

*1st
on 10-28-08*

CITY OF ST. PETE BEACH, FLORIDA

ORDINANCE NO. 2008-40

*on agenda
11/10/08
Not adopted
Noticed*

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA, PROVIDING FOR AMENDMENT OF THE LAND DEVELOPMENT CODE TO MODIFY STANDARDS FOR PROHIBITED SIGNS; PROVIDING FOR AMENDMENT OF DIVISION 26 OF THE LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, notice of this ordinance has been provided in accordance with applicable law; and

WHEREAS, the City Commission has determined that the specified amendments to the Land Development Regulations are necessary to protect and promote the public interest;

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, HEREBY ORDAINS:

Section 1. The Land Development Code of the City of St. Pete Beach is hereby amended in accordance with the following:

Sec. 26.4. Prohibited signs.

The following signs and sign-types are prohibited within the city limits and shall not be erected. Any lawfully existing permanent sign or sign-type which is among the prohibited signs and sign-types listed below shall be deemed a nonconforming sign subject to the provisions of section 26.5.

- (a) Billboards; off-site signs.
- (b) Revolving signs; rotating signs.
- (c) Flashing signs.
- (d) Animated signs.
- (e) Wind signs.
- (f) Portable signs, other than sandwich board signs as allowed within certain zoning districts pursuant to this division.
- (g) Roof signs, other than integral roof signs in non-residential zoning districts.
- (h) Abandoned and discontinued signs.
- (i) Snipe signs.
- (j) Projecting signs.
- ~~(k) Bus bench advertising signs; bus shelter advertising signs.~~
- (†) (k) Signs that emit sound, vapor, smoke, odor, particles or gaseous matter.

- (m) (l) Signs that have unshielded illuminating devices.
- (n) (m) Signs that obstruct, conceal, hide or otherwise obscure from view any official traffic or governmental sign, signal or device.
- (o) (n) Any attached sign that exceeds 100 square feet in area.
- (p) (o) Any freestanding sign that is higher than 35 feet.
- (q) (p) Any freestanding sign that exceeds 135 square feet in sign area.
- (r) (q) Any sign within a sight visibility triangle that obstructs a clear view of pedestrian or vehicular traffic.
- (s) (r) Any sign in the public right-of-way, other than traffic control device signs, bus stop informational signs, warning signs or safety signs.
- (t) (s) Any sign attached to a seawall or pier, other than a warning sign or safety sign.
- (u) (t) Any sign other than a traffic control device sign that uses the word "stop" or "danger," or presents or implies the need or requirement of stopping or the existence of danger, or which is a copy or imitation of official traffic control device signs, and which is adjacent to the right-of-way of any road, street, or highway.
- (v) (u) Any sign nailed, fastened or affixed to any tree.
- (w) (v) Any sign prohibited by state or federal law.
- (x) (w) Vehicle sign or signs which have a total sign area on any vehicle in excess of ten square feet, when the vehicle is not "regularly used in the conduct of the business" advertised on the vehicle, and (a) is visible from a street right-of-way within 100 feet of the vehicle, and (b) is parked for more than two consecutive hours within 100 feet of any street right-of-way. A vehicle shall not be considered "regularly used in the conduct of the business" if the vehicle is used primarily (i) for advertising, or (ii) for the purpose of advertising, or (iii) for the purpose of providing transportation for owners or employees of the business advertised on the vehicle.
- (y) (x) Any sign located on real property without the permission of the property owner.
- (z) (y) Beacons, except as required by federal or state law.
(Ord. No. 03-10, § 1, 6-3-03)

Section 2. The Land Development Code of the City of St. Pete Beach is hereby amended in accordance with the following:

Sec. 26.6. Exemptions.

This division does not pertain to the following:

- (a) A sign, other than a window sign, located entirely inside the premises of a building or enclosed space.
- (b) A sign on a vehicle, other than a prohibited vehicle sign or signs.
- (c) A statutory sign.

(d) Signage placed on public property with appropriate review and authorization of the City Commission.
(Ord. No. 03-10, § 1, 6-3-03)

Section 3. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 4. If any portion or part of this ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 5. This ordinance shall become effective immediately upon adoption.

Michael Finnerty, MAYOR

FIRST READING : _____
PUBLISHED : _____
SECOND READING : _____
PUBLIC HEARING : _____

I, Theresa B. McMaster, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2008.

Theresa B. McMaster, City Clerk
