

1 **WHEREAS**, this ordinance will also provide for review of signage on
2 individual historic structures listed on the local register by the Architectural
3 Review Board; and

4 **WHEREAS**, this ordinance will also prohibit off-site advertising on
5 certain City gateways and other scenic roadways; and

6 **WHEREAS**, the Capitol Center Planning District has been replaced by
7 the Central Core and Open Space zoning districts, so this ordinance deletes
8 outdated references to the Capitol Center Planning District; and

9 **WHEREAS**, this ordinance provides clear language for location of off-site
10 advertising structures at intersections in the City; and

11 **WHEREAS**, this ordinance also provides for removal of abandoned sign
12 structures as well as abandoned signs; and

13 **WHEREAS**, this ordinance is also intended to provide authorization for
14 advertising signage on StarMetro transit shelters in certain areas within the
15 City; and

16 **WHEREAS**, Section 337.408, Florida Statutes, permits transit shelters,
17 including advertising displayed thereon, within the right-of-way limits of any
18 municipal, county, or state road, provided that such transit shelters are for the
19 comfort or convenience of the general public and are at designated stops on
20 official transit routes; and

1 **WHEREAS**, the City Commission of the City of Tallahassee has a
2 substantial governmental interest in providing safe, efficient and convenient
3 transit service to the community, and in also maximizing the use of public
4 dollars for such purposes; and

5 **WHEREAS**, any off-site advertising on StarMetro transit shelters shall
6 preserve the City's substantial governmental interest in preserving traffic safety
7 and aesthetics within the City of Tallahassee.

8 **NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY**
9 **OF TALLAHASSEE FLORIDA:**

10 **Section 1.** Section 1-2, Definitions and rules of construction, of Chapter
11 1, General Provisions, of the Tallahassee Land Development Code is amended
12 to add the following definition in alphabetical order:

13 *Frontage, building.* The term "building frontage" means the length of an
14 outside building wall on a street. For purposes of determining aggregate
15 surface area of permanent on-site signs pursuant to Section 7-62 of this
16 Code for buildings that do not front on a street, the term "building
17 frontage" may also mean the length of an outside building wall on a legal
18 access easement recorded in the public records of Leon County.

19 *Public service message.* The term "public service message" means any
20 announcement on a sign for which no charge is made and which
21 promotes programs, activities, or services of federal, state, or local
22 governments or the programs, activities or services of non-profit
23

CODING: Words in ~~struck through~~ type are deletions from existing language; words underlined are additions.

1 organizations and other announcements regarded as serving community
2 interests, excluding time signals, routine weather announcements and
3 promotional announcements.

4 Sign, ~~a~~Animated-sign. The term “animated sign” means any sign of which
5 all or any part thereof visibly moves in any fashion whatsoever, and any
6 sign which contains or uses for illumination any light, lights, or lighting
7 device or devices which change color, flash or alternate, show movement
8 or motion, or change the appearance of such sign or any part thereof
9 automatically. The term “animated sign” shall not include revolving
10 signs or change of copy for electronic reader board, variable message, or
11 trivision signs.

12
13 Sign, city information panel. The term “city information panel sign”
14 means a sign of any type erected by the City for the benefit of the public
15 on City property that provides wayfinding information or other public
16 service information.

17
18 Sign, electronic reader board. The term “electronic reader board sign”
19 means a sign emitting an illuminated message, image or design created
20 electronically by any light source, LED (light emitting diodes), bare
21 electric bulbs, luminous tubes, fiber optics, or any other combination of
22 light sources creating a message.
23

1 and the sign does not exceed six square feet in area. Under no
2 circumstances may a sign exempt under this provision intrude or violate
3 the accessible route required by regulations promulgated under the
4 Americans with Disabilities Act.

5 . . .

6 **Section 4.** Section 7-62, Permanent on-site signs, of Chapter 7, Sign
7 Code, of the Tallahassee Land Development Code, is hereby amended as
8 follows:

9 **Sec. 7-62. Permanent on-site signs.**

10 (a) *Ground signs, wall signs, mansard signs, marquee and canopy signs,*
11 *projecting signs, and roof signs.* Ground signs, wall signs, mansard signs,
12 marquee and canopy signs, projecting signs, and roof signs, except where
13 otherwise provided, shall be allowed subject to the following limitations.

14 (1) *Zoning districts where allowed.* Except where otherwise
15 specifically provided, these signs shall be allowed only in zoning
16 districts other than residential districts.

17 (2) *Aggregate surface area.* The aggregate surface area of all signs
18 shall not exceed two square feet of area for each foot building
19 frontage occupied by the business displaying signs, or one square
20 foot of area for each foot of frontage of property occupied by the
21 building whichever is greater. Maximum aggregate surface area
22 allowed for each frontage:

CODING: Words in ~~struck through~~ type are deletions from existing language; words underlined are additions.

1 a. Within the ~~Capitol Center Planning District and the~~
2 ~~downtown zoning~~ Central Core and Special Character
3 districts, as listed in article IV, division 2, chapter 10 of ~~the~~
4 ~~Land Development~~ this Code, 80 square feet. Lettering on
5 awnings and canopies and permanent lettering on windows
6 shall be included in the maximum signage allowed. Stores
7 with more than one street frontage may utilize up to the
8 maximum allowed for each frontage, but no transfers of
9 allowable area may be made from one frontage to another.
10 Signs applied to existing buildings shall respect architectural
11 detailing where appropriate.

12 b. In all other districts where allowed, 200 square feet.

13 (3) *Signs in multiple-occupancy buildings.* Where a single building or
14 complex of buildings contains two or more separate activities or
15 establishments, the individual establishments located in such multiple-
16 occupancy buildings shall be permitted wall signs and wall sign area as
17 though each were located in an individual building with individual street
18 frontage. Such multiple-occupancy buildings shall be permitted one
19 ground sign with surface area not to exceed one square foot per foot of
20 property frontage of the building or two square feet per foot of building
21 frontage, whichever is greater, with a maximum of 150 square feet.

22 Within the Kleman Plaza subdivision, the areas of the plaza owned by the

1 City shall be considered street frontage for the purposes of this section.

2 In addition to the review and permitting required by this chapter, all
3 signage within the Kleman Plaza subdivision shall be reviewed and
4 approved by the Kleman Plaza Design Review Board before receiving a
5 permit under this chapter.

6 . . .

7
8 (e) Signs on historic properties – Signs on individual historic properties
9 listed on the Local Register of Historic Places or properties listed on the
10 National Register of Historic Places within the Special Character Districts
11 are subject to the requirements of this section. Before receiving a permit,
12 or, if the sign does not require a permit, before installing the sign, the
13 architectural review board or its designee shall review and approve the
14 design of signs on such individual historic properties pursuant to the
15 certificate of appropriateness procedures in Chapter 10 of this Code. The
16 architectural review board or its designee shall review such signs under
17 the following standards, which shall apply to all signs installed pursuant
18 to this section:

19 (1) Signs shall not obscure significant features of the architecture of
20 historic buildings;

21 (2) Attachment of signs shall not cause damage to the historic
22 building fabric;

1 (3) The materials, colors, and style, and character original to the
2 building or typical of the building type of a historic structure shall be
3 used in the design of new signs;

4 (4) A sign on a historic property of a type that did not originally
5 include a sign, such as a house adapted to commercial use, shall be
6 of materials, colors, style, and character that are compatible with the
7 architecture of the historic structure;

8 (5) Electronic reader board signs shall not be permitted on historic
9 properties or historic structures.

10 **Section 5.** Section 7-64, Off-site advertising signs, of Chapter 7, Sign
11 Code, of the Tallahassee Land Development Code is amended as follows:

12 **Sec. 7-64. Off-site advertising signs.**

13 . . .

14 (c) *Off-site advertising sign requirements.*

15 . . .

16 (5) *Minimum spacing.* The minimum spacing between off-site
17 advertising signs which are not classified as tri-vision or variable
18 message off-site advertising signs shall be 2,000 feet from any
19 other off-site advertising sign on the same side of the street road.

20 The minimum spacing between tri-vision and variable message off-
21 site advertising signs shall be 4,000 feet from any other tri-vision

CODING: Words in ~~struck through~~ type are deletions from existing language; words underlined are additions.

1 reservation, public playground, state or national forest, or
2 railroad intersection.

3 (4) No off-site advertising sign shall be located within 100 feet of
4 any residentially zoned property.

5 (5) No off-site advertising sign shall be located on or designed to
6 be visible from gateways to the City, as follows:

7 a. South Monroe Street: From Orange Avenue to
8 Apalachee Parkway;

9 b. South Adams Street: From Orange Avenue to Madison
10 Street;

11 c. Apalachee Parkway: From Magnolia Drive to Monroe
12 Street;

13 d. Tennessee St./Mahan Drive: From Meridian Street to
14 Capital Circle;

15 e. Thomasville Road: From North Monroe Street to
16 Metropolitan Boulevard;

17 f. Miccosukee Road: From Meridian Street to Capital
18 Circle; and

19 (6) No off-site advertising sign shall be located on or designed to
20 be visible from Blair Stone Road, Gaines Street, FAMU Way, FAMU
21 Way Extension, or Welaunee Boulevard within the City.

1 sign(s) is necessary or desirable for the public health, safety, or
2 welfare, and requests in writing the removal of such sign(s), and
3 the owner of the sign(s) agrees to the removal, the owner shall,
4 upon documentation of the permanent removal of such signs be
5 entitled to place one tri-vision or one variable message sign in a
6 zoning district in which off-site advertising signs are permitted, as
7 follows:

8 a. One tri-vision sign for removal of at least three off-site
9 advertising signs.

10 b. One variable message sign for removal of at least five
11 off-site advertising signs.

12 c. The square footage of a tri-vision sign or variable
13 message sign shall be equal to or less than the square
14 footage of the removed off-site advertising signs, but shall
15 not exceed the maximum size for off-site advertising signs in
16 this section.

17 d. The tri-vision sign or variable message sign permitted
18 under this subsection may be erected as a double-faced sign
19 or the faces may be split and placed on two structures. If
20 the faces are split and placed on two sign structures, each
21 face shall be erected in the location of an existing conforming

- 1 (1) CP Commercial Parkway District;
- 2 (2) C2 General Commercial District;
- 3 (3) M1 Light Industrial District;
- 4 (4) IC Interchange Commercial District; and
- 5 (5) AC High Intensity Urban Activity Center, but only on properties
- 6 fronting on Capital Circle that are zoned AC or properties fronting on
- 7 Thomasville Road north of Interstate Highway I10 that are zoned AC.

8 (d) Prohibited locations. Off-site advertising signs shall not be allowed on
9 StarMetro transit shelters in the following areas, as defined in this Code:

- 10 (1) Special Character Districts;
- 11 (2) Historic Preservation Districts;
- 12 (3) Gaines Street Revitalization Area;
- 13 (4) Canopy Roads;
- 14 (5) Blair Stone Road;
- 15 (6) Welaunee Boulevard;
- 16 (7) FAMU Way;
- 17 (8) FAMU Way Extension;
- 18 (9) Within 100 feet of any residentially zoned property; or
- 19 (10) On City gateways, as follows:
 - 20 a. South Monroe Street: From Orange Avenue to Apalachee
 - 21 Parkway;
 - 22 b. South Adams Street: From Orange Avenue to Madison Street;

CODING: Words in ~~struck-through~~ type are deletions from existing language; words underlined are additions.

1 c. Apalachee Parkway: From Magnolia Drive to Monroe Street;

2 d. Tennessee St./Mahan Drive: From Meridian Street to Capital
3 Circle, except that advertising will be permitted on one bus shelter
4 in the area between Magnolia Street and Capital Circle;

5 e. Thomasville Road: From North Monroe Street to Metropolitan
6 Boulevard; and

7 f. Miccosukee Road: From Meridian Street to Capital Circle.

8 (e) Permitting. Permits pursuant to this chapter are required for off-site
9 advertising signs on StarMetro transit shelters. After a permit is issued,
10 StarMetro shall be responsible for maintaining compliance with this section.

11 (f) Requirements for signage and shelter design.

12 (1) The design of StarMetro bus shelters with advertising shall be as
13 approved by the City Manager and adopted by policy of the Growth
14 Management Department.

15 (2) The maximum size for an off-site advertising sign on StarMetro
16 transit shelters is 4' width x 6' height.

17 (3) Lights on signs permitted pursuant to this section shall be
18 shielded.

19 (4) No animated or flashing signs shall be permitted pursuant to this
20 section.

1 (5) No signs that resemble any traffic control device, official traffic
2 control signs, or emergency vehicle markings shall be permitted
3 pursuant to this section.

4 (6) No banners or flying paraphernalia signs shall be permitted
5 pursuant to this section.

6 (7) No signs that produce sound, noise, smoke, vapor, or motion
7 pictures shall be permitted pursuant to this section.

8 (8) Electronic reader board signs that provide information on
9 StarMetro schedules and fares shall be permitted inside the bus shelter
10 pursuant to this section. No other electronic reader board signs shall be
11 permitted on transit shelters.

12 (9) Advertising pursuant to this section may be permitted on bus
13 shelters authorized to be in public rights-of-way as long as the sign does
14 not create a physical or visual hazard for motorists.

15 **Section 7.** Chapter 7, Sign Code, Tallahassee Land Development Code,
16 is amended to create Section 7-70, Electronic Reader Board Signs, as follows:

17 **Sec. 7-70. On-site electronic reader board signs.**

18 On-site electronic reader boards shall meet the requirements of Section
19 7-62 of this chapter and this section. On-site electronic reader boards that
20 meet the requirements of Section 7-62 and this section may be permitted as
21 follows:

1 (a) The copy on an electronic reader board sign shall not change more
2 than once in a six (6) second period unless otherwise allowed by law or except
3 as necessary on a sign for the public health and safety, including traffic
4 control, that is owned and/or operated by the City, Leon County, State of
5 Florida, or federal government. Electronic reader board signs with time, date,
6 and temperature information are included in this subsection.

7 (b) Installation of a new electronic reader board or replacement of an
8 existing sign with an electronic reader board shall require permits pursuant to
9 this chapter.

10 (c) Electronic reader boards must meet the following requirements:

11 (1) Static display time for each message is a minimum of six (6)
12 seconds;

13 (2) The time to completely change from one message to the next
14 is a maximum of two (2) seconds;

15 (3) The change of message shall occur simultaneously for the
16 entire sign face;

17 (4) The sign shall contain a default design that will hold the face
18 of the sign one position if a malfunction occurs;

19 (5) No flashing lights, traveling messages, animation or other
20 movements are permitted on an electronic reader board; and

1 (6) Illumination of electronic reader board signs shall not
 2 exceed the following brightness limits measured as candelas per
 3 square feet at any focal point on any roadway or berm or any
 4 vehicular approach to any roadway or driveway:

| | <u>Day</u> | <u>Night</u> |
|-------------------|------------|--------------|
| <u>Red</u> | <u>300</u> | <u>100</u> |
| <u>Green</u> | <u>600</u> | <u>200</u> |
| <u>Amber</u> | <u>450</u> | <u>150</u> |
| <u>Blue</u> | <u>800</u> | <u>350</u> |
| <u>All Colors</u> | <u>650</u> | <u>250</u> |

5
 6 (d) An electronic reader board sign with copy that moves
 7 continuously or appears to be moving, flashing, changing color, pulsing, or
 8 alternating shall be considered an animated sign and prohibited as provided
 9 in Section 7-81 herein.

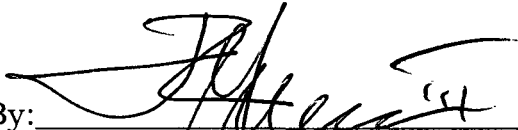
10 (e) On-site electronic reader boards may be permanent or temporary,
 11 as authorized in this Chapter.
 12

1 INTRODUCED in the City Commission on the 14th day of December, 2011.

2 PASSED by the City Commission on the 25th day of January, 2012.

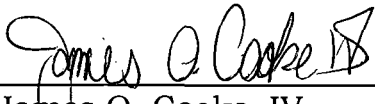
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20


CITY OF TALLAHASSEE

By: 
John R. Marks, III
Mayor

ATTEST:

APPROVED AS TO FORM:

By: 
James O. Cooke, IV
City Treasurer-Clerk

By: 
James R. English
City Attorney

RECEIVED
CITY TREASURER-CLERK
2017 FEB -2 PM 12: 21

TALLAHASSEE DEMOCRAT
PUBLISHED DAILY
TALLAHASSEE-LEON-FLORIDA

STATE OF FLORIDA COUNTY OF LEON:

Before the undersigned authority personally appeared Cassandra Moore, who on oath says that he or she is a Legal Advertising Representative of the Tallahassee Democrat, a daily newspaper published at Tallahassee in Leon County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

NOTICE OF PUBLIC HEARING

In the Second Judicial Circuit Court was published in said newspaper in the issues of:

JANUARY 15, 2012

Affiant further says that the said Tallahassee Democrat is a newspaper published at Tallahassee, in the said Leon County, Florida, and that the said newspaper has heretofore been continuously published in said Leon County, Florida each day and has been entered as periodicals matter at the post office in Tallahassee, in said Leon County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

CASSANDRA MOORE

LEGAL ADVERTISING REPRESENTATIVE

Sworn to and Subscribed before me.

This 16th Day of January 2012, by
Cassandra Moore, Cassandra Moore

Personally Known _____

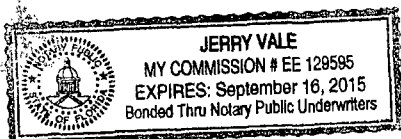
OR Produced Identification _____

Type of Identification Produced _____

(SEAL)

Notary Public
State of Florida
County of Leon

J. Vale



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Tallahassee City Commission will conduct a public hearing on the following proposed ordinance on Wednesday, January 25, 2012 at 6:00 p.m., in the City Commission Chambers, Second Floor, City Hall:

ORDINANCE NO. 11-0-14

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA, AMENDING THE TALLAHASSEE LAND DEVELOPMENT CODE RELATED TO THE SIGN CODE; PROVIDING AND AMENDING DEFINITIONS; CLARIFYING EXEMPT SIGNS PROVISIONS RELATED TO ON-SITE SIGNS; DELETING REFERENCES TO THE CAPITOL CENTER PLANNING DISTRICT; PROVIDING FOR CITY INFORMATION PANEL SIGNS DOWNTOWN AS EXEMPT SIGNS; PROVIDING FOR ADDITIONAL SIGNAGE ON KLEMAN PLAZA; PROVIDING STANDARDS FOR SIGNS ON HISTORIC PROPERTY AND FOR REVIEW BY THE ARCHITECTURAL REVIEW BOARD; CLARIFYING SPACING REQUIREMENTS FOR OFF-SITE ADVERTISING; PROHIBITING OFF-SITE ADVERTISING SIGNS ON CITY GATEWAYS AND OTHER SCENIC ROADWAYS; PROVIDING INTERSECTION LOCATION CRITERIA FOR OFF-SITE ADVERTISING SIGNS; PROVIDING FOR SIGNAGE ON CERTAIN STAMMETRO TRANSIT SHELTERS; PROVIDING STANDARDS FOR ON-SITE ELECTRONIC READER BOARD SIGNS; PROVIDING FOR REMOVAL OF ABANDONED SIGN STRUCTURES; AMENDING CHAPTER 10 TO PROVIDE FOR REVIEW OF SIGNS ON HISTORIC PROPERTIES BY THE ARCHITECTURAL REVIEW BOARD; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

Copies of said ordinance may be inspected in the Office of the City Treasurer-Clerk, City Hall, 300 South Adams Street, Tallahassee, Florida, telephone (850) 891-8130.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting/hearing, he will need a record of the proceedings, and he 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.

Interested parties may be heard.

If you have a disability requiring accommodations, please call 850-891-8130 or FRS TDD 1-800-955-8771, at least 48 hours (excluding weekends and holidays) prior to the start of the meeting.

/s/ James O. Cooke, IV
Interim City Treasurer-Clerk

PUBLICATION: JANUARY 15, 2012

RECEIVED
CITY TREASURER-CLEMA
2012 JAN 20 AM 8:48