

ORDER AND PROCEDURE OF HISTORICAL PRESERVATION COMMISSION MEETING

THURSDAY
FEBRUARY 8, 2024
5:00 p.m.

1. CALL TO ORDER.....Owens
2. INVOCATION & PLEDGE OF ALLEGIANCE.....Owens
3. ROLL CALL.....Haley
4. OLD BUSINESS:
 - A. Acceptance of minutes.....Owens
5. NEW BUSINESS:
 - A. Certificate of Appropriateness Application.....Seray Seijo
 - B. Certificate of Appropriateness Review Authority.....Lee
6. BUSINESS FROM AUDIENCE.....Owens
7. OTHER BUSINESS.....Owens
8. ADJOURN.....Owens

Any person who might wish to appeal any decision made by the City Council of Sebring, Florida, in public hearing or meeting is hereby advised that he will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made which will include the testimony and evidence upon which such appeal is to be based. The City Council of Sebring, Florida does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Council's functions, including one's access to, participation employment or treatment in its programs or activities. Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act should contact Mrs. Kathy Haley, CMC, City Clerk, at 471- 5100.

HISTORICAL PRESERVATION COMMISSION

AGENDA ITEM SUMMARY

MEETING DATE: February 8, 2024

PRESENTOR: Owens

AGENDA ITEM#: 4A – Acceptance of minutes

BACKGROUND: Attached please find the minutes from your December 14, 2023 meeting.

REQUESTED MOTION: Accept minutes as presented.

COUNCIL ACTION:

_____ APPROVED

_____ DENIED

_____ DEFERRED

Moved by: _____; Seconded by: _____

Andrews___ Boley___ Lee___ Pollard___ Owens___

CITY HALL, SEBRING, FLORIDA, DECEMBER 14, 2023

Minutes of Historic Preservation Commission held this date at 5:00 p.m.

PRESENT: Annette Owens, Chair; Marie Boley, Robert Lee and Jim Pollard, Commissioner; Scott Noethlich, City Administrator and Renee Brady, Administrative Assistant

ABSENT: Dan Andrews, Commissioner

The invocation was given by Mr. Jim Pollard followed by the Pledge of Allegiance.

The minutes from the August 10, 2023 meeting were presented and there were no corrections.

Mr. Lee asked for confirmation that you cannot take up more than 50% of the window space.

Mr. Noethlich stated that is correct.

A Sign Design Review Application was presented for 117 W. Center Avenue by Mr. Gus Ibanez. Mr. Ibanez is seeking permission to put vinyl signage on his front window. Mr. Pollard asked if the signage was already on the window. Mr. Ibanez stated yes because the guy was there to install it and he had already applied for the application but will remove it if it is not approved. Mr. Pollard stated he understands but asked Mr. Noethlich if the applicant can be reminded that they need approval first before putting their signs up. Mr. Pollard stated he feels we have departed from the guidelines. Mr. Pollard feels if we are going to approve these then we need to amend the guidelines.

Moved by Pollard, seconded by Lee and the unanimous vote of the Commission to approve the sign as presented.

Mr. Noethlich stated that Mr. Ibanez will come back with an application for the new restaurant that he is opening.

Mr. Pollard stated he would like the guidelines to be reviewed. Mr. Pollard asked if the City Council made a decision on the temporary flag signs. Mr. Noethlich stated he is trying to obtain the right-of-way agreement so Council can make the decision.

Mr. Lee stated there are HPC guidelines that are not in the code and then there are signage requirements that are in the code for the downtown area. Mr. Lee stated that the 50% guideline is in the code and we need to make sure people understand that.

There being no further business, the meeting was adjourned.

Annette Owens, Chair

ATTEST:

Kathy Haley, CMC, City Clerk

HISTORIC PRESERVATION COMMISSION

AGENDA ITEM SUMMARY

MEETING DATE: February 8, 2024

PRESENTOR: Saray Seijo

AGENDA ITEM#: 5A – Certificate of Appropriateness Application for 104 N. Ridgewood Dr.

BACKGROUND: Attached please find a Certificate of Appropriateness Application for 104 N. Ridgewood Dr. Mr. Seijo is coming before the Commission on behalf of the owners regarding signs on the windows.

REQUESTED MOTION: Whatever the Board deems appropriate.

Approve The CoA as presented

COUNCIL ACTION:

____ APPROVED

____ DENIED

____ DEFERRED

Moved by: _____; Seconded by: _____

Andrews__ Boley__ Lee__ Pollard__ Owens__

The City of Sebring
HISTORIC PRESERVATION COMMISSION

CERTIFICATE OF APPROPRIATENESS APPLICATION FORM

Incomplete applications will not be processed for Commissioners review. Please print legibly in ink.

1. Historic Name of Property or Historic District: (if known)

Buckeye Building

Address of Property:

104 N Ridgewood Drive Sebring FL 33870

2. Name and Address of Owner:

Name(s): MRB 108 LLC (Robin Hinkle + Mason Brenner)

Address: 4858 E LaFlam Rd

City: Alton Park **State:** FL **Zip:** 33825

Telephone Number(s): 863-381-1373

Email Address: mrblc213@gmail.com

3. Applicant, Agent or Contractor: (if different than owner)

Name(s): Saray Seiso **Contact Person** Saray Seiso

Address: 1641 Marble Street

City: Sebring **State:** FL **Zip:** 33870

Telephone Number(s): 305 803 9807

Email Address: SaraySeiso@gmail.com

4. Attachments:

A. Required for all projects:

☐ **Photographs of affected areas (unnoted photos recommended)**

☐ **Sketches and Elevation Drawings (Minimum size 8 1/2" x 11")**
(Building owners signature required for murals)

☐ **Material and Design Specifications**

B. New Construction/Demolition also required:

☐ **Floor Plans (Minimum size 8 1/2" x 11")**

☐ **Site Plan showing locations of project and adjoining structures and fences**

☐ **Other (explain)** _____

PLEASE NOTE: YOUR APPLICATION CANNOT BE PROCESSED WITHOUT THE INFORMATION REQUIRED ABOVE AND A COMPLETED MAJOR/MINOR WORK CHECKLIST

5. Description of Project:

A. Describe all existing features that will be affected by the proposed work. Please specify the condition of materials, design and dimensions of each feature. (Additional pages may be attached).

Photo No. _____ Drawing No. _____

B. Describe all proposed work, materials, design, dimensions and construction techniques to be used. (Additional pages may be attached).

Photo No. _____ Drawing No. _____

6. Signature of Applicant: _____ Date: 1/18/24

Print Name: Saray Seito

Building Owner signature if different than applicant: _____

Any information not reviewed by staff will not be considered by the Commission during their deliberation. Please call if you have any questions and staff will assist you.

Hand Deliver, Mail or Email Form to:

Scott Noethlich, City Administrator
368 S. Commerce Ave.
Sebring, FL 33870
Phone: 863-471-5100
EMAIL: scottnoethlich@mvsebring.com





HISTORIC PRESERVATION COMMISSION

AGENDA ITEM SUMMARY

MEETING DATE: February 8, 2024

PRESENTOR: Bobby Lee

AGENDA ITEM#: 5B – Certificate of Appropriateness review authority

BACKGROUND: Information was emailed to you on January 17th and again on February 8th regarding Chapter 17 of the City's Code of Ordinance. Mr. Lee would like to discuss this at tonight's meeting.

REQUESTED MOTION: Whatever the Board deems appropriate.

COUNCIL ACTION:

____ APPROVED

____ DENIED

____ DEFERRED

Moved by: _____; Seconded by: _____

Andrews__ Boley__ Lee__ Pollard__ Owens__

*authority to given to the Bldg dept
for window signage as long as the HPC
guidelines are followed consistent w/ the HPC*

Chapter 17 - SIGNS^[1]

Footnotes:

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Editor's note— Ord. No. 1426, § 1(Exh. A), adopted Oct. 16, 2018, repealed ch. 17 in its entirety, and enacted new provisions to read as herein set out. Former ch. 17, §§ 17-1—17-7, 17-42, 17-75—17-91, pertained to similar subject matter. See the Code Comparative Table for a complete derivation.

Cross reference— Buildings and construction regulations, ch. 5; community development, ch. 8; planning, ch. 16; streets, sidewalks and other public places, ch. 19; subdivisions, ch. 20; zoning, ch. 26.

State Law reference— Municipal Home Rule Powers Act, F.S. ch. 166; sign regulations, F.S. §§ 166.3202(1)(f), 166.0425.

Sec. 17-1. - Generally.

These sign regulations are intended to complement the requirements of the Florida Building Code and the National Electrical Code. Wherever there is inconsistency between these regulations and the Building or National Electrical Code, the more stringent requirements shall apply.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-2. - Purpose, intent, and scope.

The purpose of the sign regulations is to make known that signs provide an important medium through which businesses and individuals may convey a variety of commercial and noncommercial messages. But, when left unregulated, signs can become a threat to public safety as a traffic hazard, and a detriment to property values and the city's overall public welfare as an aesthetic nuisance. Therefore, the intent of these sign regulations is to:

- (1) Preserve the right of free speech and expression in the display of signs;
- (2) Further the objectives of the City of Sebring's Comprehensive Plan;
- (3) Protect the public health, safety and welfare of the city's citizens;
- (4) Reduce traffic and pedestrian hazards;
- (5) Protect property values by minimizing signs' possible adverse effects;
- (6) Promote economic development; and
- (7) Ensure the fair and consistent enforcement thereof.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-2.1. - Substitution of non-commercial speech for commercial speech.

Notwithstanding anything contained in this chapter or Code to the contrary, any sign erected pursuant to the provisions of this chapter or 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, provided that the

size, height, setback and other dimensional criteria are in compliance with the provisions of this chapter and other applicable requirements have been satisfied.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-2.2. - Content neutrality as to sign message (viewpoint).

Notwithstanding anything in this chapter or Code to the contrary, no sign or sign structure shall be subject to any limitation based upon the content (viewpoint) of the message contained on such sign or displayed on such sign structure.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-3. - Definitions.

The illustrations provided in this section serve as visual examples to generally represent a defined term for general reference purposes only. As general illustrations, they may not be all inclusive, and unless otherwise indicated, they do not contain or represent exact or specific requirements.

The word "shall" is mandatory and the word "may" is permissive.

A-frame sign means a temporary double-faced sign attached at the top and with the bottom spread apart to form a stable base (also known as a sandwich board sign). See sandwich board sign for example.

Abandoned sign means a sign shall be considered abandoned when the business activity or firm, which such sign advertises, is no longer in operation for a period of at least 90 days, or does not have a current occupational license from the city.

Accessory use means any subordinate use customarily incidental to and located upon the same parcel of land with the principal use.

Aggregate sign area means the total calculated sign area.

Animated sign means a sign depicting action, motion, light, or color changes through electrical or mechanical means. Although the technology is similar to flashing signs, the animated sign emphasizes graphics and artistic display.

Awning means any structure made of cloth or metal, which is supported by an open metal framework, and which is temporarily or permanently attached to, and extends from, an exterior wall or any other exterior portion of a building.

Backlit sign means a sign where the light source is typically placed behind, and faces towards, the sign graphic.



BACKLIT SIGN

Example Backlit Sign

Banner means any temporary strip of cloth, plastic or other flexible, lightweight, material on which a sign is printed, painted, or otherwise displayed and which is intended to be hung or mounted to a structure by cord, rope, cable, or similar method. "Banner" does not include blade signs or flags.



Example Banner

Bench sign means a sign permanently affixed to a park bench.

Blade sign (aka feather sign, teardrop sign) means a temporary sign that is constructed of cloth, canvas, plastic fabric or similar lightweight, non-rigid material and that is supported by a single vertical pole mounted into the ground or on a temporary, readily movable, structure.



Example Blade Signs

Building sign means a permanent on-premises sign displayed upon or attached to any part of the exterior of a building, including walls/fascia, windows, doors, canopies, awnings, marquees and roofs.



Example Building Signs

Canopy sign means a permanent sign attached to any roof-like structure that is open on at least three sides, utilized as protection from the rain or sun, such as over gasoline pumps, and may be either of a rigid or non-rigid material, collapsible, removable, or of permanent rigid construction. Canopy signs may be located on any side of the canopy.



Example Canopy Sign

Changeable copy sign, electronic. See Electronic message center sign.

Changeable copy sign, manual means any sign with copy that can be manually changed, rearranged, or altered without changing the face of the sign.



Example Changeable Copy Sign, Manual

Cladding means a covering or enclosure designed to conceal the actual poles and/or other structural supports of a sign.



Clear visibility triangle means a triangular area, as determined in accordance with section 26-171 of the city Code, in which a clear view is provided to motorists at street intersections and at street and driveway intersections. Within the triangular area, nothing shall impede vision between a height of two and one-half feet and ten feet above the centerline grade of the intersection.

Directional sign means any sign whose sole purpose is to provide direction for pedestrian and vehicular traffic. A directional sign may be a permanent sign or a temporary sign.

Display board means a permanent sign, flush-mounted to the exterior wall of a building, which displays information to public view.

Dissolve means a mode of message transition on an electronic message center sign accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

Double-faced sign means a sign with back-to-back faces provided the faces are joined on the same support.

Electronic message center sign (EMC) means a variable-message sign that changes at regular intervals via a computer-controlled interface or some other electronic means of changing copy. An electronic message center sign may be a permanent sign or a temporary sign (portable message center sign).

Fade means a mode of message transition on an electronic message center sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Fascia sign means a permanent building mounted sign. (The example fascia signs, as shown below, are located on roof like structures; however, these are not roof signs).



Example Fascia Signs

Flag means a sign, usually square or rectangular shaped, made of plastic or fabric of any kind and intended to be hung from a flagpole by being tethered along one side.

Flagpole means a freestanding or temporary ground-mounted structure, or a structure mounted to a building or wall and used for the sole purpose of displaying a flag.

Footcandle means a unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot, and originally defined with reference to a standardized candle burning at one foot from a given surface. Footcandle can be measured by means of an illuminance meter.

Freestanding sign means a permanent sign that is supported by one or more columns, uprights, or braces, and set firmly in or upon the ground surface, not attached to or forming part of any building or other structure. Freestanding signs include ground-mounted, monument, wide-base, and pole signs.

Freestanding, wide-base sign means any permanent, freestanding sign in which the uprights or braces are clad in a permanent material such that the entire base has a monolithic or columnar line that maintains essentially the same contour. Wide-base signs shall be allowed where ground, monument, and pole signs are allowed.



Example Wide-Base Sign

Front foot of the parcel or premises means each foot or major portion thereof, measured along the public right-of-way where the subject property abuts said right-of-way.

Front foot of the building frontage means each foot or major portion thereof, measured along the main entry side of a building.

Grade elevation means the final elevation of the ground surface after development excluding berms or landscape treatment specifically designed to raise the height of the sign.

Ground sign means a freestanding sign permanently attached to or supported by the ground by two or more support posts at the outside edge, not attached to any structure. Ground signs shall be allowed where wide-base, monument, and pole signs are allowed. Also known as ground-mounted sign.



Example Ground Sign

Height of sign means the vertical distance measured between the top of a sign structure and the finished grade elevation, or the average elevation of the abutting roadway, nearest the base of the sign to the highest point on the sign.

Illuminated sign means a sign that uses artificial light, either internal or external to the sign faces, to draw attention to the sign or otherwise increase its visibility.

Inflatable sign means a sign consisting of a flexible, non-porous material, which is inflated or shaped from inserted air or other gas. Inflatable displays include air or gas blown devices. This definition shall not include individual latex balloons less than 18 inches in size.

Lumen means a measurement of the total amount of visible light emitted by a source.

Marquee sign means a permanent sign attached to a structure projected from and supported by a building, which extends beyond the building line and usually fully or partially covers a sidewalk, porch, public entrance or other pedestrian way. See Building sign definition for example illustration.

Monument sign means a permanent, freestanding sign, with a solid base, designed with a continuous structural element of approximately the same dimension from the ground to the top of the sign. Monument signs shall be allowed where ground, wide-base, and pole signs are allowed.



Example Monument Sign

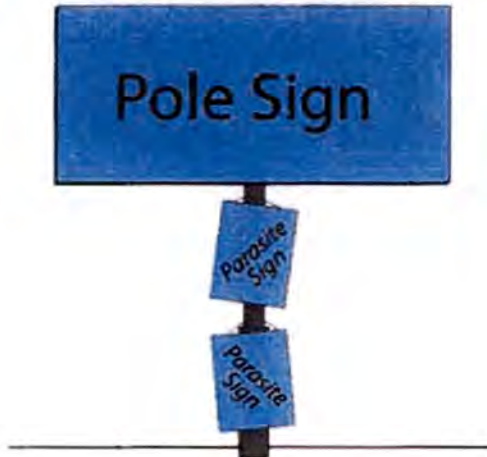
Neon sign means a sign with tubing that is internally illuminated by neon or other electrically charged gas.

Nonconforming sign means a sign legally erected or installed in the city before the adoption of this chapter, which was in compliance with all of the provisions of the city then in effect, but which does not presently conform to the requirements of this chapter.

Off-premises sign means a sign relating to an activity or place not on the premises on which the sign is located. A sign bearing a non-commercial message is deemed to be on-premises.

On-premises sign means any sign relating to an activity or place on the same premises on which the sign is located.

Parasite sign means any sign not exempted by this chapter, for which no permit has been issued, and which is attached to another sign.



Example Parasite Signs

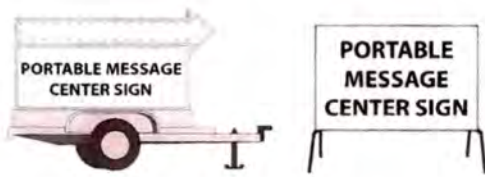
Permanent sign means a sign designed and constructed to be attached to a building or structure, or to the ground, in a manner that precludes ready removal or movement of the sign, and whose intended use appears to be indefinite.

Pole sign means a permanent, freestanding sign, other than a ground, wide-base, or monument sign, which is mounted on a freestanding pole, or poles, embedded in the ground.



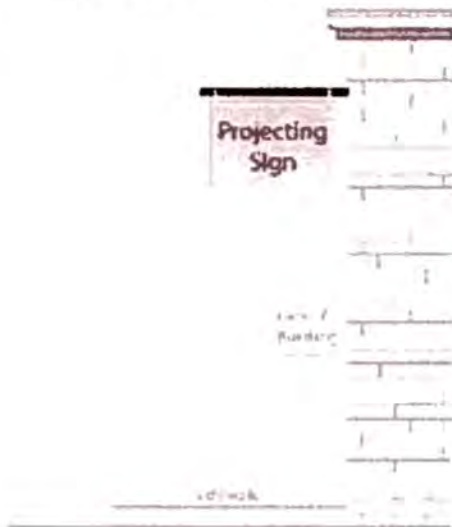
Example Freestanding Pole Signs

Portable message center sign means any sign which is designed to be transported by a vehicle, trailer, or on its own wheels, including any such electronic, digital, or manual changeable copy sign where the wheels may be removed and the remaining chassis or support structure may be attached temporarily to the ground. This definition shall not include banner signs, blade signs, yard signs, and sidewalk signs as provided in this chapter.



Example Portable Message Center Signs

Projecting sign means a permanent sign attached to a building or other structure extending beyond the surface of the building or structure to which it is attached.



Example Projecting Sign

Public lands or property means lands and/or property that are owned, leased, or operated by a public body, such as city, county, state, or federal government.

Public purpose sign means regulatory signs and any notice or warning signs required by local, state, or federal government law, ordinance, regulation or resolution.

Public right-of-way means the area of land occupied by a street, crosswalk, curb, sidewalk, etc., whether established by prescription, easement, dedication, gift, purchase, eminent domain, or any other legal means, which is maintained by a public body.

Residential support uses means the use of land, buildings or structures for uses specifically permitted in the applicable zoning district, which include but are not limited to child care centers, schools, and religious institutions.

Roof sign means a permanent sign painted on or affixed to the roof of a building and primarily supported by that roof structure.



Example Roof Signs

Sandwich board means an unsecured double or single faced temporary sign, most often forming the cross-sectional shape of the letter "A" when viewed from the side, and which may be readily moved from place to place (also known as an A-frame sign).



Example A-Frame/Sandwich Board Sign

Scroll means a mode of message transition on an electronic message center sign where the message appears to move vertically or horizontally across the display surface.

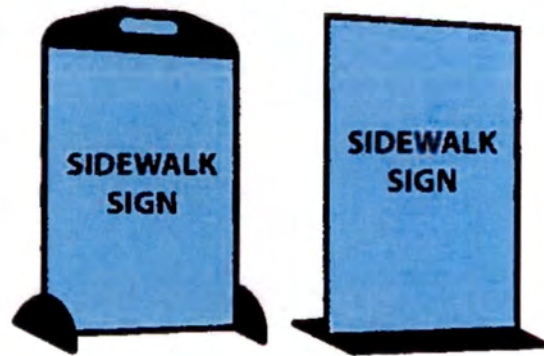
Setback means the setbacks for signs specified in this chapter shall be measured horizontally from the vertical plane of the property line or right-of-way line to the closest point of the sign.

Sidewalk sign means a self-supporting, temporary sign designed to be placed upon a public or private sidewalk, plaza, courtyard or other area where pedestrians walk or gather. Includes sandwich boards/A-frame signs, easel-mounted signs, and similar or comparable signage.

Examples of an A-Frame/Sandwich Board Sign



Examples of Sidewalk Signs



Sign means any letters, numbers, symbols, graphic, pictures, or figures or combination thereof which are erected, constructed, placed, painted, tethered or attached to a structure or the ground, which identify, advertise or direct attention to a product, business, institution, place, person or event. When not modified by the terms "structure" or "face", the term "sign" shall include all parts of the sign and its supporting structure.

Sign area means the area of any geometric figures which contains the entire sign face upon which copy may be placed.

Sign copy means the letters, numerals, figures, symbols, logos, and graphic elements comprising the content or message of a sign exclusive of the street name and numerals identifying a street address only.

Sign face means the surface upon, against, or through which the sign copy is displayed or illustrated.

Sign structure means the uprights, supports, braces and framework supporting a sign.

Snipe sign means any sign of any size, made of any material, including paper, cardboard, wood and metal, when such sign is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, fences or other objects.



Example Snipe Sign

Tablet sign means a permanent sign located on a building which is cut into any masonry surface, or when constructed of bronze or other durable material and attached to the surface of a building.

Temporary sign means any sign designed, constructed, and intended to be used on a limited-term basis, and which is not permanently installed. A permanent sign with periodic changes to the message shall not be considered a temporary sign. This definition shall include, but is not limited to, such signs as banner signs, blade signs, yard signs, portable message center signs, and sandwich board signs. "Temporary sign" does not include vehicular signs.

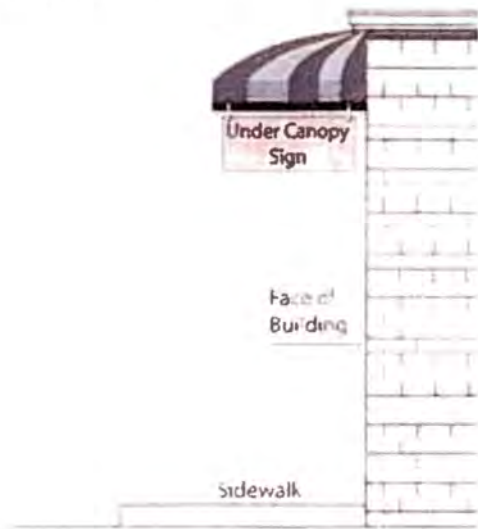


Example Temporary Yard Signs

Transition means a visual effect used on an electronic message center sign to change from one message to another.

Typeface means a set of one or more fonts, in one or more sizes, designed with a coordinated, consistent, stylistic visual unity, appearance or style. A typeface usually comprises an alphabet of letters, numerals, and punctuation marks; it may also include symbols, or consist entirely of them.

Under-canopy sign means a sign painted on or attached to the underside of a canopy, awning or marquee.



Example Under-Canopy Sign

V-style sign means a sign having two sign faces where the width between the faces does not exceed more than four feet apart when measured at the widest point, and erected back-to-back at an approximate 45-degree angle to form a "V".

Vehicular sign means vehicular sign means a sign attached or affixed to a parked vehicle or trailer in such a manner that the sign is not incidental to the vehicle, but is the primary use of that vehicle, providing a base for such sign, or constituting the sign itself. This definition shall not include the use of business logos, identification, or advertising on vehicles primarily and actively used for transportation.

Wall sign means any sign affixed to an exterior wall of a building.

Window sign means a sign which is painted on, attached to, or suspended directly behind or in front of a window or the glass portion of a door. The display of merchandise is not a window sign. A window sign may be a permanent sign or a temporary sign.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018; Ord. No. 1427, § 2, 10-16-2018; Ord. No. 1427, § 1, 10-16-2018)

Sec. 17-4. - Sign permits.

It shall be unlawful for any person to erect, construct, enlarge, or relocate any permanent sign, any off-premises temporary sign, one-time display (event) sign, or any on-premises temporary sign greater than 32 square feet, within the incorporated areas of the City of Sebring, Florida, without having first obtained a permit, except as provided for in this chapter. No additional sign permits shall be required when changes are made to existing permitted signs if the location, sign area, and other dimensional elements of the existing sign remain the same. However, signs with electronic and/or lighting components may be subject to electrical permits, as required by this sign code and applicable State of Florida law.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-4.1. - Application for a permit.

All applications for permits under this section shall be filed by either a general contractor, a sign contractor or a building contractor licensed by the State of Florida and/or Highlands County to erect signs in Highlands County, or the owner of the property where the sign is to be located, or his or her authorized agent. If required by the Florida Building Code, Fire Prevention Code or Life Safety Code, sign permit applications shall be submitted with a sealed set of drawings and calculations by an engineer licensed in Florida. If a sign application is submitted concurrent with building plans, the sign shall be included in the building permit as long as the application for a sign permit meets the requirements herein. A sign application may include more than one sign, as applicable. Sign applications shall include the following:

- (1) Name, address, telephone number of owner(s) of property;
- (2) Name, address and telephone number of licensed sign contractor erecting the sign;
- (3) The street address and/or legal description of the property upon which the proposed sign is to be located;
- (4) Notarized signature of the owner of the property, or authorized agent, indicating permission to erect the proposed sign;
- (5) A plan, sketch, blueprint, or similar presentation drawn to scale, showing the sign and all pertinent structural details, including the sign height, dimensions and sign area for each individual sign, aggregate sign area, the exact location of the proposed sign in relation to setbacks, streets, existing signs and buildings located on the site, wind pressure requirements, and materials in accordance with the requirements of the Florida Building Code;
- (6) Brightness level of proposed lighted signs;
- (7) Whether or not the sign is a one-time display (event) sign.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-4.2. - Issuance of permit.

Upon receipt of an application for a sign permit, the city administrator, or his or her designee, shall review the plans, specifications and other data relating to such sign, and if considered necessary, inspect the premises upon which the sign is proposed to be erected. Plan review shall be completed within ten working days of receipt of a complete application and application fee, and a sign permit shall be issued if the sign is found in compliance with this chapter and all other applicable state and city laws.

- (1) If a permit is denied, the city administrator, or his or her designee, shall inform the applicant of the reasons for denying the sign permit application.
- (2) The applicant shall have 30 calendar days to revise and resubmit the sign permit application at no additional cost for review by the city.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-4.3. - Permit fees.

Permit fees under this chapter shall be established, and may be modified from time to time, by resolution of the city council.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-4.4. - Expiration of permit.

Any permit issued under this sign code shall expire 180 days after the date of issuance unless a permit extension is granted by the city administrator, or his or her designee, for good cause shown. Sign

permits submitted simultaneous with a building permit application for new building construction shall run concurrently with the expiration date of the new construction building permit.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-5. - Exempt signs.

The following signs are exempt from the permitting requirements of this sign code, but must still meet applicable construction standards and all applicable permits required by the Florida Building Code.

- (1) One tablet sign per building, not exceeding three square feet in area, when cut into any masonry surface, or when constructed of bronze or other durable material and attached to the surface of a building. No tablet sign shall be mounted at a height greater than six feet from the ground or sidewalk to the bottom of the sign.
- (2) Signs inside a building, which are not window signs.
- (3) Window signs, except as provided for the CRA and Historic Districts.
- (4) Regulatory signs and any notice or warning signs required by local, state, or federal government law, ordinance, regulation or resolution.
- (5) Flags where the aggregate sign area of such flags shall not count as chargeable square footage, provided that:
 - a. No more than four flags may be displayed per parcel; and
 - b. Each flag must be flown from a flagpole.
- (6) Permanent signs in nonresidential districts, which do not exceed four square feet in area and three feet in height (if freestanding), with no more than two signs per street frontage.
- (7) Signs incorporated into machinery or equipment by a manufacturer or distributor.
- (8) Signs carried by a person.
- (9) Murals consisting of original, painted, artwork on walls or similar building areas.
- (10) Signs located on or within public or semi-public athletic fields affixed to scoreboards, buildings, or structures facing the field.
- (11) Each residential property may display a permanent sign, not to exceed two square feet in sign area, that is visible from the public right-of-way.
- (12) On-premises temporary signs up to 32 square feet.
- (13) Signs that are not designed or located so as to be visible from any street or adjoining property.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-6. - Sign measurement and illumination standards.

Unless otherwise provided in this chapter, the following requirements apply to all signs in the City of Sebring.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-6.1. - Sign area calculations.

The area of the geometric figures, or the sum of the combination of geometric figures, which comprise the sign face shall comprise the sign area.

Architectural features that are either part of the building or part of a freestanding structure, and not an integral part of a freestanding sign, shall not be included in the sign area. A pole or other structural support of a freestanding sign shall not be included in the sign area unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device, or a part of a display device up to a maximum of 75 percent of the total size of the maximum allowed sign area. Any area of the structural support or cladding greater than 75 percent of the sign area shall count as part of the sign. The following standards shall apply.

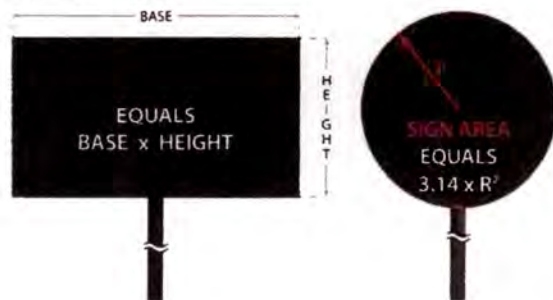
Determining Sign Area:

The illustrations below portray how sign area is calculated. In Figures S2—S8, the illustration to the left represents an example sign while the corresponding illustration to the right, shown in black and red, identifies the portion of that same sign that is to be included in sign area calculations.

- (1) Figure S-1: Freestanding sign with pole or narrow base, projecting signs, under canopy signs, and roof signs.

Calculate sign area by the actual rectangular panel surrounding copy. The area of a sphere shall be computed as the area of a circle.

Figure S-1



- (2) Figure S-2: Freestanding sign with wide base.

Calculate sign area by the actual rectangular panel surrounding copy. Do not calculate embellishment or support cladding.

Figure S-2



- (3) Figure S-3: Freestanding sign with multi-panels.

Calculate sign area by the sum of actual oval panels surrounding copy. Do not calculate support cladding.

Figure S-3



(4) Figure S-4: Monument sign.

Calculate sign area by the actual panel surrounding copy. The base of a monument sign shall not be counted as part of the sign area.

Figure S-4



(5) Figure S-5: Canopy sign.

Calculate sign area by an imaginary panel drawn around copy. Do not calculate decorative graphics. Calculation is the same for attached canopy, awning and/or marquee. The area of a canopy sign shall be included in the calculation for wall/fascia signs.

Figure S-5



(6) Figures S-6A and S-6B: Wall/fascia signs.

Figure S-6A



Figure S-6B



When measuring wall/fascia signs with various significant geometric shapes, the multiple geometric shapes should be used, rather than one rectangle. This is to assure that "air space" or "the background wall" is not included as part of the sign area.

(7) Multi-faced signs.

- a. Double-faced signs of equal size. When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and are part of the same sign structure, the sign area shall be computed as the measurement of one of the two faces.
- b. Double-faced signs not of equal size. Where two sides of a sign are not of equal size, the larger of the two sides shall be used in determining sign area.
- c. Multiple faced signs. The area of multiple faced signs in which the interior angle formed by the faces is greater than 91 degrees shall be expressed as the sum of the areas of all the faces, except for multiple faced signs containing faces that are configured back to back, in which case the area of the faces configured back to back shall be calculated according to the rule for double-faced signs.

(8) Figures S-8A and S-8B: Window signs.

- a. Signs with integral background areas or fixed boundaries.

The sign area for signs having a background area or fixed boundaries, frames or edges, shall be calculated based on the area contained within such fixed boundaries, frames, or edges.

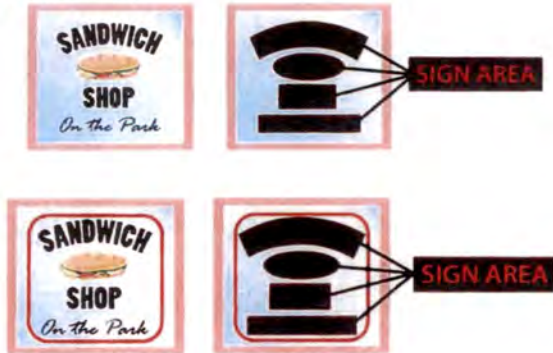
Figure S-8A



- b. Signs without integral background areas or fixed boundaries.

The sign area for signs having no background area or fixed boundaries, frames or edges, such as separate/individual lettering placed or painted upon window glass, shall be computed on the basis of the sum of the smallest regular geometric shape, such as a triangle, rectangle, square or circle, encompassing the outermost exterior of the letters, words or numbers on a line-by-line basis.

Figure C.8R

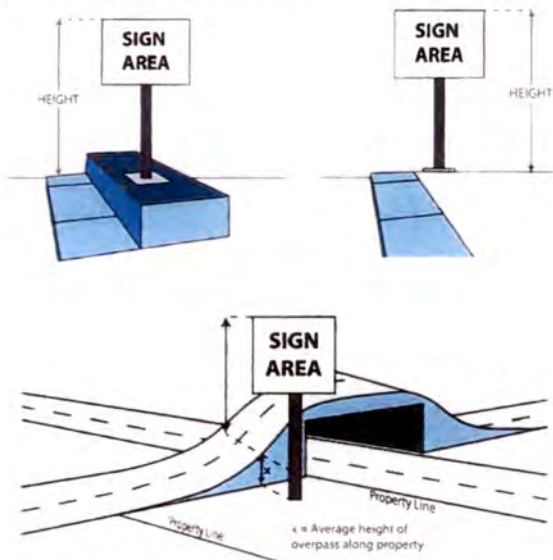


(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-6.2. - Sign height and clearance calculations.

- (a) Sign height shall be measured as the vertical distance between the top of a sign structure and the finished grade elevation, or the average elevation of the abutting roadway, nearest the base of the sign to the highest point on the sign.

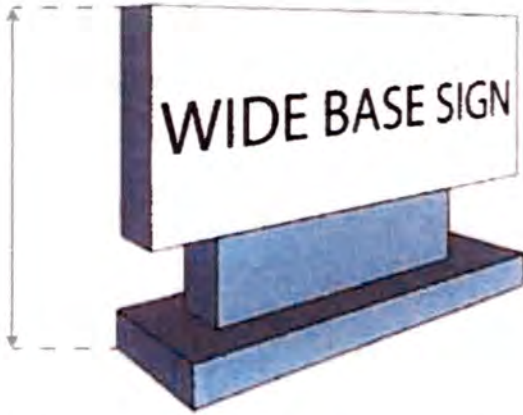
Determining Sign Height:



- (b) No permanent, freestanding, sign shall project more than 25 feet above the crown of the road the sign is designed to serve, or above the ground on which the sign is erected, whichever is higher.
- (c) Measuring sign ground clearance.



- (d) Measuring sign height for ground-mounted and wide-base signs.



- (e) Measuring sign area for three-dimensional signs. Signs that consist of, or have attached to them, one or more three-dimensional or irregularly shaped objects, shall have a sign area as follows:

The sum of two adjacent vertical sign faces of the smallest cube encompassing the sign or object



Height multiplied by diameter plus length multiplied by diameter



(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-6.3. - General setback requirements.

- (a) No permanent sign shall be placed or constructed within eight feet of a power line, in any direction.
- (b) No permanent sign shall be placed or constructed within a clear visibility triangle.
- (c) Setbacks shall be measured from the leading edge of the sign.
- (d) Section 17-11 provides specific setback and sign separation requirements for permanent, freestanding, off-premises signs.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-6.4. - Illumination standards.

- (a) All lighted signs shall conform to all applicable requirements of the Florida Building Code and the National Electrical Code.
- (b) Sign lighting shall not be designed or located to interfere with traffic lights.
- (c) Illumination by floodlights, spotlights, or unshielded bulbs is permissible so long as none of the light emitted shines onto an adjoining property or into the eyes of motorists or pedestrians using or entering public streets. This standard applies to sign illumination originating inside of business windows or sign illumination originating on signs which are outside.
- (d) Lights used for external sign illumination shall be so designed as to concentrate the illumination upon the sign, with steady, stationary, light, and such lights shall not glare upon the street or upon adjacent property.
- (e) Unshielded illuminated devices that produce glare or are a hazard or a nuisance to motorists or occupants of adjacent properties are prohibited.
- (f) Unless otherwise provided in this sign code, various types of sign illumination, including neon, incandescent, LED, and similar, compatible, or comparable lighting technologies, are permitted consistent with all applicable requirements of this sign code.
- (g) Internally lit signs shall only be allowed in nonresidential zoning districts and mixed-use developments, and for permitted nonresidential uses in the R-3P zoning district, and residential support uses in residential zoning districts, consistent with all applicable requirements of this sign code.
- (h) Internally illuminated signs in mixed use developments and in residential districts where residential support uses are located shall not be illuminated between the hours of 11:00 p.m. and 7:00 a.m.

(Ord. No. 1427, § 2, 10-16-2018)

Sec. 17-7. - Specific signs.

The following provisions shall apply to the indicated type of sign.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-7.1. - Permanent signs as accessory use only.

Unless otherwise provided in this sign code, permanent signs, except off-premises signs as set forth in section 17-11, are to be only accessory to a main, principal, or primary land use that is permitted in the district on the same parcel; the signs themselves are not permitted as a primary or principal use on any parcel.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-7.2. - Temporary signs.

Temporary signs shall be allowed in all zoning districts and shall comply with the following requirements:

- (1) *Generally.*
 - a. Temporary signs may be ground or building signs but shall not be allowed as permanent signage.

- b. Signs may be on-premises or off-premises; however, off-premises signs shall require express consent of the property owner.
 - c. One additional temporary sign, not to exceed the square footage requirements provided in paragraph (4) below, is allowed for a parcel that has no permanent sign, provided that such sign is not displayed for a period of more than 60 days or until installation of the permanent sign, whichever occurs first.
 - d. On-premises temporary signs less than 32 square feet require no sign permit.
 - e. All temporary signs that may be readily moved from place to place shall be moved to a secure location upon a warning of high winds or hurricane by the National Weather Service.
- (2) *Sidewalk signs.* Sidewalk signs shall only be located in commercially zoned districts in front of the establishment being advertised, with only one sign per establishment, for each business street frontage of that establishment.
- a. Sidewalk signs may be located on city sidewalks so long as they provide at least five feet of free travel space on the sidewalk to accommodate wheelchair and other pedestrian travel.
 - b. Sidewalk signs may be temporarily placed outside in front of a business or establishment only during the hours the business or establishment is open.
 - c. Sidewalk signs shall be no larger than 36 inches wide and 48 inches high.
 - d. Sidewalk signs shall be properly anchored or weighted against the wind.
- (3) *Portable message center signs.*
- a. Portable message center signs shall only be allowed with one-time display (event) permitting.
 - b. Only one sign shall be allowed on an individual property at any one time.
 - c. Portable message center signs shall be allowed for a maximum of 14 consecutive calendar days per occurrence.
- (4) *One-time display (event) signs.* One-time display (event) signs shall be allowed no more than four times per year, up to a maximum of 14 days per occurrence. The aggregate temporary sign area of such signs shall not exceed 200 square feet. A sign permit is required for one-time display (event) signs.
- (5) *Temporary inflatable signs.* Temporary inflatable signs shall be allowed as follows:
- a. Temporary inflatable signs shall only be allowed with one-time event displays. A sign permit is required as provided in paragraph (4), above.
 - b. Temporary inflatable signs shall only be allowed for non-residential uses in commercial and industrial zoning districts, on property which abuts an arterial roadway.
 - c. No more than one temporary inflatable sign shall be permitted on a single property at one time.
 - d. Temporary inflatable signs shall not exceed the height restriction of the zoning district.
 - e. Ground-mounted inflatable signs shall maintain a setback that is at least one and one-half times the height of the display.
 - f. Inflatable displays shall be securely anchored or attached to prevent dislocation, entanglement or encroachment onto adjacent properties or public streets and to prevent undue hazards to motorists and pedestrians.
 - g. Inflatable displays shall not be attached to fences, landscaping, utility poles or private light poles.
 - h. As part of the application for a temporary inflatable sign, the applicant shall provide the following information:

1. A scaled drawing of the sign identifying the sign's dimensions;
 2. The square footage calculation of the sign, as required in section 17-6.2(e); and
 3. A scaled site plan showing the location and height of the inflatable display on the property, the height and location of buildings and other structures on the property, and the setback measurements for the sign.
- (6) *Off-premises temporary signs.* Off-premises temporary signs shall require written consent of the property owner and an annual sign permit and the permit number shall be printed or affixed to the sign. Such signs are allowed in:
- a. Nonresidential districts;
 - b. Residential districts on property with $\geq$ five acres and $\geq$ 500 feet of public street frontage or $\geq$ 10,000 square feet of floor area; and
 - c. Residential real property for which a conditional use has been granted for non-residential use.
- (7) *Dimensional requirements.*
- a. The square footage of a temporary sign shall not be included in the calculation of the total sign area allowance for a parcel.
 - b. A parcel may display temporary signs with an aggregate sign area of up to 32 square feet.
 - c. Parcels of more than one acre and multiple tenants (e.g., strip shopping centers or strip malls) shall be permitted temporary signs not to exceed 64 square feet of aggregate sign area. The owner of the strip shopping center or mall shall be responsible for any penalties accrued for non-compliance by the tenants.
 - d. Temporary signs shall not exceed six feet in height in residential districts, or eight feet in height in nonresidential districts and in residential districts on parcels.
 - e. Temporary signs shall have a minimum five-foot setback from the property line and shall not be located within the clear visibility triangle. Due to the unique development characteristics of the historic district, this shall not apply to properties located in said district; however, signs in the historic district shall require approval from the historic preservation commission.
- (8) *Duration.* Temporary signs shall be removed within ten (calendar days after the end of the scheduled occurrence or purpose to which it relates.
- (9) *Maintenance.* Temporary signs are subject to the standards provided in section 17-9, construction and maintenance standards.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-7.3. - Electronic message center signs (EMC).

- (a) Electronic message center signs shall be allowed subject to compliance with all applicable requirements contained in this chapter and the following standards:
- (1) If such signs are located within 50 feet of any residential property line, as measured from the property line to the sign, such signs shall display static images only. This requirement shall not apply to properties located within the CRA and historic districts.
 - a. Duration: Such static images shall be displayed for at least three seconds before instantaneously transitioning to another static image.
 - b. Orientation: When located within 50 feet of an existing residentially-used lot in a residential zone (the residential use exists prior to issuance of a sign permit), any part of the sign, when

possible, shall be oriented so that no portion of the sign face is visible from an existing or permitted principal structure on that lot.

- (2) Off-premises temporary signs shall require written consent of the property owner and an annual sign permit and the permit number shall be printed or affixed to the sign. Such signs are allowed in non-residential districts and residential real property for which a conditional use has been granted for non-residential use.
 - (3) Electronic message center signs located on properties along state and county highways may be subject to state and county sign and permitting requirements.
- (b) Electronic message center signs shall comply with the following standards:
- (1) All electronic message center signs shall come equipped with automatic shut-off technology so that the display will go dark during sign malfunction.
 - (2) All electronic message center signs shall comply with the requirements of the Florida Building Code and the National Electrical Code.
 - (3) All electronic message center signs shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness based on ambient light conditions.
 - (4) Electronic message center signs shall not be placed or illuminated so as to obscure or interfere with traffic control devices.
 - (5) No electronic message center sign shall exceed a brightness level of 0.3 footcandles above ambient light as measured using a footcandle (Lux) meter at a preset distance depending on sign area, measured as follows:

Table 17-07.03
Electronic Message Center Sign Brightness Level Standard

Area of Sign (Sq. Ft.)	Distance Measurement (Feet)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67

50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100

For signs with an area in square feet other than those specifically listed in the table (e.g., 12 sq. ft., 400 sq. ft., etc.) the measurement distance may be calculated with the following formula: Measurement distance = $\sqrt{(\text{Area of Sign Sq. Ft.} \times 100)}$

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-7.4. - Changeable copy signs, manual.

- (a) Changeable copy signs shall be allowed, providing the copy is included within an allowed sign, and all applicable requirements of the sign code are met.
- (b) Changeable copy signs are allowed in nonresidential districts and on parcels within residential districts where a permit has been issued for a non-residential use, consistent with all applicable requirements of this sign code.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-8. - Prohibited signs.

- (a) *Prohibited signs; generally.* Any sign not specifically permitted by these sign regulations is prohibited.

(b) *Prohibited signs; specifically.* Unless otherwise permitted, the following signs are prohibited and no variance shall be granted which would authorize same.

- (1) Any sign which constitutes a traffic hazard or a detriment to traffic safety as determined by the city administrator, or his or her designee, or the chief of police, by reason of the sign's size, location, movement, coloring or intensity of illumination. Any sign which obstructs the vision between pedestrians and vehicles using the public right-of-way, including, but not restricted to, those not meeting the city's clear visibility standard requirements.
- (2) Snipe signs.
- (3) Vehicular signs.
- (4) Unless otherwise provided in this sign code, no sign, shall be placed on or over the public right-of-way or on any public property except that placed by, or approved by, the appropriate government entity.
- (5) Signs that interfere with any fire escape, emergency exit, standpipe, or any window to the extent that light or ventilation is reduced to a point below that required by any provision of this section or other applicable regulation.
- (6) Signs that emit audible sound, odor, or visible matter such as smoke or steam.
- (7) Signs containing any statement, word, character or illustration of an obscene, indecent or immoral nature that are not protected by the First Amendment of the United States and Chapter I §4 of the Constitution of the State of Florida.
- (8) Signs that imitate or are made to resemble official traffic or government signs, symbols, and signals.
- (9) Parasite signs.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-9. - Construction and maintenance standards.

All permitted signs shall be constructed and maintained in accordance with the following standards, and no certificate of occupancy shall be issued for a building unless signs have conformed to these standards.

- (1) All permanent signs shall be constructed and maintained in accordance with the provisions and requirements of the Florida Building Code, as adopted by the City of Sebring, the National Electrical Code, or the currently prevailing electrical code, and all other applicable codes, ordinances or requirements. Where inconsistency exists between these sign regulations and applicable codes, the more restrictive requirement shall apply.
- (2) With the exception of signs consisting of a chalkboard surface or dry erase marker board (whiteboard), or a comparable surface, all copy shall be commercially produced or consist of professionally lettered typeface. All copy shall be maintained and legible.
- (3) All signs shall be maintained and it shall be the responsibility of the sign owner for sign maintenance.
- (4) Damaged faces or structural members shall be repaired, replaced, or removed consistent with the requirements provided in section 17-13.2 of this chapter.
- (5) Electrical systems, fasteners, and the sign and structure as a whole shall be maintained at all times in a safe condition.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-10. - On-premises permanent signs.

On-premises permanent signs shall conform to the requirements of these sign regulations unless specifically permitted, exempted, or prohibited herein.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-10.1. - Residential zoned districts.

For a single or multi-family residential complex, a mixed-use development and/or mixed-use zoning district, a permitted nonresidential use in the RP zoning district, or a residential support use, signage shall be permitted for each main entrance on a public right-of-way as follows:

(1) *Freestanding signs.*

- a. One ground, monument or wide-base sign shall be permitted for each main entrance on a public right-of-way.
- b. The maximum sign face area shall be 32 square feet, and the total sign area, including mounting and support structures shall not exceed 50 square feet.
- c. The maximum sign height of a permanent, freestanding, sign shall be six feet.
- d. See section 17-6.3 for general setback requirements.

(2) *Wall signs.*

- a. A wall sign shall not extend more than 12 inches from the wall.
- b. A wall sign shall be proportionate to the wall on which it is located, but shall not exceed 32 square feet. The height of said sign shall not exceed the maximum height of the zoning district where the sign is located.
- c. Wall signs for developments with more than 50 units may be increased by 200 percent when the building is setback at least 200 feet from the public right-of-way.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-10.2. - Nonresidential zoned districts.

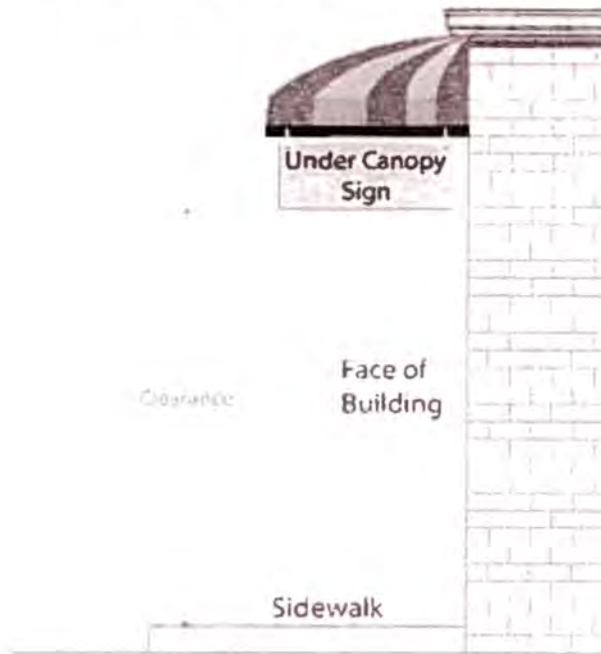
(a) *Freestanding signs.*

- (1) One freestanding sign shall be allowed for each road frontage.
- (2) Where a single business, building or facility is located at an intersection of two or more streets, two freestanding signs shall be allowed, providing that each sign is clearly designed to be read from a different street.
- (3) Where multiple businesses share a single building or facility, only one permanent, freestanding sign shall be allowed for the building or facility per road frontage, not to exceed a total of two freestanding signs, provided that each sign is clearly designed to be read from a different street.
- (4) Freestanding signs shall not exceed one square foot of area for each lineal front foot of the premises, measured upon the street, with no sign to exceed 300 square feet of area.
- (5) A maximum of two freestanding menu board signs of no more than 36 square feet each and six feet in total height shall be allowed for drive-thru facilities. Such signs shall be located adjacent to, or oriented toward, the drive-thru area. The square footage of such signs shall not be counted toward the maximum square footage allowed per site for permanent, freestanding signage.
- (6) Any freestanding sign may display a single, double, or multi-face.

- (7) A sign shall be allowed on properties zoned public, when said properties are adjacent to parcels zoned either commercial or public. The sign shall not exceed one square foot of area for each lineal front foot of the parcel, measured upon the street, up to a maximum of 32 square feet in area.
- (8) See sections 17-6.2 and 17-6.3 for height and setback requirements.
- (b) *Wall and fascia signs.*
 - (1) *Single use buildings.*
 - a. One fascia or wall sign per business shall be allowed provided that business has frontage on a public street and the wall/fascia is visible from a street, or where each sign is clearly designed to be read and can be read from the street.
 - b. One sign per business shall be allowed for each street the building faces when the building is located at an intersection of two or more streets.
 - c. Wall/fascia signs shall not exceed one square foot of area for each lineal front foot of the premises, measured upon the street, with the total of all wall/fascia signs not to exceed 300 square feet of area.
 - d. Wall/fascia signs shall not extend above the roofline or beyond the exterior wall to which it is attached.
 - (2) *Shopping centers and multi-use buildings.*
 - a. Shopping centers and multi-use buildings of five or more tenants, having greater than two acres, and where the uses have access in the front of the building that faces the street, may have one wall sign per use or business.
 - b. Shopping centers and multi-use buildings with more than two acres are allowed one and one-half square foot of sign area for each lineal front foot of the building frontage that faces the street that serves the shopping center or multi-use building. In the case of a shopping center or a group of stores or other business uses on a lot, the provisions of this section relating to the total area of wall signs permitted shall apply with respect to each building, separate store, separate storefront, or separate use.
 - c. A use or store with more than 40,000 square feet in a shopping center or multi-use building with more than five users and having greater than two acres: Wall signage for anchor stores or uses with more than 40,000 square feet in shopping centers or multi-use buildings with more than five users and having greater than two acres with frontage on an arterial or collector may be increased by 200 percent when the building is setback at least 200 feet from the public right-of-way.
 - (3) *Rear wall sign.*
 - a. In all commercial and industrial districts, one wall sign may be placed on the rear wall which abuts either a street (other than that providing primary public access), or an alley.
 - b. Rear wall signs shall not exceed one square foot of area for each lineal front foot of the premises, measured upon the street or alley, with the total of all wall signs not to exceed 32 square feet in area.
 - c. Rear wall signs shall not be illuminated when the property displaying such sign abuts a non-arterial street or alley and lies directly across that street from a residential zoning district.
 - d. Where an establishment abuts two parallel, or nearly parallel streets or alleys, the city administrator, or his or her designee, shall determine which provides primary access.
- (c) *Awnings and similar structures.* A property owner may erect or repair awnings or similar structures over public property provided that such awnings meet all existing building code requirements for construction, are at least eight feet in height above the existing sidewalk, and do not exceed or extend beyond a vertical line extending upward from a point 36 inches inside the existing curb line.

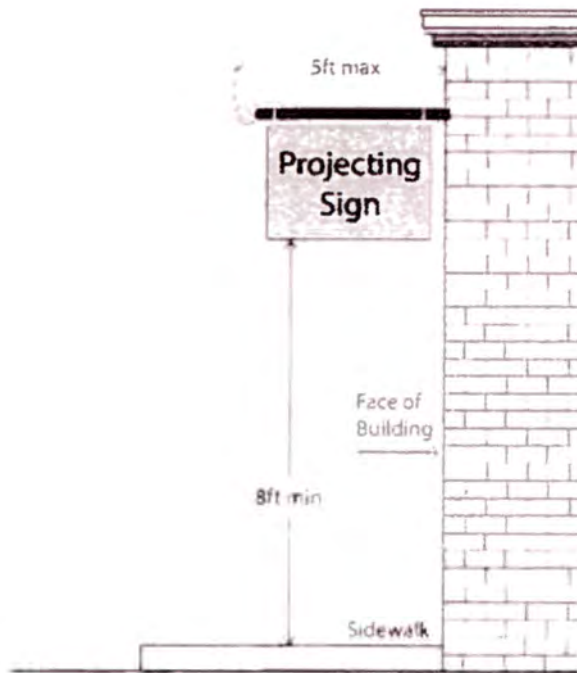
(d) *Under canopy or under awning signs.* One under canopy or under awning sign per tenant shall be permitted as follows:

- (1) *Maximum sign area:* The maximum sign area shall be six square feet.
- (2) *Maximum sign height:* A sign must have an eight-foot clearance for pedestrians; however, a seven-foot clearance shall be allowed if the sign is comprised of pliable material.



(e) *Projecting signs.* Projecting signs are allowed only in commercial zoning districts.

- (1) A projecting sign must have eight feet of head clearance from the sidewalk and project no more than five feet from the building.
- (2) Only one projecting sign is permitted for each individual business, unless the business fronts on two streets, in which case one sign for each street frontage would then be allowed.
- (3) No projecting sign shall contain more than 15 square feet and shall not extend beyond the roof line.
- (4) A projecting sign shall not be used within 20 feet of another projecting sign, except in the historic district where said distance separation shall be 15 feet.
- (5) A projecting sign must project at a 90-degree angle from the point of attachment.



(f) *Roof signs.*

- (1) Roof signs shall be permitted only in commercially zoned districts.
- (2) Roof signs shall be no more than 30 percent of the road front roof face upon which it is situated.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-11. - Permanent off-premises signs and bench signs.

Sec. 17-11.1. - Permanent off-premises signs.

- (a) *Quantity of certain permanent off-premises signs.* This section shall not apply to bench or directional signs. The total number of permanent off-premises signs shall be limited to:
 - (1) The number of off-premises signs in existence as of June 7, 1994; and
 - (2) The number of off-premises signs in existence on the date of annexation in areas annexed by the city.
 - (3) Sections 17-12 through 17-12.3 of this chapter do not apply to signs governed by sections 17-11.1 or 17-11.2 of this chapter.
- (b) *Transferability of permanent off-premises signs.* The owner of any existing permanent off-premises sign may:
 - (1) Remove such existing sign and reconstruct it to the specifications required by this chapter in the same place or at any other location that complies with this chapter; or
 - (2) Convey the sign to another party, who then will have the right to reconstruct or relocate it to any other location that complies with this chapter.
- (c) *Location.* Off-premises signs in excess of 160 square feet in area and not exceeding 500 square feet in area shall be located only in commercially and industrially zoned districts of the city facing U.S. Highway 27, except that no such signs shall be allowed on the lake side of U.S. Highway 27 between

the intersections of Southeast Lakeview Drive with the highway and Howey Road with the highway. Off-premises signs of 160 square feet or less in area may be located in commercially and industrial zoned districts of the city; except that no signs off-premises shall be located in the CRA, or on property upon which there is an existing freestanding sign on-premises, other than directional signs, and off-premises signs located on property zoned 'public' when that sign is for the principal purpose of providing public information and is approved by the community redevelopment agency.

- (d) *Area; frequency; setback.* Off-premises signs on U.S. Highway 27 shall be located no less than 1,000 feet from any other off-premises sign on U.S. Highway 27, and shall be set back at least 15 feet from any right-of-way and at least 200 feet from any single-family residentially zoned district. Off-premises signs in other commercially and industrially zoned districts shall not be located within 1,000 feet from any other off-premises sign on the same side or the other side of the street and shall be set back at least 15 feet from any right-of-way and at least 500 feet from any residentially zoned property.
- (e) *V-style signs.* V-style double-faced freestanding signs shall be permitted only where the angle at the apex does not exceed 45 degrees and where the width between supporting members of the apex does not exceed four feet.
- (f) *Grandfathered off-premises signs.* Existing nonconforming off-premises signs located on:
 - (1) Lakeview Drive between Kenilworth Boulevard and U.S. Highway 27;
 - (2) Kenilworth Boulevard between Lakeview Drive and Highlands Avenue;
 - (3) The lake side of U.S. Highway 27 (as set forth in subsection (c) above);
 - (4) Commerce Avenue at its intersection with the railroad tracks and Highlands Avenue; and
 - (5) State Road 17 north of its intersection with North Ridgewood Drive.

may continue to exist in those locations until such signs are destroyed or damaged to the extent of 50 percent or more of their replacement value. In the event of such damage or demolition, except where intentionally damaged or demolished by vandalism, the signs shall not be repaired or rebuilt larger than 160 square feet or they may be relocated to any other location that complies with this chapter. Any such damaged or destroyed sign that is not removed or rebuilt within 60 days after such damage, or within 30 days after written notice from the city to do so, may be removed by the city, at the owner's expense. Should the city annex property which has nonconforming signs, such signs shall be legally nonconforming under the same terms of this section.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018; Ord. No. 1435, § 3, 12-4-2018)

Sec. 17-11.2. - Bench signs.

Bench signs shall be permitted only in commercial and industrial zoned areas of the city, with the exception of properties located in the community redevelopment area (CRA) and historic districts where such signs are regulated under section 17-14.2. Bench signs shall:

- (1) Not be located on public right-of-way or other public property, except as provided in section 17-8(b)(4);
- (2) Be kept in good repair;
- (3) Be located no less than 1,000 feet from any such other bench sign;
- (4) Be removed within 90 days of cancellation of the permit by city council, for any reason.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-12. - Nonconforming signs.

This section and sections 17-12.1, 17-12.2. and 17-12.3, shall apply to any sign and its supporting members, that does not conform to the requirements of this chapter. Any permanent, on-premises sign in existence on October 16, 2018, that does not conform to the requirements of this chapter may be maintained and repaired but shall not be extended or altered to further the nonconformity. Any nonconforming sign destroyed or damaged to the extent of 50 percent or more of its replacement value, shall not be repaired or rebuilt except in conformance with this chapter. This section and sections 17-12.1, 17-12.2, and 17-12.3, shall not apply to signs governed by section 17-11, 17-11.1 or 17-11.2.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018; Ord. No. 1435, § 1, 12-4-2018)

Sec. 17-12.1. - Removal of nonconforming signs.

All nonconforming and non-permitted signs, shall be removed within 30 days after the date upon which a violation notice is issued. If the sign is not removed or the violation, if correctable, is not corrected within the prescribed period, the city may remove the sign without further notice and may enter upon private property without incurring any liability for so entering. The cost of removing a nonconforming sign shall be assessed against the owner of the sign, by the city, and shall be enforceable consistent with section 17-1 of this chapter.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-12.2. - Nonconforming sign alterations and repairs.

- (a) A nonconforming sign shall not be enlarged or increased in any way from its existing size at the time of the adoption of this sign code.
- (b) Nonconforming signs shall not be repaired, or reestablished after damage or destruction, if the estimated cost of reconstruction or repair exceed 50 percent of the reproduction and installation cost of the sign.
- (c) Nonconforming signs or sign structures that are defined as abandoned signs under this sign code shall not be permitted for reuse.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-12.3. - Casual, temporary, or illegal use.

Prohibited signs and the casual, temporary or illegal erection or 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.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018; Ord. No. 1435, § 2, 12-4-2018)

Sec. 17-13. - Sign removal.

Sec. 17-13.1. - Removal of prohibited signs.

- (a) Prohibited signs on public property or rights-of-way shall be removed immediately and may, without notice, be removed by the city or its agent.
- (b) Illegal or prohibited temporary signs or parasite signs shall be removed within 48 hours after receipt of written notification of the city code enforcement officer or city administrator, or his or her designee.
- (c) Other signs prohibited in section 17-8 shall be removed by the owner, agent or person in charge of the premises, within 48 hours after receipt of written notification by the code enforcement officer or city

administrator, or his or her designee. If the sign is not removed within this time frame, the city may remove it at the owner's expense and/or the code enforcement officer may refer the violation to the City of Sebring Code Enforcement Board and/or Special Magistrate.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-13.2. - Removal of unsafe and/or abandoned signs.

Should any sign become structurally insecure, in disrepair, deteriorated or otherwise unsafe, the code enforcement officer or the city administrator, or his or her designee, shall provide written notification thereof to the owner thereof, or person or firm maintaining it. Upon receipt of written notification from the city administrator, or his or her designee, or code enforcement officer, the owner shall:

- (1) *In the case of imminent danger.*
 - a. Immediately secure the sign or cause it to be placed in good repair (in a manner approved by the city building official); or
 - b. Immediately remove the sign.
- (2) *All other instances.*
 - a. Secure the sign or cause it to be placed in good repair (in a manner approved by the city building official) within 90 days after the date upon which a violation notice is issued; or
 - b. Remove the sign within 90 days after the date upon which a violation notice is issued.
- (3) *Broken or missing sign panel.* In no case shall a sign box be left with a broken or missing sign panel. Such signs are subject to either [subsection] (a) or (b), above, whichever is applicable.
- (4) *When a business leaves a location.* When a business leaves a location, the signs pertinent to that business shall be removed by either the tenant or the landlord. If a new business will be moving in immediately, a box-type sign cabinet may be re-used by the new business operator by inserting a new "face" in the sign.

If a new business is not moving in within 90 days of the former leaving, then one of the following shall be required until a new business rents the space:

- a. A blank panel may be inserted to replace the sign face of the prior business;
- b. The existing sign face may be reversed so that the blank side of the panel is showing;
- c. A sock or boot may be used to cover the sign.

In cases where totally new signs or awnings are being installed for a business, the old signs they replace shall be completely removed upon installation of said new signs.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-13.3. - Removal of illegally erected signs.

Where this chapter requires sign painting or installation by a licensed contractor and such work is not performed by a licensed contractor, the owner, and lessee if applicable, of the property where such illegally erected sign is located shall either:

- (1) Have the sign immediately removed;
- (2) Have a licensed contractor secure a permit for such sign, subject to all applicable city inspections; or

If none of the above actions are completed within ten days after notification by the city administrator, or his or her designee, or code enforcement officer, the violation may be referred to the City of Sebring Code Enforcement Board and/or Special Magistrate.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-14. - Community redevelopment agency (CRA) district, historic district, and locally designated historic properties.

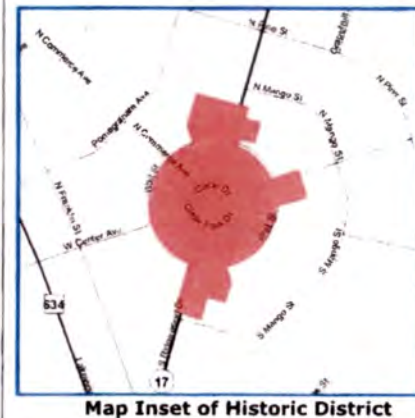
This section is applicable to those properties located within the community redevelopment agency (CRA) and historic districts, and to locally designated historic properties, and is intended to prevent visual disruption of the architectural character of these districts and locally designated historic properties. The City of Sebring encourages distinctive and creative signage that is also harmonious with the districts and locally designated historic properties where the signage is located. These standards and guidelines not only apply to signs located on structures, but also the public right-of-way.

The establishment of signs within the CRA and historic districts, and where properties are locally designated historic, may require review and approval by the community redevelopment agency board and/or historic preservation commission. Where the terms "should", "appropriate", "encourage", "desirable", "preferred" and "discouraged" are used, the CRA and/or historic preservation commission may require conformance with the provision to the extent that it is applicable, practical, and reasonable in a given situation. The CRA and the historic preservation commission may also impose various or additional design requirements, size limitations, height restrictions, or other features that are consistent with the intent of district or the historical identification and scale of the surrounding area.

Unless otherwise provided herein specific to the CRA district, the historic districts, and locally designated historic properties, all requirements of the sign code shall be applicable. In the event of a conflict between these guidelines and other requirements of the sign code, these guidelines shall supersede.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-14.1. - Community redevelopment agency (CRA) district and historic district boundaries.



Those portions of the community redevelopment district that do not lie within the historic district and are not a designated historic property are referred to as the "design review area".

The following guidelines and standards for the CRA district, the historic district, and locally designated historic properties shall respect the provisions contained in chapter 8, community redevelopment agency and chapter 11, historic preservation, city Code of Ordinances.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-14.2. - General design guidelines for the CRA and historic districts.

Unless otherwise provided, the requirements in section 17-14.2 shall apply to both the CRA and historic districts.

- (a) *Ground signs and pole signs.* Ground signs and pole signs are permitted within commercial areas.

- (1) The sign shall not exceed one square foot of area for each lineal front foot of the premises, measured upon the street, and shall be proportionately sized to the building and/or property where it is located; however, no sign shall exceed 300 square feet of area.
 - (2) The maximum sign height shall be 18 feet with a minimum eight feet clearance between grade and the bottom of the sign face.
 - (3) It is preferred these signs be located near the entrances to parking areas.
 - (4) It is preferred these signs serve to identify a building.
 - (5) Electronic message center ground and pole signs may be allowed in the CRA district. Any electronic message center signs located within the historic district shall require approval by the historic preservation commission consistent with applicable illumination standards and section 17-14.4(1)d.
- (b) *Multiple signs on one site.* Multiple signs used on one site should be compatible with one another and should be designed and placed to avoid a sense of visual clutter.
- (c) *Wall signs and projecting signs.*
- (1) Signs should be compatible with and complement the style of the building on which the sign is located.
 - (2) Signs are encouraged to identify a business.
 - (3) Wall signs may extend the entire length of a façade but shall have a total vertical dimension of no more than two feet six inches.
 - (4) Wall signs should be affixed to the building, parallel to the building with one face showing.
 - (5) Projecting signs shall be mounted no lower than eight feet above the elevation of the first or ground level floor and no higher than the elevation of the second floor.
 - (6) Projecting signs shall only project four feet from a building.
 - (7) Projecting signs should be placed perpendicular to the building and should have two faces.
- (d) *Window signs.*
- (1) A window sign may be painted on, attached to, or suspended directly behind or in front of a window or glass door pane.
 - (2) A business may have more than one window sign.
 - (3) The sign display area shall not exceed 50 percent of any, or all, window surface areas.



Signs with Integral Background Areas



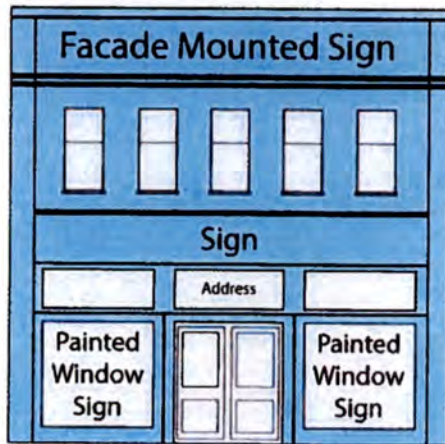
Signs without Integral Background Areas



Combination of Signs with and without Integral Background Areas

(e) *Building mounted sign locations.*

- (1) Sign placement for building mounted signs, including wall signs, projecting signs, awning signs, and under canopy signs should respect the architectural scale and style of the facade.
- (2) Signs attached to structures should not hide architectural detail or features of the building.
- (3) Signs should be placed on open walls and/or fit entirely within horizontal and vertical elements or bands, without crossing or obscuring such elements.



(f) *Illumination.* Electronic or digital signs shall, at a minimum, comply with the standards provided in section 17-7.3. Unless otherwise provided, all other illuminated signs shall comply with section 17-6.4, illumination standards.

(1) *CRA district.*

- a. Appropriately designed lighted signs are acceptable, including signs lighted from a concealed exterior source and backlit signs.
- b. Neon signs may be allowed for wall signs and window signs.

- (2) Historic district. Illumination standards specific to the historic district are provided in section 17-14.4.
- (g) *Sidewalk signs.*
 - (1) Sidewalk signs shall be allowed in the CRA and historic districts consistent with section 17-7.2(b).
 - (2) Sidewalk signs located in the historic district require approval from the historic preservation commission.
- (h) *Signs within the right-of-way.*
 - (1) No sign shall be placed on or over the public right-of-way or on any public property except that placed by, or approved by, a government entity, and sidewalk signs, signs on marquees and awnings, projecting signs, and under canopy signs which overhang that portion of the public right-of-way that includes a pedestrian pathway.
 - (2) Signs shall respect the applicable provisions within this sign code and the design guidelines and/or other applicable criteria for the respective district in which said signs are to be located.
- (i) *Bench signs.*
 - (1) Bench signs shall be located on private property in the CRA and historic districts and shall require approval by the respective district body.
 - (2) Bench signs shall be consistent with design guidelines and/or other applicable criteria for the respective district in which the sign is to be located.

(Ord. No. 1427, § 2, 10-16-2018)

Sec. 17-14.3. - CRA design review and appeals.

- (a) *Design review.* Anyone developing property in the "design review area" shall first apply to the CRA board, which shall review the proposed design and determine whether it complies with CRA design guidelines and criteria. The CRA board must approve the design for a sign permit to be issued.
- (b) *Appeals.* If an application is denied, the applicant may appeal the agency decision to the city council consistent with chapter 8 of the city Code of Ordinances.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-14.4. - Historic district and locally designated historic property(ies).

The architectural, cultural, and aesthetic resources of the historic district and historic properties are among the city's most valued and important assets. Signs located within the historic district, and those located on locally designated historic properties, should be pedestrian-oriented, restrained in character, and harmonious with the sensitive nature of the district or property, and correspond to the character of the building with which it is associated in terms of form, design, scale, and proportion. Applicants must provide documentation demonstrating how signage is appropriate to the historic period and historic character of the building and/or area where the sign is to be located. Applicants may reference the book Sebring, City on the Circle: A guide to the City's Historic Architecture (The Heritage Guide Series) for guidance.

- (1) *General design guidelines.*
 - a. *Size and shape.*
 - 1. Signs should be proportionately sized to the scale of the building, the storefront, and the street.

2. Signs should be scaled and oriented to relate to pedestrians, as well as passing motorists.
- b. Color.
 1. Colors should be chosen to complement the color of the building.
 2. In general, it is best to use no more than three colors on a sign: one for the background, one for the lettering, and a third color for accents such as borders, motifs, logos, or shading. A fourth color might be used for illustrations.
- c. Materials.
 1. Materials shall be chosen to complement the materials comprising the building.
 2. Signs mounted to a building façade should be attached in a manner which minimizes damage to historic materials.
- d. Illumination.
 1. The use of illuminated signs shall require review and approval by the historic preservation commission. In making its determination, the commission shall require documentation and photographic evidence to support the proposed sign's appropriateness to the historic period and historic character of the building and/or area where the sign is to be located.
 2. Illuminated signs must respect the pedestrian-oriented environment of the historic district.
- e. Typefaces. Typefaces should be carefully selected to complement the building and the nature of the business.
- f. Projecting signs. A projecting sign shall not be located within 15 feet of another projecting sign.
- g. Under canopy signs. Under canopy signs shall not exceed six square feet per store front.
- h. Display boards.
 1. One display board per establishment may be flush-mounted to the exterior wall of a building.
 2. Outdoor display boards flush-mounted to the exterior wall of a building shall not exceed four square feet per sign face.
- i. Sign placement. Signs should be placed where they respect an existing sign line established by the sign on adjacent establishments.
- j. Temporary signs.
 1. Temporary signs are allowed as provided in section 17-7.2, paragraphs (1), (2), (3), (4), (5), and (6).
- k. Prohibited signs.
 1. Portable message center signs.
- (2) *Certificate of appropriateness review authority.*
 - a. Staff review and approval. Within specific guidelines established by the historic preservation commission, staff may issue certificates of appropriateness without commission review, consistent with chapter 11 of the city Code of Ordinances. Should an application be denied by staff, it shall be referred to the commission for further consideration as if it were a new application.
 - b. Commission review and approval.

1. The commission shall review all applications which are not subject to staff review.
2. The commission shall review all applications which are not approved by staff.
- (3) *Criteria for certificate of appropriateness.* A certificate of appropriateness shall be required for permanent signs. In determining the appropriateness or location of signs, the criteria specified for a certificate of appropriateness, as provided in chapter 11, historic preservation, city Code of Ordinances, shall apply.
- (4) *Specific criteria for signs for certificate of appropriateness.* In addition to criteria specified generally for certificates of appropriateness in chapter 11, historic preservation, city Code of Ordinances, the following criteria shall be considered, as specifically applicable to signs.
 - a. The size, scale and design of the sign shall be compatible with the size, scale and design of the property, building, or site upon which it is to be located.
 - b. The sign's material shall be compatible with the period and style of the property, building or site.
 - c. The sign's installation shall not irreparably damage any cornice, ornament or similar architectural detail and shall be the least damaging method feasible for the property, building, or site.
- (5) *Variances.* Where by reason of unusual circumstances the strict application of any provision of this chapter would result in exceptional practical difficulty or undue economic hardship upon any owner of a property, the historic preservation commission may vary or modify strict adherence to such provision so as to relieve the difficulty or undue economic hardship, providing such variance does not detract from the general purpose and intent of this chapter and chapter 11, and so long as the architectural or historical integrity or character of the property shall be conserved. In granting such variance, the commission may impose reasonable and additional conditions, in its judgment, which best fulfills the purpose and intent of these standards, the historic district, and chapter 11 of the city Code. An undue economic hardship or exceptional practical difficulty must be unique to a specific property and shall not have been created by an owner or occupant of the property. The granting of the variance must not create a conflict with any other city ordinance.
- (6) *Appeals.* Any person adversely affected by any decision of the commission may appeal such decision to the city council. Appeals from any decision of the city council may be taken to the circuit court in the manner provided by law.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-15. - Penalties for violations of this chapter.

Any violation of this chapter may be enforced by the code enforcement board or by special magistrate and violators may be ordered to pay a civil fine up to the maximum permitted by state law or as provided in section 1-7. Violators may also be prosecuted criminally consistent with Florida State law.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-16. - Variances and appeals.

Unless otherwise provided in this chapter, and consistent with chapter 16 of the city Code of Ordinances, the following shall apply to variances and appeals.

- (1) *Variances.* The city planning and zoning board is authorized to hear and decide variances to this chapter when owing to special conditions, a literal enforcement of the provisions will, in an individual case, result in unnecessary hardship.
- (2) *Appeals.*

- a. The city planning and zoning board is authorized to hear and decide appeals where it is alleged there is an error in any order, requirements, decision or determination made by any city official in the enforcement and interpretations of this chapter.
- b. The decision of the planning and zoning board shall be final unless an aggrieved party files a written appeal of a planning and zoning board decision to the city council. The appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the planning and zoning board. An appeal shall be filed within 30 days of execution of the order to be appealed.

(Ord. No. 1426, § 1(Exh. A), 10-16-2018)

Sec. 17-17. - Severability.

- (a) If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter 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 chapter.
- (b) Severability where less speech results. Without diminishing or limiting in any way the declaration of severability set forth above in subsection (a) above, or elsewhere in this chapter, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter 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 chapter, 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 subsections (a) or (b) above, or elsewhere in this chapter, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter 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 chapter that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed under section 17-8 of this chapter. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of chapter 17 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 chapter 17.
- (d) Severability of prohibition of billboards. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of the chapter 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 of billboard signs as contained in the chapter or Code.

(Ord. No. 1427, § 2, 10-16-2018)

Sec. 11-72. - Application for certificate of appropriateness.

- (a) *Alterations of existing buildings, sites and monuments.* After the designation by ordinance of an historic property or historic district, no material change in the exterior architectural features or material change in the appearance of such historic property or of any structure, site or monument within such historic district shall be made or permitted to be made unless application for a certificate of appropriateness has been submitted to and approved by the commission or, under specific conditions, its staff. All alterations shall conform to the plans submitted and approved, except as provided in this article.
- (b) *New construction within historic district.* No new construction shall be begun within an historic district until an application for a certificate of appropriateness has been submitted to and approved by the commission. New construction shall conform in design, scale and setback to the character of the historic district as specified in the commission's design guidelines.
- (c) *Demolition or relocation applications.* Anyone requesting a permit to demolish or relocate a structure within an historic district or any structure that has been classified as an historic property shall first apply to the commission for a certificate of appropriateness.
- (d) *Application.* Applications for certificates of appropriateness shall be on such forms as may be designated by the commission and be accompanied by such drawings, photographs or plans as may be required by the commission. The application shall also include the post-demolition and/or relocation plans for the property and the plans and specifications of any building that will replace the structure.
- (e) *Delegation of review authority.* The commission may establish specific guidelines within which its staff may issue certificates of appropriateness without review by the commission. Should an application be denied by staff, it shall be referred to the commission for further consideration as if it were a new application.
- (f) *Review by commission.* The commission shall review all applications which are not subject only to staff review and all applications which are not approved by staff within the guidelines established by the commission for staff approval. After such review, the commission shall either:
 - (1) Approve the application and issue a certificate of appropriateness if it finds that the proposed changes in the appearance would not have a substantial adverse effect on the historic property or the historic district; in making this determination, the commission shall consider, in addition to any other appropriate factors, the historical and architectural value and significance, architectural style, general design arrangement, texture and materials of the architectural features involved, and their relationship to the architectural style and pertinent features of the other structures in the immediate neighborhood; or
 - (2)

- Deny the application and not issue a certificate of appropriateness if it finds that the proposed changes in appearance would have a substantial adverse effect on the esthetic, historic or architectural significance and value of the historic property or the historic district or if it finds that insufficient information, plans or specifications have been submitted by the applicant.

(g) *Time limit on making decisions.* A decision shall be made by the commission within 90 days after the filing of a complete application. Failure of the commission to act within such 90 days shall constitute approval, and a certificate of appropriateness will be promptly issued. This time limit may be waived at any time by mutual written consent of the applicant and the commission.

(h) *Decision of denial in writing.* If the commission denies the application, it shall state its reasons for doing so in writing and shall transmit a record of such actions and reasons to the applicant and the city council. The commission may also suggest any alternative course of action it believes proper; and the applicant, if he so desires, may modify the plans and resubmit the application.

(Code 1981, § 7.5-4)

Sec. 11-73. - Appeals.

Any person adversely affected by any decision of the commission may appeal such decision to the city council, in writing, within 30 days after the decision is rendered. The city council may approve, modify or reject the decision of the commission upon such appeal. Appeals from any decision of the city council may be taken to the circuit court in the manner provided by law.

(Code 1981, § 7.5-5)

Sec. 11-74. - Variances.

(a) Where by reason of unusual circumstances the strict application of any provision of this article would result in exceptional practical difficulty or undue economic hardship upon any owner of a property, the commission may vary or modify strict adherence to such provision so as to relieve the difficulty or undue economic hardship, providing such variance does not detract from the general purpose and intent of this article and so long as the architectural or historical integrity or character of the property shall be conserved. In granting such variances, the commission may impose such reasonable and additional conditions as will, in its judgment, best fulfill the purpose of this article. An undue economic hardship or exceptional practical difficulty must be unique to a specific property, shall not have been created by an owner or occupant of the property, and the granting of the variance must not create a conflict with any other city ordinance. If a property owner is able to demonstrate, to the commission's reasonable satisfaction, that an historic property, or a structure located in an historic district, is incapable of earning an economic return on its value, as appraised, and the commission has otherwise refused to issue a certificate of appropriateness for demolition, a variance will be granted and a permit for demolition will be

• issued after the delay established on the schedule set forth in subsections (a)(1)—(3). Such delay shall begin upon the granting of the variance; and a notice shall thereafter be promptly posted on the premises, at a location clearly visible from the street, of sufficient size and language so as to give interested persons within the city, including historical societies or organization, the opportunity to attempt to acquire or otherwise arrange for the preservation of such structure. The delay shall be:

- (1) For buildings rated contributing historic, 12 months;
- (2) For buildings rated contributing nonhistoric, 12 months; and
- (3) For buildings rated nonconforming, no delay.

(b) The commission may at any time during such stay approve a certificate of appropriateness, in which event the permit for demolition shall be issued without further delay.

(Code 1981, § 7.5-6)

Kathy Haley

From: Scott Noethlich
Sent: Thursday, February 8, 2024 10:28 AM
To: Kathy Haley
Subject: FW: Sign Code and section 17-14
Attachments: Chapter_17_SIGNS_City of Sebring.pdf

Please see the email below. You were copied as well.

Scott

From: Scott Noethlich
Sent: Wednesday, January 17, 2024 4:03 PM
To: brigglee (brigglee@gmail.com) <brigglee@gmail.com>; a.owens (a.owens@1stpi.com) <a.owens@1stpi.com>; jap2247 (jap2247@aol.com) <jap2247@aol.com>; Daniel Andrews <paragoneventpros@gmail.com>; marieboley@embarqmail.com
Cc: Lee Tolar <LeeTolar@mysebring.com>; Yare Soto <YareSoto@mysebring.com>; Kathy Haley <kathyhaley@mysebring.com>; Penny L. Robinson <pennyrobinson@mysebring.com>
Subject: Sign Code and section 17-14

Historic Preservation Commission members,

Could each of you review all of section 17-14 of the sign code attached. In order to expedite the process for approval for window signs, I believe staff should be given the authority to approve window signs. Further, I might make the argument that the code reads that way. Do each of you agree? This inquiry is a result of a future business owner expressing her concern about having to wait so long for approval. Should you have any questions, please feel free to call me.

Thanks, Scott



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