



# City of Deltona

2345 Providence Blvd.  
Deltona, FL 32725

## Agenda

### Ordinance Review Committee

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Thursday, August 4, 2016

6:00 PM

2nd Floor Conference Room

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**1. CALL TO ORDER:**

**2. ROLL CALL:**

**3. APPROVAL OF MINUTES & AGENDA:**

A. Minutes of July 7, 2016

**4. PRESENTATIONS/AWARDS/REPORTS:**

**5. PUBLIC FORUM:**

**6. OLD BUSINESS:**

A. [Ordinance No. 27-2016 - Itinerate Merchants.](#)

**7. NEW BUSINESS:**

A. [Ordinance No. 29-2016: Amending Chapter 70-30, Definitions, and Chapter 102, Signs of the City's Land Development Code](#)

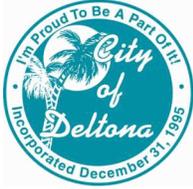
**8. STAFF COMMENTS:**

**9. BOARD/COMMITTEE MEMBERS COMMENTS:**

**10. ADJOURNMENT:**

*NOTE: If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).*

*Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.*



# City of Deltona

2345 Providence Blvd.  
Deltona, FL 32725

## Minutes

### Ordinance Review Committee

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Thursday, July 7, 2016

6:00 PM

Second Floor Conference Room

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#### 1. CALL TO ORDER:

The meeting was called to order at 6:01 pm.

#### 2. ROLL CALL:

Also present: Ron Paradise, Planning and Development Services; Officer Mark Gibson, Enforcement Services and Kathrine Kyp, Planning and Development Services.

**Present:** 5 - Chair Melissa Roberts  
Vice Chair Sonja Kihlmire  
Member James Diehl  
Member Cheri Taylor  
Member Thomas Walsh

#### 3. APPROVAL OF MINUTES & AGENDA:

##### A. Minutes of June 2, 2016

**Motion by Member Walsh, seconded by Member Taylor, to approve the Minutes of June 2, 2016. The motion carried by the following vote:**

**For:** 5 - Chair Roberts, Vice Chair Kihlmire, Member Diehl, Member Taylor and Member Walsh

#### 4. PRESENTATIONS/AWARDS/REPORTS:

#### 5. PUBLIC FORUM:

#### 6. OLD BUSINESS:

##### A. Discussion: Mobile Vending

Mr. Paradise provided a summary regarding the itinerate merchants document enclosed within the agenda. He noted that the document is designed to define itinerate merchants and roving merchants as well as addressing the limitations applied to the vendors. He noted that there is a time limit on the length of activity to not exceed seven (7) consecutive days in duration and shall not occur more than three times in any calendar year.

The committee discussed additional criteria to be added to the ordinance to include: hours of operation, locations, licensing, ice cream truck sales, the requirement of a trash receptacle and time restrictions on roving sales occurred.

**Motion by Vice Chair Kihlmire, seconded by Member Walsh, to approve the 60 minutes time restriction for roving sales in non residential. The motion carried by the following vote:**

**For: 5 - Chair Roberts, Vice Chair Kihlmire, Member Diehl, Member Taylor and Member Walsh**

Discussion amongst staff and committee continued regarding site plan requirements . Mr. Paradise stated that he will modify the site plan language.

Discussion occurred amongst the committee allowing roving sales a maximum of 15 minutes for residential areas and 60 minutes for commercial areas.

The committee agreed to return in August for a final discussion regarding the Itinerate Merchant ordinance.

**Motion by Member Taylor, seconded by Member Walsh, to amend the motion to allow 15 minute time limit in residential areas and 60 minute time limit for commercial areas for roving sales. The motion carried by the following vote:**

**For: 5 - Chair Roberts, Vice Chair Kihlmire, Member Diehl, Member Taylor and Member Walsh**

**7. NEW BUSINESS:**

**8. STAFF COMMENTS:**

**9. BOARD/COMMITTEE MEMBERS COMMENTS:**

**10. ADJOURNMENT:**

The meeting adjourned at 7:12 pm.

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Melissa Roberts, Chairperson

ATTEST:  
  
\_\_\_\_\_

Kathrine Kyp, Board Secretary

## Itinerate Merchants and Roving Sales

### Definitions:

Itinerate merchant shall be defined as follows: any person, firm, corporation, organization, or other entity selling, displaying, promoting, or giving away merchandise, products or services at a location external to a regularly licensed and established business or institutional use on a temporary basis. Itinerate merchants may be associated with a wheeled vehicle, trailer, tent and other temporary, nonpermanent structures which can be readily dismantled and/or moved.

Roving sales shall be defined as any person, firm, corporation, organization, or other entity selling, displaying, promoting or giving away merchandise, products or services from a self-contained, and/or self-propelled vehicle that is no greater than 10,000 lbs. manufacturer's gross weight.

Itinerate merchant activity is allowed in the following circumstances:

- 1) C-1 or C-2 zoned land developed and used for an active, non-residential principal use with an approved and current City Business Tax Receipt; or
- 2) As part of a City or Volusia County School District sponsored or sanctioned event; or
- 3) As part of a special event permitted consistent with City Ordinance 96-24; or
- 4) Is permitted as a temporary outdoor automobile and arts and craft sales events and shows under Chapter 110 of the City Land Development Code.

Itinerate merchants shall be required to obtain or be associated with a City Special Events Permit and/or a Facility Use Agreement to operate within the City of Deltona.

### Other criteria:

- 1) Itinerate merchant activity shall not exceed seven (7) consecutive days in duration and shall not occur more than three times in any calendar year;
- 2) Hours of operation limitation – 12:00 am to 7:00 am;
- 3) Written permission of the owner of record is required;
- 4) Any itinerate merchant serving food shall be compliant with Florida Department of Business and Professional Regulation or other applicable health and safety requirements;
- 5) All applicable Florida Department of Regulation approvals, licensing, certifications, etc. must be displayed and/or available for inspection by the City;
- 6) No outdoor seating associated with food/beverage sales/promotions/giveaways, etc. is allowed;

- 7) An itinerate merchant shall not be located so as to diminish the utility of any required parking facility and shall be located farthest removed from the principal building consistent with the maintenance of safe and efficient internal vehicular circulation and ingress and egress;
- 8) The flow of traffic on designated on-site traffic lanes on or off the lot or parcel shall not be obstructed in a manner that would create an unsafe condition;
- 9) Adequate area for safe and efficient pedestrian movement shall be maintained;
- 10) An at scale site plan, plot plan or similar sketch will be required to determine adequate parking and safe circulation of both vehicles and pedestrians;
- 11) Itinerate merchant activities shall not occur within any public right-of-way;
- 12) Itinerate merchants shall not use or obstruct City sidewalks;
- 13) All itinerate merchants shall deploy a trash receptacle of no less than 32 gallons of capacity.

#### Roving Sales:

- 1) Stops are limited to no more than 5 minutes in residentially zoned areas and can only occur on Local (as per the City Thoroughfare Plan) streets with a posted speed limit of 30 mph or less;
- 2) Stops in residential areas shall be at least 50 feet from any intersection;
- 3) No stops can occur in areas that are designated non passing zones as per lane striping or other traffic control device;
- 4) Roving sales occurring in commercially zoned areas are limited to 60 minutes per parking facility, shopping center or other commercial development node;
- 5) Commercial areas eligible to be used for roving sales shall be associated with an active, non-residential principal use with an approved and current City Business Tax Receipt;
- 6) No outdoor seating is allowed;
- 7) Roving sales involving food shall be equipped with a trash receptacle of no less than 32 gallons of capacity;
- 8) No roving sales activity shall be conducted from any City Thoroughfare (as per the City Thoroughfare Plan);
- 9) Roving sales shall not obstruct traffic, interfere with the utility of any parking facility or create safety concerns;
- 10) Roving sales occurring in commercial areas shall have written permission of the owner of record;
- 11) The hours of operation limitation for Roving sales shall be 9:00 pm and 7:00 am.

Exemptions:

- 1) Bona fide non-commercial, not for profit (must have a 501(c)(3) status) fund raising activities including carwashes or bake sales that do not extend more than 6 hours during a single day and occurring at a frequency of no greater than once a month;
- 2) Sales, promotions, etc. occurring on the property of public schools when approved by the Volusia County School district.
- 3) Concessions located at City parks operating under a valid City of Deltona Facility Use Agreement.

DRAFT



# Staff Report

**To:** Ordinance Review Committee

**From:** Chris Bowley, AICP, Director  
Planning & Development Services

**Date:** July 25, 2016

**Re:** Ordinance No. 29-2016: Amending Chapter 70-30, Definitions, and Chapter 102, Signs of the City's Land Development Code

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## A. Summary of Application:

**Applicant:** N/A

**Request:** To amend Chapter 70-30, Definitions, and Chapter 102, Signs of the City's Land Development Code.

**B. Background:** The City of Deltona has amended its Sign Code, Chapter 102, Signs, within the Land Development Code in the past. The attached Ordinance No. 29-2016 proposes a rewrite of the current signage regulations within an abbreviated Sign Code. The proposed new Sign Code also includes updated federal signage regulations that keeps the City's Sign Code consistent with updated content law. Finally, the proposed Sign Code provides for a greater range of signage types (i.e. monument signs and pole signs).

## CONCLUSION:

The proposed Sign Code and Ordinance No. 29-2016 includes input from City staff, residents, and special interest groups. The proposed ordinance will be processed through the City's Planning & Zoning Board and City Commission, upon the Ordinance Review Committee's review. Staff will process the ordinance with ORC's comments, as amended.

**EXHIBIT A: ORDINANCE NO. 29-2016**  
PROPOSED AMENDMENTS TO CHAPTER 70-30, "DEFINITIONS" &  
CHAPTER 102, "SIGNS" OF ORDINANCE NO. 29-2016, OF THE CITY OF DELTONA

**Chapter 70-30. – Definitions.**

**Durational sign:** *a sign that is used to advertise something relating to the property on which it is located that is only used for a finite period of time, which period of time is dependent upon the actions of third parties, such as a "for sale" sign or a "for rent" sign that is only used during the period of time the property is for sale or for rent.*

**Façade sign:** *a sign that is attached to the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall.*

**Hand-made sign:** *a sign made by non-mechanical means and made without a manufacturing process. These signs typically include hand drawings, paintings, etc.*

**Land owner/sign owner/tenant** – *A party that owns a tract or a sign of the sign location or a person that has leased space on a tract.*

**Monument sign:** *a permanent sign where the entire bottom of the sign is affixed to the ground, not to a building. A sign that serves to identify the name of the building, address, and logo. ~~same as a "Ground sign."~~*

**Right-of-way (ROW)** – *The strip of land between the site and the paved road that is owned by the City, Volusia County, or a private entity that has been dedicated to the City for the purpose of maintaining the road and the installation and maintenance of utilities, drainage, sidewalks and other facilities. No permanent signs are permitted within rights-of-way. ~~An easement or dedicated strip of land owned by the City, occupied or intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for similar use.~~*

**Sign/copy area** – *The area defined on the sign depicting the extreme limits of the lettering, logo, trademark, or other graphic representation used to differentiate the sign from the background against which it is placed. This area includes the aggregate percentage of permanent window lettering/etchings, awnings, fascia, fascia return, lettering, or channel lettering area. ~~the square foot area enclosed by the perimeter of the sign face. When a sign is composed of letters only, the sign area is the area of the smallest rectangles needed to enclose all letters. See also "area of sign."~~*

**Temporary sign** – *A sign that temporarily provides information regarding an event or activity. ~~any sign or attention getting device intended to be used less than 12 months or only during the duration of a particular activity (for example, construction) or event (for example, a fair). Advertising on retail equipment, vehicles, trailers, real estate signs and the outside placement of products or displays except where specifically provided for in the approved site plan or uniform sign plan are examples of temporary signs.~~*

**EXHIBIT A: ORDINANCE NO. 29-2016**  
PROPOSED AMENDMENTS TO CHAPTER 70-30, "DEFINITIONS" &  
CHAPTER 102, "SIGNS" OF ORDINANCE NO. 29-2016, OF THE CITY OF DELTONA

**Chapter 102 – Signs**

ARTICLE I. GENERAL PROVISIONS

**Sec. 102-1. Regulatory signage purpose and intent.**

The City of Deltona (City) places primary importance on signage throughout the City as a means to convey information and to provide for an attractive community. The purpose and intent of this Sign Code (Sign Code) is to provide for those standards in a concise manner that supports the use of and distinguishes between permanent signage and temporary signage, and promotes City beautification. All signs within the City shall adhere to current federal, state, and local signage regulations and this Sign Code shall not create new laws that supersede those regulations. In the event of a conflict, the federal or state regulations prevail. Signage within the City is an integral component to on-going economic development and beautification efforts and an important element in the overall design and development of the City. Both economic development and beautification are strategic goals of the City.

**Sec. 102-2. Signage regulation application, permitting, and enforcement.**

The City shall support of the use of signage through an application process and issue a permit issued by the sign type; either permanent sign or temporary sign. Sign permits shall be administered and issued through the City's Building and Enforcement Services Department and the permit application shall be accompanied by sign plan indicating the appearance, dimensions, and location of the signs that conforms to this Sign Code. Signs that do not conform to this Sign Code shall not be constructed nor seek permitting after signage construction, without risk that the sign may be altered or removed at the sign owner's expense. All signs within the City, unless vested, shall have a sign permit. Alterations to sign plans or to the sign during construction, shall be pre-approved by the Building Official prior to sign construction.

The sign plan shall be professionally completed in the form of design software or technical hand drawings. The plan shall, at a minimum, include the number of permissible signs and proposed signs per location or off-site with dimensions for on-site signs, the sign design, light emission and control standards, if any, sign height with dimensions, and sign orientation. All signs shall be maintained in like-new condition and all sign owners or land owners where the sign is located shall be in good business standing with the City. All sites with a need to use a sign shall utilize a sign and addresses for that location shall be clearly and visibly placed on the sign, the associated building, or both, for public safety response purposes.

**Sec. 102-3. Definitions.**

Signs within this Sign Code shall be considered to be either permanent signs or temporary signs. Definitions applicable in this Sign Code can be found in Chapter 70-30, Definitions, of the City's Land Development Code (LDC).

**Sec. 102-4. Permanent sign time, place, and manner regulations.**

Signage regulations for permanent signs are as follows:

**EXHIBIT A: ORDINANCE NO. 29-2016**  
**PROPOSED AMENDMENTS TO CHAPTER 70-30, "DEFINITIONS" &**  
**CHAPTER 102, "SIGNS" OF ORDINANCE NO. 29-2016, OF THE CITY OF DELTONA**

**Table 102-1: Permanent Sign Height and Sign Area as Measured by the City**

<b>Sign Type</b>	<b>Max. Sign Height</b>	<b>Max. Sign Area</b>
Monument (multi-tenant or single tenant)	10-ft. from the adjacent crown of the road; unless restricted by a utility provider.	80-SF sign
Pole (multi-tenant or single tenant)	20-ft. from the adjacent crown of the road; unless restricted by a utility provider.	64-SF sign
Wall/fascia/fascia return	Per wall copy area.	35% of copy area.
Awning/canopy	Per awning/canopy copy area.	35% of copy area.
Under-canopy/hanging	2-ft. over an 8-ft. clear zone	8-SF
Window/etching	Per window copy area.	25% of window copy area.
Menu-boards/Drive-through	8-ft.	48-SF
Billboards	14-ft.	672-SF
Home Occupation	1-ft.	2-SF

1. Permanent signs have no time limit on their use, shall be content neutral, and allow for commercial speech and opinion signs.
2. Sighting and location of signs shall be based on a sign plan per site and shall not violate any other provisions in the City's Code of Ordinances.
3. Signs shall place the public health, safety, and welfare as paramount, be located in a safe manner that maintains clear site lines/visibility triangles, and does not obstruct public safety personnel.
4. Signs shall not impede pedestrian or motorist safety, as determined by the City.
5. Sign information shall be clearly legible to pedestrians and motorists.
6. Sign construction and installation shall be in compliance with the Florida Building Code and Florida Fire Prevention Code standards, as amended.
7. Maintenance of any sign is the sole responsibility and expense of the sign owner or user/tenant.
8. Signs shall not create public or private nuisances or interfere with other electronic devices.
9. Signs shall have a maximum 40% area for content and 60% area for negative space.
10. All free-standing signs shall be placed along a property frontage with the adjacent roadway.
11. For lots with 100-ft. of frontage or less, one sign per street frontage shall be permitted.
12. For lots with 100-ft. to 299-ft. of frontage, signs shall be placed every 100-ft. on-center.
13. For lots greater than 300-ft. of frontage, signs shall be placed every 200-ft. on-center.
14. Signs shall not be located closer than 10-ft. from any right-of-way or applicable property line.
15. Signs are for on premise use only, unless defined through a remote signage agreement/use permit.
16. Signs shall use decorative architectural features, where possible.
17. Changeable/electronic changeable copy signs are permitted for a permanent sign or copy area.
18. Permanent window signs shall be limited to the name of the establishment/addresses and be placed properly for public safety purposes.
19. Billboards shall only be permissible using highway sighting standards, directly adjacent to the interstate roadway frontage for travel lanes (not ramps), and oriented towards the highway with directional lighting.

**EXHIBIT A: ORDINANCE NO. 29-2016**  
**PROPOSED AMENDMENTS TO CHAPTER 70-30, "DEFINITIONS" &**  
**CHAPTER 102, "SIGNS" OF ORDINANCE NO. 29-2016, OF THE CITY OF DELTONA**

**Sec. 102-5. Temporary sign time, place, and manner regulations.**

Temporary signs are non-permanent signs. Temporary sign frames without their original copy area are not signs and these structures shall not have replaceable copy areas. Signage regulations for temporary signs are as follows:

**Table 102-2: Temporary Sign Height and Sign Area as Measured by the City**

Sign Type	Max. Sign Height	Max. Sign Area
Signs on post and panels	8-ft. from the adjacent crown of the road.	32-SF
All other temporary signs	Per proposed use/permit.	48-SF

1. The temporary sign use period shall be defined in each sign permit, based on their type, and be limited to use only within that time period listed on the sign permit. At the end of the temporary sign use period listed in the permit, the sign shall be removed by the land/sign owner.
2. Signs shall not impede pedestrian or motorist safety, as determined by the City.
3. Sign information shall be clearly legible to pedestrians and motorists.
4. Banners/flags/attention getting devices shall be based on a sign plan per site and shall not violate any other provisions in the City's Code of Ordinances.
5. Where temporary signs are proposed to be located on other's property, the permit application shall be accompanied by a written consent of the underlying land owner where the sign is to be placed.
6. Changeable/electronic changeable copy signs are not permitted for a temporary sign or copy area.
7. Sign construction and installation shall be in compliance with the Florida Building Code and Florida Fire Prevention Code standards, as amended.
8. Temporary signs are only temporary/non-permanent and are ancillary to any permanent signage on-site, if any.
9. Signs are for on premise use only, unless defined through a remote signage agreement/use permit.
10. Temporary window signs shall be limited to 25% of the window copy area and be placed properly for public safety purposes. The 25% is measured for the entire window area that may include permanent window signage.
11. Handheld signs require a sign permit and regulations for their use are listed in Section 102-7.

**Sec. 102-6. Durational sign regulations.**

Durational signs shall be limited to one (1) sign per lot or parcel on residential properties, and one (1) sign per every 100 lineal feet of road frontage of property for non-residential properties. No permit shall be required for durational signs. All durational signs shall be maintained in good condition during the time of their use. If a durational sign is a real estate sign, then one (1) rider is permitted on the post above the real estate sign and one (1) rider is permitted below the real estate sign. All riders must be attached properly or are subject to removal.

**Sec. 102-7. Handheld sign regulations.**

Handheld signs are subject to the following additional regulations:

**EXHIBIT A: ORDINANCE NO. 29-2016**  
PROPOSED AMENDMENTS TO CHAPTER 70-30, "DEFINITIONS" &  
CHAPTER 102, "SIGNS" OF ORDINANCE NO. 29-2016, OF THE CITY OF DELTONA

1. Handheld signs include all signage pertaining to commercial, political, opinion, religious, or any other purpose and may only be displayed during daylight hours between the hours of 7:00 a.m. and 7:00 p.m.
2. Handheld signs may not be displayed in the roadway vision triangle as defined in section 96-37(a)(7), Obstruction of visibility, or within 25 feet of the edge of pavement at a street corner, whichever is less.
3. Persons holding handheld signs shall not interfere with, and must promptly yield to traffic circulation and/or parking in any parking lot, pedestrians utilizing any public or private sidewalk or other walkway, and anyone seeking access to any building, driveway, or parking lot and that alters the intent of the sidewalk purpose.
4. Handheld signs cannot be displayed along any city, Volusia County, or state roadway with a posted speed limit exceeding 45 miles per hour.
5. Persons displaying handheld signs shall place precedent on public safety and be aware of their environment for public safety to the maximum extent possible.
6. Each handheld sign shall include on it, in at least a 20-point font, the name, address, and current telephone number of the business, entity, or person responsible for its display. The business, entity, or person that is listed or indicated as being responsible for the signage display shall be liable for any violations of this section.
7. Handheld signs shall have a maximum sign area of eight square feet with a dimension not to exceed two by four square feet. Each handheld sign carrier is limited to one sign per person and shall be held by that carrier, not resting on an object.

**Sec. 102-8. Signage maintenance, vesting, variances, acts of eminent domain, appeals.**

Sign applications submitted prior to the adoption of this Sign Code shall have the option of using the former standards. Upon adoption of this Sign Code, new applications shall only utilize the adopted Sign Code. Interpretation of this Sign Code and determination of any inconsistencies with other federal, state, or local regulations shall be the domain of the City's Building Official, with appeals, if any, to the City Attorney.

Existing permanent signs that are maintained in a good condition shall be considered vested from the date of the adoption of this Sign Code and shall remain in their current condition with maintenance to keep that vesting. Existing temporary signs, for the purposes of this Sign Code, shall not be considered vested by this Sign Code. All existing hand-made signs or billboards shall be considered to be temporary in nature, regardless of the message on the sign face, and shall be removed no later than thirty (30) days after the effective date of this Sign Code.

Anyone desiring to make use of their site, or any portion thereof, other than in strict accordance with the restrictions and specifications set forth in this Sign Code, shall apply to the Building Official and use the variance process afforded in the City's Land Development Code. The City shall not approve any application for a variance, unless it finds that denial of the application would result in an undue hardship upon the applicant, where there is no potential for redesign, site constraints, or is not brought on by the land/sign owner. The grant of variance shall be in harmony with the general intent of this Sign Code.

Where a permitted sign is subject to an act of eminent domain that is not a complete or total taking of a tract for the sign location, the land/sign owner shall be allowed to relocate the sign at their or the taking authority expense to a location on-site in the remainder cure condition that provides both public safety and

**EXHIBIT A: ORDINANCE NO. 29-2016**  
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CHAPTER 102, "SIGNS" OF ORDINANCE NO. 29-2016, OF THE CITY OF DELTONA

site function. Due to the nature of the taking action that may create a legally non-conforming lot, the sign relocation may or may not comport to the Land Development Code regulations.

Any appeal denied through the Building Official, the vesting process, or eminent domain, shall be made to the City Attorney, in writing and through certified mail, within 30-days from the date of notice for the applicable action. Upon receipt of the written appeal, the City Attorney shall make a determination for recommendation to the City Commission. The City Commission shall make the final decision on the appeal and that decision shall include the need for all signs to have a permit.

**Sec. 102-9. Signage removal.**

Removal of any sign that is replaced by a new sign, shall be permitted and constructed using the regulations and guidelines of this Sign Code, as amended from time to time. Signs that are not placed in the proper location shall be properly relocated by the land owner/sign owner at their expense.

Existing permanent signs that are unmaintained and are in an unsafe condition, shall have 90 calendar days from the date of written notice from the City to repair and maintain the sign, replace the sign to the standards listed within this Sign Code, or remove the sign. Any permanent sign removed by the City, due to obsolescence or damage, shall be at the expense of the sign and/or land owner for that sign. All signs are to be in as like-new condition as possible. Signs falling into disrepair and/or have functional obsolescence at the discretion of the City, shall be subject to repair and/or removal.

Existing temporary signs shall have 30 calendar days from the effective date of this Sign Code to be permitted with a temporary sign permit or be removed. Any temporary sign removed by the City, due to obsolescence or damage, shall be at the expense of the sign and/or land owner for that sign.

Sign frames or structures without a copy area, being used for another sign, or unpermitted are not a sign per this Sign Code and shall be immediately removed by the land/sign owner. Reuse, repurposing, or placing a new copy area in any form on a structure from a previous sign or use is not permitted, per this Sign Code.

**Sec. 102-10. – Exempt and deminimus signs.**

1. Public safety signs and public signs for public benefit use or events are exempt from this Sign Code and may be placed in rights-of-ways with either a use permit or agreement from the respective right-of-way agency.
2. Seasonal decorations.
3. Public art preapproved by the City.
4. Banners at public and private recreational facilities (i.e. parks, gymnasiums, ballfields, etc.) that are safely secured and internally oriented.
5. Signs under one (1) square foot in total area for home occupation use.
6. A-frame or sandwich boards placed and removed the same day as the use or event.

**Sec. 102-11. Prohibited signs.**

1. Neon or neon-in-appearance signs.
2. Hand-made/non-professionally made signs.

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CHAPTER 102, "SIGNS" OF ORDINANCE NO. 29-2016, OF THE CITY OF DELTONA

3. Signs or attention-getting devices that emit sound, reflective material, overly bright lights, use animate objects, or are otherwise a public safety hazard, as determined by the City.
4. Roof-mounted signs.
5. Antennae/tower-mounted signs.
6. Flag-pole mounted signs.
7. Banners on posts or copy faces not properly attached to sign frames.
8. Banners at public and private recreational facilities (i.e. parks, gymnasiums, ballfields, etc.) that are either not safely secured or externally oriented.
9. Unpermitted snipe or parasite signs (i.e. on utility poles).
10. Stickers/adhesive backed signs that are not window signs.
11. Vehicle lettering/graphics/magnetic signs on inoperable vehicles or trailers, or vehicles parked for advertising and not use, as determined by the City.
12. Signs in rights-of-way are prohibited and shall be removed by the City, unless one of the following three scenarios is present:
  - a. Public safety signs and public signs for public benefit use or events;
  - b. Political signs the day of the election and to be removed that election day; or
  - c. Temporary directional real estate signs for new subdivisions with five or more lots for weekend-only model home events.

**Sec. 102-12-102-20. Reserved.**

**EXHIBIT A: ORDINANCE NO. 29-2016**  
PROPOSED AMENDMENTS TO CHAPTER 70-30, "DEFINITIONS" &  
CHAPTER 102, "SIGNS" OF ORDINANCE NO. 29-2016, OF THE CITY OF DELTONA

~~Chapter 102—SIGNS~~

~~ARTICLE I.—GENERAL PROVISIONS~~

~~Sec. 102 1.—Purpose and intent.~~

- ~~(a) The intent of this chapter is to ensure adequate means of communication through signage, while maintaining the attractive visual appearance within the city. By specifying criteria for all signage as stated herein, this chapter is intended to serve the following purposes:~~
- ~~(1) Create a level of consistency for signage throughout the city;~~
  - ~~(2) Provide reasonable regulation of signs that balance the importance of protecting our suburban neighborhoods while recognizing the objectives of promoting economic growth and prosperity;~~
  - ~~(3) Maintain the established suburban character of the city by regulating all exterior signage in a manner which promotes low profile signage of high quality design; provide for signage which satisfies the needs of the local business community for visibility, identification, and communication; foster civic pride and community spirit by maximizing the positive impact of development;~~
  - ~~(4) Protect and maintain the visual integrity of roadway corridors within the city by establishing a maximum amount of signage on any one site to reduce visual impacts;~~
  - ~~(5) Establish locations and setbacks for signage, which are designed to protect motorists from visual distractions, obstructions, and hazards;~~
  - ~~(6) Enhance the appearance of the physical environment by requiring that signage be designed as an integral architectural feature of the site and structure to which such signage is intended to identify, and sited in a manner which is sensitive to the existing environment;~~
  - ~~(7) Establish procedures regarding nonconforming signs, enforcement of these regulations, maintenance of existing signs and consideration of variances and appeals;~~
  - ~~(8) The full face of signs may be illuminated subject to the brightness standard established under section 102 102(a)(3)e.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012; Ord. No. 02 2013, § 1(Exh. A), 4 15 2013)~~

~~Sec. 102 2.—Exempt signs.~~

- ~~(a) The following signs are exempt from the permitting requirements of this chapter, provided that such signs are not installed or constructed so as to create a hazard of any kind. The following signs must comply with applicable building codes and obtain electrical permits if required by the city's electrical code:~~
- ~~(1) Identification signs of two square feet or less; provided that identification signs shall be no more than one square foot and non illuminated for a home occupation.~~
  - ~~(2) "No trespassing" or "no dumping" signs of two square feet or less.~~
  - ~~(3) Permanent directional or instructional signs, where vehicle or pedestrian movement is involved, of four square feet or less. Freestanding signs of this type should be no greater than four feet in height.~~

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- ~~(4) Privately owned signs necessary to promote health, safety and welfare, and other regulatory, statutory, traffic control or directional signs erected on public property with permission as appropriate from the United States, the State of Florida, the County of Volusia and the City of Deltona.~~
- ~~(5) Memorial signs, placards or tablets, freestanding or affixed to a building. However, such signs/tablets/placards, if attached to, or associated with, a building must be cut into the masonry surface or be comprised of bronze, stone, or some other noncombustible material.~~
- ~~(6) Decorative flags and bunting for a celebration, convention, or commemoration of significance to the entire community.~~
- ~~(7) Holiday lights and seasonal decorations displayed at times when such lights and decorations are generally considered appropriate including recognized national holidays and/or religious events.~~
- ~~(8) Signs integrated into machinery or equipment by a manufacturer or distributor, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths, and gasoline pumps.~~
- ~~(9) Advertising and identifying signs located on taxicabs, buses, trailers, trucks, or vehicle bumpers.~~
- ~~(10) Works of art that do not constitute advertising.~~
- ~~(11) Political and/or opinion signs displayed by a person exercising their valid first amendment rights only and does not include signs for commercial, business, or private venture.~~
- ~~(12) Under canopy signs for commercial uses placed behind the right of way line for pedestrian use, perpendicular to the storefront and less than four square feet.~~
- ~~(13) Credit card or membership signs of two square feet or less, one of each different organization permitted for each street frontage.~~
- ~~(14) Menu boards or price lists per drive through lane of no more than 48 square feet each located adjacent to and oriented toward the drive through area plus a pre-sell board of no more than 12 square feet per lane.~~
- ~~(15) Temporary real estate and construction real estate signs of four square feet in area or less allowed under section 102-93 of this chapter.~~
- ~~(16) Menus of less than two square feet mounted at the entrances to restaurants.~~
- ~~(17) Flags allowed under section 102-103 of this chapter.~~
- ~~(18) Non-commercial signs which express an opinion rather than promote or advertise a commercial use, business, group, or organization, of up to four square feet in size, but no more than one such sign shall be placed per lot or parcel.~~
- ~~(19) Yard/garage sale signs of four square feet in area or less.
  - ~~a. Each yard/garage sale is limited to five signs of the aforementioned dimension.~~
  - ~~b. No more than four of the allowed five signs can be directional signs located off site within city rights of way.~~
  - ~~c. To maintain clear sight lines, any off site or on site yard/garage sale sign cannot be located within 25 feet of any intersection.~~~~

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- ~~d. Yard/garage sale signs are allowed only on the days for which the yard sale is conducted consistent with applicable city regulations.~~
- ~~e. All yard/garage sale signs are to be removed on the last day of the sale and any signs remaining after the yard/garage sale ends may result in enforcement action as illustrated in section 102-65.~~
- ~~(20) Signs for homeowner association message boards within a residential community that do not exceed four square feet.~~
- ~~(21) Signs already permitted through a planned unit development and/or development agreement that were previously approved prior to the adoption of this ordinance.~~
- ~~(22) Banners erected on property comprising non-profit activities or houses of worship to include secondary uses on such property.~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-3. Prohibited signs.~~

- ~~(a) It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained, any sign described as follows:~~
  - ~~(1) Commercial signs oriented toward residentially zoned land: No freestanding identification sign shall be located within 50 feet of any residentially zoned property.~~
  - ~~(2) Traffic or pedestrian hazards: Any privately owned sign which constitutes a traffic hazard or a detriment to traffic safety by reason of its size, location, movement, content, coloring, or method of illumination. These include any sign which obstructs the vision between pedestrians and vehicles using the public right of way, including, but not restricted to, those not meeting visibility requirements of this Code.~~
  - ~~(3) Snipe, and others similar signs attached to trees, utility poles, or fences, except for signs posted by public agencies in furtherance of their stated duties.~~
  - ~~(4) Signs attached to or painted on vehicles which are unregistered, inoperable, or not regularly used as part of the advertised business and are parked in such a way so as to advertise to the passing motorist or pedestrian.~~
  - ~~(5) Signs that are in violation of the Building Code or Electrical Code adopted by the city.~~
  - ~~(6) Signs with visible moving, revolving, or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic, or mechanical means, except for traditional barber poles and digital electronic changeable copy signs.~~
  - ~~(7) Signs that emit any audible sound, odor, or visible matter such as smoke or steam, that is intended to attract attention, or involve the use of live animals.~~
  - ~~(8) Signs or sign structures that interfere in any way with free use of any fire escape, emergency exit, or standpipe; made of combustible materials that are attached to or in close proximity to fire escapes or fire-fighting equipment; or that obstruct any window to such an extent that light or ventilation is reduced to a point below that required by any provision of this Code or other ordinance of the city.~~

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- ~~(9) Signs that resemble any official sign or marker erected by any governmental agency, or that by reason of position, shape, or color, would conflict with the proper functioning of any traffic sign or signal, or be of a size, location, movement, color, or illumination that may be reasonably confused with or construed as, or conceal, a traffic control device.~~
- ~~(10) Signs, within ten feet of public right of way or 100 feet of traffic control lights, that contain red or green lights that might be confused with traffic control lights.~~
- ~~(11) Signs or other devices that are of such intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist, or pedestrian using or entering a public way, or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics defined as .3 foot-candles illumination above ambient light, as measured using a foot candle (Lux) meter at a preset distance depending on sign area, measured from a measuring distance calculated with the following formula: The square root of the product of the sign area multiplied by 100.~~
- ~~Example using a 12 square foot sign:~~
- ~~Measurement Distance =  $\sqrt{(12 \text{ sq. ft.} \times 100)} = 34.6$~~
- ~~No electronic sign shall exceed an illumination of 1.0 foot candle as measured from any property line or edge of street, a standard consistent with section 110-828(b)(2).~~
- ~~(12) Signs that contain any lighting or control mechanism that causes unreasonable interference with radio, television or other communication signals.~~
- ~~(13) Privately owned signs that are painted, pasted, or printed on any curbstone, flagstone, pavement, or any portion of any sidewalk or street, except house numbers and traffic control signs or public signs to achieve a stated public purpose.~~
- ~~(14) Billboards as defined in section 70-30 (Definitions) of the city's Code of Ordinances.~~
- ~~(15) Off site advertising signs not within a previously approved remote signage easement.~~
- ~~(16) Roof signs.~~
- ~~(17) Abandoned signs.~~
- ~~(18) Signs affixed at any angle except parallel to a building or wall in such a manner that its leading edge extends more than nine inches beyond the surface of such building or wall.~~
- ~~(19) Signs within public rights of way without a proper use permit from the authorizing agency.~~
- ~~(20) Signs, bills or other advertising matter posted upon any permanent or temporary structure or building, pole or tree located in any street, park, or other public way or place within the city.~~
- ~~(21) Signs, handbills, circulars, dodgers or other advertising which are distributed or placed on any public or private property in such a manner that the same may be blown, carried by water, or otherwise scattered by the elements, or so as to constitute litter, except for newspapers.~~
- ~~(22) Handbills or other similar form of advertising matter distributed by hand, other than political signs.~~
- ~~(23) Banners or signs placed across any public street, park or other public way or property without first having obtained specific permission from the city manager or his/her designee.~~
- ~~(24) Portable signs, unless otherwise allowed by the City Code. Handheld signs are not prohibited signs.~~

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~~(25) Any other signs that are not specifically permitted or exempted by this chapter.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012; Ord. No. 02 2013, § 1(Exh. A), 4 15 2013)~~

~~Sec. 102 4. Nonconforming signs.~~

- ~~(a) Intent. It is the intent of the city to eventually bring all signage into conformance with the type, size, and locational criteria as established in the City Code.~~
- ~~(b) Continuance of nonconformities. Nonconforming signs are allowed to continue consistent with the provisions of this subsection. However, it is not the intent of the city to encourage the survival of nonconforming signs. Use of a nonconforming sign may be continued, subject to the following regulations:~~
- ~~(1) No nonconforming sign shall be enlarged, expanded, or increased in any way from its size at the time of the adoption of this Code, nor shall a nonconforming sign be relocated from its location at the time of adoption of this Code. The copy face may be changed or improved as long as the sign is not enlarged or expanded.~~
  - ~~(2) Abandoned signs, as defined in chapter 70, shall be removed within six months of the date that the business enterprise, for which such sign was used to advertise, ceased to exist.~~
- ~~(c) Repairs, maintenance and improvements of nonconforming signs.~~
- ~~(1) Non load bearing repairs and maintenance may be made to nonconforming signs.~~
  - ~~(2) Nonconforming signs shall be maintained in an aesthetically appropriate manner. Nonconforming signs shall be considered aesthetically appropriate if they are reasonably intact, not torn, not broken, not faded to a point where portions of the message are difficult or impossible to read, and/or free of rust/other oxidation.~~
  - ~~(3) The owner of a sign that is considered aesthetically inappropriate shall be given the opportunity to correct such deficiencies with appropriate notice through the city code compliance process.~~
  - ~~(4) Signs shall be maintained in a safe matter. Utilizing building code standards, the city shall determine whether a nonconforming sign is unsafe and, with the exception of load bearing components, the owner will be given notice and the opportunity to correct such deficiencies through the code compliance process.~~
  - ~~(5) In those cases where the load bearing components of a sign are compromised and are deemed by the building official to pose a public safety risk, or if the owner proposes to replace, repair or reinforce a load bearing component, such sign shall be removed and, if replaced, such sign shall conform to the provisions of this Code.~~
  - ~~(6) Signs deemed unsafe by the city per building code standards shall be removed consistent with code enforcement procedures.~~
- ~~(d) Reconstruction after damage. With the exception of the electronic components, any nonconforming sign that is damaged by any means to such an extent that the cost of repair and/or reconstruction will exceed 50 percent of the replacement cost at the time of damage, or will required replacement of any load bearing components, such sign shall be removed and any replacement sign shall be built in full conformity with the provisions of this Code.~~
- ~~(e) Removal. If a sign is removed for any reason, new signage must comply with this Code.~~

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(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)

~~Sec. 102-5. Multiple frontage properties.~~

- (a) ~~For corner or through lots, not including alley ways, additional sign use shall be allowed for the secondary frontage under the same section of this Code that governs the primary frontage. The sign area allowed shall be based on the future functional classification of the roadway as shown in the comprehensive plan, and as outlined in the table below.~~

Table 102-1: Sign Area for Secondary Roadway Frontage Lots

Secondary Roadway Frontage	
Classification	Maximum Percent of Primary Frontage Sign Area
Principal arterial	100%
Minor arterial	75%
Collector	50%
Local or other roadways	25%

- (b) ~~The applicable percentage of primary frontage sign area shall be applied to the front footage of the secondary frontage to determine the total permissible signage for the secondary frontage.~~
- (c) ~~All setback spacing requirements shall be measured around corners at the right of way line. Sign area may not be transferred between frontages.~~
- (d) ~~Only one freestanding sign shall be allowed within 75 feet of intersections and may be of a maximum size based on the largest frontage.~~

(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)

~~Sec. 102-6. Construction and maintenance standards.~~

- (a) ~~All permitted signs shall be constructed and maintained in accordance with the following standards:~~
- (1) ~~Code compliance. All signs shall be constructed and maintained in accordance with the provisions and requirements of the Building Code, Electrical Code, and all other applicable codes, ordinances or requirements.~~
  - (2) ~~Copy. All copy shall be maintained so as to be legible and complete.~~
  - (3) ~~Structure. Signs shall be maintained in a vertical position unless originally permitted otherwise, and in good and safe condition at all times.~~

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- ~~(4) Damage. Damaged faces or structural members shall be replaced consistent with the requirements of the city.~~
- ~~(5) Safety. Electrical systems, fasteners, and the sign and structure as a whole shall be maintained at all times in a safe condition.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

~~Sec. 102 7. Modification of existing conforming signs.~~

- ~~(a) The modification of existing conforming signs may be permitted under the following conditions:
  - ~~(1) Modifications shall not result in a sign which violates requirements of this chapter.~~
  - ~~(2) Modifications which alter height or sign area shall require a sign permit.~~
  - ~~(3) Modifications shall be consistent and compatible with the existing sign, including colors, illumination, materials, shape, and style.~~
  - ~~(4) Modifications shall be subject to the appropriate and applicable provisions of this chapter.~~~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

~~Sec. 102 8. Freestanding signs to be monument signs.~~

- ~~(a) All freestanding signs shall be monument signs, except for those pole signs permitted in the interstate interchange area as defined in section 102 106.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

~~Sec. 102 9. Maximum window signage.~~

- ~~(a) Window signage shall not exceed 50 percent of the total window surface area of any one building elevation. Such signage shall include permanently affixed window signs, temporary window signs, neon displays, fixtures suspended behind and within three feet of the window, or any other sign displayed so as to be visible from the exterior of the building.~~
- ~~(b) Window signs shall be arranged so as to provide visibility through windows at eye level, between four and six feet in height.~~
- ~~(c) In all cases, window signs shall be included in the total permitted wall sign area allocated to any one building elevation.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

~~Sec. 102 10. Reserved.~~

~~Sec. 102 11. Prohibiting sign obstructions to visibility and signs in the public right-of-way.~~

- ~~(a) No sign shall be located at the intersection of any streets so as to obstruct the visibility per section 96-37(a)(7) of this Code.~~

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~~(b) Placement of signs in city right of way. No signs shall at any time be placed in the city right of way, except by authorized governmental agents, approved by the city commission or city manager as permitted elsewhere in this chapter or otherwise allowed by this chapter.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

~~Sec. 102 12. Commercial vs. non-commercial speech and content neutrality.~~

~~(a) 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 or otherwise lawfully existing with a commercial message may, at the option of the owner, contain a non-commercial message unrelated to the business located on the premises where the sign is erected. The non-commercial message 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, as frequently as desired by the owner of the sign, provided that the sign is not a prohibited sign or sign type and provided that the size, height, setback and other dimensional criteria contained in this chapter and code have been satisfied.~~

~~(b) 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. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

~~Secs. 102 13 — 102 19. Reserved.~~

~~ARTICLE II. ADMINISTRATION~~

~~DIVISION 1. GENERALLY~~

~~Sec. 102 20. Special setbacks.~~

~~(a) Nonconforming lots. On legal nonconforming lots that are substandard in minimum lot width requirements per the city's zoning ordinance, the minimum signage setback requirement for signs within a lot front yard may be reduced proportionately to the difference between the legal minimum lot width and the existing nonconforming lot width; not to exceed a five foot reduction in the signage setback and not conflicting with any easements and utilities.~~

~~(b) Setback on rights of way reservation areas. Signs shall be permitted to be relocated at the property owner's expense to a location equivalent to the minimum signage setback for the new right of way line established through eminent domain that has been completed following the taking action and prior to roadway widening construction.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

~~Secs. 102 21 — 102 29. Reserved.~~

~~DIVISION 2. PERMIT~~

~~Sec. 102 30. Permit required.~~

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- ~~(a) It shall be unlawful for any person to erect, construct, alter, or relocate any sign within the city without having first obtained a permit therefor, except as specifically provided for in this chapter.~~
- ~~(b) Work is to be performed by the owner, lessee, or licensed contractor after issuance of a sign permit. All work must be done in a manner in full compliance with all requirements of the sign permit. The work necessary to construct, install, erect, illuminate, paint, or modify signage within the city shall comply with the following requirements:
  - ~~(1) Work which may be performed by a property owner or lessee:
    - ~~a. Painting the face of any freestanding or wall sign; or~~
    - ~~b. Erection of any temporary sign permitted under Article III division 2 of this chapter.~~~~
  - ~~(2) Work which shall be performed by a sign contractor, general contractor or building contractor licensed with the city to perform such work:
    - ~~a. Construction, installation, erection or electrical connection of any sign which is internally illuminated;~~
    - ~~b. Construction, installation or erection of any freestanding sign requiring wind load calculations;~~
    - ~~c. Construction, installation or erection of any sign which is located above a pedestrian walkway or on the front fascia of a canopy over a pedestrian walkway;~~
    - ~~d. Construction installation or erection of any sign not described in section 102-30(b)(1) above.~~~~~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-31. Application for permit.~~

- ~~(a) All applications for permits under this section shall be filed by either a contractor licensed to erect signs in the city, or the owner of the property where the sign is to be located or his authorized agent. Such application shall include the following:
  - ~~(1) Name, address, and telephone number of owner(s) of property;~~
  - ~~(2) Name, address, and telephone number of licensed sign company erecting the sign;~~
  - ~~(3) The street address or legal description of the property upon which the proposed sign is to be located;~~
  - ~~(4) The height, size, shape, style, colors, materials and location of the proposed sign;~~
  - ~~(5) Written permission of the owner, his lessee, or agent, to erect the proposed sign;~~
  - ~~(6) A plan set to include a scaled location plan, with profile, showing type, size and location of proposed sign along with detailed drawings depicting all pertinent structural and electrical details, wind pressure requirements and materials in accordance with the city's adopted Building Code;~~
  - ~~(7) A statement verifying the height, size, shape, and location of existing signage on the premises;~~
  - ~~(8) On master planned sites, an approved site plan that shows the location of signs on the project.~~~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

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~~Sec. 102 32. Issuance of permit.~~

~~(a) The procedure for issuing a sign permit shall be as follows:~~

- ~~(1) Upon receipt of an application for a sign permit, the city 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.~~
- ~~(2) If the proposed sign is in compliance with this chapter and all other applicable laws and codes of the city, a sign permit shall be issued by a permitting clerk in the construction services division, upon receipt of the permit fee.~~
- ~~(3) The issuance of any sign permit shall be conditioned upon the restoration of any building façade which has been damaged by placement of a previous sign. Such restoration shall include, but not be limited to, patching, repainting, and concealing visible electrical components, when applicable.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

~~Sec. 102 33. Permit fees.~~

~~(a) Permit fees under this Code shall be set by resolution of the city commission.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

~~Sec. 102 34. Exemptions.~~

~~(a) Exemption from the requirement to obtain a sign permit shall be permitted under the following circumstances:~~

- ~~(1) The erection, construction, installation of any sign described in section 102 2(a) of this chapter;  
or~~
- ~~(2) The repair, maintenance or repainting of any existing sign which is deemed conforming or allowed to continue as a nonconforming sign under provisions of this chapter.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

~~Sec. 102 35. Expiration of permit.~~

~~(a) A sign permit shall expire and become invalid in accordance with the rules set forth in the Building Code for all permits in general.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

~~Secs. 102 36 — 102 49. Reserved.~~

~~DIVISION 3. VARIANCES AND APPEALS~~

~~Sec. 102 50. Technical appeals.~~

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~~(a) Appeals from technical decisions of the administrative official or any other official empowered to rule on sign issues shall be processed according to the procedures outlined in section 74 2(g) of this Code.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

~~Sec. 102 51. Variances.~~

~~(a) Variances from the requirements of this chapter shall be processed according to the provisions of section 110 1103 of this Code.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

~~Sees. 102 52 — 102 59. Reserved.~~

~~DIVISION 4. ENFORCEMENT~~

~~Sec. 102 60. Enforcement.~~

~~(a) The building and enforcement services department shall be empowered to enforce this Code.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

~~Sec. 102 61. Removal of prohibited signs.~~

~~(a) Prohibited signs on public property or rights of way shall be removed immediately, and may be removed by the city or its agent without notice.~~

~~(b) Temporary signs and parasite signs shall be removed within 48 hours after receipt of written notification of the code enforcement officer or his/her designee.~~

~~(c) Abandoned signs shall be removed by the owner, agent, or person in charge of the premises within 30 days after receipt of written notification by the code enforcement officer or his/her designee. If the sign is not removed in a timely manner, the code enforcement officer may refer the violation to the magistrate.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

~~Sec. 102 62. Removal of unsafe signs and signs in disrepair.~~

~~(a) Should any sign become unsecured or in danger of falling, in disrepair or deteriorated, or otherwise unsafe in the opinion of the building official, the owner thereof, or person or firm maintaining it, shall, upon receipt of written notification from the building official immediately, in the case of imminent danger, or within ten days in other instances, secure the sign or cause it to be placed in good repair in a manner approved by the building official, or said sign shall be removed by the owner thereof. If such order is not complied with, the city may remove the sign at the expense of the owner and may place a lien for the cost thereof upon the property on which the sign was located together with any other cost incurred by the city by filing such lien. The lien may be foreclosed in the same manner provided by law for the foreclosure of mortgages and the city shall have the right to receive all costs of court including reasonable attorney fees.~~

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~~(Ord. No. 19 2011, § 1(Exh. A), 11-7-2011; Ord. No. 04 2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-63. Removal of signs erected by unlicensed contractor.~~

- ~~(a) Where this chapter requires work to be done by a licensed contractor and such work is not performed by a licensed contractor, the owner or lessee of the property where such illegally erected sign is located shall either:~~
- ~~(1) Have the sign immediately removed; or~~
  - ~~(2) Have a licensed contractor secure a permit for such sign. City inspections of the sign shall be performed. If neither of the above actions is completed within ten days after notification by the building official or code enforcement officer the violation may be referred to the magistrate.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11-7-2011; Ord. No. 04 2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-64. Termination of unlawful illumination or animation.~~

- ~~(a) Upon receipt of written notification by the department that a sign is unlawfully illuminated or animated in violation of this chapter, the owner, his agent, or person in control of the premises, shall immediately terminate the prohibited illumination or animation of such sign.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11-7-2011; Ord. No. 04 2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-65. Violations and penalties.~~

- ~~(a) Violations of this chapter may be referred to the code enforcement magistrate. As an alternative to enforcement referral to the code enforcement magistrate, this chapter may also be enforced by the issuance of a citation by a qualified code enforcement officer, or by a law enforcement officer. For any citation issued hereunder, a violation of this chapter shall carry with it the following penalties:~~
- ~~(1) First offense, \$50.00;~~
  - ~~(2) Second offense, \$100.00;~~
  - ~~(3) Third offense and subsequent offenses, \$250.00.~~
- ~~(b) In addition to the enforcement and penalties provided by subsection (a) above, any violation of this chapter shall be subject to appropriate civil action in the court of appropriate jurisdiction.~~
- ~~(c) In addition to the actual cost to the city of removal, there shall be an administrative cost of \$25.00 payable to the city for any sign that is removed by the city pursuant to the requirements of this Code.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11-7-2011; Ord. No. 04 2012, § 1(Exh. A), 6-4-2012)~~

~~Secs. 102-66 – 102-69. Reserved.~~

~~ARTICLE III. REGULATIONS~~

~~DIVISION 1. PERMITTED SIGNS~~

**EXHIBIT A: ORDINANCE NO. 29-2016**  
PROPOSED AMENDMENTS TO CHAPTER 70-30, "DEFINITIONS" &  
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~~Sec. 102-70. Permanent freestanding signs for individual commercial, institutional, industrial and office uses, and for individual tenants in multi-tenant buildings.~~

~~(a) Permanent freestanding signs for individual commercial, institutional, industrial and office uses shall comply with the following requirements. All signs shall be reviewed by the city as to the final size, location, and coordination of colors, design, and materials as part of the site development plan and/or sign permit approval process.~~

~~(1) Number of signs.~~

- ~~a. One freestanding sign shall be permitted per parcel, lot, or stand-alone building for the primary frontage.~~
- ~~b. An additional freestanding sign shall be allowed for each secondary frontage in accordance with section 102-5 of this chapter.~~

~~(2) Sign area.~~

- ~~a. Forty-eight square feet for sites on arterial roadways;~~
- ~~b. Thirty-two square feet for sites on all other roadways.~~

~~(3) Height, setbacks, and location.~~

- ~~a. Maximum height: Eight feet.~~
- ~~b. Minimum setback from the right-of-way: Five feet.~~
- ~~c. Sign(s) shall be in compliance with the visual clearance requirements of chapter 96, section 96-37(a)(7) of this Code.~~

~~(4) Design requirements.~~

- ~~a. The sign structure shall complement the principal structure, with regards to materials, color, finish, and architectural features. This includes the application of materials consistent with the main building to the base and along the sides and top of the sign face or cabinet.~~
- ~~b. Freestanding signs shall maintain a base at least 18 inches in height measured from the average grade elevation. The sign cabinet shall be mounted on a decorative base.~~
- ~~c. The numeric street address of the property upon which the sign is located shall be identified on the side and front of the sign. The street address numbers shall be between six to 12 inches in height (See Figure 102:1).~~
- ~~d. The Urban Design Pattern Book shall be considered in the review and approval of sign permits. The Pattern Book and its provisions are design guidelines. Those guidelines are advisory in nature, and intended to advance the overall quality, appearance, and character of the community.~~

~~Figure 102:1: Freestanding Design Requirements for Individual Uses (Typical)~~

~~(b) Parcels of land located within the activity-center area, as defined in the city's Comprehensive Plan, configured with no less than 300 feet of lot width coterminous with the principal arterial roadway rights-of-way may erect a freestanding pole sign along the arterial provided such sign does not exceed 75 square feet in area and 15 feet in height.~~

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- ~~(c) Properties used for institutional purposes such as places of worship, hospitals, schools and other similar uses that also include secondary or affiliated uses (i.e. day care center) may either erect:~~
- ~~(1) One additional freestanding sign beyond that allowed under sections 102-70(a)(2) or 102-78, in accordance with the following requirements:
    - ~~a. Sign area:
      1. Thirty two square feet for sites on arterial roadways;
      2. Twenty four square feet for sites on all other roadways.~~
    - ~~b. Height, setbacks, and location:
      1. Maximum height: Six feet.
      2. Minimum setback from the right of way: Five feet.
      3. Except allowing for a 14 inch minimum sign base, all freestanding signs for secondary or affiliated uses shall be in compliance with the design requirements under section 102-70(4)(d) and shall adhere to the visual clearance requirements of chapter 96, section 96-37(a)(7) of this Code; or~~~~
  - ~~(2) One single freestanding sign in lieu of the sign otherwise allowed under sections 102-70(a) or 102-78 to include the following requirements:
    - ~~a. Sign area:
      1. Sixty square feet for sites on arterial roadways;
      2. Forty eight square feet for sites on all other roadways.~~
    - ~~b. Height, setbacks, and location:
      1. Maximum height: Ten feet.
      2. Minimum setback from the right of way: Five feet.
      3. Except allowing for a 22 inch minimum sign base, all freestanding signs for secondary or affiliated uses shall be in compliance with the design requirements under section 102-70(4)(d) and shall adhere to the visual clearance requirements of chapter 96, section 96-37(a)(7) of this Code, or;~~~~
  - ~~(3) Upon erecting a sign allowed under section 102-70(c), the property owner shall immediately remove all other signage, including banners, used for such secondary or affiliated use.~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-71. Wall signs for individual commercial, institutional, industrial and office uses, and for individual tenants in multi-tenant buildings.~~

~~(a) Sign area and height.~~

- ~~(1) Maximum sign area (square footage) for the entire building: Multiply the building front foot by 1.5.~~
- ~~(2) Maximum vertical dimension: Less than or equal to 25 percent of the building height.~~

~~(b) Location and design requirements.~~

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- ~~(1) Signage shall be permitted on the building frontage. "Frontage Building" is defined in section 70-30 of this Code.~~
- ~~(2) Sign area may be transferred from the primary building frontage to the sides and rear of the building provided those sides are not oriented toward residential uses and the following conditions are met:
  - ~~a. Building façade on which additional signage is placed must be finished with the same or similar architectural façade treatment and quality as the primary building frontage.~~
  - ~~b. Building façade must have a customer or public entrance.~~~~
- ~~(c) Multistory office building(s) shall be allowed a maximum of three signs across the building primary frontage provided that the total square feet of all signs combined do not exceed the maximum of 1.5 square feet in area for each linear foot of building frontage and all signs are arranged so they share a common horizontal centerline along the façade. For buildings displaying more than one sign, one of the following criteria shall be met:
  - ~~(1) Signs shall be spaced evenly across the building façade.~~
  - ~~(2) Signs shall be separated from all other signs a minimum of two times the length of the longest sign on the façade.~~~~
- ~~(d) Entry door identification.
  - ~~(1) Tenant identification plaques may be placed adjacent to the tenant's entrance door.~~
  - ~~(2) Maximum sign area: Two square feet.~~
  - ~~(3) Signage shall be located between four feet to six feet in height above the finished floor elevation.~~~~
- ~~(e) Multi tenant building identification: One wall sign, consisting of individual channel letters shall be permitted for the identification of a multi tenant building.
  - ~~(1) Maximum sign area: 48 square feet.~~
  - ~~(2) Maximum height of the individual channel letters: Two feet.~~~~
- ~~(f) The following additional signage requirements shall apply to motor vehicle service stations/convenience stores with fuel operations:
  - ~~(1) In addition to the area allowed for wall signs, signage on canopies that are separated from and ancillary to the principal structure may include additional signage not to exceed one square foot of sign area per ten linear foot of canopy face and no portion of such signage shall extend above or below the canopy face.~~~~
- ~~(g) Supplementary wall signage. Additional wall sign area of one square foot per tenant front foot shall be allowed for miscellaneous wall signage, to include window signs, poster frames, and similar signs supplementary to identification signs.~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

~~Sec. 102-72. Wall and freestanding directory signage.~~

- ~~(a) One wall or freestanding directory sign is permitted for each building.
  - ~~(1) Height and sign area.~~~~

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- a. ~~Maximum sign height: Eight feet.~~
- b. ~~Maximum letter height: Four inches.~~
- c. ~~Maximum sign area: Two square feet for each tenant, or 24 square feet in total area, whichever is less.~~
- (2) ~~Design and location requirements:~~
  - a. ~~The signage shall be oriented to parking and pedestrian areas for directional purposes only, and shall not be oriented outside of the site.~~
  - b. ~~Design of freestanding directory signs shall be in accordance with section 102-70(a)(4) of this chapter.~~

(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)

~~Sec. 102-73. Freestanding signs for multi-tenant building(s).~~

- (a) ~~All signs shall be reviewed by the city as to the final size, location, and coordination of colors, design, and materials as part of the site development plan and/or sign permit approval process.~~
  - (1) ~~Number of signs:~~
    - a. ~~One ground sign is permitted per street frontage on the same ownership parcel. If the frontage is greater than 450 feet, two signs may be permitted provided they are placed a minimum of 300 feet apart and the setback requirements listed below are met.~~
    - b. ~~Signage for secondary frontages shall be allowed in accordance with section 102-5 of this chapter.~~
  - (2) ~~Maximum sign area, number of panels and panel size. Sign area can identify individual tenants, the complex itself, or a combination of both.~~

Table 102-2: Freestanding Sign Area for Multi-Tenants

Complex Size	Maximum Sign Area
Less than 10,000 SF	56 SF
10,000 SF to 75,000 SF	84 SF
Greater than 75,000 SF	112 SF

- (3) ~~Setbacks, spacing, and height:~~
  - a. ~~Minimum setback from the side lot lines: 25 feet or equidistant from the side lot lines.~~

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- ~~b. — Minimum setback from the right of way: Five feet.~~
  - ~~e. — Sign(s) shall be in compliance with the visual clearance requirements of chapter 96, section 96-37(a)(7) of this Code.~~
  - ~~d. — Maximum height of the sign face: 12 feet.~~
  - ~~e. — Two additional feet in height shall be allowed above the sign face for architectural embellishments consistent with the building or complex, up to a total maximum sign structure height of 15 feet.~~
- ~~(4) — Design requirements:~~
- ~~a. — The sign structure shall complement the principal structure, with regards to materials, color, finish, and architectural features. This includes the application of materials consistent with the main building(s) on the base and along the sides and top of the sign face or cabinet.~~
  - ~~b. — The same single background color shall be used for all tenant identification panels on the sign.~~
  - ~~e. — Freestanding signs shall maintain a base at least 18 inches in height measured from the average grade elevation. The sign cabinet shall be mounted on a decorative base.~~
  - ~~d. — The numeric street address of the property upon which the sign is located shall be identified on the side and front of the sign. The street address numbers shall be between six to 12 inches in height.~~

Figure 102:2: Multi-tenant Freestanding Design Requirements (Typical)

- ~~(5) — Commercial subdivision entrance signage. One freestanding identification sign structure to identify a complex of commercial subdivision shall be permitted at each commercial subdivision entrance. Maximum sign face of each structure shall be 48 square feet. The sign may be a single two-sided sign or two single-faced structures of equal size located on each side of the entrance. Signage shall be designed to complement the buildings within the commercial subdivision. The display of individual tenants shall not be permitted. Setbacks and design requirements shall be in accordance with section 102-70(a)(3) and 102-70(a)(4) of this chapter.~~
- ~~(6) — Wall signs for outparcels shall comply with the established sign program for the rest of the shopping center, in accordance with chapter 102, section 102-79 of this Code.~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-74. — Residential zones.~~

- ~~(a) — Freestanding signs for multifamily development:~~
  - ~~(1) — Sign area for each street frontage shall be permitted as follows:
    - ~~a. — Uses of 12 units or less: 16 square feet.~~
    - ~~b. — Uses of 13 units or more shall be in accordance with section 102-70(a)(2) of this chapter.~~~~
  - ~~(2) — Height and setbacks:
    - ~~a. — Maximum height: Eight feet.~~~~

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~~b.— Minimum setback from side lot lines: Ten feet.~~

~~(3) Sign(s) shall be in compliance with the visual clearance requirements of chapter 96, section 96-37(a)(7) of this Code.~~

~~(4) Design requirements.~~

~~a.— The sign may be a single two sided face sign or two single faced structures of equal size located on each side of the entrance.~~

~~b.— Design of the freestanding signs shall be in accordance with section 102-70(a)(4) of this chapter.~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-75.— Wall signage for multifamily development.~~

~~(a) A wall sign consisting of individual channel letters shall be permitted on one of the buildings located within a multifamily development.~~

~~(1) Maximum sign area (square footage) for the entire building: Multiply the building front foot by two feet.~~

~~(2) Maximum height of the individual channel letters: Two feet.~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-76.— Subdivision signs.~~

~~(a) The administrative official may permit residential subdivision entrance signs as part of the subdivision review process, or upon request of property owners after development has occurred.~~

~~(b) The administrative official's review shall consider size of the sign, color, materials, design, provision for maintenance, size of the subdivision, functional classification of the adjoining roadway(s) and land use in the area.~~

~~(c) Appeals of the administrative official's decision may be made to the city commission as provided in section 74-2(g) of this Code.~~

~~(d) Sign(s) shall be in compliance with the visual clearance requirements of chapter 96, section 96-37(a)(7) of this Code.~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-77.— Nonresidential uses in residential zones.~~

~~(a) The following freestanding sign areas shall be permitted for nonresidential uses in residential zones. Height, setback and design requirements shall be according to sections 102-70(a)(1), 102-70(a)(3) and 102-70(a)(4) of this chapter. Sign area requirements are as follows:~~

~~(1) Child care, nursery school: 4.5 square feet.~~

~~(2) Churches: See section 102-78 below.~~

~~(3) All other nonresidential uses as permitted in residential zones: 32 square feet.~~

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- ~~(4) All residential uses: 16 square feet for uses consisting of 12 units or 24 beds or less; 32 square feet for uses consisting of 13 units or 25 beds or more.~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-78. Houses of worship.~~

- ~~(a) Houses of worship and any other uses on site may be permitted signage under this section in accordance with the following criteria:~~

~~(1) Freestanding signs:~~

~~a. Sign area, height, and setback.~~

- ~~1. Maximum area: 48 square feet.~~
- ~~2. Maximum height: Eight feet.~~
- ~~3. Minimum setback from the right of way: Five feet.~~
- ~~4. Minimum setback from the side lot lines: Ten feet.~~
- ~~5. Sign(s) shall be in compliance with the visual clearance requirements of chapter 96, section 37(a)(b) of this Code.~~

~~b. Freestanding sign structures on the same ownership parcel shall be a minimum of 300 feet apart and located within a 20 foot strip of land parallel to and adjoining rights of way frontage. No more than two signs shall be permitted along any one right of way frontage.~~

~~c. Design of the freestanding signs shall be in accordance with section 102-70(a)(4) of this chapter.~~

~~(2) Wall signs:~~

~~a. Sign area, height, and design requirements.~~

- ~~1. Maximum sign area: 48 square feet.~~
- ~~2. Maximum height of any individual letter: Two feet.~~
- ~~3. Religious symbols or logos may exceed two feet; however, their area shall be counted towards the overall permitted sign area.~~
- ~~4. Location: In accordance with section 102-71(b) of this chapter.~~

~~(3) Electronic changeable copy signs:~~

~~a. Electronic changeable copy signs for houses of worship shall be in compliance with section 102-102(a)(3) of this chapter.~~

~~b. Electronic changeable copy signs for houses of worship on residentially zoned lots shall reduce the sign's intensity or brilliance during evening hours by half of the daytime ambient light illumination to be compatible with area neighborhoods.~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012; Ord. No. 15-2014, § 1, 8-4-2014)~~

~~Sec. 102-79. Shopping centers.~~

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~~(a) Shopping centers and/or anchor stores may be permitted signage under this section. However, the following criteria apply to maximum permitted signage. All shopping center signage shall be reviewed and approved by the city development review committee as to the final size, location, and coordination of colors, design, and materials as part of the site development approval process. A uniform sign plan shall be submitted to the city development review committee for its review and approval.~~

~~(1) Freestanding signs:~~

~~a. Sign area and use.~~

- ~~1. Shopping centers and/or anchor stores under 75,000 square feet may have shopping center identification signage of 32 square feet or less and additional sign area devoted to tenants of 24 square feet or less.~~
- ~~2. Shopping centers of 75,000 square feet to 250,000 square feet may have shopping center identification signage of 48 square feet or less and additional sign area devoted to tenants of 48 square feet or less.~~
- ~~3. Centers of over 250,000 square feet may have shopping center identification signage of 64 square feet or less and additional sign area devoted to tenants of 72 square feet or less.~~

~~b. Height, setback, and spacing are regulated as follows:~~

- ~~1. Maximum height shall be 15 feet.~~
- ~~2. Freestanding signs shall be set back a minimum of:
  - ~~i. From side lot lines, 50 feet, or equidistant from side lot lines.~~
  - ~~ii. Five feet from right of way.~~~~

~~c. Design requirements. Freestanding signs shall be monument signs designed so that all means of support are concealed. Freestanding sign structure on the same ownership parcel shall be a minimum of 700 feet apart as measured along the right of way and located within a 20-foot strip of land parallel to and adjoining the right of way frontage.~~

~~(2) Wall signs for individual tenants are regulated as follows:~~

~~a. Sign area and height.~~

- ~~1. Maximum sign area shall be determined by multiplying 80 percent of the tenant front feet by a factor of two. In the case of corner stores, additional signage may be allowed only where the same or similar façade treatment is used on both front and side. No more than 25 percent of the total allowable sign area is transferable from the front to the side façade.~~
- ~~2. Maximum sign height shall be determined as follows:
  - ~~i. For businesses having less than 50 tenant front feet, maximum height shall be two feet.~~
  - ~~ii. For anchor businesses with specialized architectural façades that identify them as such, maximum height shall not exceed 25 percent of the building height.~~~~

~~b. Supplementary wall signage. Additional wall sign area of one square foot per tenant front foot shall be allowed for miscellaneous wall signage, to include window signs, poster frames, and similar signs supplementary to identification signs.~~

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~~(3) Outparcels are regulated as follows:~~

- ~~a. Freestanding signs for shopping center outparcels shall conform with sections 102-70 and 102-71.~~
- ~~b. Wall signs are regulated as follows:
  - ~~1. Sign area. Maximum sign area shall be determined by multiplying the building front feet by a factor of 1.5. Additional wall sign area may be permitted for the sides and rear of an outparcel structure that are oriented toward nonresidential land uses and finished with the same or similar façade treatment as the building front. The maximum sign area for such additional wall signs shall be one square foot of sign area for each three feet of building length. Sign area is not transferable between façades.~~
  - ~~2. Design requirements. Wall signs for shopping center outparcels shall comply with the sign program established for the shopping center in accordance with subsection (2)(a) of this section.~~~~

~~(4) Directory signage for shopping centers is regulated as follows:~~

- ~~a. Sign area and use. One wall or freestanding directory sign for each building not to exceed two square feet for each tenant, or 24 square feet in total area, whichever is less, is permitted. Such signage shall be oriented to parking and pedestrian areas for directional purposes only and shall not be oriented outside of the complex.~~
- ~~b. Design and height requirements.
  - ~~1. The maximum height of any individual letter within the permitted area shall not exceed four inches.~~
  - ~~2. Freestanding directory signs shall not exceed eight feet in height.~~~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Sees. 102-80 – 102-89. Reserved.~~

~~DIVISION 2. TEMPORARY SIGNS~~

~~Sec. 102-90. Temporary freestanding signs.~~

- ~~(a) Any new or relocated use in a nonresidential zone whose allowable freestanding sign has not yet been erected may utilize one conforming temporary freestanding sign for a period of not more than 30 days or until installation of the allowable freestanding sign, whichever shall occur first.~~
- ~~(b) Temporary freestanding signs shall conform to all City Codes and criteria, including, but not limited to, those cited or set forth herein below:
  - ~~(1) Structure tie-down pursuant to wind loads in the Building Code.~~
  - ~~(2) Electrical system (if any) pursuant to the provisions and requirements of the electrical code.~~
  - ~~(3) Maximum sign area shall be 32 square feet; maximum height shall be eight feet.~~
  - ~~(4) No more than one such sign shall be permitted for each lot or parcel.~~~~

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- ~~(5) Copy on signs shall be maintained in a legible condition.~~
- ~~(6) External illumination shall be confined to sign face area.~~
- ~~(c) A sign permit shall be obtained for use of a temporary freestanding sign, and shall include the following:~~
  - ~~(1) A diagram indicating the manner in which the sign will be anchored to meet the specifications outlined above.~~
  - ~~(2) A plot plan showing that the proposed location is:
    - ~~a. In compliance with the visual clearance requirements of chapter 96, section 96-37(a)(7) this Code.~~
    - ~~b. Provides for connection to a ground fault interrupter circuit receptacle if the sign is illuminated. Any connection cord shall conform to the electrical code, and shall not cross any driveway, walkway, parking lot, traffic area, or drainage area. Use of multiple cord connections shall be prohibited.~~
    - ~~c. Not in a required parking area.~~~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-91. Banners/temporary exterior wall signs.~~

- ~~(a) Banners or other temporary wall signs shall be permitted under the following conditions:~~
  - ~~(1) In conjunction with a grand opening for a new use in a nonresidential zoning district, for a period not to exceed one period of 30 consecutive days and utilized within the first three months of business for the use.~~
  - ~~(2) For sales of goods or services for a sales event. One temporary banner per street frontage shall be permitted to be displayed during the special events. Such signs may carry business or product logos, and generic messages commemorating the event and/or welcoming visitors. Temporary banners may be used for no more than 60 days total during any calendar year.~~
  - ~~(3) Maximum sign area shall be 32 square feet.~~
  - ~~(4) Temporary banners and wall signs permitted by this subsection shall require a sign permit and the applicable permit fee.~~
  - ~~(5) Temporary banners and wall signs permitted by this subsection for individual shopping center tenants shall be affixed to the building above or in front of the tenant space.~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-92. Reserved.~~

~~Sec. 102-93. Real estate signs.~~

- ~~(a) Real estate signs shall be permitted under the following conditions:~~
  - ~~(1) One non illuminated sign shall be allowed for each street frontage of the subject property only, except as described in paragraphs (4) and (5) below.~~

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~~(2) Freestanding signs shall be:~~

- ~~a. Set back five feet from public right of way, or zero feet where the density of existing vegetation on undeveloped parcels would preclude compliance with the five-foot setback. In such case, the sign shall be placed parallel to the roadway.~~
- ~~b. Set back 25 feet from side property lines, or equidistant between side property lines.~~
- ~~c. A maximum height of five feet in residential zones and eight feet in nonresidential zones.~~

~~(3) Maximum sign area shall be:~~

- ~~a. Single family and duplex zones (individual lots): Six square feet.~~
- ~~b. Lots with four units or less in multifamily zones: 16 square feet.~~
- ~~c. All nonresidential zones, and overall projects (e.g., PUD's, subdivisions, and multifamily complexes with more than four units) in residential zones: 32 square feet.~~

~~(4) Properties represented by more than one real estate office may utilize one non illuminated sign for each office. The total sign area for multiple signs combined shall not exceed that permitted under paragraph (3) above, and the location of such signs shall be contained within one ten-foot wide area on each street frontage of the subject property only.~~

~~(5) Properties with more than 500 feet of street frontage may have more than one sign as provided herein. The number of signs shall be based on the following for each street frontage:~~

- ~~a. Less than 500 feet: One sign.~~
- ~~b. 500 to 750 feet: Two signs.~~
- ~~c. 751 to 1,000 feet: Three signs.~~
- ~~d. More than 1,000 feet: Four signs maximum.~~

~~(6) Real estate sign shall be removed within 30 days of property sale.~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-94. Political and campaign signs.~~

- ~~(a) No more than one political sign per candidate or ballot issue shall be placed per lot or parcel.~~
- ~~(b) Campaign signs must be removed within ten days after the election or such sign will be deemed abandoned.~~
- ~~(c) No sign permit or bond shall be required for political signs placed only in single family residential yards. For signs placed in other locations, one sign permit per candidate or ballot issue shall be required.~~
- ~~(d) Setbacks, height, maximum signage.~~
  - ~~(1) Setback shall be 25 feet from side property lines or equidistant between side property lines and no less than five feet from public rights of way.~~
  - ~~(2) The maximum height shall be five feet in residential zones and eight feet in nonresidential zones.~~
  - ~~(3) The maximum signage shall be:~~

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Table 102-3: Political and Campaign Signage Area

	Maximum per Sign	Maximum per Parcel
Residential zone	4.5 square feet	18 square feet
Nonresidential zone	16 square feet	48 square feet

~~(e) Those requesting the placement of political or campaign signs on vacant property shall provide the city a letter signed by the property owner of such vacant property authorizing the use of such signage.~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-95. Bond requirements for political, campaign and special event signs.~~

- ~~(a) Unless otherwise provided in this Code, it shall be unlawful for any person authorized to post political, campaign, and special event signs in accordance with this section to post any signs or posters unless such person posts a good and sufficient cash escrow deposit in an amount of not less than \$100.00, conditioned upon the removal of such signs and posters within ten days after the special event for which the signs were posted.~~
- ~~(b) Should the person who posted the bond for such signs fail or refuse to remove said signs or posters within ten days after the special event, the city shall have the authority to remove such signs and posters and dispose thereof and charge the cost of such removal and disposition against the bond posted.~~
- ~~(c) In the event a cash bond is posted, any funds remaining in the hands of the city after the cost of such removal, per section 102-95(b) above, shall be remitted to the person who posted the bond.~~
- ~~(d) In the event the cost to the city of cleaning up special event signs exceeds the amount of the escrow deposit, the person responsible for the signs pursuant to the permit shall be billed for the additional costs of removing and disposing of such signs.~~
- ~~(e) All special event signs which must be removed by the city shall become the city's property for disposal in accordance with the requirements of law.~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-96. Temporary directional special event signs.~~

- ~~(a) Temporary signs for special events shall be permitted as described in this section.~~
  - ~~(1) No special event sign may be used for the purpose of off-site advertising or any other purpose prohibited in section 102-3 of this chapter, except that off-site directional signs advertising a special event may be placed in public rights-of-way pursuant to a special event sign permit. Such signs may be placed at each intersection where a turn is required to go to a special event site, and at intervals between turns of not less than 1,320 feet (¼ mile). Such signs shall be no larger than four and one-half square feet, and no higher than three feet. Sign(s) shall be in compliance with~~

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~~the visual clearance requirements of chapter 96, section 96-37(a)(7) of this Code, and shall not obstruct the vision of drivers utilizing driveways. Such signs shall have a directional arrow, of a size that covers no less than 25 percent of the sign face area.~~

- ~~(2) Directional signs in right of way (ROW) require approval by city manager or his/her designee and shall be erected no earlier than 14 days before the start date of the special event.~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-97. Handheld signs.~~

~~Handheld signs are subject to the following additional regulations:~~

- ~~(a) Handheld signs include all signage pertaining to commercial, political, opinion, religious, or any other purpose and may only be displayed during daylight hours between the hours of 7:00 a.m. and 7:00 p.m.~~
- ~~(b) Handheld signs may not be displayed in the roadway vision triangle as defined in section 96-37(a)(7), Obstruction of visibility, or within 25 feet of the edge of pavement at a street corner, whichever is less.~~
- ~~(c) Persons holding handheld signs shall not interfere with, and must promptly yield to traffic circulation and/or parking in any parking lot, pedestrians utilizing any public or private sidewalk or other walkway, and anyone seeking access to any building, driveway, or parking lot and that alters the intent of the sidewalk purpose.~~
- ~~(d) Handheld signs cannot be displayed along any city, Volusia County, or state roadway with a posted speed limit exceeding 45 miles per hour.~~
- ~~(e) Persons displaying handheld signs are prohibited from using equipment (including, without limitation, radios, sound making devices, music players, or other audio devices, with or without ear buds), that would lessen or otherwise interfere with a person's ability to hear, or otherwise be cognizant of, external sounds, other persons or vehicles to which such persons are required to yield as set forth herein.~~
- ~~(f) Each handheld sign shall include on it, in at least a 20 point font, the name, address, and current telephone number of the business, entity, or person responsible for its display. The business, entity, or person that is listed or indicated as being responsible for the signage display shall be liable for any violations of this section.~~
- ~~(g) Handheld signs shall have a maximum sign area of eight square feet with a dimension not to exceed two by four square feet. Each handheld sign carrier is limited to one sign per person.~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Secs. 102-98—102-99. Reserved.~~

~~DIVISION 3. MISCELLANEOUS SIGNS~~

~~Sec. 102-100. Awnings.~~

- ~~(a) Use of awnings shall be regulated as follows:~~

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- ~~(1) Construction. Fixed awnings shall be entirely supported from the building. All combustible materials used in the construction of awnings must be protected with not less than one hour fire resistance. All glazing in fixed awnings must be of wired glass.~~
- ~~(2) Height. Maximum height, measured on a vertical plane from the point of attachment at the top of the awning to a point horizontal to the lowest edge of fabric, shall not exceed five feet, or 35 percent of the building height, whichever is greater. Fixed awnings on private property must be at least six feet, eight inches in the clear. Fixed awnings extending into a public right of way must be at least nine feet in the clear, between the lowest point or projection and the sidewalk immediately below. If a valance is attached to an awning, no portion of said valance may be less than seven feet in height.~~
- ~~(3) Setbacks. Awnings are allowed to project three feet into required yards, provided such projection does not exceed 50 percent of the minimum yard dimension. Where existing buildings have setbacks of less than five feet from the property line, awnings may project to two thirds of the width of the sidewalk.~~
- ~~(4) Copy on awnings. The use of copy on an awning shall be regulated by the applicable provisions of this chapter for wall signs, including the requirement to obtain a sign permit. Copy on sides of awnings shall be prohibited unless the parcel has multiple street frontages. Copy may be permitted on awnings which legally extend into a public right of way. Copy on awnings is not permitted for any use in a residential zone.~~
- ~~(5) Illuminated awnings. Illuminated awnings shall only be permitted on parcels which have frontage on a designated arterial roadway. Additional, illuminated awnings shall be prohibited for the following uses:
  - ~~a. Offices in designated office zoning districts.~~
  - ~~b. Residential uses.~~
  - ~~c. Nonresidential uses in residential zoning districts.~~~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

~~Sec. 102 101. Neon.~~

- ~~(a) Use of neon signs and decorative neon for increased visibility shall be regulated under the following:
  - ~~(1) Neon wall signs shall be regulated by the applicable provisions of this Code for wall signs.~~
  - ~~(2) Decorative neon on buildings shall be counted as a wall sign, measured two dimensional by multiplying the length of neon tubing by six inches, and included in the total permitted wall sign area.~~
  - ~~(3) Neon signs and decorative neon suspended behind windows and visible from the right of way shall be considered wall signs, and included in the total permitted wall sign area.~~
  - ~~(4) Exposed neon shall be prohibited for offices, residential uses, nonresidential uses in residential zones, and industrial uses.~~
  - ~~(5) Neon shall only be permitted on parcels which have frontage on a designated arterial roadway.~~~~

~~(Ord. No. 19 2011, § 1(Exh. A), 11 7 2011; Ord. No. 04 2012, § 1(Exh. A), 6 4 2012)~~

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~~Sec. 102-102. Changeable copy signs.~~

- ~~(a) Changeable copy signs, including manual and electronic changeable copy signs, shall be regulated under the following guidelines:~~
- ~~(1) Freestanding signs with manual or electronic changeable copy display. Changeable copy signs shall not comprise more than 50 percent of the permitted sign area, shall be included as part of the permitted sign area, and shall be limited to one sign per lot; with the following exceptions, as described herein below:~~
- ~~a. Motor vehicle service stations and convenience stores with gas pumps may utilize up to 100 percent of the permitted sign area for changeable prices of fuel only.~~
- ~~b. Movie theaters and other performance/entertainment facilities may utilize up to 80 percent of the permitted sign area for the display of names of films, plays or other performances currently showing. Such changeable copy areas shall be included as part of the permitted sign area.~~
- ~~c. Changeable copy signs shall be limited to commercial, office, houses of worship, and industrial uses along arterial roadway frontages, as described in the City of Deltona's Comprehensive Plan, and prohibited for residential uses, including residential uses within mixed-use projects.~~
- ~~(2) Wall signs.~~
- ~~a. Use of changeable copy signs as part of permitted wall sign area is prohibited, except as described in subparagraph (b) below.~~
- ~~b. Movie theaters may use up to 80 percent of permitted wall sign area for display of names of films, plays or other performances currently showing. Such changeable copy areas shall be included as part of the permitted sign area.~~
- ~~(3) Electronic changeable copy display shall be subject to all applicable provisions within this section and chapter as well as the following requirements:~~
- ~~a. The sign with display screen shall be located on a lot, outside of public rights of way, along arterial roadway frontages, as described in the City of Deltona's Comprehensive Plan, and oriented perpendicular to the arterial roadway frontage.~~
- ~~b. Any message or picture displayed shall be static in nature and shall not project continuous scroll, blink, flicker, flash, scintillate, or be otherwise animated, except for on digital electronic changeable copy signs. Transitions from one static image to the next shall appear to be instantaneous.~~
- ~~c. Copy change of the display screen shall not be more frequent than once per two seconds. The use of background animation is allowed on digital electronic changeable copy signs where the foreground of the sign displays static images prior to transitioning to another static foreground image. Transitions from one static foreground image to another may also display frame effects that last no longer than two seconds. The use of flashing, foreground animation, and full motion video on such signs is prohibited.~~
- ~~d. All electronic changeable copy signs shall come equipped with automatic dimming technology that automatically adjusts the sign's brightness in direct correlation with ambient light conditions.~~

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- e. ~~No electronic changeable copy sign shall exceed a brightness level of 0.3 foot candles above ambient light, as measured using a foot candle (Lux) meter at a preset distance depending on sign area, measured from a measuring distance calculated with the following formula, and the square root of the product of the sign area multiplied by one hundred:~~

~~Example using a 12 square foot sign:~~

$$\text{Measurement Distance} = \sqrt{(12 \text{ sq. ft.} \times 100)} = 34.6$$

~~(No electronic sign shall exceed an illumination of 1.0 foot candle as measured from any property line or edge of street, a standard consistent with section 110-828 (b)(2)).~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012; Ord. No. 02-2013, § 1(Exh. A), 4-15-2013; Ord. No. 15-2014, § 2, 8-4-2014)~~

~~Sec. 102-103. Flags.~~

- ~~(a) No more than three flags or insignias of governmental, charitable, religious, fraternal, corporate, or other organizations may be displayed as part of any grand opening for a new site development.~~
- ~~(b) The maximum width from top to bottom of any flag shall be 20 percent of the total height of the flag pole, or in the absence of a flag pole, 20 percent of the distance from the top of the flag or insignia to the ground.~~
- ~~(c) The display of flags within any multi-tenant development shall be designed for the use by the entire development, rather than for use by any individual tenant for his/her tenant space.~~
- ~~(d) Flags or insignias which read "model", "open", "open house" or any other phrase which identifies property for real estate purposes may be displayed in the following locations and numbers. The maximum height of such flags shall be eight feet and maximum size shall be 15 square feet.~~
- ~~(1) Main entrance to a residential subdivision or planned residential development: Two flags.~~
- ~~(2) Entrance to a multifamily project or sub-phase of a planned residential development: Two flags.~~
- ~~(3) Single family or duplex model home lot: Two flags.~~
- ~~(4) Townhouse or villa model: Two flags.~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-104. Reserved.~~

~~Sec. 102-105. Bus benches and shelters.~~

- ~~(a) Upon investigation and inquiry, the city commission has determined and finds, as a matter of fact, that the placement and construction of bus benches and bus shelters shall enhance the quality of life in the city; shall aid in the conservation of energy; and shall serve to protect the health, safety and welfare of those persons seeking the various public transportation systems operating within the city; provided, however, that the city commission has determined that the economic feasibility of placing and constructing bus benches and bus shelters can best be achieved by enlisting the aid of private industry and that private industry is willing to cooperate in such efforts only if it can recoup its monetary overlay through the use of such bus benches or signs as advertising media.~~

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~~(b) Accordingly, nothing contained in this chapter shall be construed to prohibit the placement or construction of bus benches or bus shelters in connection with public transportation and from the painting or attachment of signs thereto; provided, however, that such bus benches and bus shelters upon which signs shall be painted or attached shall be placed or constructed under and pursuant to the terms of a license agreement or other contract executed on behalf of the city wherein the conditions concerning the placement, design, construction, number and signage connected with such bus benches and bus shelters, as applicable, shall be set forth.~~

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

~~Sec. 102-106. Interstate interchange area signs.~~

~~(a) The Interstate Interchange Areas shall be an area parallel to and within 600 feet of the interchange rights-of-way of Interstate 4 located at Debary Avenue, Saxon Boulevard, and Howland Boulevard.~~

~~(b) Notwithstanding the provisions of sections 102-70 or otherwise conditioned under this section, one freestanding sign may be erected on pylons on commercially zoned property and within the Interstate Interchange Areas, as defined in section 102-106(a). The purpose of such signs is to identify certain uses that, as cited in this section, serve those travelling on Interstate 4.~~

~~(c) Large venue signs:~~

~~(1) In addition to other ground and wall signs allowed by this chapter, one electronic message sign per premises shall be allowed for the following services:~~

~~a. Hotel having 80 or more rooms with convention or meeting facilities, cooking facilities, and dining facilities on premises.~~

~~b. Civic center, convention center, music center, or live theater having a capacity to provide for conventions, meetings or entertainment for 200 persons or more.~~

~~(2) Large venue electronic message signs and pylon signs area and height are regulated as follows:~~

~~a. The maximum sign area shall be 685 square feet.~~

~~b. The maximum height shall be 80 feet.~~

~~(d) Gas station, food, or lodging establishments' signs: In addition to the maximum number of signs permitted in this chapter, one pylon sign per premises shall be allowed for each gas station, food, or lodging establishments.~~

~~(1) Gas station, food or lodging establishment's signs are regulated as follow:~~

~~a. Maximum height of freestanding pylon signs: Such signs shall be stationary, not exceed 15 feet in height, as measured from the base of sign, and may be double faced.~~

~~b. Maximum size of freestanding pylon signs: Each sign shall not exceed 75 square feet for each face area.~~

~~c. Freestanding pylon signs placement: No portion of signs governed by this subsection shall extend into any public rights-of-way or into any on-site vehicular or pedestrian circulation area.~~

~~d. Bollards with reflective material shall be placed around the sign to provide public safety.~~

~~e. In addition to the area allowed for wall signs, signage on canopies that are separated from and ancillary to the principal structure may include additional signage not to exceed one~~

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~~square foot of sign area per ten linear foot of canopy face and no portion of such signage shall extend above or below the canopy face.~~

Table 102-4: Interstate Interchange Area Sign Regulations

ESTABLISHMENT	FREESTANDING SIGN TYPE	SIGN SIZE	
		Maximum Height (feet)	Maximum Area (sq. ft.)
Large venues (per section 102-106(c))	electronic, pylon	80	685
Gas station, food or lodging (per section 102-106(d))	pylon	15	75

~~(Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 04-2012, § 1(Exh. A), 6-4-2012)~~

**ORDINANCE NO. 29-2016**

**AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING CHAPTERS 70-30, "DEFINITIONS", OF ARTICLE II, LAND DEVELOPMENT CODE, AND CHAPTER 102, "SIGNS," OF THE LAND DEVELOPMENT CODE OF THE CITY OF DELTONA; PROVIDING FOR AMENDMENTS TO CHAPTER 102 FOR NEW SIGNAGE REGULATIONS AND CONSISTENT WITH FEDERAL SIGNAGE LAW; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.**

---

**WHEREAS**, the City of Deltona adopted Chapter 102, "Signs" of the City's Land Development Code and Chapter 102 is the "Sign Code" for the City of Deltona; and

**WHEREAS**, Chapter 70-30, "Definitions" and Chapter 102, "Signs", shall include provisions that are consistent with federal signage law and the City Commission desires to have signage regulations that provide a greater range of signage types within a simplified Chapter 102 "Signs"; and

**WHEREAS**, Chapter 70-30, "Definitions" and Chapter 102, "Signs", are proposed to be amended as listed in Exhibit A: Proposed Chapter 70-30, "Definitions" and Chapter 102, "Signs" within Section 1 of Ordinance No. 29-2016, of the City of Deltona; and

**WHEREAS**, the City Commission of the City of Deltona, Florida, finds that providing an amended Chapter 70-30, "Definitions" and Chapter 102, "Signs" shall not create a nuisance, shall protect the public health, safety and welfare of the community, and shall support economic development within the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, as follows:**

**Section 1.** Chapter 70-30, “Definitions” and Chapter 102, “Signs”, of the City’s Code of Ordinances, is hereby amended by reference to Exhibit A of Ordinance No. 29-2016.

**Section 2.** Conflicts. All Ordinances or parts of Ordinances, insofar as they are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed to the extent of any conflict.

**Section 3.** Codification. The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Deltona. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention.

**Section 4.** Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this ordinance which can be given effect without the invalid provision or application.

**Section 5.** Effective Date. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

First Reading: \_\_\_\_\_

Advertised: \_\_\_\_\_

Second Reading: \_\_\_\_\_

BY: \_\_\_\_\_  
JOHN C. MASIARCZYK, SR., Mayor

ATTEST:

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JOYCE RAFTERY, CMC, MMC, City Clerk

Approved as to form and legality  
for use and reliance of the City of  
Deltona, Florida

---

GRETCHEN R. H. VOSE, City Attorney