

CITY OF PUNTA GORDA

ORDINANCE NO. 1966-2021

AN ORDINANCE OF THE CITY OF PUNTA GORDA, FLORIDA, AMENDING CHAPTER 26, ARTICLE 11 “SIGN STANDARDS,” PUNTA GORDA CODE; REWRITING AND REORGANIZING THE SAME IN ITS ENTIRETY; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it has been determined that Chapter 26, Article 11, Sign Standards, Punta Gorda Code, should be updated following the decision of the U.S. Supreme Court in Reed v. Town of Gilbert, 135 S. Ct. 2218 (2015); and

WHEREAS, it is the desire of the City Council of the City of Punta Gorda to adopt a Sign Code to promote the public health, safety and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral and non-discriminatory sign standards and requirements; and

WHEREAS, while allowing for the commercial and non-commercial freedom of expression that signage provides, it is recognized that certain regulations and restrictions are necessary to ensure public safety and aesthetic concerns; and

WHEREAS, pursuant to the provisions of Section 163.3194(2), Florida Statutes, the Planning Commission serving as the Local Planning Agency for the City of Punta Gorda, Florida, has reviewed the regulations proposed herein and has found said regulations to be consistent with the adopted Comprehensive Plan of the City of Punta Gorda;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PUNTA GORDA, FLORIDA:

I. Chapter 26, Land Development Regulations, Article 11 Sign Standards of the Punta Gorda Code is hereby rewritten and reorganized in its entirety, as detailed in Exhibit “A” attached hereto and incorporated herein.

II. It is the declared intent of the City Council that, if any section, subsection, sentence, clause, phrase or provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

III. Any ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

IV. This ordinance shall take effect immediately upon its adoption.

ADOPTED in regular session of the City Council of the City of Punta Gorda, Florida this
2nd day of June, 2021.


LYNNE R. MATTHEWS, Mayor

ATTEST:


KAREN SMITH, City Clerk

APPROVED AS TO FORM:


DAVID M. LEVIN, City Attorney

1 **Section 11.1 Intent and Purpose**

- 2
- 3 (a) Intent. Signs have a strong visual impact on the character and quality of our
4 community. As a prominent part of the scenery, they attract or repel the viewing
5 public, affect the safety of traffic on adjacent rights of way and their suitability or
6 appropriateness helps to set the tone for our community. The City relies upon its
7 physical setting and beauty to attract commerce and aesthetic considerations assume
8 economic value. The intent of this Article is to protect and enhance both the City's
9 residential character and its economic base using appropriate and aesthetic signage.
- 10
- 11 (b) Purpose. The purpose of this Article is to promote the public health, safety, and
12 welfare through a comprehensive system of reasonable, effective, consistent, content-
13 neutral, and nondiscriminatory sign standards and requirements that:
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- 15 (1) Promote and accomplish the goals and policies of the City's comprehensive
16 plan and land development regulations, and the City Council's vision for the
17 City;
- 18
- 19 (2) Provide minimum standards to safeguard life, health, property, and public
20 welfare, and promote traffic safety by controlling the design, quality of
21 materials, construction, illumination, size, location, and maintenance of signs
22 and sign structures and discouraging excessive numbers of signs;
- 23
- 24 (3) Recognize Constitutionally protected free speech rights by regulating signs in a
25 content-neutral manner;
- 26
- 27 (4) Promote the safe flow of traffic and protect all roadway users from injury and
28 property damage caused by or which may be fully or partially attributable to
29 cluttered, distracting, and/or illegible signage;
- 30
- 31 (5) Promote a positive visual image of the City and protect the beauty of the City's
32 built environment by encouraging signs that are compatible with the
33 architectural style, characteristics, and scale of the building to which they may
34 be attached; appropriate to the size of the subject property and amount of
35 street frontage adjacent to the subject property; and compatible with adjacent
36 buildings and businesses;
- 37
- 38 (6) Protect property values, the local economy, and the quality of life by preserving
39 and enhancing the appearance of the City's streetscape;
- 40
- 41 (7) Provide consistent sign design standards;
- 42
- 43 (8) Protect and encourage creative and innovative approaches to signage and signs
44 that are of a quality design, pleasing in appearance, and are appropriate in
45 size, materials, and illumination to the surrounding neighborhood or
46 commercial district;
- 47
- 48 (9) Provide an improved visual environment for the citizens and visitors of the City;
- 49
- 50 (10) Adopt clear, understandable regulations that will assure equal protection and

51 fair treatment under the law through consistent application of the regulations
52 and consistent enforcement of this Article;

53
54 (11) Balance both public and private business needs with the specific objectives of
55 creating a community with an unmatched quality of life and a strong focus on
56 economic well-being, aesthetics, community and family, the environment, and
57 public infrastructure;

58
59 (12) Support and enhance the economic well-being of all businesses within the City
60 and recognize the needs of all businesses to identify their premises and
61 advertise their products and services; and

62
63 (13) Recognize that the aesthetic value of the total environment affects economic
64 values and that an unrestricted proliferation of signs detracts from the
65 economic value of the community.

66
67 **Section 11.2 Applicability and Exclusions**

68
69 (a) Applicability. This Article applies to all signs within the jurisdictional limits of the City
70 of Punta Gorda, Florida (hereinafter referred to as "City") regardless of the type or
71 nature.

72
73 (b) The provisions of this Article do not supersede more stringent provisions in
74 community deed restrictions or other restrictive covenants. Citizens are advised to
75 review any deed restrictions and restrictive covenants which may apply to their
76 property, before the application for permit or placement of any sign(s) allowable
77 under this Article.

78
79 (c) Exclusions. Except as where otherwise prohibited in Article 11, the following are
80 excluded from the regulations and requirements of this Article:

81
82 (1) Signs that are not visible from any public right-of-way (including public
83 waterways), public space, or another property.

84
85 (2) Signs inside a building; however, signs inside windows or on the inside surface
86 of windows are not excluded if they are visible from any public right-of-way,
87 public space, or another property.

88
89 (3) Signs required by any applicable local, State, or Federal law.

90
91 (4) Signs installed by a City, County, State, Public Utility or Federal governmental
92 agency for the protection of the public health, safety, and general welfare,
93 including, but not limited to, the following:

- 94
95 a. Emergency and warning signs necessary for public safety or civil defense;
96 b. Traffic and/or wayfinding signs erected and maintained by an authorized
97 public agency;
98 c. Signs required to be displayed by law;
99 d. Signs showing the location of public facilities; and
100

- e. Any sign, posting, notice, or similar sign placed by or required by a governmental agency.
- (5) Except as otherwise provided for herein, any sign on or in a vehicle, however, such signs may otherwise be regulated or prohibited pursuant to the provisions of Chapter 23, Section 23-22, Punta Gorda Code and Chapter 26, Article 3, Section 3.13(k), Punta Gorda Code.
- (6) Outdoor art, including but not limited to statuary and fountains. Outdoor murals on structures shall be regulated as Iconic signs pursuant to Section 11.15 of this Article.
- (7) Temporary signs located on fences for screening of a construction site, as long as there is an active development permit, grading permit, or building permit approval that includes external work or modifications of the site.
- (8) Historic or memorial plaques, gravestones, and building marker signs. Building marker signs are signs indicating the name of a building, the date of construction, and incidental information about the building's construction. Building marker signs shall not exceed 5 square feet in area; shall be made of permanent material such as bronze or masonry permanently affixed to the building wall; and shall not exceed one sign on any single building.
- (9) Signs supported, held, or worn by a person.
- (10) Public and private regulatory and warning signs, such as, but not limited to, "no trespassing", "no hunting", "no parking", "no soliciting", "handicap parking only," "entrance," "exit," "restrooms," "loading zone," "names and unit numbers for tenants of a building or development," "tow away zone," "pesticide, fertilizer or other lawn applications," and "security system signs." Such signs may contain graphics to compliment the sign text. Such signs must be in conformance with Florida Statute requirements.
- (11) Seasonal and Holiday decorations, including string lights and projected image signs associated therewith. Projected image signs shall not be displayed from the hours of 11:00 p.m. to 8:00 a.m.
- (12) A building's street address.
- (13) Signs used in conjunction with athletic fields.
- (14) Flags used in conjunction with cemeteries.

Section 11.3 Interpretation

- (a) This Article is not intended to, and shall not be interpreted to, restrict speech based on its content, viewpoint, or message.
- (b) No part of this Article shall be construed to favor commercial speech over noncommercial speech.

151 **Section 11.4 Definitions**
152

153 (a) The following words, terms, and phrases, when used in this Article, shall have
154 meanings ascribed to them in this Section, except where the context clearly indicates
155 a different meaning. All words and terms not specifically defined in this Section shall
156 be given their common, ordinary meanings, as the context may reasonably suggest,
157 unless defined in Chapter 26, Article 19, Section 19.2, Punta Gorda Code, in which
158 case said definition may be used, if appropriate to the context. The reference for
159 common, ordinary meanings shall be the online version of the Merriam-Webster
160 dictionary found at www.merriam-webster.com.
161

162 (1) *A-Frame (Sandwichboard, T-Frame or Sidewalk) sign* means a self-supporting
163 sign which is ordinarily in the shape of an "A" or some variation thereof, which
164 is readily movable, and is not permanently attached to the ground or any
165 structure.
166

167 (2) *Abandoned sign* means any sign remaining in place after such sign has not
168 been maintained or, if the activity conducted on the subject property ceases,
169 for 180 or more consecutive days. An abandoned sign is a sign that, because of
170 passage of time, has faded, peeled, cracked or otherwise become deteriorated
171 or dilapidated, or is no longer affixed to the ground, or is missing the sign
172 face. Unauthorized signs placed on public property including but not limited to
173 public right-of-way shall be deemed abandoned signs. Any political
174 advertisement regulated by Section 106.1435, Florida Statutes which has not
175 been removed within thirty (30) days after a candidate has withdrawn from
176 candidacy; after a candidate has been eliminated as a candidate; or after a
177 candidate has been elected to office, shall be considered an abandoned sign.
178

179 (3) *Air-Activated sign* means a sign, all or any part of which is designed to be
180 moved by action of forced air so as to make the sign appear to be animated or
181 otherwise to have motion.
182

183 (4) *Alter* means to change the copy, color, size, shape, illumination, position,
184 location, construction or supporting structure of a sign, but does not include
185 ordinary maintenance or minor repairs.
186

187 (5) *Animated sign* means any sign, or any portion of the sign, affected by the
188 movement of air or other atmospheric or mechanical means, or that uses
189 natural or artificial changes of lighting, to depict action or create a special
190 effect or scene. Animated signs include, but are not limited to, flashing signs,
191 inflatable signs, rotating signs, pennants, streamers, balloons, searchlights,
192 spinners, and propellers. Changeable copy signs and electronic changeable
193 copy signs are not considered animated signs for the purposes of this Article.
194

195 (6) *Athletic field* means facilities used for sporting activities such as softball,
196 baseball, football, soccer, running track, tennis, and other non-motorized
197 sports. Athletic fields may include bleachers, concession stands, lights,
198 restrooms, and other supporting facilities.
199

200 (7) *Awning or canopy sign* means a nonelectric sign that is printed on, painted on,

or attached to the surface or flap of an awning or canopy. An awning is a decorative or functional structure which is attached to, and wholly supported by a building providing shade or cover from rain. A canopy is similar in design to an awning but is freestanding or is not wholly supported by a building.

- (8) *Balloon sign* means a sign that is an air inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or a structure, and equipped with a portable blower motor that provides a constant flow of air into the device. Balloon signs are restrained, attached or held in place by a cord, rope, cable or similar method.
- (9) *Banner sign* means a sign composed of flexible material, such as fabric, pliable plastic, or other similar non-rigid material, with no enclosing framework or electrical components and that is supported or anchored on two or more edges or at all four corners, or along either one edge or two corners with weights installed that reduce the reaction of the sign to wind. A special event banner is a banner expressly authorized as part of a special event permit.
- (10) *Bench sign* means a sign painted on, located on, or attached to any part of the surface of a bench, seat or chair placed on or adjacent to a public place or public roadway, and include bicycle racks installed by the City.
- (11) *Blade (Feather, Teardrop, Flag, or Flutter) sign* means a sign that is constructed of cloth, canvas, plastic fabric, or similar lightweight, non-rigid material that is supported by a single vertical pole mounted into the ground or on a portable structure.
- (12) *Building-mounted sign* means any sign attached to the face of a building, including, without limitation, wall signs, marquee signs, under canopy signs, and projecting signs.
- (13) *Changeable copy sign* means a sign with copy that can be changed or altered by manual, electric, electromechanical, or electronic means and without changing or altering the sign frame, sign supports, or electrical parts.
- (14) *Copy* means the graphic content of a sign surface, including, but not limited to, graphics, letters, numbers, figures, symbols, and trademarks.
- (15) *Copy Area* means that area which displays the actual copy on a sign, excluding any blank area surrounding the copy.
- (16) *Drive/Bike/Walk-Thru sign* means any sign to facilitate the use of a drive-thru or walk up window for provision of a good or service.
- (17) *Electric sign* means a sign or sign structure in which electrical wiring, connections, or fixtures are used.
- (18) *Exposed building face* means the building exterior wall of a single occupant building or the building exterior wall of an individual tenant's leased space in a multi-tenant complex, viewed as a vertical plane between the finished grade

and the roofline or top of parapet wall. This vertical plane will be used to calculate the sign area for building-mounted signs. In the case of an interior business without a separate exterior entrance, the exposed building face will be the vertical plane of the entrance wall measured between the floor and ceiling. As an option, for those businesses having oblique walls, the exposed building face is that area between the finished grade and the roofline that is shown on the elevation drawing submitted with the required drawings for a building permit.

- (19) *Façade* sign means a sign affixed to the exterior wall of a commercial building, typically within a designated sign band located near the top of the building, which includes an occupant's name and/or logo.
- (20) *Fighting words* are words or graphics which by their very utterance have a direct tendency to incite immediate breach of the peace by the person to whom, individually, the remark is addressed. The test is whether persons of common intelligence would understand such words would be likely to cause an ordinary addressee to fight. Fighting words include, but are not limited to, defamatory remarks made to private citizens and epithets based on the addressee's race, color, religion, disability, national origin, ethnicity or sex.
- (21) *Flag* means any piece of cloth of individual size, color, and design, hoisted on a pole permanently affixed to the ground or displayed via a pole bracket permanently affixed to a building. If any single dimension of a flag is more than three times greater than any other single dimension, for the purposes of this Article such a flag is classified and regulated as a banner, regardless of how it is anchored or supported.
- (22) *Flashing sign* means an electric sign or any portion of an electric sign that changes light intensity in sudden transitory bursts or switches on and off in a repeated manner (e.g., strobe lights).
- (23) *Freestanding sign* means a sign on a frame, pole, or other support structure that is not attached to any building, located in a commercial zoning district.
- (24) *Frontage, building* means the length of an outside building wall.
- (25) *Frontage, street* means the length of the property line along the public right-of-way or private street on which it borders.
- (26) *Graffiti* means writing or drawings scribbled, scratched, or sprayed illicitly on a wall or other surface in public right-of-way or public space, or on a private property viewable from a public right-of-way, public space, or another private property.
- (27) *Ground sign* means a sign that is permanently attached to the ground with the bottom of the sign base no more than 1 foot above finished grade.
- (28) *Height, sign* means the vertical distance measured from the highest point of the sign to either the grade of the adjacent street or the surface grade beneath

- the sign, whichever is less.
- (29) *Illuminated sign, internally*, means a sign with an artificial light source installed internally with light visible thru a transparent or translucent sign face.
- (30) *Illuminated sign, externally*, means a sign with an artificial light source installed externally.
- (31) *Illuminated sign, indirectly*, means a sign with an artificial light source installed internally to the sign structure with an opaque sign face, where the light shines onto a wall or other surface to highlight the outlines of the sign.
- (32) *Indecent speech* is language or graphics that depict or describe sexual or excretory activities or organs in a manner that is offensive as measured by contemporary community standards.
- (33) *Inflatable sign* means any object enlarged or inflated by air or gas, and is tethered in the air, or is located on the ground or on a building with or without copy or other graphics. These signs include large single displays or a display of smaller inflatable items, such as balloons, connected in some fashion to create a larger display.
- (34) *International Maritime Signal Flags* means a signal flag for each letter of the alphabet, and pennant for numerals. Each flag (except the R flag) has an additional meaning when flown individually, and take on other meanings in certain combinations.
- (35) *Light Pole/Support Pole sign* means a sign that is designed to be attached to a permanent light pole or other pole structure
- (36) *Maintenance* means the cleaning, painting, changing of lighting fixtures, or minor repair of a sign in a manner that does not alter the basic copy, design, or structure of the sign.
- (37) *Marquee sign* means a sign attached to or mounted on top of a roof-like structure that cantilevers from the wall of a building or its principal entrance and has no vertical supports other than the wall from which it cantilevers.
- (38) *Minor repair* means fixing or replacement of broken or worn parts of a sign. Replacement includes comparable materials only. Repairs may be made with the sign in position or with the sign removed.
- (39) *Multi-tenant sign* means a sign used by more than tenant occupying the same multi-use complex [Section 19.3(154)].
- (40) *Neon (outline tubing) sign* means a sign consisting of glass tubing, filled with neon gas or other similar gas, which glows when an electric current is sent through it.
- (41) *Nonconforming sign* means any sign that was constructed, erected, and maintained in conformance with all City of Punta Gorda rules and regulations in

effect at the time the sign was established and that no longer conforms to the rules and regulations of this Article.

- (42) *Obscene* means language or graphics that depict or describe sex or sexual organs in a manner appealing to, or intended to appeal to the average viewer/reader's visceral sexual (prurient) interests, and taken as a whole, lacks any justification from a political, literary, artistic, or scientific value.
- (43) *Parcel* means any plot of land that has been assigned a "Parcel ID Number" by the Charlotte County Property Appraiser. A parcel may consist of one or more platted lots. With respect to condominium developments, the term parcel shall mean only the land described as a "common element" and shall not apply to individual units which have been assigned a "Parcel ID Number."
- (44) *Pennant sign* means a triangular or irregular piece of fabric or other material attached in strings or supported on small poles intended to flap in the wind.
- (45) *Permanent* means a sign attached to a building or structure, or to the ground in a manner that precludes ready removal or movement of the sign.
- (46) *Person* shall mean any natural person, firm, corporation, or other legal entity.
- (47) *Pole or pylon signs* means self-supporting signs supported permanently upon the ground by one or more solid bases.
- (48) *Portable sign* means a sign that is not permanently affixed and that is designed for or capable of being moved, except those signs explicitly designed for people to carry on their persons or that are permanently affixed to motor vehicles, trailers, bicycles, or horse drawn carriages.
- (49) *Portable message center sign* means a sign that is mobile in nature and affixed to a trailer or vehicle.
- (50) *Projected Image sign* means a sign which involves an image projected on the face of a wall, structure, sidewalk, or other surface from a distant electronic device, such that the image does not originate from the plane of the wall, structure, sidewalk, or other surface.
- (51) *Projecting sign* means a sign, other than a wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.
- (52) *Right-of-way* means land or water owned, dedicated, or conveyed by way of easement to the public and used primarily for the movement of vehicles, bicycle, wheelchair, vessels and pedestrian traffic, and land privately owned and used primarily for the movement of vehicles, bicycle, wheelchair, and pedestrian traffic, so long as such privately owned land has been constructed in compliance with all applicable laws and standards for a public right-of-way.
- (53) *Roadway* means the portion of a street that is improved for motor vehicle or

bicycle travel. Roadway includes vehicle travel lanes and on-street parking areas. Roadway does not include area devoted to curbs, utility or planting strips, or sidewalks.

- (54) *Roofline* means that lowest portion of a pitched or flat roof visible from a public right-of-way or adjacent property.
- (55) *Rotating sign* means sign faces or portions of a sign face which mechanically revolve around a central axis as opposed to revolving around an imaginary axis created by a pattern of alternating lights which convey an appearance of rotation.
- (56) *Sign* means any device, structure, item, thing, object, fixture, painting, printed material, apparel and accoutrements, or visual image using words, graphics, symbols, numbers, or letters designed or used for the purpose of communicating a message or attracting attention.
- (57) *Sign face* means the portion of a sign on which the copy is placed.
- (58) *Snipe sign* means a tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences, or other objects.
- (59) *Special Event* means a public event which includes the use of any public facility or private property (e.g., park, meeting hall, gazebo, shelter, street right-of-way, parking lot, etc.) by a group which could limit the normal access and use of such facility by the general public. Special Events are more particularly described in Chapter 26, Article 13, Section 13.4, Punta Gorda Code.
- (60) *String light* means small electric lights spaced evenly along a cable and used for decoration.
- (61) *Suspended sign* means any sign suspended from the underside of a horizontal plane surface and supported by the same surface.
- (62) *Temporary* means any sign not permanently attached, mounted, painted, or otherwise affixed to the ground, a building or a structure, and includes but is not limited to any poster, banner, pennants, placard, stake sign or sign not placed in the ground with concrete or other means to provide permanent support or stability.
- (63) *Tenant space* means a portion of a structure occupied by a single commercial leaseholder with its own public entrance from the exterior of the building or through a shared lobby, atrium, mall, or hallway and separated from other tenant spaces by walls.
- (64) *Visibility Triangle* means the triangular area formed by a diagonal line connecting two points located on intersecting right-of-way lines [or a right-of-way line and the curb or a driveway], with one point 10 feet and one point 35 feet from the point of intersection. The Florida Department of Transportation right triangle is different, with each point being 10 feet and 70 feet. There shall

be a clear space with no obstruction to vision between a height of 3 feet and a height of 8 feet above the average grade of each road as measured at the centerline thereof.

(65) *Wall sign* means either a sign applied with paint or similar substance on the surface of a wall or a sign with no copy on the sides or edges and attached essentially flush with and extending not more than 6 inches from the wall of a building.

(66) *Window signs* mean all signs located inside and immediately adjacent to or affixed to a window and intended to be viewed from the exterior of the structure.

(67) *Yard signs* means signs located within the following zoning districts: General Single-Family District (GS); General Multi-Family District (GM), which includes the Special Residential Overlay (SRO) Districts; Manufactured Home District (MH); Neighborhood Residential District (NR); Planned Development Neighborhood (PDN) and (PD-GS), and Environmental Preserve District (EP). Yard signs do not include ground signs.

Section 11.5 Prohibited Signs

Unless otherwise provided for in this Article, no person shall erect, display, wear, alter, maintain, or relocate any of the following signs in the City and such existing signs must be removed:

- (a) Signs without a Proper Permit. Signs erected, constructed, or structurally altered that are required to have a permit for such action and that were erected, constructed, or altered without obtaining a permit for such action.
- (b) Abandoned signs.
- (c) Air-activated, Inflatable, and Balloon signs.
- (d) A changeable copy sign where the text and/or graphics are displayed electronically and changes its display more than once in a 24-hour period.
- (e) Animated Signs.
- (f) Any sign that copies or imitates an official sign or purports to have official status or could create a traffic safety hazard.
- (g) Any sign attached to an accessory structure if such sign is legible from a public right-of-way or from other property.
- (h) Attachments to signs such as but not limited to streamers, balloons and pinwheels.
- (i) Bench signs.
- (j) Blade signs.

- 501
- 502 (k) Flashing signs, signs with flashing or reflective disks, signs with flashing lights or
- 503 lights of changing degree of intensity or color or signs with electrically scrolled
- 504 messages, except signs which give time and temperature information.
- 505
- 506 (l) Graffiti.
- 507
- 508 (m) Hazardous Signs. Any sign that is dangerous or confusing to motorists and
- 509 pedestrians, including any sign that by its color, wording, design, location, or
- 510 illumination resembles or conflicts with any official traffic control device or that
- 511 otherwise impedes the safe and efficient flow of traffic. Hazardous signs shall also
- 512 include signs placed in such a manner such that the any portion of the sign obstructs
- 513 visibility at street intersections, drives and driveways.
- 514
- 515 (n) Impediment to Access. No sign may impede free ingress and egress from any
- 516 sidewalk, pedestrian walkway, door, window, or exit way required by building and fire
- 517 regulations.
- 518
- 519 (o) Light Pole/Support Pole signs.
- 520
- 521 (p) Mechanically Moving Signs. Any environmentally activated sign or other display with
- 522 actual mechanical motion powered by natural, manual, mechanical, electrical or other
- 523 means, including by not limited to pennant strings, streamers, spinners, propellers,
- 524 and search lights.
- 525
- 526 (q) Nuisance Signs. Any signs that emit smoke, visible particles, odors, and/or sound,
- 527 except that speakers in signs on the premises of a drive-through facility shall be
- 528 allowed.
- 529
- 530 (r) Pole and pylon signs.
- 531
- 532 (s) Roof signs.
- 533
- 534 (t) Rotating signs and pennant signs.
- 535
- 536 (u) Signs within the public right-of-way, public property, public easements or structures,
- 537 including, but not limited to, medians, roundabouts, sidewalks, utility poles and
- 538 cabinets, streetlight poles, utility/planting strips, traffic control devices/support
- 539 poles, and street trees.
- 540
- 541 (v) Snipe signs.
- 542
- 543 (w) Sound. No sign shall emit any sound that is intended to attract attention beyond the
- 544 boundaries of the lot on which it is located or that creates a public nuisance.
- 545
- 546 (x) Unauthorized signs. Any sign not expressly authorized under the provisions of this
- 547 Article.
- 548
- 549 (y) Except as otherwise provided in this Article, any illuminated tubing, strings of lights,
- 550 or strips of LED lights including but not limited to:

- 551
552 (1) Those outlining property lines.
553
554 (2) Outlining open sales areas, except as permitted by Section 8.4 Exterior
555 Lighting Standards.
556
557 (3) Outlining rooflines, doors or windows, or edges of walls, except as specifically
558 permitted in the Waterfront Overlay District.
559
560 (4) Landscaping, except low intensity constant glow rope lighting.
561
562 (z) Any sign which contains obscene language or graphics; and any sign containing
563 fighting words or indecent speech which is legible from any public right-of-way or
564 within any public space, and which can potentially be viewed by children under the
565 age of 17. This provision includes signs or flags in or on any vehicle, vessel or on any
566 apparel and accoutrements.
567

568 **Section 11.6 Measurement of Signs**
569

570 (a) Freestanding Sign Face Area.
571

- 572 (1) The area of any sign face shall be computed by means of the smallest single
573 regular geometric form (parallelogram, triangle, circle, semi- circle or other
574 regular geometric shape) that will encompass the extreme limits of the
575 following including the blank areas between display elements:
576
577 a. Writing.
578 b. Representation.
579 c. Emblem, logo or other display.
580 d. Any material or color forming an integral part of the background of the
581 display or used to differentiate the sign from the backdrop or structure
582 against which it is placed.
583 e. All changeable copy area on a changeable copy sign.
584
585 (2) Freestanding Sign Face Area does not include any supporting framework, base
586 or bracing.
587
588 (3) For a single wall on a single-occupant building, or a single business name on a
589 ground sign, all pieces of information or other graphic representations on that
590 wall shall be measured as though part of one sign, encompassed within one
591 regular geometric form, which may not exceed the maximum permitted sign
592 area. A separate geometric form may be used for each entrance to the business
593 that is open to the public. The area of all signs combined shall not exceed the
594 total signage area permitted as provided in this Article.
595

596 (b) Multi-Faced Sign.
597

- 598 (1) Where the sign faces of a double-faced sign are parallel or the interior angle
599 formed by the faces is 60 degrees or less, only one display face shall be
600 measured in computing sign area.

- 601
- 602 (2) If the two faces of a double- faced sign are of unequal area, the area of the sign
- 603 shall be the area of the larger face.
- 604
- 605 (3) In all other cases, the areas of all faces of a multi-faced sign shall be added
- 606 together to compute the area of the sign.
- 607
- 608 (4) Sign area of multi- faced signs is calculated based on the principle that all sign
- 609 elements that can be seen at one time or from one vantage point should be
- 610 considered in measuring that side of the sign.
- 611

612 (c) Wall Signs.

613

614 Wall signs are measured by means of the smallest single regular geometric form

615 (parallelogram, triangle, circle, semi- circle or other regular geometric shape) that will

616 encompass the complete message, including graphics.

617

618 (d) Signs on Awnings, Canopies, and Marquees.

619

620 Signs incorporated on awnings, canopies and marquees are measured by means of the

621 smallest single regular geometric form (parallelogram, triangle, circle, semi- circle or other

622 regular geometric shape) that will encompass the complete message, including graphics.

623 When the ends of awnings or marquees are parallel and contain sign faces, only one side is

624 counted in addition to the sign face on the front.

625

626 (e) Sign Height.

627

- 628 (1) The height of a sign shall be computed as the distance from the base of the
- 629 sign at finished grade to the highest point of the sign, including any frame or
- 630 supporting structure to which the sign is attached.
- 631
- 632 (2) Finished grade shall be construed to be the newly established grade after
- 633 construction, exclusive of any filling, berming, mounding or excavating not
- 634 associated with stormwater management, landscape, or similar regulatory
- 635 requirement and intended solely for the purpose of locating the sign.
- 636

637 (f) Building Frontage.

638

- 639 (1) Building frontage shall mean the horizontal length of a building on each side
- 640 with right of way frontage.
- 641
- 642 (2) If the right of way frontage wall is a straight wall, then the building frontage
- 643 shall be the length of the wall.
- 644
- 645 (3) If the right of way frontage wall is not a straight wall, then the building
- 646 frontage shall be the horizontal distance from the corner at one end of the side
- 647 of the building to other corner of the same side of the building.
- 648
- 649 (4) For a multi-tenant building, the Building Frontage for each tenant will be
- 650 allocated based on the ground floor exterior wall frontage, when parallel to the

street, of each tenant.

- (5) In a multi-tenant building where the street frontage wall is not a straight wall, then the building frontage shall be the horizontal distance from the corner at one end of the side of the building to other corner of the same side of the building.
- (6) When the primary entrance is located in a building wall that is adjacent to, at an angle from, and shorter than the street-facing wall, the building frontage will be measured as a combination of the street wall and the wall containing the entrance. Where the angled wall is on the corner of the building between two street-facing walls, the applicant for a sign permit may choose which street facing wall to combine with the wall containing the entrance to be considered the building frontage. The length of the building frontage will be measured in a straight line parallel to the street-facing wall.

Section 11.7 Sign Permits

- (a) Permit Required. Except as otherwise provided in this Article, no person shall erect, alter, change the sign face, change the sign location, change the size, or replace any sign without first receiving an approved sign permit from the City pursuant to the requirements provided herein.
- (b) Permit Application. Applications for Sign Permits may be obtained from the City's Zoning or Building Division or the City's website. The application must be signed by the owner of the property upon which the sign is to be located, or by the owner's authorized agent.
- (c) Completed permit applications, together with required supporting documentation, shall be submitted to the City's Building Division together with the applicable permit fee, if any, as established by Resolution of the City Council of the City of Punta Gorda.
- (d) Sign Permit Stickers. Permittees will be issued a sticker indicating the issuance of a required sign permit and the date of expiration of said permit, if any. Said stickers must be affixed to the sign face containing the sign copy.
- (e) Permit Fees. Fees for sign permits shall be established by Resolution adopted by the City Council. The City Council may require no fee for certain types of signs but may not differentiate "No Fee" permits from "Fee" permits on the basis of the content of the sign.

Section 11.8 Sign Permit Exemptions

The following signs, and activities relating to signs, are exempt from the permitting requirements of this Article:

- (a) Changes to the face or copy of changeable copy signs, digital signs, and electronic copy signs, provided such changes do not change the material or appearance of the sign as originally permitted by the City.
- (b) The minor repair and maintenance of conforming or legal nonconforming signs.

- (c) Any signs excluded from regulation by this Article.

Section 11.9 Signs: General Regulations

The following provisions apply to all signs placed within the City:

- (a) Sign Placement. Except as otherwise authorized by this Article, all signs must be placed totally within the boundaries of the site/property for which a permit has been issued.
- (b) Materials – Construction. Signs must be made of such durable materials, and ink, paint, or other form of lettering or graphics so as to be able to withstand the wind and rain effects of a typical thunderstorm. Additional structural details may be required to obtain a City of Punta Gorda Building Permit.
- (c) Prohibited Placement. Except as otherwise provided for in this Article, signs are prohibited as follows:
- (1) No sign may be placed on a roof of a building or structure.
 - (2) No sign shall be so located as to physically obstruct any door or exit from a building.
 - (3) No sign shall be located to be hazardous to a motorist's ingress and egress to and from parking areas.
 - (4) No sign shall be located to be hazardous to a pedestrian's ingress and egress to and from buildings.
 - (5) No sign shall be in any area which may obstruct the vision of motorists, bicyclists, and pedestrians so as to create a safety hazard.
- (d) Abandoned Signs. Whenever a City Code Enforcement Officer finds an abandoned sign is present on public property, including a public right-of-way, the Officer may take such sign into custody and shall make a reasonable attempt to ascertain the rightful owner. If the rightful owner can be contacted by telephone or email, the City shall advise the owner that the abandoned sign will be held for seven (7) days, after which time the sign will be disposed of by the City. The owner shall be advised how, where, and when the owner may retrieve the abandoned sign. If the City is unable to ascertain the owner, or if the City is unable to contact the owner, or if after contact the owner does not retrieve the sign within seven (7) days of notification, the City may dispose of the sign.

Section 11.10 Signs; Residential Properties

Except as otherwise provided for in this Article, no yard signs will require a permit from the City of Punta Gorda. Signs on property, within the following zoning districts are allowable pursuant to the regulations contained in this Section: General Single-Family District (GS); General Multi-Family District (GM), which includes the Special Residential Overlay (SRO) Districts; Manufactured Home District (MH); Neighborhood Residential District (NR); Planned Development Neighborhood (PDN) and (PD-GS), and Environmental Preserve District (EP).

- (a) Quantity. The number of allowable signs shall not exceed the maximum quantity as provided herein.
- (b) A-Frame (Sandwichboard, T-Frame or Sidewalk) Signs. Require a permit and are permissible only on property for which a Special Exception has been granted, or is otherwise authorized for use as clubs, country clubs, religious institutions, schools, civic uses and recreational facilities, subject to the following:
 - (1) Sign shall not exceed 6 square feet per sign face.
 - (2) Sign shall not exceed 3 feet in width.
 - (3) No sign shall be closer than 6 feet to another such sign.
 - (4) Signs are not allowed within any landscaping or streetscape area.
 - (5) Signs may only be displayed during normal business hours of operation of the permittee as indicated on the City issued permit.
 - (6) Signs shall not obstruct the vision or path of motorists, bicyclists, or pedestrians so as to create a safety hazard. Any sign found to create a safety hazard may be removed by the City, and if possible, relocated to a safe location.
- (c) Banner Signs. Require a permit and are permissible subject to the following:
 - (1) Must be attached to a permanent structure, building, or fence.
 - (2) If attached to a building, cannot be displayed above the roof line.
 - (3) Banners are limited in total area to 24 square feet per platted lot.
 - (4) Banners shall be displayed for a maximum of 20 days per occurrence, up to four times per calendar year. Banners may be displayed for consecutive occurrences.
- (d) Flags. Are allowed provided that all flags must be hoisted on a pole permanently affixed to the ground or displayed via a pole bracket permanently affixed to a building, and further subject to the following limitations:

- (1) The maximum number of 2 flag poles or brackets, or 1 gaff/yard arm style pole for each parcel.
 - (2) The maximum number of flags that may be displayed on a single pole is 2. The maximum number of flags on gaff/yardarm style flagpole is 4. This limitation does not apply to international code of signal flags on a gaff/yardarm style flagpole.
 - (3) Except as provided below, the maximum size of each flag shall not exceed 24 square feet in area.
 - a. One flag on the property may be a maximum of 60 square feet in area.
 - (4) Flag poles shall not exceed 40 feet in height.
 - (5) Flags shall not be faded, tattered, or torn.
 - (6) Flags shall be counted toward the maximum number of yard signs permitted per parcel pursuant to Section 11.10 (h) of this Article, unless otherwise regulated by this Article.
- (e) Ground Signs. Require a permit and are permissible subject to the following limitations:
- (1) When associated with property for which a Special Exception has been granted authorized for use as clubs, country clubs, religious institutions, schools, civic uses and recreational facilities;
 - (2) Associated with recognized named subdivisions or neighborhoods;
 - (3) If the sign includes a base that is not part of the sign face, the width of the ground sign base shall be not less than 100% of the width of the sign face.
 - (4) Signs shall be made of construction materials such as brick, stucco, stonework, textured wood, tile, or textured concrete, and which are harmonious with the materials of the primary structure on the subject property.
 - (5) Setbacks shall be a minimum 8 feet from any ground sign to any public right-of-way, any on site or off site walkway or any parking space.
 - (6) Only grass or groundcover no more than 18 inches tall shall be permitted within the required sign setback area.
 - (7) Other landscape requirements, 1 square foot of landscape area with ground cover and shrubs for each square foot of sign face area.
 - (8) Both sides of a two-sided ground sign shall be identical in design.
 - (9) There shall be only one ground sign plus one additional ground sign for street frontage on a second street, provided that the frontage on that street is at

least 150 feet in length and an entrance to the project is located on such street.

- (10) No two onsite ground signs shall be within 300 feet of each other on a single parcel.
- (11) Signs shall not exceed 32 square feet in area per sign face and shall not exceed 6 feet in height.
- (12) Signs within the Environmental Preserve District (EP) shall not exceed 40 square feet in area per sign face and shall not exceed 10 feet in height.
- (13) Signs located along the roadway entrance to a recognized named subdivision or neighborhood may be located within a public right-of-way upon the issuance of a right-of-way use permit from the City, subject to the following limitations:
 - a. Signs may be located on one side, both sides, or within a median of each principal roadway entrance into the development or neighborhood.
 - b. Signs shall only be allowed where the entrance is divided by a median of not less than 50 feet in length and 10 feet in width.
 - c. Signs shall be located within the median and set back at least 10 feet from the public right-of-way line when projected across the entrance.

(f) Portable Message Center Signs. Require a permit and are permissible only on property for which a Special Exception has been granted, or is otherwise authorized for use as clubs, country clubs, religious institutions, schools, civic uses and recreational facilities, subject to the following:

- (1) Size of any portable signage that exceeds 6 square feet in sign area
- (2) Use of sign limited for a maximum of 14 days per occurrence, up to four times per calendar year, sign can be displayed for consecutive occurrences.
- (3) Message may not be changed more than once in a 24-hour period

(g) Signs at Construction Sites. Model Home signs require a permit, all other signs are allowed on property for which a City of Punta Gorda Building Permit has been issued and remains active subject to the following:

- (1) Signs may not be placed within 10 feet of the edge of the roadway pavement. The distance from edge of pavement as set forth herein is not a determination as to whether the location is public right-of-way or private property.
- (2) Signs shall not exceed 4 square feet in area per sign
- (3) Signs shall not exceed 6 feet in height.
- (4) Signs shall not obstruct the vision or path of motorists, bicyclists, or pedestrians so as to create a safety hazard. Any sign found to create a safety hazard may be removed by the City, and if possible, relocated to a safe

location.

(5) A single sign shall be allowed as an accessory use to a model home, as long as a permit for this use has been issued by the City. Such sign shall not exceed 16 square feet in area and 6 feet in height.

(6) Any contractor may erect a sign on the property with the permission of the owner and shall be counted toward the maximum number of yard signs permitted per parcel pursuant to Section 11.10 (h) of this Article. Said sign shall not exceed 4 square feet in area and 3 feet in height and must be removed upon approval of final inspection or completion of work performed if no inspection is required.

(h) Yard Signs. Allowed with the following limitations:

(1) Signs may not be placed within 10 feet of the edge of the roadway pavement. (The distance from edge of pavement as set forth herein is not a determination as to whether the location is public right-of-way or private property.)

(2) Signs shall not exceed 4 square feet in area per sign.

(3) Signs shall not exceed 3 feet in height.

(4) Signs shall not obstruct the vision or path of motorists, bicyclists, or pedestrians so as to create a safety hazard. Any sign found to create a safety hazard may be removed by the City, and if possible, relocated to a safe location.

(5) Signs shall be limited to 4 per parcel, this includes flags; except as permitted in Sec. 11.10 (d)(6).

(6) Signs may be placed on any parcel with the permission of the property owner.

(7) Signs placed water-ward of a seawall require approval by the Florida Fish and Wildlife Conservation Commission (FWC).

(8) Signs or flags on boats, which are on a lift or in the water, shall be exempt from the total number of signs and/or flags allowed on a residential property. One flag may be a maximum of 60 square feet in area, all others shall be a maximum of 24 square feet in area. All other signs shall be a maximum of 4 square feet each.

Section 11.11 Signs; Mixed Use and Commercial Properties

Except as otherwise provided for in this Article, all signs require a permit. Signs on property within the following zoning districts are permissible pursuant to the regulations contained in this Section: Neighborhood Center District (NC); City Center District (CC); Highway Commercial District (HC); and Special Purpose District (SP):

(a) A-Frame (Sandwichboard, T-Frame or Sidewalk) Signs. Require a permit and are

946 permissible subject to the following:

- 947 (1) Only one sign shall be permitted for each business, except as otherwise
948 provided.
- 949 (2) Signs may only be displayed during normal business hours of operation of the
950 permittee as indicated on the City issued permit.
- 951 (3) Signs shall not exceed 8 square feet per sign face.
- 952 (4) Signs shall not exceed 3 feet in width.
- 953 (5) Signs together with frame including wheels and handles shall not exceed 4 feet
954 in height as measured from finished grade.
- 955 (6) No sign shall be closer than 10 feet to another such sign.
- 956 (7) Signs must be located in a manner as to not interfere with pedestrian or
957 vehicular traffic or the visibility triangle as defined in Chapter 26, Article 8,
958 Section 8.18, Punta Gorda Code. A minimum 4-foot clear pedestrian walkway
959 shall be maintained at all times.
- 960 (8) Signs may be placed in the public right-of-way provided they shall not be placed
961 within twelve inches of any curb or two feet from the edge of pavement in the
962 absence of curbs, notwithstanding prohibition of Section 11.5 (u) of this
963 Article.
- 964 (9) Signs shall not be located more than 20 feet from the wall of the building
965 within which the permittee's business is located.
- 966 (10) Signs must be placed within the side lot lines of the property upon which the
967 permittee's establishment is located, or within the extension of said side lot
968 lines, if the sign is to be located in the right- of- way.
- 969 (11) Signs shall not be placed in medians or traffic islands or where they interfere
970 with the opening of car doors or interfere with the use of any exit, fire hydrant,
971 loading zone, bicycle rack, sidewalk ramp, wheelchair ramp or similar public
972 facility.
- 973 (12) Before a permit may be issued for a sign to be located within a public right- of-
974 way, the business must provide the City of Punta Gorda with proof of
975 Comprehensive General Liability insurance with limits of at least \$300,000 per
976 occurrence naming the City of Punta Gorda as an additional insured and an
977 agreement to indemnify and hold the City harmless in any claim or cause of
978 action against the City arising from the placement of such signs. Failure to
979 maintain such insurance shall be grounds for revocation of the sign permit. The
980 City must be provided with a 30- day written notice from the insurance carrier
981 if an insurance policy is cancelled.
- 982 if an insurance policy is cancelled.

- 997 (13) Businesses located on the interior of building shall not be allowed to display signage
998 outside of the confines of the building unless they have ground floor public
999 street frontage to accommodate such signage.
- 1000
- 1001 a. For the purposes of this Sub-section, ground floor public street frontage shall
1002 mean an entrance to the business on the ground floor that goes directly into
1003 the business without passing through a hallway or general reception area.
- 1004
- 1005 b. For businesses without ground floor public street frontage, the building's
1006 owner or landlord may submit an application for a permit for a sign on behalf
1007 of a tenant, or may apply for a permit to provide a rotation schedule for each
1008 business provided that at no time shall more than one sign per street front be
1009 permitted for that building.
- 1010
- 1011 (14) Any business located on the corner of two public streets or having frontage on
1012 two public streets or alleys is allowed to have a sign on each street or alley side
1013 of the business.
- 1014
- 1015 (15) Physical attachment to public property prohibited. Signs placed in the right-of-
1016 way must remain portable and may not be attached or anchored in any way to
1017 trees or to public property including but not limited to utility or light poles,
1018 parking meters, hand railings, the ground or pavement.
- 1019
- 1020 (16) Except as authorized by permit, signs shall not be placed in parking spaces.
- 1021
- 1022 (17) Signs designed to spin, twirl, or rotate are prohibited.
- 1023
- 1024 (18) Signs must be professionally manufactured.
- 1025
- 1026 (b) Awning and Canopy Signs. Permittable subject to the following:
- 1027
- 1028 (1) On a single-occupant property, one sign may be allowed in lieu of all other wall
1029 signs.
- 1030
- 1031 (2) On a multi-occupant property, one sign may be allowed over each occupant
1032 entrance, in lieu of other wall signs.
- 1033
- 1034 (3) The maximum area of a sign shall not exceed ten percent of the total canopy
1035 area.
- 1036
- 1037 (4) Signs may be externally illuminated only. Awning with signs must be made from
1038 an opaque material so that any illumination under the awning for safety of
1039 pedestrians is not visible thru the awning sign face.
- 1040
- 1041 (5) Signs on an awning shall not exceed 10 square feet in area.
- 1042
- 1043 (c) Marquee Signs. Permittable for theatres only:
- 1044
- 1045 (1) Changeable copy Marquee signs may cover no more than one square foot of
1046 sign area for each linear foot of theater building frontage.

(2) Such signs shall be subject to total wall sign area limits.

(d) Banner Signs. Permittable subject to the following:

(1) Must be attached to a building or permanent structure but not fences.

(2) If attached to a building, the banner cannot be displayed above the roof line.

(3) Banners are limited in total area to 32 square feet for each Local Business Tax receipt.

(4) Banners may be displayed for a maximum of 84 days per calendar year for each Local Business Tax receipt. Banners may be displayed for consecutive occurrences.

(e) Changeable Copy Signs. Permittable only for theaters, service stations, churches, public land, banks, recreational, and educational institutions subject to the following:

(1) No sign face shall be visible from any residentially zoned property.

(2) Copy on the sign face shall not change more than once during a 24-hour period and shall remain static at all other times.

(3) Copy may occupy all of the sign area of a marquee sign, awning, or canopy, and only up to 1/2 of the area of a principal ground sign.

(4) Signs within the City Center Zoning District shall not be internally illuminated.

(f) Construction Site Signs. Permittable on property for which a City of Punta Gorda Building Permit has been issued and remains active subject to the following:

(1) For new structures, a single sign per street front of not more than 6 feet in height and 32 square feet in area. Such sign shall be removed on issuance of a Certificate of Occupancy.

(2) For structures being remodeled, a single sign per street front of not more than 6 feet in height and 32 square feet in area. Such sign shall be removed upon approval of final inspection or completion of work performed if no inspection is required.

(3) Shall not be located within 10 feet of the edge of pavement.

(g) Drive/Walk/Bike-Thru Signs. Permittable where a drive-thru has been authorized subject to the following:

(1) Signs shall not exceed 32 square feet in area and 6 feet in height and shall not be legible from a public right-of-way or adjacent property.

(2) There shall be no more than 2 signs per site.

(3) The color of such signs shall have architectural ties to the main building.

(4) Signs may have changeable copy and may be internally illuminated.

(h) Façade Signs. Permittable only within the City Center (CC) Zoning District with a permit subject to the following limitations:

(1) A single external sign band shall exist on the street frontage façade of each building not to exceed 1.5 square feet in area for each linear foot of right of way frontage. The cumulative total of permittable signage for both façade and wall signs cannot exceed 1.5 square feet of signage per each linear feet of right of way frontage.

(2) The sign band shall not exceed 3.5 feet in vertical dimension.

(3) The sign shall consist of letters and graphics applied directly on the façade of the building and extending not more than 6 inches from an exterior wall.

(4) Letters and graphics shall be constructed of cast metal, bronze, brass, or anodized aluminum, or similar materials.

a. Illuminated façade signs that are externally or indirectly illuminated are allowed.

b. Illuminated façade signs that are internally illuminated are prohibited.

(5) The height of the top edge of the sign shall not exceed the height of the wall upon which the sign is installed.

(6) An additional façade sign, may be placed in the façade sign band area on a side of a building not directly facing a street. The sign area shall not exceed 10 square feet in area.

(7) On buildings that exceed a height of 35 feet, as measured from base flood elevation, the following may be permitted if the sign has more than one line of writing, representation, emblem or other display:

a. The sign band may be increased in vertical dimension up to 14% of the building height.

b. In no case shall the vertical dimension exceed 7 feet in height.

c. In no case shall a single line of the sign exceed 3.5 feet in vertical dimension.

d. The sign band shall be located at a minimum of 24 feet above base flood elevation.

(8) On a corner lot, additional façade sign area shall be permitted on the secondary street frontage side of the building, not to exceed 50 percent of the building frontage allowance.

(i) Flags. Allowed without the requirement for a permit provided that all flags must be hoisted on a pole permanently affixed to the ground or displayed via a pole bracket permanently affixed to a building, and further subject to the following limitations:

- (1) The maximum number of 2 flag poles or brackets or 1 gaff/yard arm style pole for each parcel.
- (2) The maximum number of flags that may be displayed on a single pole is 2. The maximum number of flags per parcel is 4. This limitation does not apply to international code of signal flags on a nautical pole.
- (3) Flag poles shall not exceed 40 feet in height.
- (4) Flags shall not be faded, tattered, or torn.

(j) Freestanding Signs. Allowed without the requirement for a permit with the following limitations:

- (1) Signs may not be placed within 10 feet of the edge of the roadway pavement. (The distance from edge of pavement as set forth herein is not a determination as to whether the location is public right-of-way or private property.)
- (2) Signs shall not exceed 32 square feet in area per sign.
- (3) Signs shall not exceed 6 feet in height.
- (4) Signs shall not obstruct the vision or path of motorists, bicyclists, or pedestrians so as to create a safety hazard. Any sign found to create a safety hazard may be removed by the City, and if possible, relocated to a safe location.
- (5) Signs shall be limited to 4 signs per acre.
- (6) Freestanding signs must be supported by posts secured to the ground, in a non-permanent manner.

(k) Ground Signs. Permittable subject to the following limitations:

- (1) If the sign includes a base that is not part of the sign face, the width of the ground sign base shall be not less than 100% of the width of the sign face.
- (2) Signs shall be made of construction materials such as brick, stucco, stonework, textured wood, tile, or textured concrete, and which are harmonious with the materials of the primary structure on the subject property.
- (3) Setbacks shall be a minimum 8 feet from any ground sign to any public right-of-way, any on site or off site walkway or any parking space.
- (4) Only grass or groundcover no more than 18 inches tall shall be permitted within the required sign setback area.

- (5) Other landscape requirements, 1 square foot of landscape area with ground cover and shrubs for each square foot of sign face area.
- (6) Both sides of a two-sided ground sign shall be identical in design.
- (7) There shall be only one ground sign plus one additional ground sign for street frontage on a second street, provided that the frontage on that street is at least 150 feet in length and an entrance to the project is located on such street.
- (8) No two onsite ground signs shall be within 300 feet of each other on a single parcel.
- (9) Primary ground signs shall not be allowed for outparcels in shopping and office centers.
- (10) For locations within the Highway Commercial (HC) Zoning District, signs shall not exceed 15 feet in height and 64 square feet in area.
- (11) For locations within the Environmental Preserve Zoning District (EP), Neighborhood Center Zoning District (NC) and the Special Purpose Zoning District (SP), ground signs shall not exceed 10 feet in height and 40 square feet in area.
- (12) For buildings within the City Center (CC) Zoning District with a setback of more than 10 feet from the fronting right-of-way, a single ground sign may be allowed subject to the following limitations:
- a. Signs shall not exceed 16 square feet in area and a height of 5 feet.
 - b. Signs shall be designed to architecturally match the associated main building.
 - c. Internally illuminated ground signs are not allowed within the City Center Zoning District.
- (l) Mini-Ground Signs. Permittable in addition to ground signs on the same parcel subject to the following limitations:
- a. Maximum sign height of 3 feet.
 - b. Maximum sign area of 2 square feet.
 - c. Must be located on the subject property not within a public right-of-way.
 - d. Must be located within 10 feet of a vehicular or pedestrian entrance to the property from a public right-of-way or private internal street meeting the provisions of Article 9 Streets.
 - e. Must be architecturally consistent with the primary ground sign or

- 1247 primary structures.
- 1248
- 1249 f. No more than 2 mini-ground signs per vehicular or pedestrian property
- 1250 entrance.
- 1251
- 1252 g. Internally illuminated mini-ground signs are not allowed within the City
- 1253 Center Zoning District.
- 1254
- 1255 (m) Projecting Signs. Permittable only within the City Center (CC) and Neighborhood
- 1256 Center (NC) Zoning Districts subject to the following limitations:
- 1257
- 1258 (1) Signs shall have a minimum clearance of not less than 8 feet above finished
- 1259 grade when suspended over a pedestrian walkway.
- 1260
- 1261 (2) The height of the top edge of the sign shall not exceed the height of the wall
- 1262 from which the sign projects, if attached to a single story building, or the
- 1263 height of the sill or bottom of any second story window, if attached to a multi-
- 1264 story building.
- 1265
- 1266 (6) The distance from the building wall to the sign shall not exceed one foot.
- 1267
- 1268 (7) Signs are limited to 1 sign per business per street frontage; shall be limited to
- 1269 10 square feet in area; and shall be architecturally compatible with the
- 1270 structure to which it is attached.
- 1271
- 1272 (5) Signs within the City Center Zoning District shall not be internally illuminated.
- 1273
- 1274 (n) Suspended Signs. Permittable subject to the following limitations:
- 1275
- 1276 (1) Signs shall not exceed 1 per building entrance and 9 square feet in area.
- 1277
- 1278 (2) Signs shall have a minimum clearance of not less than 8 feet above finished
- 1279 grade when suspended over a pedestrian walkway.
- 1280
- 1281 (3) May be located under an awning, canopy, or marquee for businesses located on
- 1282 the first floor.
- 1283
- 1284 (4) Signs within the City Center Zoning District shall not be internally illuminated.
- 1285
- 1286 (o) Wall Signs. Permittable subject to the following limitations:
- 1287
- 1288 (1) Signs shall be located only on the street frontage side of principal buildings
- 1289 and shall not be limited as to number.
- 1290
- 1291 (2) No wall sign shall project above the highest point of the building wall on the
- 1292 same side of the building as the sign.
- 1293
- 1294 (3) On a corner lot, an additional wall sign shall be allowed on the secondary street
- 1295 frontage, not to exceed 50% of the building frontage allowance.
- 1296

- (4) All uses, outside the City Center zoning district, shall be allowed wall signs, provided total area does not exceed 1 square foot of wall sign for each linear foot of building frontage.
- (5) On a multi-tenant building, or multi-entrance building, each tenant with an outside entrance, or each entrance to the business serving the general public may have a separate wall sign on the wall with the public entrance, subject to the following limitations:
- a. The total area of the sign shall not exceed 1 square foot of wall sign for each linear foot of tenant wall frontage.
 - b. One wall sign, not exceeding 4 square feet in area shall be allowed on any side or rear entrance open to the public. Such sign may only be lighted during the operating hours of the business.
- (6) Signs shall not have flashing lights, or lights of changing degree of intensity or color or signs with electrically scrolled messages or have flashing or reflective disks. Neon signs are allowed provided they meet the foregoing conditions.
- (7) In the City Center zoning district, the cumulative total of permissible signage for both façade and wall signs shall not exceed 1.5 square feet of signage per each linear feet of right of way frontage.
- a. Illuminated wall signs that are externally or indirectly illuminated are allowed.
 - b. Illuminated wall signs that are internally illuminated are prohibited.
- (p) Window Signs. Permissible subject to the following limitations:
- (1) Signs are allowed only on the window glass of the first and second floors of buildings.
 - (2) Signs shall be painted/applied, with individual lettering or other transparent forms, on either the interior or exterior surface of a window or otherwise displayed from the inside of any window. Opaque and solid window graphic materials are prohibited.
 - (3) Signs shall not cover more than 33 percent of the total window area of each window unit, not just of a section or pane therein.
 - (4) In the City Center (CC) Zoning District, signs may not exceed 12 square feet of each window unit, not just of a section or pane therein.
 - (5) Signs shall not have flashing lights, or lights of changing degree of intensity or color or signs with electrically scrolled messages or have flashing or reflective disks. Neon signs are allowed provided they meet the foregoing conditions.

1347 **Section 11.12 Maintenance and Lighting**

- 1348
- 1349 (a) All signs shall be maintained in good structural condition and appearance, so as not
- 1350 to constitute an abandoned sign as defined herein.
- 1351
- 1352 (b) A sign shall not stand with bent or broken sign facing, with broken supports, with
- 1353 loose appendages or struts, or more than 15 degrees from vertical for a period of
- 1354 more than 10 days.
- 1355
- 1356 (c) An internally illuminated sign shall not be allowed to stand with only partial
- 1357 illumination for a period of more than 30 days.
- 1358
- 1359 (d) Any sign allowed to be illuminated under this Article must be designed and
- 1360 maintained such that lighting is directed toward the sign with shielding as necessary
- 1361 so as to illuminate only the face of the sign.
- 1362
- 1363 (e) Lighting on signs shall be consistent throughout a project, and no sign or portion
- 1364 thereof shall be illuminated differently from any other sign.
- 1365
- 1366 (f) All wiring to electric signs or freestanding equipment that lights a sign shall be
- 1367 installed underground.
- 1368

1369 **Section 11.13 Special Event Signs**

- 1370
- 1371 (a) Signs associated with Special Events are allowed subject to the following additional
- 1372 limitations:
- 1373
- 1374 (1) When authorized as part of a Special Events Permit granted by the City, signs
- 1375 may be placed in the public right-of-way at locations approved as part of the
- 1376 Special Events Permit, notwithstanding the prohibition of Section 11.5 (u) of
- 1377 this Article, when authorized as part of a special event.
- 1378
- 1379 (2) All signs must be professionally made or have the appearance of a
- 1380 professionally made sign.
- 1381
- 1382 (3) Signs may not exceed 3 square feet in area and may not be more than 3 feet in
- 1383 height.
- 1384
- 1385 (4) A maximum of 8 signs may be allowed for any event.
- 1386
- 1387 (5) All signs must be placed in the locations designated on the approved sign
- 1388 permit.
- 1389
- 1390 (6) No sign shall have attention getting devices attached to the sign, including, but
- 1391 not limited to balloons, windsocks, flutter or feather flags, streamers.
- 1392
- 1393 (7) Each approved special event is allowed a maximum of 2 banners, up to 32
- 1394 square feet each.
- 1395
- 1396 (8) Signs may be placed a maximum of 14 days prior to the special event date and

1397 must be removed within 24 hours after the end of the special event. Any signs
1398 left more than 24 hours after the event has ended shall be considered a
1399 violation of this Code. Such signs shall also be deemed abandoned signs and
1400 shall be disposed of according to the provisions of Section 11.9 (d) of this
1401 Article.

1402
1403 (9) No signs shall be placed in a manner that impedes pedestrian or vehicular
1404 traffic or creates a hazard. A minimum 4-foot-wide clear pathway must be
1405 maintained at all times

1406
1407 (10) Temporary signs are allowed provided they must be maintained so as not to
1408 become faded or torn and shall be tied down, so it does not move or flap or
1409 flutter in the wind.

1410
1411 (11) Signs shall not be illuminated with any additional lighting that is not part of the
1412 existing lighting located on the site.

1413
1414 (12) No sign prohibited by this Article may be utilized during a special event.

1415
1416 **Section 11.14 Uniform Sign Plan**

1417
1418 An approved Uniform Sign Plan may be considered for all new development. All owners,
1419 tenants, subtenants and purchasers of individual units with the approved development shall
1420 comply with the approved Uniform Sign Plan.

1421
1422 (a) Elements. The Uniform Sign Plan shall consist of five elements that shall govern all
1423 signs within the development: Location; Materials; Size; Color; and Illumination.

1424
1425 (1) The Uniform Sign Plan shall include details, specifications, dimensions, and
1426 plans showing the proposed locations of signs and how such locations conform
1427 to the requirements of this Article.

1428
1429 (2) It shall also show the computations of the maximum total sign area permitted
1430 for the site as well as any special computations regarding sign area.

1431
1432 (b) Allocation of Wall Sign Space. A Uniform Sign Plan shall show the allocation of
1433 allowable wall sign space among tenants and any general building sign or signs.
1434 Where the Uniform Sign Plan does not show such an allocation, the City may issue
1435 permits for wall signs for tenant entrances, in accordance with this Article, in
1436 proportion to the frontage such tenant controls on the applicable wall, and the City
1437 may cease to issue permits for wall signs when all available wall sign area has been
1438 committed through permits.

1439
1440 (c) Review. A Uniform Sign Plan for a residential subdivision, multi-building or multi-
1441 occupant commercial development, non- residential subdivision, planned unit
1442 development, or multi-family or public development shall not be approved until and
1443 unless the Zoning Official finds that:

1444
1445 (1) The plan provides that signs are of a similar type and function, having a
1446 consistent color scheme and material construction.

- (2) The plan provides that signs meet the size limitations, location requirements and other applicable requirements of this Article.

- (d) Amendment Procedures. The Plan may be amended by filing a new master plan with the Zoning Official. The application may be filed only by the owner of the land affected by the proposed change; or an agent, lessee or contract purchaser specifically authorized by the owner to file such application.

Section 11.15 Iconic Signs

The following provisions are not intended to regulate the content on signs, merely the design of signs unrelated to content.

Iconic signage creates visual interest for pedestrians and enhances the urban environment. Iconic signage is intended to be viewed from walkable distances. Typically one (1) sign per business may be allowed.

- (a) Purpose. This Section establishes standards and procedures for the design, review and approval of Iconic Signs. The purposes of this iconic sign program are to:

- (1) Encourage signs of unique design and that exhibit a high degree of thoughtfulness, imagination, inventiveness and spirit.
- (2) Provide a process for the application of sign regulations in ways that will allow signs designed to make a positive visual contribution to the overall image of the City, while mitigating the impact of large or unusually designed signs.
- (3) Ensure that the design criteria and decisions regarding Iconic signs are content neutral.

- (b) Applicability. An applicant may request an Iconic Sign Approval under the Iconic Sign Program to authorize on-site and portable signs that employ standards that differ from the other provisions of this Article but comply with the provisions of this Section.

- (c) Approval Authority. City Staff shall review all complete applications for Iconic Sign Approval within 10 business days of receipt. Applications that meet all requirements and criteria provided in this Section shall be approved by the City Urban Design Division.

- (d) Application Requirements. Iconic Sign Approval application for an Iconic Sign shall include all information and material required by the Urban Design Division and shall be submitted on a standard sign permit application. At a minimum, applicants for Iconic Sign Approval shall submit the following information:

- (1) Letter of authorization from the property, building and/or unit owner.
- (2) Two complete sets of drawings to include new sign detail showing sign design, location, size, dimensions, depth of sign, square footage and sign material.

- 1497 (3) Architectural elevations drawn to scale showing the proposed sign and/or
1498 building façade where the sign is proposed.
1499
- 1500 (4) If a ground sign is proposed, a site plan is required and ground sign site plans
1501 need to be to scale and indicate linear footage of the building frontage.
1502
- 1503 (5) Complete materials list, including method of attachment or engineering if
1504 applicable.
1505
- 1506 (6) Photographs or drawings relating the proposed project to the surrounding
1507 streetscape.
1508
- 1509 (7) Method of lighting, if applicable.
1510
- 1511 (8) Landscaping, if applicable
1512
- 1513 (9) Any existing sign(s) on the site or building, if applicable.
1514

1515 (e) Design Criteria. The Urban Design Manager or her/his designee shall review the Iconic
1516 Sign Application for completeness ensuring that the application addresses the
1517 following criteria:
1518

- 1519 (1) Design Quality. Sign, type, materials, location:
1520 a. Sign types permitted
1521 1. Projecting
1522 2. Ground
1523 3. Murals
1524
- 1525 b. Materials permitted: All materials must be finished; such as powder
1526 coated, painted, anodized, brushed or other alternative finish methods.
1527 1. Permanent and durable materials
1528 2. Aluminum
1529 3. Bronze
1530 4. Metal composites
1531 5. Wood
1532 6. Wrought iron
1533 7. Glass
1534 8. High quality manmade materials
1535
- 1536 c. Materials prohibited.
1537 1. Reflective materials
1538 2. Plastic faces
1539 3. Internally illuminated signs
1540 4. Box signs
1541 5. Unfinished or bare metals
1542
- 1543 (2) Murals: A mural is a painting, mosaic, fresco or other permanent artwork
1544 attached or applied directly to the outside of a structure.
1545 a. No more than 5% of the sign area can display the name or logo of the
1546 sponsoring organization/business.

- b. Professional mural paint/materials required
 - c. Mural must be sealed to prevent fading of the original paint material for a minimum of five years
 - d. Maintenance, as needed or a minimum of every five years
 - e. Limited to one mural per structure
- (3) Minimum Treatments: Iconic Signs must incorporate a minimum of 4 treatments:
- a. Ornamental and architecturally compatible with primary structure
 - b. Sculptured/shaped sign
 - c. Three dimensional in design
 - d. Consistent with pattern of building style
 - e. Metal or bronze as primary sign material
 - f. Appropriate landscaping for ground signs
- (4) Architectural Criteria. With the exception of murals, the sign shall:
- a. Utilize and/or enhance the architectural elements of the building, such as entrances, existing sign band, window or door openings.
 - b. Be placed in a logical location in relation to the overall composition of the building's façade and not cover any key architectural features and/or details of the façade.
 - c. Be appropriately related in size, shape, materials, lettering, illumination and character to the function and architectural character of the building or premises on which it will be displayed and compatible with existing adjacent activities.
- (f) Decisions on Iconic Sign Applications. If the Urban Design Manager or her/his designee determines that the proposed sign complies with the provisions of the Iconic Sign Criteria, the Iconic Sign Request shall be approved. If the proposed sign does not meet the Iconic Sign Criteria, City staff shall notify the applicant in writing of the deficiencies and deny the application.
- (g) Appeals. An applicant may appeal City staff's denial of an Iconic Sign request per Chapter 26, Section 16.2, Appeal of Administrative Decision.
- (h) Expiration of Approval. A sign permit application must be submitted, approved and the sign installed within six (6) months of the Iconic Sign request approval. If the sign is not installed within six (6) months of the approved permit, the Iconic Sign approval will expire.

Section 11.17 Nonconforming Signs

- (a) Nonconforming signs which have been issued a permit by the City of Punta Gorda, that exist on June 2, 2021 may continue to exist except as otherwise provided herein.
- (b) Nonconforming signs, for which no permit was required by the City of Punta Gorda, prior to June 2, 2021 may continue to exist except as otherwise provided herein. All existing nonconforming flags shall be required to conform to the provisions of this Article. All existing nonconforming flag poles and the flags hoisted thereon, may

continue to exist except as otherwise provided herein.

- (c) Nonconforming signs, for which a permit was required by the City of Punta Gorda, prior to June 2, 2021 but for which no permit was obtained, shall be removed within 30 days.
- (d) Signs and sign structures that are moved, removed, replaced, or structurally altered after June 2, 2021 must be brought into compliance with the requirements of this Article.
- (e) Removable faces or sign panel inserts in a cabinet style sign may be changed by right, and such change does not constitute a structural alteration nor trigger loss of legal nonconforming status.
- (f) The status of a nonconforming sign is not affected by changes in ownership. However, the change of the use of the property upon which a sign is located will trigger loss of legal nonconforming status and the sign must be removed or brought into compliance with the requirements of this Article within 180 days of the change in use.
- (g) Once a sign is altered to conform to the requirements of this Article, or is replaced with a conforming sign, the nonconforming rights for that sign are lost and a nonconforming sign may not be reestablished.
- (h) Loss of legal nonconforming status will result upon the occurrence of the following:
 - (1) If the sign is abandoned.
 - (2) If the sign or sign structure is removed or intentionally destroyed. Replacement signs must comply with the requirements of this Article.
- (i) A legal nonconforming sign or sign structure may be removed temporarily to perform repairs or maintenance. However, a sign or sign structure that has been removed for 180 days, even if for repairs or maintenance, shall be considered abandoned.
- (j) When more than 50% of a nonconforming sign or sign structure is damaged, the damaged sign or sign structure must be rebuilt to conform with the requirements of this code.

Section 11.18 Variances

The City Council, upon review and recommendation of the Board of Zoning Appeals, may grant a variance for dimensional requirements, sign setbacks and number of signs, if it concludes that strict enforcement of this Article would result in practical difficulties or unnecessary hardships for the applicant. The applicant for a variance must demonstrate:

- (a) That the applicant's situation is unique and is not one that is shared by other properties; and
- (b) Granting the variance will not deter from the original intent of the Uniform Sign Plan or this Article for uniformity and aesthetic appeal between signs on the same and

adjoining property. The City Council, in granting a variance, shall ensure that the spirit of this Article is maintained, public welfare and safety ensured, and substantial justice done.

Section 11.19 Revocation of Permit

Unless otherwise expressly allowed by ordinance or state law, any violation of Article 11, shall be subject to the remedies and penalties provided for in Section 18.2 of Chapter 26, Punta Gorda Code. In addition, no work, alteration, improvement, rehabilitation, renovation or maintenance of a sign shall be undertaken in the City which does not conform with the requirements of the Punta Gorda Code. The Zoning Official may revoke a sign permit if the sign does not comply with this Article.

Repeal of Conflicting Provisions

Provisions relating to sign regulation within the following areas of the Punta Gorda Code will need to be repealed as of the date of the adoption of the new ordinance:

Chapter 26, Section 3.13(s) Real Estate Signs

Chapter 26, Section 8.21, Yard Sales

Chapter 26, Section 8.9 Model Homes, Apartments, and Condominiums

Chapter 26, Article 3, Events, Section 13.1 Purpose

Chapter 26, Section 13.2 Business Events and Business Promotions

Chapter 26, Section 13.3 Grand Opening Event

Chapter 26, Section 13.5(a)(2) Temporary Promotional Event Signs