

ORDINANCE NO. 2011-1279

AN ORDINANCE OF THE CITY OF POLK CITY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE OF THE CITY OF POLK CITY, FLORIDA; CHANGING THE TEXT OF ARTICLE 4, SIGN REGULATIONS, SPECIFIC TO ON-SITE SIGNS FOR COMMERCIAL AND INDUSTRIAL BUSINESSES OF SECTION 4.04.02(E) REGARDING DESIGN STANDARDS FOR AFFIXED SIGNS AND SECTION 4.04.02(F) REGARDING DESIGN STANDARDS FOR FREE-STANDING SIGNS; REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREIN; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. LEGISLATIVE FINDINGS AND INTENT. The City Commission of the City of Polk City hereby makes and declares the following findings and statements of legislative intent:

(1) Section 163.3167(c), Florida Statutes, empowers the City to adopt land development regulations to guide the growth and development of the City.

(2) The City Council of the City of Polk City has determined it necessary and desirable to amend the regulations to amend sign area calculation requirements for affixed signs and free-standing signs.

(3) Pursuant to Section 166.041(c)2, Florida Statutes, the Planning Commission and the City Council have held meetings and hearings to amend the Unified Land Development Code as presented in the attached exhibit, such exhibit attached as Exhibit "A" and made a part hereof; and, the meetings were advertised and held with due public notice, to obtain public comment; and having considered written and oral comments received during public hearings, find the changes necessary and appropriate to the needs of the City.

SECTION 2. MODIFICATION OF UNIFIED LAND DEVELOPMENT CODE. The City Council hereby amends Section 4.04.02(E) and Section 4.04.02(F) of the Unified Land Development Code as set forth in Exhibit "A" attached to and incorporated in this Ordinance.

SECTION 3. SEVERABILITY. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

SECTION 4. CODIFICATION. This Ordinance shall be codified in the Code of

Ordinances of the City of Polk City, Florida.

SECTION 5. **EFFECTIVE DATE.** This Ordinance shall take effective in accordance with the provisions of general law.

INTRODUCED, PASSED on FIRST READING, this ___ day of _____, 2011.

Joe LaCascia, Mayor

ATTEST:

Approved as to form and correctness

Patricia R. Jackson, City Clerk

Thomas A. Cloud, City Attorney

PASSED AND DULY ADOPTED ON SECOND READING, with a quorum present and voting by the City Council of the City of Polk City, Florida meeting in Regular Session this ___ day of _____, 2011.

Joe LaCascia, Mayor

ATTEST:

Patricia R. Jackson, City Clerk

EXHIBIT "A"

AMENDMENT TO

ARTICLE 4 SIGN REGULATIONS

ON-SITE SIGNS FOR COMMERCIAL AND INDUSTRIAL BUSINESSES

**ARTICLE 4, SECTION 4.04.02(E)
REGARDING DESIGN STANDARDS FOR AFFIXED SIGNS;**

**ARTICLE 4, SECTION 4.04.02(F)
REGARDING DESIGN STANDARDS FOR FREE-STANDING SIGNS**

**OF THE
UNIFIED LAND DEVELOPMENT CODE**

Text that is **underlined** is text to be added and text that is shown as **strikeout** is to be removed.

ARTICLE 4

SIGN REGULATIONS

4.04.00 Permitted Signs

The following signs are permitted within the City of Polk City, subject to the standards provided in this Section:

4.04.02 On-Site Signs for Commercial or Industrial Businesses

On-site signs for commercial or industrial businesses are permitted accessory to commercial and industrial structures on property zoned for such uses.

- (A) *Number of Signs Permitted.* For each frontage of 75 feet to 250 feet on a publicly maintained road, one sign is permitted near the right-of-way and one sign is permitted attached to the building. For parcels having 250 feet or more of frontage on a single road, an additional sign per entrance shall be allowed and signs shall be located near the entrance.
- (B) *Small Lots.* For businesses with less than 75 feet of street frontage, only one sign, mounted on the building, is allowed.
- (C) *Corner Lots.* For lots or parcels situated at intersections, an additional sign may be placed on the additional street frontage, one for up to 250 feet of frontage and one additional sign if there is more than 250 feet of street frontage, placed on the second street. In addition, one more sign may be mounted on the building facing the second street.
- (D) *Through Lots.* For through lots, an additional sign may be mounted on the back of the building.
- (E) *Design Standards for Affixed Signs.* Commercial signs that are affixed to a building are limited to 36 square feet in size and are included in the limit of two signs per lot - an aggregate sign area equal to twelve and one-half (12.5f) percent of the square footage of the first fifteen (15) feet in height of the wall face upon which the sign is located. In the event the height of the wall is less than fifteen (15) feet, the allowable building sign area is equal to twelve and one-half (12.5) percent of the square footage of the actual height of the wall face upon which the sign is located. No sign protruding above the roof of a structure may extend more than 18 feet above the ground, as measured from the finished grade at the base of the structure to the highest point of the sign, or it's from or supporting structure, whichever is higher.

- (F) *Design Standards for Freestanding Signs.* Except as otherwise provided, on-site commercial signs shall be a maximum of 48 square feet in size and 18 feet in height shall be permitted one (1) square foot of sign area for each two (2) lineal feet of street frontage. No premises shall have a total freestanding sign area in excess of two hundred fifty (250) square feet. All freestanding signs shall be set back ten feet from any property line. No sign shall extend over a public street.