestration

Fenestration is the placement of windows and doors. Windows and doors must cover at least thirty percent (30%) of the area of the primary façade. Windows must be located between three feet (3') and seven feet (7') measured from ground level.

- a. **Exterior Wall Materials.** All buildings subject to the terms of this Section shall be clad with typical Florida building materials that are durable and appropriate to the visual environment and climate. Design flexibility and creativity is encouraged using ornamentation from a wide variety of architectural styles.
- b. **Finish materials for walls.** Exterior walls are the most visible part of most buildings. Their exterior finishes shall be one of the following:

1. ~~1.~~ Concrete block with stucco;
2. ~~2.~~ Reinforced concrete with smooth finish or with stucco;
3. ~~3.~~ Natural brick or stone (excluding ashlar or rubble construction look);
4. ~~4.~~ Wood, pressure treated or naturally decay-resistant species;
5. ~~5.~~ Fiber-reinforced cement panels or boards that simulate wood; or
6. ~~6.~~ Synthetic stucco may be used only on non-façade walls.

- c. **Prohibited Materials.** No exterior wall shall be covered with the following materials:

1. Plastic or vinyl siding;
2. Corrugated or reflective metal panels, steel buildings;
3. Applied stone in an ashlar or rubble look;
4. Smooth, scored or rib faced concrete block;
5. Any translucent material, other than glass; or
6. Any combination of the above.

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- d. **Corporate Design.** Corporate franchises shall not be allowed to create visual clutter or to use architecture and building colors to act as signage. Therefore, exceptions to these guidelines shall not be made for corporate franchises. National corporate chains that typically design their buildings to read as signage have been known to modify their designs to blend with the character of the neighborhood.

21-640.09 - Roof Treatments and Materials

Variations in the rooflines must be used to add interest to and reduce the massing of buildings. Roof features and materials must be in scale with the buildings mass and complement the character of adjoining and adjacent buildings and neighborhoods.

- a. **Roof Standards.** While any roof type is acceptable, the following standards shall apply:
1. All flat roofs and any shed roof with a slope of less than 1:6 must be concealed by a parapet;
 2. All hipped and gabled roofs and all shed roofs with a slope greater than 1:6 must have overhangs of at least eighteen inches (18");
 3. Mansard roofs must have the lowest sloped surface begin above a cornice line and then slope upward and inward;
 4. Small towers, cupolas and widow's walks are encouraged (if they are compatible with the style of the building);
 5. Unless specifically designed otherwise, roof overhangs shall wrap around all four (4) sides of the building so that there is visual continuity around the entire building unless site-specific conditions warrant otherwise; or
 6. Skylight glazing must be flat to the pitch of the roof.
- b. **Permitted Roof Materials.** The following roofing materials are permitted:
1. Standing Seam Metal: Steel (galvanized, enameled or terne-coated), stainless steel, copper and aluminum;
 2. Architectural Shingles: Asphalt, fiber reinforced cement, metal, fiberglass and wood;
 3. Tile: Clay, terra cotta or concrete; or
 4. Flat roofs hidden by parapet: any material allowed by building code.
- c. **Equipment on Roof.** All equipment located atop a roof of a building must be concealed so that it is not visible by a person standing anywhere on the site or on an adjacent public street.

21-640.10 - Building Color

Simple color schemes are encouraged. As a general rule, building façade should not exhibit more than three (3) colors.

- a. **Prohibited Colors.** The use of garish or gaudy colors is prohibited. The use of black, neon or fluorescent colors is prohibited as the predominant building color.
- b. **Trim on Façade.** Building trim and accent areas may feature any color, limited to ten percent (10%) of the affected façade segment, with a maximum trim height of twenty-four inches (24”) total for its shortest distance.

21-640.11 - Multi-Building Complexes

Specific provisions must ensure a unified architectural design and site plan between a complex of buildings or between out-parcel buildings and the main building(s) on the site. The following standards assure an enhanced visual impact of the buildings, as well as providing safe and convenient vehicular pedestrian access and movement within the site.

- a. **Building Groups and Complexes.** Buildings and structures, which are a part of a present or future group or complex, shall have a unity of character and design and the use, texture and color of materials shall create a harmonious whole. In addition, the design, scale and location on the site shall enhance rather than detract from the character, value and attractiveness of the surrounding community or neighborhood.
- b. **Ancillary Structures.** Separate ancillary structures, including, but not limited to, car washes, cashier booths, and/or canopies over gas pumps shall have comparable pitch or parapets for roofs and shall otherwise have the same architectural detail, design elements, color scheme, building materials and roof design as the primary structure.
- c. **Out-Parcel Façade.** All exterior façade of an out-parcel building must be considered primary façade and must employ architectural site and landscaping design elements which are integrated with, and common to, those used on the main development including color, materials, and decorative treatments.
- d. **Connect Circulation of Out-Parcels.** Out-parcel structures that are adjacent to each other must provide for vehicular connections between their respective parking lots and provide interconnection of pedestrian walkways.
- e. **Common Wall and Side-By-Side Buildings.** When the use of common wall, side-by-side development occurs, continuity of façade and consolidated parking for several businesses in one parking lot may be used.
- f. **Service Areas.** Service areas shall not be located in front yards and shall not be visible from a public right-of-way. Waste disposal areas shall be screened one hundred percent (100%) by a masonry wall and landscape buffer. The wall shall be consistent in style, materials and color to the façade. The landscape buffer shall be a minimum of five feet (5’) in width and shall contain a hedge three feet (3’) in height at planting and capable of attaining five feet (5’) in height and total opacity within eighteen (18) months.
Mechanical equipment, satellite dishes, and other service support equipment shall be located behind the building line and shall be fully screened from the view of adjacent properties both at ground and roof top levels.

SECTION 21-650 - SIGNS

Sign regulations are important because they ensure consistency of signage along the corridor and thereby prevent clutter and confusion exemplified by older, unregulated strip commercial areas. The purpose and intent of sign regulations will be to augment the City of Edgewater's existing sign code to fit the higher aesthetic standard being established for Ridgewood Avenue. [Refer to Article VI, Sign Regulations.](#) This Section covers freestanding or detached signs, attached or building signs, multi tenant development signs and specialty signs.

21-650.01 Ground Signs Required

Freestanding ground signs shall be allowed in the Ridgewood Avenue Corridor. Pole signs are prohibited.

- a. **Height.** The maximum height of the entire sign structure shall be eight feet (8').
- b. **Sign Area.** The sign area of ground signs shall be calculated at a ratio of one square foot (1') of sign area per two linear feet (2') of addressed building frontage, with the following maximums:
 - 1. **Typical Building.** Ground signs shall not exceed forty eight (48) square feet for buildings with Ridgewood Avenue road frontage.
 - 2. **Intersecting Streets.** Ground signs on streets intersecting Ridgewood Avenue may be permitted up to thirty two (32) square feet.
- c. **Number of Ground Signs.** One (1) sign shall be allowed per parcel with four hundred feet (400') or less of road frontage. If a parcel's road frontage exceeds four hundred feet (400') and is less than seven hundred feet (700'), then a maximum of two (2) ground signs shall be allowed but no closer than three hundred feet (300') apart. If a parcel's road frontage exceeds seven hundred feet (700'), then a maximum of three (3) ground signs shall be allowed, but no closer than three hundred feet (300') apart. Corner lots/parcels shall also be permitted one (1) ground sign in conformance with Section 21-650.01 (b)(2) of this Article on the intersecting street frontage, if said intersecting street frontage is two hundred feet (200') or greater. Said intersecting street ground signage shall be located no closer than two hundred feet (200') from any other ground sign.
- d. **Ground Sign Base Specifications.** Vertical structure supports for ground signs shall be concealed in an enclosed base. The width of such enclosed base shall be equal to at least two-thirds (2/3) the horizontal width of the sign surface.
- e. **Ground Sign Setback.** The base setback shall be a minimum of ten feet (10') from the right of way.
- f. **Movement.** No ground sign or its parts shall move, rotate or use flashing lights.
- g. **Electronic Message Centers (EMC)/Signage.** EMC signage shall conform to the requirements contained in Article VI, however, in the event of conflicting language, the requirements of this Article shall supersede. All other requirements contained in this Article shall also apply.

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21-650.02 – Business Identification Signs

Business identification signs include signs that are attached to the building wall or window. They include wall signs (designed as a sign that is to be permanently affixed flat against the building wall), projecting/hanging signs (perpendicular to the building), and window signs.

The following general design criteria shall apply to all attached signs located in Ridgewood Avenue Corridor. No sign shall cover architectural detailing. Only one (1) business identification shall be allowed per sign to reduce clutter.

a. ~~Wall Signs.~~ Wall signs should be limited to one (1) per business per façade. The total amount of wall signs allowed shall be two (2) square feet of signage per one (1) linear foot of addressed business frontage, not to exceed sixty-four (64) square feet, provided however that copy area shall not exceed fifty percent (50%) of the primary frontage (width) of the tenant space. Wall signs should be placed on the building façade and not perpendicular to the wall.

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b. ~~Projecting/Hanging Signs.~~ Projecting/hanging signs should not exceed four (4) square feet and should be located adjacent to the entry to the building or to the tenant space. If located under an awning or marquis, the projecting sign should be located perpendicular to the building face.

c. ~~Window Signs.~~ Window signs should be maintained properly. Window signs shall be painted vinyl, or decal only. Window signs may be allowed on windows facing rights of way. Window signs shall not exceed twenty-five percent (25%) of front doors. Window Signs shall not exceed seventy-five percent (75%) of all windows facing rights of way. Promotional posters for civic events shall be permitted on windows and should not be included in the sign area calculation.

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d. ~~Canopy/Marquis or Awning Valance Signs.~~ Signs shall not be permitted on canopy/marquis or awning valance structures.

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21-650.03 – Multi-Tenant Buildings/Developments

a. ~~Multi-Tenant Buildings/Developments less than 25,000 square feet.~~ Developments less than 25,000 square feet in total building square footage shall comply with Section 21-650.01(e) of this Article and shall contain no more than eight (8) separate tenant panels within the permitted ground sign(s).

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b. ~~Multi-Tenant Buildings/Developments equal to or greater than 25,000 square feet.~~ Developments equal to or greater than 25,000 square feet shall be permitted one (1) ground with the name of the center/complex. Additional ground signs permitted for Multi-Tenant Buildings/Developments shall be in conformance with Section 21-650.01 (e) of this Article and shall contain no more than eight (8) separate tenant panels within the permitted ground sign(s).

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c. ~~Directory Signs (for multi-use developments).~~ Sites with two (2) or more businesses on the premises are allowed a directory sign. The size of the sign should not exceed six (6) square feet. The location of directory signs should be approved at the discretion of the City.

21-650.04—Specialty Signs

a. ~~Easel.~~ Easel signs should be limited to one (1) sign per active store entranceway. The sign should relate to the business or merchandise line of the particular place of business. Easel signs should be no larger than twenty four inches (24") wide by thirty six inches (36") high.

1. ~~Signs placed on easels should be no larger than twenty four inches (24") wide by twenty four inches (24") high.~~

2. ~~Signs shall be located directly in front of the business entrance at a distance of no greater than five feet (5') from the building entrance and shall not block pedestrian movement.~~

b. ~~Flags.~~ A maximum of one (1) state, one (1) federal and one (1) local/county flag per parcel; each a maximum of thirty five (35) square feet. Flags shall be set back from road right of way a minimum distance of ten feet (10').

e. ~~Opening Banners.~~ All banners shall comply with Article VI, Section 21-63.02.

d. ~~Feather Flags.~~ All feather flags shall comply with Article VI, Section 21-63.02.

21-650.05—Signage Performance Standards

Only permanent durable materials allowed and must be maintained. Signs should be executed by a qualified, professional sign maker; homemade signs are prohibited.

21-650.06—Exempted Signs

Real estate signs and construction signs shall meet Land Development Code standards as set forth in Article VI

21-650.07—Prohibited Signs

a. ~~Signs that are prohibited in the Ridgewood Avenue Corridor include animated signs, billboards, off site signs, flashing signs, snipe signs, portable signs (trailer signs), roof signs, beacon lights, trash receptacle signs, gutter signs, signs on public property, immoral display, obstruction, streamers, spinners and pennants. Bench signs are prohibited except those placed on public transportation benches and shelters as approved through a competitive selection process pursuant to City standard procedures.~~

b. ~~No advertising or signage is allowed on any exposed amenity including, but not limited to, trash containers and fences. Bench signs are prohibited except those placed on public transportation benches and shelters as approved through a competitive selection process pursuant to City standard procedures.~~

21-650.08—Sign Illumination

a. ~~Sign lights shall be focused, directed and so arranged as to prevent glare or direct illumination or traffic hazard from said lights onto residential districts or onto the abutting roadways. No objectionable glare shall be directly visible from a public right of way or residential zone. Illuminated signs shall provide shielding from any source of illumination other than neon.~~

b. ~~Any external, above ground light source shall be located and hidden within the sign planter bed. Light sources located outside the sign planter bed shall be in a burial fixture.~~

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21-650.09—Prohibited Lighting

a. No flashing or pulsating light shall be permitted on any sign. No sign shall be permitted which involves lighting or motion resembling traffic or directional signals, warnings or other similar devices, which are normally associated with highway safety or regulations. In addition, no sign shall be permitted which constitutes a safety hazard or hindrance because of light, glare, focus, animation, flashing or intensity of illumination. Lighted signs shall be designed and located so as to prevent direct glare or hazardous interference of any kind to adjoining streets or properties. High intensity lights such as beacon lights, spotlights or floodlights shall not be permitted in the Ridgewood Avenue Corridor.

b. No prisms, mirrors or polished reflecting surfaces shall be used for purpose of augmenting intensity of light sources and no hi intensity lights or stroboscopic lights or effect is permitted.

1. No more than forty five (45) milli amperes on high voltage side of neon transformer shall be permitted.

2. Maximum wattage of incandescent bulbs shall be limited to eleven (11) watts.

3. A maximum of sixty (60) milli amperes shall be permitted on neon tubing.

4. Letters or border decoration of buildings with a maximum of eleven (11) watt maximum incandescent bulbs shall be permitted.

5. Strip lighting includes lighting used to outline a structure or any part thereof and shall be prohibited. Streamer lights and/or neon strip lighting shall be prohibited above the roof level of any building. Strip lighting, as referred to here, shall not include Christmas decorations and related lights.

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SECTION 21-660 – NONCONFORMING STRUCTURES

21-660.01 – Existing Nonconforming Structures

These guidelines apply to buildings and structures. Further, any structure which lawfully exists when these regulations are adopted (or amended) and which does not conform to all the provisions of these regulations may remain and be continued subject to the following regulations:

- a. The intent and purpose of these nonconforming structure provisions shall be to improve and otherwise encourage such structures to be redeveloped and revitalized in ways that conform with these regulations to the greatest extent feasible. Therefore, such structures, may be used, enlarged, replaced, altered and/or expanded subject to the following:
 1. All applications shall be subject to all appropriate safeguards and conditions necessary to ensure that any such approval will not be contrary to the public interest, the intent of these Ridgewood Avenue Design Guidelines or injurious to the specific area in which the existing nonconforming structure is located.
 2. All applications shall provide complete and written justification regarding any provisions of these regulations that the applicant believes cannot be fully complied with. Such justification shall not include monetary considerations.

3. Under no circumstances shall the provisions of this Section be construed to mean that any existing nonconforming structure may be changed, or that any provision, requirement and/or regulation contained within these regulations can be waived or reduced which can reasonably be complied with by the applicant. The provisions of this Section shall not be construed and/or applied in such a manner as to permit the enlargement, replacement, alterations, expansion and/or extension of any existing nonconforming structure without justifiable reasons based on a legally existing and nonconforming status; that would result in any undue hardship or injurious activity that would deprive adjacent individual property owners of their property rights; or that would be detrimental to the area surrounding the nonconforming premises in general.

21-660.02 – Guidelines for Nonconforming Structures

- a. No nonconforming structure shall be enlarged, replaced or altered in any way which increases its nonconformity except in conformance with these regulations;
- b. It is further stated that any alterations, replacement or modification of the exterior of a nonconforming structure shall comply with these design guidelines to the maximum extent feasible;
- c. Nonconforming structures may be restored to a safe condition if declared unsafe, providing that such restoration does not constitute more than fifty-percent (50%) of the structure's appraised fair market value, with the following exception:
 1. Any existing single-family residential use considered non-conforming and permitted prior to the adoption of this Code may be permitted to restore damaged or destroyed buildings, not to exceed the existing footprint (prior to the damage or destruction), unless approval of a variance is granted by City Council to expand the footprint of the structure. City Council may also consider requests to waive the application fee.
- d. If damaged by more than fifty-percent (50%) of its appraised fair market value, a nonconforming structure shall not be restored except in conformance with these regulations, with the following exception:
 1. Any existing single-family residential use considered non-conforming and permitted prior to the adoption of this Code may be permitted to restore damaged or destroyed buildings, not to exceed the existing footprint (prior to the damage or destruction), unless approval of a variance is granted by City Council to expand the footprint of the structure. City Council may also consider requests to waive the application fee.
- e. Nonconforming structures may have normal repair and maintenance performed to permit continuation of the nonconforming structure.

~~21-660.03—Existing Nonconforming Signs~~

- ~~d. No nonconforming sign shall be enlarged, replaced or altered in any way except in conformance with these regulations.~~
- ~~e. It is further stated that any alterations, replacement or modification of a nonconforming sign shall comply with these design guidelines to the maximum extent feasible.~~
- ~~f. Non-conforming signs shall be brought into conformance with this Article within a five (5) year grace period of the date of any permit issuance to modify and/or improve said non-conforming sign. No permits to modify and/or improve a non-conforming sign which heretofore grants the five (5) year grace period and does not bring said non-conforming sign into conformance with this Article shall be issued after December 31, 2015.~~

~~SECTION 21-670—RESERVED~~

~~SECTION 21-680—RESERVED~~

~~SECTION 21-690—RESERVED~~