

ORDINANCE NUMBER 2006-01

AN ORDINANCE OF THE TOWN OF GREENWOOD, FLORIDA AMENDING THE TOWN OF GREENWOOD LAND DEVELOPMENT CODE, ARTICLE IV, SECTION 4-2.2(5) PERTAINING TO FENCES AND SECTION 4-3 PERTAINING TO BUFFER AND LANDSCAPE STANDARDS; ADDING SECTION 4-3.7 PERTAINING TO BUFFER AND LANDSCAPE STANDARDS FOR TRASH AND GARBAGE CONTAINER ENCLOSURES; AMENDING ARTICLE V PERTAINING TO REGULATION OF SIGNS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS; the Town of Greenwood has adopted its Comprehensive Plan and has adopted land development regulations intended to implement the adopted Comprehensive Plan.

WHEREAS; the Town Counsel of the Town of Greenwood has noted the rapid development of land within and adjacent to the city limits and has noted the consequential growing demands on Town services.

WHEREAS; although the Town Counsel has incorporated changes to the adopted Comprehensive Plan and development regulations in the past, a comprehensive review of the Land Development Code has never been undertaken.

WHEREAS; the Town has conducted a comprehensive review of its Land Development Code and determined that provisions regarding fences, buffer and landscaping standards, enclosures for trash and garbage containers and sign regulation need to be revised to better enhance the public health, safety and welfare.

NOW THEREFORE, be it ordained and enacted:

Section 1: Articles IV and V of the Land Development Code are amended as follows:

ARTICLE IV

: _____ DEVELOPMENT STANDARDS

Section 4-2 ACCESSORY LAND USES AND STRUCTURES

4-2.2 Accessory Structures

5. Fences

1. Fences or hedges may be located in front, side and rear yard setback areas.

No fences or hedges shall exceed four (4) feet in height when placed in the front yard. ~~Each fence~~Fences located in the side and rear yard setbacks shall ~~not not~~ exceed eight (8) feet in height, ~~and for side yards shall not extend beyond the front of the principal structure.~~ Approval to exceed the height standards may be given by the Town Council upon receipt of satisfactory evidence of the need to exceed height standards.

2. In areas where the property faces two (2) roadways or is located in any ~~other area constructed to be a corner~~constructed to be a corner lot, no fence shall be located in the sight ~~distance~~vision triangle of the intersection. No fence shall be allowed to block the site triangle of any driveway.
3. Any fence located adjacent to a public right-of-way or private road shall be placed with the finished side facing that right-of-way.
4. ~~A fence~~Fences required by a public agency for safety ~~and or~~ for protection of hazard by another public agency ~~may from~~ hazards are not be subject to the height limitations above. ~~Approval to exceed minimum height standards may be given by the Planning Board upon receipt of satisfactory evidence of the need to exceed height standards~~
5. No fence or hedge shall be constructed or installed in such a manner as to interfere with drainage or other public utilities on the site, unless such structure is intended for purposes of storm water management. Gates or removable fences may be ~~requires~~required to allow access to utility easements.
6. No fence, wall or similar structure shall be located in or upon any body of water or submerged lands, or located in such a manner as to restrict public access to or along any riparian property line.
7. It shall be a violation under this article for any person to erect or maintain a structure to serve as a fence in a manner that endangers the health, safety, and welfare of the public as described in this section. Violations may include, but are not limited to:
 - a. Barbed wire or similar wire capable of puncturing or cutting a person, except when used on top of a chain-link fence in a nonresidential use or when deemed necessary by the Town Council to protect the public health, safety, and welfare.
 - b. Fences less than four feet in height.
 - c. Wood, metal, or petroleum-based sheeting materials, unless specifically designed for the construction of fences.

- d. Masonry products, such as concrete blocks, bricks, or other similar products not bonded together by mortar or other commonly approved adhesive between the components to create a fence or wall.

Sec. 4-3 BUFFER AND LANDSCAPING STANDARDS

4-3.1 Purpose. The purpose of this Section is to provide for aesthetic improvement during the process of development ~~during the process of development~~, mitigate loss of natural vegetation, assist in controlling vehicular and pedestrian traffic, provide standards for maintenance of required open space, and to provide buffers between adjacent land uses. A buffer zone is a landscaped strip along parcel boundaries that serves as a buffer between incompatible uses and zoning districts, acts as an attractive boundary of the parcel or use or both.

4-3.2 Applicability.

1. Required Buffers. Landscaped buffers are required between land uses or land use districts as follows:

~~Multi Family Uses.~~

- a. ~~Between any multi-family residential use with more than four (4) dwelling units and any other residential land use or land use districts;~~

- b. ~~Mixed Use District.~~

~~Between any single family through quadraplex residential use and any other multi-family residential use, and.~~

- b. ~~Between any residential use and any non-residential conditional use;~~

~~All Other Districts. Between any residential district and any non-residential district.~~ Between all land uses and the IFAS Research Lands or the Florida Foundation Seed Producers, Inc. Lands.

~~Buffers shall not be required for land uses or land use districts that are separated by a public roadway.~~ 2. Responsibility for Buffer Zones

~~Waivers. Buffer requirements may be waived by the Town Council Town Clerk upon approval by the Planning Board. Any such waiver shall only be approved upon delivery by the developer of written, notarized statements of no objection from all adjacent property ownersa. The desired width of a buffer zone between two parcels is the sum of the required buffer zones of the parcels. Where a new use is proposed next to an existing use that has less than the required buffer zone for that use, an inadequate buffer zone will be tolerated, except as provided below, until the nonconforming~~

parcel is redeveloped and brought into conformity with the buffer zone requirements of this Code. The developer of the new adjoining use is encouraged, however, to take into account the inadequacy of the adjoining buffer zone in designing the site layout of the new development.

- b. Where a residential use is proposed next to an existing non-residential use, or a non-residential use is proposed next to an existing residential use, and the existing use does not have a conforming buffer zone abutting the property proposed for development, the proposed use shall provide eighty (80) percent of the combined required buffer zones of the two uses. Where the existing use has a buffer zone, but such zone does not meet the requirements of this Code, the proposed use may provide less than eighty (80) percent of the combined required buffer zones if the provision of such lesser amount will create a buffer zone meeting one hundred (100) percent of the combined required buffer zone of the two uses. The Development Review Board shall determine which areas may be counted as buffer zone of the existing use based on the buffering qualities of the areas.

4-3.3

Location, Size and Composition of Landscaped Buffers

1. Location. All required buffers shall be located along the side and rear property lines. Rear buffers shall run the entire length of the property line. Side buffers shall be located so as to screen from view from abutting side properties all parking areas and buildings, except in no case shall a buffer block sight distance of motor vehicle operators entering onto public roadways.

2. Size and Composition

- a. Size. Required vegetated buffers shall be at least 3 feet wide of the width and 6 feet in height specified herein and of sufficient density so as to block from view abutting land uses. ~~If existing vegetation is sparse or not of sufficient density to block from view abutting land uses a visual screen or fence may be required in conjunction with the vegetated buffer.~~ The plants shall be spread reasonably evenly along the length of the buffer. Sixty percent (60%) of all landscape materials shall be native vegetation.

1. Between any residential use and any other residential use, the required buffer shall be fifteen feet in width and shall include a minimum of 2.4 canopy trees 2 understory trees and ten shrubs per 100 feet of length.

2. Between any residential use and any non-residential use, the required buffer shall be thirty feet in width and shall include a minimum of 10 canopy trees, 6 understory trees and 30 shrubs per 100 feet of length

3. Between all land uses and the IFAS Research Lands or the Florida Foundation Seed Producers, Inc. Lands the required buffer shall be fifty feet in width and shall include a minimum of 20 canopy trees, 10 understory trees and 50 shrubs per 100 feet of length. Residential units shall be separated from the buffer by the internal road right-of-way serving the residential uses.

4. Between lots zoned commercial as of the effective date of this Ordinance (November 14, 2006) and existing residential lots the required buffer shall consist of a screen or fence eight feet in height with a ten foot landscaped buffer on the outside of the screen or fence consisting of 10 shrubs and 2 canopy trees per 100 feet.

b. Composition.

1. Required buffers shall be comprised entirely of natural vegetation if such vegetation is of sufficient density and height as to block from view abutting land uses or land use district. At a minimum, sixty percent of all landscape material shall be native vegetation.

2. Required buffers may also be comprised of landscaped trees, shrubs, vines or other vegetation, or a combination of vegetation, screens, berms, or fences, provided any such buffer is of sufficient density so as to block from view abutting land uses or land use districts.

3. Screens or fences may be constructed of wood, block, masonry or other common fencing material provided such buffer is 90% solid material.

~~5. Pedestrian Access. Pedestrian access such as doors, gates, etc. may be installed, and are encouraged, to provide access between residential areas and adjacent non-residential areas. Such access ways shall only be located so as to provide access to a public right of way, unless mutually agreed upon between property owners, and shall not be more than 5 feet in width.~~

~~4-3.4 Landscape requirements for off street parking facilities and vehicular use areas. Areas used for off street parking or other vehicular storage must be landscaped for ten percent (10%) of parking area developed, in addition to the following requirements:~~

~~6. Setback Areas~~

~~e. All parking areas must be set back ten (10) feet from the property lines in front and four (4) feet from the side and rear lot lines. This area between the parking areas and the property lines shall be landscaped and may be counted in computing the ten (10) percent landscape requirements.~~

f. ~~Natural vegetation may be used, if not cleared, to meet the 10% requirement.~~

g. ~~If natural vegetation is not used, a tree shall be planted for each fifty (50) linear feet of lot frontage. Trees may be clustered rather than evenly spaced.~~

h. ~~Acceptable landscaped materials shall include: Vines, lawn grass, ground cover, pebbles, brick pavers, mulch with low growing plants, including the preservation of existing trees and shrubs.~~

7. ~~Visual Screen for Vehicular Use Areas (not parking lots). A visual screen or barrier must be used to block from visual view all parking area or vehicular use areas from adjacent public streets, or residential developments, if no buffer exists or is required. The visual screen must have a minimum height of eighteen (18) inches' low shrubs, hedges, berms, fences or a combination thereof are acceptable.~~

8. ~~Motor Vehicle Overhang~~

~~Motor vehicle shall not overhang into any landscaped setback or planted area.~~

~~Interior Landscape Requirements for Vehicular Use Areas. c. Approved native plant materials are shown in Tables 1 and 2.~~

d. Plants listed in Table 3 shall not be planted within the Town of Greenwood.

Table 1 - Native Tree Species Suitable For Use In North Florida

| <u>Scientific Name</u> | <u>Common Name</u> | <u>Natural Height</u> | <u>Plant Type</u> ¹ | <u>Tree Shape</u> ² | <u>Flower Color</u> | <u>Flower Characteristics</u> | <u>Flowering Season</u> ³ |
|-----------------------------|--------------------------|-----------------------|--------------------------------|--------------------------------|---------------------|-------------------------------|--------------------------------------|
| <u>Juniperus silicicola</u> | <u>Southern juniper</u> | <u>25-30 feet</u> | <u>Ever</u> | <u>P</u> | <u>Brown</u> | <u>Cone</u> | <u>Sp</u> |
| <u>Aesculus pavia</u> | <u>Red buckeye</u> | <u>15-25 feet</u> | <u>Decid</u> | <u>R</u> | <u>Red</u> | <u>Showy</u> | <u>Sp</u> |
| <u>Carpinus caroliniana</u> | <u>American hornbeam</u> | <u>25-35 feet</u> | <u>Decid</u> | <u>O</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Cercis canadensis</u> | <u>Redbud</u> | <u>20-30 feet</u> | <u>Decid</u> | <u>R</u> | <u>Pink, White</u> | <u>Showy</u> | <u>Sp</u> |
| <u>Cornus florida</u> | <u>Flowering dogwood</u> | <u>20-30 feet</u> | <u>Decid</u> | <u>R</u> | <u>White</u> | <u>Showy</u> | <u>Sp</u> |
| <u>Crateagus spp.</u> | <u>Hawthorns</u> | <u>15-25 feet</u> | <u>Decid</u> | <u>O,R</u> | <u>White</u> | <u>Showy</u> | <u>Sp</u> |
| <u>Gordonia lasianthus</u> | <u>Loblolly bay</u> | <u>30-40 feet</u> | <u>Ever</u> | <u>O</u> | <u>White</u> | <u>Showy, Fragrant</u> | <u>Su</u> |
| <u>Halesia caroliniana</u> | <u>Silverbell</u> | <u>15-25 feet</u> | <u>Decid</u> | <u>O</u> | <u>White</u> | <u>Showy</u> | <u>Sp</u> |
| <u>Ilex vomitoria</u> | <u>Youpon holly</u> | <u>10-20 feet</u> | <u>Ever</u> | <u>O</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |

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| <u>Acer rubrum</u> | <u>Red maple</u> | <u>35-50 feet</u> | <u>Decid</u> | <u>O</u> | <u>Red</u> | <u>Showy</u> | <u>W.Sp</u> |
| <u>Ilex cassine</u> | <u>Dahoon holly</u> | <u>25-40 feet</u> | <u>Ever</u> | <u>O</u> | <u>White</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Ilex opaca</u> | <u>American holly</u> | <u>30-45 feet</u> | <u>Ever</u> | <u>O</u> | <u>White</u> | <u>Insignificant</u> | <u>Su</u> |
| <u>Acer saccharum</u> <u>var. Floridanum</u> <u>(A. barbatum)</u> | <u>Florida sugar maple</u> | <u>20-40 feet</u> | <u>Ever</u> | <u>R</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Betula nigra</u> | <u>River birch</u> | <u>45-65 feet</u> | <u>Decid</u> | <u>O</u> | <u>Brown</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Bumelia spp.</u> | <u>Buckthorn,</u> <u>Saffron plum,</u> <u>Bumelia</u> | <u>20-40 feet</u> | <u>Decid, Ever</u> | <u>R</u> | <u>White</u> | <u>Insignificant</u> | <u>F</u> |
| <u>Catalpa bignonioides</u> | <u>Catalpa</u> | <u>25-45 feet</u> | <u>Decid</u> | <u>R</u> | <u>White</u> | <u>Showy</u> | <u>Sp</u> |
| <u>Celtis laevigata</u> | <u>Sugarberry</u> | <u>40-60 feet</u> | <u>Decid</u> | <u>R</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Chionanthus virginicus</u> | <u>Fringe tree</u> | <u>10-30 feet</u> | <u>Decid</u> | <u>R</u> | <u>White</u> | <u>Showy,</u> <u>Fragrant</u> | <u>Sp</u> |
| <u>Fraxinus caroliniana</u> | <u>Water ash</u> | <u>40-60 feet</u> | <u>Decid</u> | <u>R</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |

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| <u>Liriodendron tulipifera</u> | <u>Tulip tree</u> | <u>80-100 feet</u> | <u>Decid</u> | <u>O</u> | <u>Greenish yellow</u> | <u>Showy</u> | <u>Sp</u> |
| <u>Acer saccharum</u> | <u>Silver maple</u> | <u>40-70 feet</u> | <u>Decid</u> | <u>O</u> | <u>Pink</u> | <u>Inconspicuous</u> | <u>Sp</u> |
| <u>Diospyros virginiana</u> | <u>Persimmon</u> | <u>30-60 feet</u> | <u>Decid</u> | <u>O</u> | <u>White</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Gleditsia triacanthos var. inermis</u> | <u>Thornless honey locust</u> | <u>20-50 feet</u> | <u>Decid</u> | <u>R</u> | <u>Orange</u> | <u>Inconspicuous</u> | <u>Sp</u> |
| <u>Juniperus virginiana</u> | <u>Eastern red cedar</u> | <u>10-40 feet</u> | <u>Ever</u> | <u>O</u> | <u>Brown</u> | <u>Cone</u> | <u>Sp</u> |
| <u>Carya aquatica</u> | <u>Water hickory</u> | <u>60-100 feet</u> | <u>Decid</u> | <u>O</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Carya glabra</u> | <u>Pignut hickory</u> | <u>80-120 feet</u> | <u>Decid</u> | <u>R</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Liquidambar styraciflua</u> | <u>Sweetgum</u> | <u>60-100 feet</u> | <u>Decid</u> | <u>P,O</u> | <u>White</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Fagus grandifolia</u> | <u>American beech</u> | <u>50-100 feet</u> | <u>Decid</u> | <u>R</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Chamaecyparis thyoides</u> | <u>Atlantic white cedar</u> | <u>30-90 feet</u> | <u>Ever</u> | <u>O</u> | <u>Purple</u> | <u>Cone</u> | <u>Sp</u> |

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| <u>Magnolia ashei</u> | <u>Ashe magnolia</u> | <u>10-20 feet</u> | <u>Decid</u> | <u>R</u> | <u>White</u> | <u>Showy</u> | <u>Sp</u> |
| <u>Magnolia fraseri var. pyramidata</u> | <u>Pyramid magnolia</u> | <u>20-50 feet</u> | <u>Decid</u> | <u>P</u> | <u>White</u> | <u>Showy. Fragrant</u> | <u>Sp</u> |
| <u>Magnolia grandiflora</u> | <u>Southern magnolia</u> | <u>60-100 feet</u> | <u>Ever</u> | <u>P.O</u> | <u>White</u> | <u>Showy. Fragrant</u> | <u>Sp</u> |
| <u>Magnolia virginiana</u> | <u>Sweetbay</u> | <u>40-60 feet</u> | <u>Decid</u> | <u>O</u> | <u>White</u> | <u>Showy. Fragrant</u> | <u>Su</u> |
| <u>Malus angustifolia</u> | <u>Crab apple</u> | <u>15-30 feet</u> | <u>Decid</u> | <u>R</u> | <u>Pink</u> | <u>Showy</u> | <u>Sp</u> |
| <u>Myrica cerifera</u> | <u>Wax myrtle</u> | <u>15-25 feet</u> | <u>Ever</u> | <u>O</u> | <u>White</u> | <u>Insignificant</u> | <u>Su,Sp</u> |
| <u>Nyssa aquatica</u> | <u>Water tupelo</u> | <u>30-50 feet</u> | <u>Decid</u> | <u>O</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Nyssa sylvatica</u> | <u>Black tupelo</u> | <u>50-80 feet</u> | <u>Decid</u> | <u>O</u> | <u>White</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Ostrya virginiana</u> | <u>Eastern hophornbeam</u> | <u>20-40 feet</u> | <u>Ever</u> | <u>V</u> | <u>Green</u> | <u>Insignificant</u> | <u>F,Sp</u> |
| <u>Oxydendron arboreum</u> | <u>Sourwood</u> | <u>10-40 feet</u> | <u>Decid</u> | <u>O</u> | <u>White</u> | <u>Showy</u> | <u>Sp,Su</u> |

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| <u><i>Pinus clausa</i></u> | <u>Sand pine</u> | <u>60-80 feet</u> | <u>Ever</u> | <u>P,O</u> | <u>Brown</u> | <u>Cone</u> | <u>Sp</u> |
| <u><i>Pinus glabra</i></u> | <u>Spruce pine</u> | <u>30-50 feet</u> | <u>Ever</u> | <u>P,O</u> | <u>Brown</u> | <u>Cone</u> | <u>Sp</u> |
| <u><i>Pinus palustris</i></u> | <u>Longleaf pine</u> | <u>80-100 feet</u> | <u>Ever</u> | <u>P,O</u> | <u>Brown</u> | <u>Cone</u> | <u>Sp</u> |
| <u><i>Pinus serotina</i></u> | <u>Pond pine</u> | <u>40-70 feet</u> | <u>Ever</u> | <u>P</u> | <u>Brown</u> | <u>Cone</u> | <u>Sp,Su, F,W</u> |
| <u><i>Pinus taeda</i></u> | <u>Loblolly pine</u> | <u>80-100 feet</u> | <u>Ever</u> | <u>P,R</u> | <u>Brown</u> | <u>Cone</u> | <u>Sp</u> |
| <u><i>Planera aquatica</i></u> | <u>Water elm</u> | <u>15-50 feet</u> | <u>Decid</u> | <u>O</u> | <u>Yellow</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u><i>Plantanus occidentalis</i></u> | <u>Sycamore</u> | <u>70-150 feet</u> | <u>Decid</u> | <u>O,R</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u><i>Prunus caroliniana</i></u> | <u>Cherry laurel</u> | <u>30-40 feet</u> | <u>Ever</u> | <u>O</u> | <u>White</u> | <u>Insignificant, Fragrant</u> | <u>Sp</u> |
| <u><i>Prunus umbellata</i></u> | <u>Flatwoods plum</u> | <u>10-20 feet</u> | <u>Decid</u> | <u>R</u> | <u>White</u> | <u>Showy</u> | <u>Sp</u> |
| <u><i>Ptelea trifoliata</i></u> | <u>Hoptree</u> | <u>10-25 feet</u> | <u>Decid</u> | <u>R,S</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |

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| | | | | | | | |
| <u>Quercus alba</u> | <u>White oak</u> | <u>50-80 feet</u> | <u>Decid</u> | <u>R</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Quercus austrina</u> | <u>Bluff oak</u> | <u>25-40 feet</u> | <u>Decid</u> | <u>O</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Quercus chapmanii</u> | <u>Chapman oak</u> | <u>30-45 feet</u> | <u>Decid</u> | <u>O</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Quercus incana</u> | <u>Bluejack oak</u> | <u>20-30 feet</u> | <u>Decid</u> | <u>O</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Quercus laevis</u> | <u>Turkey oak</u> | <u>40-50 feet</u> | <u>Decid</u> | <u>O</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Quercus laurifolia</u> | <u>Laurel oak</u> | <u>60-100 feet</u> | <u>Ever</u> | <u>O</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Quercus michauxii</u> | <u>Swamp chestnut oak</u> | <u>40-100 feet</u> | <u>Decid</u> | <u>R</u> | <u>Yellow</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Quercus myrtifolia</u> | <u>Myrtle oak</u> | <u>10-25 feet</u> | <u>Ever</u> | <u>O</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Quercus nigra</u> | <u>Water oak</u> | <u>60-100 feet</u> | <u>Ever</u> | <u>V</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Quercus shumardii</u> | <u>Shumard oak</u> | <u>40-60 feet</u> | <u>Decid</u> | <u>O</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |

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| | | | | | | | |
| <u>Quercus virginiana</u> | <u>Live oak</u> | <u>50-60 feet</u> | <u>Ever</u> | <u>S</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Sabal palmetto</u> | <u>Cabbage palmetto, sabal palm</u> | <u>45-70 feet</u> | <u>Palm</u> | <u>*</u> | <u>White</u> | <u>Insignificant</u> | <u>Sp.Su, F</u> |
| <u>Salix caroliniana</u> | <u>Coastal plain willow</u> | <u>20-30 feet</u> | <u>Ever</u> | <u>R</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Sassafras albidum</u> | <u>Sassafras</u> | <u>20-50 feet</u> | <u>Decid</u> | <u>R</u> | <u>Yellow</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Stewartia malacodendron</u> | <u>Virginia stewartia</u> | <u>10-20 feet</u> | <u>Decid</u> | <u>R</u> | <u>White</u> | <u>Showy</u> | <u>Su</u> |
| <u>Styrax grandifolia</u> | <u>Snowbell</u> | <u>15-30 feet</u> | <u>Decid</u> | <u>O</u> | <u>White</u> | <u>Showy, Fragrant</u> | <u>Sp</u> |
| <u>Symplocos tinctoria</u> | <u>Sweetleaf</u> | <u>15-35 feet</u> | <u>Ever</u> | <u>O</u> | <u>Yellow</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u>Taxodium distichum</u> | <u>Bald cypress</u> | <u>60-100 feet</u> | <u>Decid</u> | <u>P,O</u> | <u>Green</u> | <u>Cone</u> | <u>Sp</u> |
| <u>Tilia caroliniana</u> | <u>Carolina basswood</u> | <u>20-40 feet</u> | <u>Decid</u> | <u>O</u> | <u>White</u> | <u>Fragrant, Insignificant</u> | <u>Sp</u> |
| <u>Tilia floridana</u> | <u>Florida basswood</u> | <u>30-60 feet</u> | <u>Decid</u> | <u>R</u> | <u>Yellow</u> | <u>Insignificant</u> | <u>Sp.Su</u> |

| | | | | | | | |
|--|---------------------------------------|--------------------|--------------|----------|--------------------|----------------------|--------------|
| <u><i>Torreya taxifolia</i></u> | <u>Florida nutmeg</u> | <u>10-40 feet</u> | <u>Decid</u> | <u>R</u> | <u>Yellow</u> | <u>Insignificant</u> | <u>Sp,Su</u> |
| <u><i>Ulmus alata</i></u> | <u>Winged elm</u> | <u>20-40 feet</u> | <u>Decid</u> | <u>V</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u><i>Ulmus americana</i></u> | <u>American elm</u> | <u>80-100 feet</u> | <u>Decid</u> | <u>V</u> | <u>Green</u> | <u>Insignificant</u> | <u>Sp</u> |
| <u><i>Vaccinium arboreum</i></u> | <u>Sparkleberry</u> | <u>15-30 feet</u> | <u>Ever</u> | <u>R</u> | <u>White, Pink</u> | <u>Showy</u> | <u>Sp</u> |
| <u><i>Viburnum rufidulum</i></u> | <u>Rusty blackhaw</u> | <u>15-25 feet</u> | <u>Decid</u> | <u>O</u> | <u>White</u> | <u>Showy</u> | <u>F</u> |
| <u><i>Zanthoxylum clava-herculis</i></u> | <u>Hercules' club, Toothache tree</u> | <u>25-50 feet</u> | <u>Decid</u> | <u>R</u> | <u>White</u> | <u>Insignificant</u> | <u>Sp</u> |

¹ Plant Type: **Decid** = Deciduous, **Ever** = Evergreen

² Tree Shape: **O** = Oval, **R** = Round, **V** = Vase, **P** = Pyramidal, **S** = Spreading * = Single stemmed

³ Flowering Season: **Sp** = Spring, **Su** = Summer, **F** = Fall, **W** = Winter

Footnotes:

1. This document is CIR833, one of a series of the Environmental Horticulture Department, Florida Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida. Original publication date September 1989. Reviewed October 2003. Visit the EDIS Web Site at <http://edis.ifas.ufl.edu>.

2. Alan W. Meerow, associate professor, Ft. Lauderdale Research and Education Center; Jeffrey G. Norcini, associate professor, Monticello Agricultural Research and Education Center, both branch campuses of the University of Florida; Department of Environmental Horticulture; Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida, Gainesville, 32611.

Table 2 - Native Shrub Species Suitable For Use In North Florida

KEY:

SH -- shrub

w -- moist area, W -- wetland species

d -- relatively drought tolerant, D -- very drought tolerant

s -- some salt tolerance, S -- high salt tolerance

B -- butterfly plant (larval food or nectar source)

L -- provides food or good cover for wildlife

| <u>Species</u> | <u>Form</u> | <u>Wet Tolerance</u> | <u>Dry Tolerance</u> | <u>Salt Tolerance</u> | <u>Butterfly Plant</u> | <u>Wildlife Plant</u> |
|---|-------------|--------------------------|--------------------------|---------------------------|----------------------------|---------------------------|
| <u>Amorpha fruticosa</u> false indigo-bush, bastard-indigo | <u>SH</u> | <u>w</u> | | | | |
| <u>Aralia spinosa</u> devil's-walkingstick | <u>SH</u> | | | <u>S</u> | <u>B</u> | |
| <u>Baccharis</u> <u>halimifolia</u> groundsel bush | <u>SH</u> | <u>w</u> | <u>D</u> | <u>S</u> | | |
| <u>Callicarpa</u> <u>americana</u> beautyberry | <u>SH</u> | <u>w</u> | <u>D</u> | <u>S</u> | | <u>L</u> |
| <u>Calycanthus</u> <u>floridus</u> Carolina allspice, sweetshrub | <u>SH</u> | <u>w</u> | | | | <u>L</u> |
| <u>Castanea pumila</u> Ashe's chinquapin, trailing chinquapin | <u>SH</u> | | | | | <u>L</u> |
| <u>Cephalanthus</u> <u>occidentalis</u> buttonbush | <u>SH</u> | <u>W</u> | | | <u>B</u> | |

| | | | | | | |
|---|-----------|----------|----------|----------|----------|----------|
| <u>Clethra alnifolia</u> sweet pepperbush | <u>SH</u> | <u>w</u> | | <u>S</u> | <u>B</u> | |
| <u>Cliftonia</u> <u>monophylla</u> black titi, spring titi, buckwheat-tree | <u>SH</u> | <u>W</u> | | | | |
| <u>Cornus asperifolia</u> rough-leaf cornel | <u>SH</u> | | | | | <u>L</u> |
| <u>Cyrilla racemiflora</u> titi | <u>SH</u> | <u>w</u> | <u>d</u> | <u>S</u> | | |
| <u>Erythrina herbacea</u> coralbean, Cherokee bean | <u>SH</u> | | <u>D</u> | <u>S</u> | <u>B</u> | <u>L</u> |
| <u>Euonymus</u> <u>americanus</u> American strawberry-bush | <u>SH</u> | <u>w</u> | | | | |
| <u>Hydrangea</u> <u>quercifolia</u> oak-leaf hydrangea | <u>SH</u> | | | | | |
| <u>Hypericum</u> <u>brachyphyllum</u> coastalplain St. John's wort | <u>SH</u> | <u>w</u> | | <u>s</u> | | |
| <u>Ilex glabra</u> inkberry, gallberry | <u>SH</u> | <u>w</u> | <u>d</u> | <u>S</u> | | <u>L</u> |
| <u>Illicium floridanum</u> Florida anise | <u>SH</u> | <u>W</u> | | | | <u>L</u> |
| <u>Itea virginica</u> Virginia-willow | <u>SH</u> | <u>W</u> | | | | |
| <u>Leucothoe axillaris</u> coastal dog-hobble | <u>SH</u> | <u>W</u> | | | | |
| <u>Lindera benzoin</u> spicebush | <u>SH</u> | <u>W</u> | | | | <u>L</u> |

| | | | | | | |
|--|-----------|----------|----------|----------|----------|----------|
| <u>Lyonia lucida</u> fetterbush, shiny lyonia | <u>SH</u> | <u>w</u> | <u>d</u> | <u>s</u> | | <u>L</u> |
| <u>Myrica cerifera</u> wax myrtle | <u>SH</u> | <u>w</u> | <u>d</u> | <u>S</u> | <u>B</u> | <u>L</u> |
| <u>Photinia pyrifolia</u> red chokeberry | <u>SH</u> | <u>w</u> | | | | |
| <u>Rhapidophyllum</u> <u>hystrix</u> needle palm | <u>SH</u> | <u>w</u> | | | | <u>L</u> |
| <u>Rhododendron</u> <u>austrinum</u> orange azalea | <u>SH</u> | <u>w</u> | | | | |
| <u>Rhododendron</u> <u>canescens</u> wild azalea, Piedmont azalea, pink azalea | <u>SH</u> | <u>w</u> | | | | |
| <u>Rhus aromatica</u> fragrant sumac | <u>SH</u> | | <u>D</u> | | | |
| <u>Rhus copallinum</u> winged sumac | <u>SH</u> | | <u>D</u> | | | |
| <u>Sabal minor</u> dwarf palmetto | <u>SH</u> | <u>W</u> | | | | <u>L</u> |
| <u>Sambucus nigra</u> <u>var. canadensis</u> elderberry | <u>SH</u> | <u>w</u> | | <u>s</u> | | <u>L</u> |
| <u>Serenoa repens</u> saw palmetto | <u>SH</u> | <u>w</u> | <u>D</u> | <u>s</u> | <u>B</u> | <u>L</u> |
| <u>Vaccinium</u> <u>corymbosum</u> highbush blueberry | <u>SH</u> | <u>w</u> | | | | <u>L</u> |
| <u>Vaccinium darrowii</u> Darrow's blueberry | <u>SH</u> | <u>w</u> | <u>d</u> | | | <u>L</u> |

| | | | | | | |
|---|-----------|----------|----------|--|----------|----------|
| <u>Vaccinium</u> <u>myrsinites</u> shiny blueberry | <u>SH</u> | | <u>D</u> | | <u>B</u> | <u>L</u> |
| <u>Vaccinium</u> <u>stamineum</u> deerberry | <u>SH</u> | | | | | <u>L</u> |
| <u>Viburnum dentatum</u> southern arrowwood | <u>SH</u> | <u>w</u> | <u>d</u> | | | |
| <u>Viburnum nudum</u> possum haw | <u>SH</u> | <u>W</u> | | | | |
| <u>Viburnum</u> <u>obovatum</u> small viburnum | <u>SH</u> | <u>w</u> | <u>d</u> | | <u>B</u> | <u>L</u> |
| <u>Viburnum</u> <u>rufidulum</u> southern black haw | <u>SH</u> | | | | | |

Source: Florida Native Plant Society.

**Table 3 - Florida Exotic Pest Plant Council's
2005 List of Prohibited Species**

Abbreviations used:

Government List: P = Prohibited by Fla. Dept. of Environmental Protection, N = Noxious weed listed by Fla. Dept. of Agriculture & Consumer Services, U = Noxious weed listed by U.S. Department of Agriculture.

Region: N = north, C = central, S = south, referring to each species' current distribution in general regions of Florida (not its potential range in the state).

| <u>Scientific Name</u> | <u>Common Name</u> | <u>EPPC Category</u> | <u>Government List.</u> | <u>Region</u> |
|------------------------------------|--------------------------------------|----------------------|-------------------------|----------------|
| <u>Casuarina equisetifolia</u> | <u>Australian pine</u> | <u>I</u> | <u>P</u> | <u>N,C,S</u> |
| <u>Casuarina glauca</u> | <u>suckering Australian pine</u> | <u>I</u> | <u>P</u> | <u>C, S</u> |
| <u>Eichhornia crassipes</u> | <u>water-hyacinth</u> | <u>I</u> | <u>P</u> | <u>N,C,S</u> |
| <u>Hydrilla verticillata</u> | <u>hydrilla</u> | <u>I</u> | <u>P, U</u> | <u>N,C,S</u> |
| <u>Hygrophila polysperma</u> | <u>green hygro</u> | <u>I</u> | <u>P, U</u> | <u>N,C,S</u> |
| <u>Ipomoea aquatica</u> | <u>waterspinach</u> | <u>I</u> | <u>P, U</u> | <u>C</u> |
| <u>Melaleuca quinquenervia</u> | <u>melaleuca, paper bark</u> | <u>I</u> | <u>P, N, U</u> | <u>C, S</u> |
| <u>Mimosa pigra</u> | <u>catclaw mimosa</u> | <u>I</u> | <u>P, N, U</u> | <u>C, S</u> |
| <u>Pistia stratiotes</u> | <u>waterlettuce</u> | <u>I</u> | <u>P</u> | <u>N,C,S</u> |
| <u>Schinus terebinthifolius</u> | <u>Brazilian pepper</u> | <u>I</u> | <u>P, N</u> | <u>N, C, S</u> |
| <u>Alternanthera philoxeroides</u> | <u>Alligator weed</u> | <u>II</u> | <u>P</u> | <u>N,C,S,</u> |
| <u>Limnophila sessiliflora</u> | <u>Asian marshweed</u> | <u>II</u> | <u>P</u> | <u>N, C, S</u> |
| <u>Myriophyllum spicatum</u> | <u>Eurasian water- milfoil</u> | <u>II</u> | <u>P</u> | <u>N, C, S</u> |

Source: FLEPPC. 2005. List of Florida's Invasive Species. Florida Exotic Pest Plant Council.

d. The following plants are prohibited and shall not be installed as landscape

material:

- e. All buffer zones shall be provided with an appropriate irrigation system. If a buffer zone includes primarily native, xeric species, the Town Council may waive the requirement for installation of the irrigation system. The property owner or property owners' association shall be responsible for the ongoing proper maintenance of the irrigation system.

- 3. Pedestrian Access. Pedestrian access such as doors, gates, etc. may be installed, and are encouraged, to provide access between residential areas and adjacent non-residential areas. Such access ways shall only be located so as to provide access to a public right-of-way, unless mutually agreed upon between property owners, and shall not be more than 5 feet in width.

4. Installation of Plants.

- a. All plants shall be healthy and free of diseases and pests, and shall be selected from the list of approved species. The Planning Commission may authorize the use of an appropriate species not shown on the lists.
- b. Plants shall be installed during the period of the year most appropriate for planting the particular species. If compliance with this requires that some or all of the landscaping be planted at a time after the issuance of a certificate of occupancy, the developer shall post a performance bond sufficient to pay the costs of the required, but not yet installed, landscaping before the certificate shall be issued.
- c. Landscaping shall be protected from vehicular and pedestrian encroachment by means of raised planting surfaces, depressed walks, curbs, edges, and the like.
- d. The landscaping shall not interfere, at or before maturity, with power, cable television, or telephone lines, sewer or water pipes, or any other existing or proposed overhead or underground utility service.
- e. All plants shall be installed according to commonly accepted landscape standards.
- f. The developer shall provide sufficient soil and water to sustain healthy growth of all plants.

4-3.4 Landscape requirements for off-street parking facilities and vehicular use areas. Ten percent of all areas used for off-street parking or other vehicular storage must be landscaped and meet the following requirements:

- 1. All parking areas must be set back ten (10) feet from the property lines in front

and four (4) feet from the side and rear lot lines. This area between the parking areas and the property lines shall be landscaped and may be counted in computing the ten (10) percent landscape requirements.

2. Natural vegetation may be used, if not cleared, to meet the 10% requirement.
3. A canopy tree shall be planted for each fifty (50) linear feet of lot frontage. Trees may be clustered rather than evenly spaced.
4. Acceptable landscaped materials shall include: Vines, lawn grass, ground cover, pebbles, brick pavers, mulch with low growing plants, including the preservation of existing trees and shrubs.
5. Visual Screen for Vehicular Use Areas (not parking lots). A visual screen or barrier must be used to block from visual view all parking area or vehicular use areas from adjacent public streets. The visual screen must include thirty shrubs per 100 feet of public street.
6. Motor vehicles shall not be permitted to overhang into any landscaped, setback or planted area.
7. Vehicular use or parking areas which are ten thousand (10,000) square feet or greater in size must also meet the following requirements.
 - i.a. At least twenty-five (25) percent of the general landscape requirements shall be devoted to separate interior planting areas of one per ten thousand (10,000) square feet of vehicular use areas.
 - i.b. The interior planting areas shall be located in a manner that assists and helps to control the movement of vehicular and pedestrian traffic.
 - iii.i. Provide a continuous landscape strip between every four rows of parking. This should be a minimum of eight feet in width to accommodate a low hedge and shade trees.
 - iv.ii. Create large planting islands (over 600 square feet) to be located throughout the lot and planted with shade trees, low shrubs, and/or ground cover. These should preferably be located at the ends of parking rows.
 - v.iii. Provide planting islands (a minimum of nine feet wide) between every 10 to 15 spaces to avoid long rows of parked cars. Each of these planting islands should provide at least one shade tree having a clear trunk height of at least six feet.
 - k.c. Vehicles may not overhang into any interior planting area.

4-3.5 ———Plant Material Requirements. Any vegetative form used to fulfill any provision of the landscaping requirements must meet the following basic standards:

~~Trees.~~ 1. Trees must be at least six (6) feet tall when planted and must reach a minimum of fifteen (15) feet at mature height and normal adult drip line of fifteen (15) feet.

~~Shrubs and Hedges.~~ 2. Shrubs and hedges must be a minimum height of eighteen (18) inches when planted and reach a height of five (5) feet at mature height.

~~Ground Covers.~~ 3. Ground covers should be planted with a spacing which will provide seventy-five (75) percentage coverage within one year.

~~Lawn Grasses.~~ 4. Grasses should be planted to a density which will achieve permanent coverage within one year. Planting methods may be seeding sprigging, plugging or sodding.

~~Synthetic Plants and Planters.~~ 5. Artificial plant material may not be used for any landscaping requirements. Architectural planters may be substituted for landscape requirements when live plants.

~~Natural Vegetation.~~ 6. Use of natural vegetation will involve retention native or natural vegetation occurring plants, shrubs or trees in required landscaping areas.

7. Planters for shrubs are required to have a depth of eighteen (18) inches and ten (10) square feet of area. Planters for trees must have a depth of thirty (30) inches and twenty-five (25) square feet of area.

4-3.6 Maintenance Requirements for Landscaping or Buffers

1. Responsibility for property maintenance of required landscaping or buffers shall be with the owner of the property or any consenting lessee.

10. 2. Maintenance of landscaped areas or vegetated buffers shall consist of:

——— ~~Mowing~~ mowing, pruning, ~~removal of~~ removing litter, ~~replacement of~~ replacing dead plant material, ~~and proper watering, and fertilizing, etc.~~

~~A water supply for irrigation purpose shall be provided for each landscaped or buffered area. Such water supply shall be shown on a landscaping site plan or sketch.~~

3. Maintenance of visual barriers or fences shall include keeping such structures in good appearance and repair including replacement of damaged or deteriorated sections.

4-3.7 Trash and Garbage Container Enclosures.

1. In each zoning district, except single-family residential districts, each separate complex or business shall provide and maintain solid wood, vinyl or masonry trash and garbage container enclosures. Pierced concrete block is acceptable for enclosures. These enclosures shall be located in such a manner that the containers within them are not visible from the street or from adjacent properties.
3. Container enclosures in commercial districts shall have a minimum interior dimension of 12 feet by 12 feet. The height of the enclosure shall be no less than 5 feet and not more than 6 feet. Enclosure gates shall be provided if the container entrance is exposed to the street, or if visible from residential or other commercial properties. The opening of the enclosure and the enclosure gates, if required, shall be the same width as the interior dimension of the enclosure. An access driveway, with a minimum bearing capacity of 62,500 pounds and a minimum width of 10 feet, shall be provided to the opening of the enclosure. The enclosure shall have a paved floor.
4. A 3-foot landscape buffer shall be provided around the perimeter of the enclosure; adjacent hedges shall not exceed 3 feet in height, and any adjacent trees shall maintain a clear trunk of 6 feet.

ARTICLE V

: _____ SIGN REGULATIONS

Sec. 5-1 PURPOSE

The purpose of this Article shall be to coordinate the type, placement, and physical dimension of signs within the Town; to recognize the commercial communication requirements of all sectors of the business community; to encourage the innovative use of design; to promote both renovation and proper maintenance; and to guarantee equal treatment under the law through accurate record keeping and consistent enforcement. These shall be accomplished by regulation of the display, erection, use, and maintenance of signs. The placement and physical dimensions of signs are regulated primarily by type and length of street frontage. No sign shall be permitted as a principal or accessory use

except in accordance with the provisions of this Article.

Sec. 5-2. SCOPE

This Article shall not relate to building design. Nor shall this Article regulate official traffic control or governmental signs; the copy and message of signs; window displays; product dispensers and point of purchase displays; scoreboards on athletic fields; flags of any nation, government, or noncommercial organization; gravestones; barber poles; religious symbols; commemorative plaques; the display of street numbers; or any display or construction not defined herein as a sign.

Sec. 5-3. DEFINITIONS

The following definitions shall apply to this Article in addition to those set forth in Section 1-5 of this Code.

Abandoned Sign-A sign which no longer identifies or advertises a bona fide business; lessor, service, owner, product, or activity, and/or for which no legal owner can be found.

Animated Sign-Any sign which uses movement or change of lighting to depict action or to create a special effect or scene (compare "Flashing Sign").

Awning-A shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework (compare "Marquee").

Awning Sign-A sign painted on, printed on, or attached flat against the surface of an awning.

Banner Sign-A sign made of fabric or any non-rigid materials with no enclosing framework.

Billboard-(see "Off-Premise Sign")

Changeable Copy Sign (Automatic)-A sign on which the copy is changed automatically on a lampbank or through mechanical means, e.g., electrical or electronic time and temperature units.

Changeable Copy Sign (Manual)-A sign on which copy is changed manually in the field, e.g., readerboards with changeable letters.

Clearance (of a sign)-The smallest vertical distance between the grade of the adjacent street and the lowest point of any sign, including framework, embellishments, poles and supports, extending over that grade. ~~From grade to bottom of sign.~~

Construction Sign-A temporary sign identifying an architect, contractor, subcontractor,

and/or material supplier participating in construction on the property on which the sign is located.

Copy-The wording on a sign surface in either permanent or removable letter form.

Directional/Information Sign-An on-premises sign giving directions, instructions, or facility information, and which may not contain the name or logo of an establishment or any advertising copy, (e.g., parking or exit and entrance signs).

Double-faced Sign-A sign with two faces.

Electrical Sign-A sign or sign structure in which electrical wiring, connections, or fixtures are used.

Electronic Message Center-(see "Changeable Copy Sign, Automatic")

Facade-The entire building front including the parapet.

Face of Sign-The area of the sign in which the copy is placed.

Festoons-A string of ribbons, tinsel, small flags, or pinwheels.

Flashing Portable or On-Premise Sign-A sign which contains an intermittent, sequential, or rotating light source or which, through reflection or other means, creates an illusion of flashing, intermittent, or rotation light. ~~Does not include changeable copy signs.~~

Freestanding Sign-A sign supported upon the ground by poles or braces and not attached to any building.

Frontage-The length of the property line of any one premise along a public right-of-way on which it borders.

Frontage, Building-The length of an outside building wall facing a public right-of-way.

Governmental Sign-Any temporary or permanent sign erected and maintained by the town, county, state, or federal government or any agency thereof including boards, district, etc.

Height (of a Sign)-The vertical distance measured from the highest point of the sign, including embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is greater.

Identification Sign-A sign whose copy is limited to the name and address of a building, institution, or person and/or to the activity or occupation being identified.

Illegal Sign-A sign which does not meet the requirements of this Article and which has not received legal nonconforming status.

Illuminated Sign-A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

Incidental Sign-A small sign, emblem, or decal, located on the window or wall of the building, informing the public of goods, facilities, or services available on the premises, e.g., a credit card sign or sign indicating hours of business.

Maintenance-For the purposes of this Article, the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

Mansard-A sloped roof or roof-like facade architecturally comparable to a building wall.

Marquee-A permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building (compare "Awning").

Marquee Sign-Any sign attached to or supported by a marquee structure.

Nameplate-A non-electric on-premise identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.

Nonconforming Sign-(1) A sign which was erected legally but which does not comply with subsequently enacted sign restrictions and regulations. (2) A sign which does not conform to the requirements provided herein but for which a variance has been issued.

Occupancy-The portion of a building or premise owned, leased, rented, or otherwise occupied for a given use.

On-Premise Sign-A sign which pertains to the use of the premises on which it is located.

Off-Premise Sign-A sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located, e.g., "billboards" or "outdoor advertising."

Owner-A person recorded as such on official records. For the purposes of this Article, the owner of property on which a sign is located is presumed to be the clerk of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the e.g., a sign leased from a sign company.

Painted Wall Sign-Any sign which is applied with paint or similar substance on the face of a wall.

Parapet-The extension of a false front or wall above a roof line.

Point of Purchase Display-Advertising of a retail item accompanying its display, e.g., an advertisement on a product dispenser.

Political Sign-For the purpose of this ordinance, a temporary sign used in connection with a local, state, or national election or referendum.

Portable Sign-Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.

Premises-A parcel of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

Projecting Sign-A sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

Real Estate Sign-A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

Roof-line-The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

Roof Sign-Any sign erected over or on the roof of a building (compare "Mansard," "Wall Signs")

Rotating Sign-A sign in which the sign itself or any portion of the sign moves in a revolving or similar manner. Such motion does not refer to methods of changing copy.

Sign-Any device, structure, fixture, or placard using graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any establishment, product, goods, or services.

Sign, Area of-- The area of a sign shall be measured as follows:

(1) Projecting and Freestanding: The area of a freestanding or projecting sign may have two (2) sign faces each of which may be up to the same square footage on each side as allowed herein. ~~The area of~~ If a sign is composed of more than one cabinet, the sign shall be measured as follows if the sign is composed of one or more individual cabinets:

(a) ~~The area around and enclosing the perimeter of each cabinet or module shall be~~

summed and then totaled to determine total area. The perimeter of measurable area shall not include embellishments such as pole covers, framing,

decorative roofing, etc., provided that there is not written advertising copy on such embellishments.

- (2) **Wall Signs:** The area shall be within a single, continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of the advertising message. The combined areas of the individual figures shall be considered the total sign area.

Snipe Sign-A temporary sign or poster affixed to a tree, fence, etc.

Subdivision Identification Sign-A freestanding or wall sign identifying a recognized subdivision, condominium complex, or residential development.

Temporary Sign-A sign not constructed or intended for long-term use.

Under-Canopy Sign-A sign suspended beneath a canopy, ceiling, roof, or marquee.

Use-The purpose for which a building, lot, sign, or structure is intended, designed, occupied, or maintained.

Wall Sign-A sign attached parallel to and extending not more than 12 inches from the wall of a building. This definition includes painted, individual letter, and cabinet signs, and signs on a mansard.

Window Sign-A sign installed inside a window and intended to be viewed from the outside.

Sec. 5-4. APPLICABILITY GENERAL PROVISIONS

5-4.1. No person shall erect, place or maintain a sign within the Town except in accordance with the provisions of this Article.

~~Sec. 5-5. PROHIBITED SIGNS~~

~~The following signs are prohibited in all areas of the Town~~

- ~~12. Abandoned signs;~~
- ~~13. Any non-governmental sign located within a dedicated Town street right-of-way unless specifically authorized by the Town~~
- ~~14. Flashing, fluttering, undulating, swinging, rotating, or otherwise moving or animated signs; except for time and/or temperature signs; and~~
- ~~15. Any sign which blocks or restricts the sight distance of a motor vehicle operator at any driveway or intersection.~~
- ~~16. Any sign for which any part of the sign extends over, across, or above any public~~

way, including roadways and sidewalks. This shall not apply to public or governmental signs.

5.4.2. These regulations are intended to supplement and complement the requirements of the building and electrical codes adopted by the Town and the County, or as required by the State. In the event of any conflict between these regulations and the building and electrical codes, the more stringent requirement shall apply.

5-4.3. Compliance with the requirements of these regulations shall not constitute a defense to an action brought to abate a nuisance.

Sec. 5-5. PROHIBITED SIGNS.

5-5.1. It shall be unlawful to erect, cause to be erected, maintain, or cause to be maintained, any sign not expressly authorized by, or exempted from this code.

5-5.2. The following signs are expressly prohibited unless exempted by section 46-907 of this division or expressly authorized by section 46-911 of this division:

- a. Signs that are in violation of the building code or electrical code adopted by the city.
- b. Any sign that, in the judgment of the Town Council does or will constitute a safety hazard.
- c. Signs with visible moving (or with the optical illusion of movement by means of a design that presents a pattern capable of giving the illusion of motion or changing of copy), 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.
- d. Signs with lights or illuminations that flash, move, rotate, scintillate, blink, flicker, or vary in intensity or color except for time-temperature-date signs.
- e. Strings of light bulbs used on commercially developed parcels for commercial purposes, other than traditional holiday decorations
- f. Signs that incorporate a projected image, emit sound that is intended to attract attention, or involve the use of live animals.
- g. Signs that emit audible sound, odor, or visible matter such as

smoke or steam.

- h. Signs or sign structures that interfere in any way with free use of any fire escape, emergency exit, or standpipe, or otherwise obstruct any window to such an extent that light or ventilation is reduced to a point below that required by any provision of this division or other ordinance of the city.
- i. 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, content, color, or illumination that may be reasonably confused with, construed as, or conceal, a traffic control device.
- j. Signs that obstruct the vision of pedestrians, cyclists, or motorists traveling on or entering public streets.
- k. Signs that contain any lighting or control mechanism that causes unreasonable interference with radio, television or other communication signals.
- l. Searchlights used to advertise or promote a business or to attract customers to a property
- m. 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.
- n. Signs erected on public property, other than signs erected by public authority for public purposes, and signs authorized in writing pursuant to F.S. § 337.407.
- o. Signs erected over or across any public street or sidewalk except as may otherwise be expressly authorized by this division, and except governmental signs erected by or on the order of a public officer.
- p. Vehicle signs with a total sign area on any vehicle in excess of ten square feet.
- q. Off-premise or billboard signs unless such signs were erected prior to the effective date of this regulation.
- r. Snipe signs as defined by this division.

5-6.1. No person shall erect, place or construct any sign without first obtaining a permit from the Town except as specified in Section 5-7. No permit is required for the maintenance of a sign or for a change of copy on painted, printed or changeable copy signs.

5-6.2. The Town Clerk is authorized to process applications for sign permits and variances, schedule public hearings as required, and enforce and carry out all provisions of this Article, both in letter and in spirit.

5-6.3. The Town Clerk is empowered, upon presentation of proper credentials, to enter or inspect any building, structure, or premises in the Town for the purpose of inspecting a sign and its structural and electrical connections to ensure compliance with all structural and electrical connections to ensure compliance with all applicable codes and ordinances.

5-6.4. The Town Clerk may be accompanied with appropriate inspectors or officials necessary to ensure compliance with the provisions of applicable codes and ordinances. Such inspections shall be carried out during business hours unless an emergency exists.

5-6.5. Application for a permit for the erection, alteration, location or relocation of a sign shall be made to the Town Clerk upon a form provided by the Town and shall include the following information:

1. Name and address of the owner of the sign.
2. Street address or location of the property on which the sign is to be located, along with the name and address of the property owner.
3. The type of sign structure as defined in the Article.
4. A site plan showing the proposed location of the sign along with the locations and square footage areas of all existing signs on the same premises.
5. Specifications and scale drawings showing the materials, design, dimensions, structural supports, and electrical components of the proposed sign.

5-6.6. The Town Clerk shall make a recommendation to the Town Council concerning approval or denial of the permit with fifteen (15) days after the application for permit is received by the Town. The Town Council shall act upon such recommendation at its next regularly scheduled meeting.

5-6.7. There shall be a non-refundable application fee of \$250.00 to cover the

administrative costs of reviewing the sign application.

5-6.8. A permit issued by the Town Council becomes null and void if work is not commenced with 90 days of issuance. If work authorized by the permit is suspended or abandoned for 90 days, the permit becomes void. If any sign is installed or placed on any property prior to the receipt of a permit, the sign, including any embellishments, poles, and supporting structures, shall be removed. If any alteration, addition, or enlargement requiring a permit is made to a sign prior to the receipt of a permit, such alteration, addition, or enlargement shall be removed. No variance from these provisions shall be granted.

Sec 5-7. SIGNS NOT REQUIRING PERMITS

The following types of signs are exempted from permit requirements but be in conformance with all other requirements of this Article.

- (1) — Construction signs 5-7.1. Except as specifically provided below, the following signs are exempt from these sign regulations and from the requirement in this code that a permit be obtained for the erection of permanent signs, provided they are not placed or constructed so as to create a hazard of any kind:

 - a. Signs that are not designed or located so as to be visible from any street or adjoining property.
 - b. Signs of 32 square feet or less-

 - (2) — Directional/Information and signs of four (4) square feet or less located behind the applicable setbacks.
 - (3) — Holiday or special events decorations
 - (4) — Nameplates that include no letters, symbols, logos or designs in excess of two (2) square feet or less.
 - (5) — Political signs.
 - (6) — Public signs or notices, inches in vertical or any sign relating to an emergency.
 - (7) — Real estate signs.
 - (8) — Window signs.
 - (9) — Incidental signs.
 - (10) — For sale signs of two (2) square feet horizontal dimension are exempted from the requirement that a permit be obtained but not otherwise from these sign regulations, provided that such sign, or less combination of such signs, does not constitute a sign prohibited by this code.
 - c. 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 State of Florida, the United States, the Town of Greenwood and Jackson County.

- d. Legal notices and official instruments.
- e. Decorative flags and bunting for a celebration, convention, or commemoration of significance to the entire community when authorized by the Town Clerk for a prescribed period of time.
- f. Holiday lights and decorations.
- g. Merchandise displays behind storefront windows so long as no part of the display moves or contains flashing lights.
- h. Memorial signs or tablets, names of buildings and dates of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials and attached to the surface of a building.
- i. Signs incorporated 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.
- j. Advertising and identifying signs located on taxicabs, buses, trailers, trucks, or vehicle bumpers.
- k. Public warning signs to indicate the dangers of trespassing, swimming, animals, or similar hazards.
- l. Signs carried by a person.
- m. Religious displays.
- n. Signs constructed or placed by the Town itself or with the Town's consent or approval, such as signs for special events.
- o. All valid state and local traffic and parking regulation signs.
- p. Real estate. One unlighted real estate sign located on the premises being advertised for sale or rent, provided that each such sign shall not exceed 32 square feet in area in commercial districts and four square feet in area in residential districts. In new subdivisions and planned unit developments one sign not to exceed 32 square feet in area is allowed until permanent signage is in place or active sales cease.
- q. Signs or markers denoting the historical significance of a structure or property.

r. Signs within residential areas that have the property owner's name and the property address.

q. Additional signs which may appear at the street level entrance are as follows:

1. Logo, slogan or name of business on door glass not to exceed 50 percent of door glass area.
2. Address numbers over the door or at the top or bottom of door.
3. Days and hours of operation.

Section 5-8. MAINTENANCE

All signs shall be properly maintained. Exposed surface shall be clean, including their supports, braces, guys and anchors, electrical parts and lighting fixtures, and all painted if paint is required and display areas, shall be maintained in accordance with the building and electrical codes adopted by the Town, and shall present a neat and clean appearance. Defective parts shall be replaced. The Town Council shall have the authority under subsection 5-18.5 to order the repair or removal of any sign which is defective, damaged, or substantially deteriorated.

Sec. 5-9. CHANGEABLE COPY

Unless otherwise specified by this Article, any sign herein allowed may use manual or automatic changeable copy.

Sec. 5-10. LIGHTING/ILLUMINATION

5.10.1. Unless otherwise specified by this Article, all signs may be lighted or illuminated consistent with the following provisions.

1. Sign lighting shall not be installed or located so as to cause confusion with traffic control lights.
2. Illumination by spotlights or floodlights may be allowed provided that no light emitted shines onto an adjoining property or into the eyes of persons driving or walking upon any roadway or sidewalk.
3. Exposed incandescent lights shall not be used for lighting outdoor signs.
4. Revolving beacons and flashing lights are prohibited.

Sec. 5-11. ALLOWABLE ON-PREMISES SIGNS-LAND USE DISTRICTS

5-11.1. Allowable Signs in All Districts

1. The following signs are allowed in all districts.

- a. All signs not requiring permits.
- b. One (1) construction sign for each street frontage of construction project, not to exceed 32 square feet in sign area. Such signs may be erected 120 days prior to beginning of construction and shall be removed 30 days following completion of construction.
- c. One (1) non-illuminated real estate sign per lot or premises not to exceed four (4) square feet in sign area. Such signs must be removed ten (10) days following sale, rental, or lease.
- d. One (1) attached nameplate per occupancy, not to exceed four (4) square feet in sign area.
- e. Political signs, not to exceed six (6) square feet in residential districts and thirty-two (32) square feet in non-residential districts. All political signs shall be removed within fourteen (14) days after the election or runoff.
- f. Four (4) directional /information signs per business, not to exceed four (4) square feet in area provided that no directional/information sign not located behind the applicable setback shall contain any name or logo, and provided that the location of any such directional/information signs is approved by the Planning Board.
- g. One (1) temporary special events-sign and ~~decoration~~decorations per premises as allowed by the Town Council for special events, grand opening, or holidays. Such signs and ~~decoration~~decorations may be erected 30 days prior to a special event or holiday and shall be removed ten (10) days following the event or holiday. For grand openings such signs may be used for no more than fourteen (14) days.
- h. Temporary banners for civic events or events of general public good, extending across the public right of way at locations specified by the ~~Planning Board. Such banners~~Town Council. Banners shall be up no more than fourteen (14) days.
- i. "For sale" signs advertising vehicles, boats or other similar items for sale by owner provided such sign does not exceed two (2) square feet of sign area.

5-11.2 Permitted Signs in Residential Districts

1. The following signs shall be permitted in Residential land use districts; all

other signs are prohibited.

- a. All signs permitted in subsection 5-11.1.
- b. Two (2) subdivision or apartment identification signs per residential development, not to exceed thirty-two (32) square feet of sign area.
- c. Signs describing a home occupation or home office of convenience provided there are no more than one (1) sign per residence; and, the sign does not exceed four (4) square feet of sign area.
- d. Snipe signs for garage sales, yard sales or similar events provided that the sign is removed by the installer or owner of said sign no later than the 24-hour period following the sale or event.
- e. For churches, synagogues or similar institutional uses one (1) freestanding sign not to exceed 24 square feet in sign area, and one wall sign not to exceed 24 square feet in sign area.

- f. All allowed freestanding signs in Residential districts shall have a height limit of eight (8) feet and shall have a setback of ten (10) feet from any public right-of-way, provided, however, that the setback requirement shall not apply to subdivision identification signs so long as they do not create a sight obstruction.

5-11.3 Permitted Signs in Mixed Use (MU) Districts

- 1. The following signs shall be permitted in MU districts; all other signs are prohibited.
 - a. All signs permitted in subsection 5-11.2.
 - b. Two identification signs per apartment, townhouse, condominium or other multi-family residential development, not to exceed 32 square feet of sign area.
 - c. For commercial development allowed in MU districts, one (1) freestanding sign per premise not to exceed 24 square feet of sign area and one (1) wall sign not to exceed 24 square feet of sign area for businesses fronting upon arterial or collector roadways; and one (1) freestanding sign and one (1) wall sign not to exceed twelve (12) square feet in sign area for businesses fronting upon local streets.

- d. All allowed freestanding signs in MU districts shall have a height limit of ten (10) feet and shall have a setback of ten (10) feet from any public right of way, except for electrified signs in areas subject to vehicular traffic, which shall have a height limit of sixteen (16) feet.

5-11.4 Permitted Signs in Commercial and Industrial Districts

1. The following signs shall be permitted in commercial and industrial districts, all others are prohibited.

a. All signs permitted in subsection 5-11.3

b. One (1) freestanding sign per premises and street front is allowed: under the following conditions:

1. The sign may not exceed one (1) square foot in sign area for each linear foot of main street frontage. If the property is a shopping center only one (1) freestanding sign is allowed per street front. Where the premises is located on a corner or has more than one (1) public street frontage, one (1) additional freestanding sign will be allowed on the additional frontage, not to exceed the size of other allowed freestanding signs. If linear footage exceeds 300' a second pylon is allowed as long as total square footage of all signage does not exceed one (1) square foot per linear foot.
2. All freestanding signs shall be located at least (10) feet behind the public right-of-way line, unless the grade clearance of the sign is a minimum of ten (10) feet in which case the leading edge of the sign may extend to the right-of-way line. In no case may a sign extend over the right-of-way line or any public way. In the case of electrified signs, the bottom of the sign and the outline lighting enclosure shall not be less than sixteen (16) feet above grade in areas accessible by vehicles.
3. No part of any sign shall be located within a twenty-five (25) foot radius of the intersection of the improved surface of any two streets or the improved surface of any street and railroad unless any part of the sign extending over or into this radius has at least ten (10) feet of clearance.
4. No part of any sign shall be located within a fifteen (15) foot radius of the intersection of any driveway and the improved surface of any street unless any part of the sign

extending over or into this radius has at least ten (10) feet of clearance.

c. _____ Wall signs shall not exceed an aggregate area or one (1) square foot in sign area for each linear foot of that occupancy's building frontage.

46. ~~Awning signs are measured by copy area only.~~

d. _____ One (1) under-canopy sign per occupancy, not to exceed eight (8) square feet in sign area.

e. _____ Incidental signs not to exceed four (4) square feet in aggregate sign area per occupancy.

f. _____ The maximum permitted height for any on-premise sign in a non-residential district shall be twenty-four (24) feet above the grade of the adjacent street.

g. _____ Projecting signs shall conform to the requirements of the Standard Building Code and shall be permitted only where a public sidewalk abuts the side of the building on which the projecting sign is affixed.

5-11.5 Permitted Signs in Public/Institutional (P/I) and Recreation (REC) Districts.

5-11.1. The following signs shall be permitted in P/I and REC districts, all others are prohibited.

a. _____ All government signs.

b. _____ For any non-government use, one (1) freestanding sign not to exceed 24 square feet of sign area, and one (1) wall sign not to exceed 24 square feet of wall area.

c. _____ All allowed freestanding signs in P/I or Recreation districts shall have a height limit of ten (10) feet and shall have a setback of ten (10) feet from any public right-of-way, except for electrified signs in areas subject to vehicular traffic which shall have a height limit of sixteen (16) feet.

Sec. 5-12 PORTABLE SIGNS

5-12.1. In addition to any regulation applying to signs in general, including the requirement for a permit, the following regulations shall apply to portable signs.

1-a. _____ Portable signs shall comply with the same setback and sight distance requirements as all other signs.

b. _____ No portable signs shall be illuminated by or contain flashing,

intermittent, rotating or moving light or lights. No portable sign shall be animated.

- c. Portable signs shall be used only for on premise advertising and shall not be used on billboards.
- d. Sign permits shall be required for portable signs. Permits for portable signs shall be for (6) months and may be renewed.
- e. Portable signs shall be limited to one (1) per business.
- f. Subject to the provisions of this Section, portable signs may be permitted in Commercial districts only.
- g. In addition to any other remedies provided for in this Article, The Town Clerk shall have the authority to remove and impound any portable sign which remains on any public right of way forty-eight (48) hours after delivery of notice to remove the sign from the public right of way.

Sec. 5-13

NONCONFORMING SIGNS

5-13.1. Existing, permanent signs that do not conform to the provisions of this Article shall be legally nonconforming provided that:

- ~~60.~~ (i) The Town Clerk determines that such signs are properly maintained and do not in any way endanger the public;
- ; and (ii) Such signs are not located on any public right of way.

~~5-13.1~~ ~~Lost of legally noneonforming status~~

2. A legal nonconforming sign shall lose this designation if:

- ~~62.~~ (i) The sign is relocated or replaced;
- ~~63.~~ or (ii) The structure or size of the sign is altered in any way except towards compliance with this Article (This does not refer to normal maintenance);
- or (iii) The sign becomes abandoned for a period of six (6) consecutive months.

~~5-13.2~~ ~~Maintenance and repair of noneonforming signs~~

- A3. The legal nonconforming sign is subject to all requirements of this Article regarding safety, maintenance, and repair. However, if the sign suffers more than 50 percent appraised damage or deterioration, it must be brought into conformance with this Code or removed.

Sec. 5-14.

CONSTRUCTION STANDARDS

A5-14.1. All permanent signs shall be constructed and erected in accordance with

the requirements of the Standard Building Code and the National Electrical Code, and as specified in this Section.

~~5-14.1~~ ~~Anchoring~~

~~A. 2.~~ No sign shall be suspended by nonrigid attachments that will allow the sign to swing in a wind.

~~B.~~ All freestanding signs shall have self-supporting structures erected on or permanently attached to concrete foundations.

All portable signs on display shall be braced or secured to prevent motion.

~~5-14.2~~ ~~Wind Loads~~

~~A.~~ All signs shall be designed and constructed to meet the wind loading requirements as set forth in the Standard Building Code.

5-14.3 Additional Construction Specifications

~~A1.~~ No signs shall be erected, constructed, or maintained so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.

~~B2.~~ No sign shall be attached in any for, shape or manner which will interfere with any opening required for ventilation.

~~C3.~~ Signs shall be located in such a way as to maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with National Electrical Code specification, depending on voltages concerned.

~~D4.~~ All signs containing electrical components shall be constructed or located according to the specifications of the National Electric Code as well as the specifications agency. All such signs shall have clearly visible testing agency label permanently affixed.

~~E5.~~ Any free-standing sign, whether for on or off-premise use, which has a sign area of 100 square feet or more shall be all-metal single pole construction except for the skirt which may be of other durable materials.

~~Sec. 5-15~~ ~~Administration~~

~~5-15.1~~ ~~Administration~~

~~A.~~ The Town Clerk shall be authorized to process applications for permits and variances, schedule public hearings as required, and enforce and carry out all provisions of this Article, both in letter and in spirit.

~~B.~~ The Town Clerk is empowered, upon presentation of proper credentials, to enter or inspect any building, structure, or premises in the Town for the purpose of inspecting a sign and its structural and electrical connections to

~~ensure compliance with all structural and electrical connections to ensure compliance with all applicable codes and ordinances. C. The Town Clerk may be accompanied with appropriate inspectors or officials necessary to ensure compliance with the provisions of applicable codes and ordinances. Such inspections shall be carried out during business hours unless an emergency exists.~~

~~5-15.2 Application~~

~~A. Application for a permit for the erection, alteration, location or relocation of a sign shall be made to the Town Clerk upon a form provided by the Town and shall include the following information:~~

- ~~1. Name and address of the 6. Sign lighting may not be designed or located to cause confusion with traffic lights. Illumination by floodlights or spotlights is permissible so long as none of the light emitted shines directly onto an adjoining residentially zoned property, or into the eyes of motorists or pedestrians using or entering public streets. Illuminated signs shall not have lighting mechanisms that project more than 18 inches perpendicularly from any surface of the sign over public space.~~

~~5-15. Removal of Signs~~

~~5-15.1. The Town Clerk, upon approval by the Town Council, may cause the removal of an illegal or unsafe sign in case of emergency, or for failure to comply with the orders of removal, relocation or repair, or upon determination that the sign has been abandoned for a period of ninety (90) days. After removal or demolition of the sign, a notice shall be mailed to the owner of the sign.~~

- ~~2. Street address or location of the property on which the sign is to be located, along with the name and address of the property owner was located stating the nature of the work and the date on which it was performed and demanding payment on the costs as certified the Town Clerk together with an additional fifteen percent for inspection and incidental costs. For the purposes of this subsection, removal of the sign shall include the removal of any embellishments, poles, and supporting structures.~~

~~3. The type of sign structure as defined in the Article.~~

~~4. A site plan showing the proposed location of the sign along with the locations and square footage areas of all existing on the same premises.~~

~~5. Specifications and scale drawings showing the materials, design, dimensions, structural supports, and electrical components of the proposed sign.~~

~~5-15.2. If the amount specified in the notice is not paid within 30 days of the notice, it shall become a lien against the property from which the sign was removed, and~~

will be collected as provided by law.

5-15.3 Issuance and Denial. The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon unless facts to the contrary are brought to the attention of the Town, as in the case of a leased sign.

A. ~~The Town Clerk shall make a recommendation to the Town Council concerning approval or denial of the permit with ten (10) days after the application for permit is received by the Town. The Town Council shall act upon such recommendation at its next regularly scheduled meeting.~~ 5-16. MEASUREMENT DETERMINATIONS

5-15.4 Permit Conditions

A. ~~A permit issued by the Town Council becomes null and void if work is not commenced with 90 days of issuance. If work authorized by the permit is suspended or abandoned for 90 days, the permit becomes void. If any sign is installed or placed on any property prior to the receipt of a permit, the sign, including any embellishments, poles, and supporting structures, shall be removed. If any alteration, addition, or enlargement requiring a permit is made to a sign prior to the receipt of a permit, such alteration, addition, or enlargement shall be removed. No variance from these provisions shall be granted.~~

5-15.5 Removal of Signs

A. ~~The Town Clerk, upon approval by the Town Council, may cause the removal of an illegal or unsafe sign in case of emergency, or for failure to comply with the orders of removal, relocation or repair, or upon determination that the sign has been abandoned for a period of ninety (90) days. After removal or demolition of the sign, a notice shall be mailed to the sign owner stating the nature of the work and the date on which it was performed and demanding payment on the costs as certified the Town Clerk together with an additional fifteen percent for inspection and incidental costs. For the purposes of this subsection, removal of the sign shall include the removal of any embellishments, poles, and supporting structures.~~

B. ~~If the amount specified in the notice is not paid within 30 days of the notice, it shall become an assessment upon a lien against the property of the sign owner, and will be certified as an assessment against the property with a ten percent penalty for collection in the same manner as the real estate taxes.~~

C. ~~The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon unless facts to the contrary are brought to the attention of the Town, as in the case of a leased sign.~~

- 5-16.1 The facade area shall be measured by determining the area within a two-dimensional geometric figure coinciding with the edges of the walls, windows, doors, parapets, marquees, and roof slopes of greater than 45 degrees that form a side of a building or unit.
- 5-16.2. The area of a sign shall be the area within the smallest square, rectangle, parallelogram, triangle, circle or semicircle, the sides of which touch the extreme points or edges of the sign face.
- 5-16.3. Where a sign is composed of letters or pictures attached directly to a facade, window, door, or marquee, and the letters or pictures are not enclosed by a border or trimming, the sign area shall be the area within the smallest rectangle, parallelogram, triangle, circle or semicircle, the sides of which touch the extreme points of the letters or pictures.
- 5-16.4. Where two sign faces are placed back to back on a single sign structure, and the faces are at no point more than four feet apart, the area of the sign shall be counted as the area of one of the faces.
- 5-16.5. Where four sign faces are arranged in a square, rectangle, or diamond, the area of the sign shall be the area of the two largest faces.
- 5-16.6. The area of a three-dimensional sign shall be twice the area of a geometric figure drawn around the sign. The geometric figure shall enclose the largest possible two-dimensional outline of the sign. The "projected image" is that image created by tracing the largest possible two-dimensional outline of the sign.
- 5-16.7. The height of a sign shall be measured as the vertical distance from the finished grade at the base of the supporting structure to the top of the sign, or its frame or supporting structure, whichever is higher.

Section 2: Any provisions of the Land Development Code not expressly affected hereby shall remain in full force and effect, provided that any conflict between the contents of this Ordinance and any other provision of the Land Development Code shall be resolved in favor of the most restrictive provision.

Section 3: Any provision of this Ordinance found to be unenforceable by any court of competent jurisdiction shall be stricken from this Ordinance without affecting the enforceability or effect of any other provision not affected by the judicial ruling.

Section 4: This Ordinance shall be effective upon adoption.

Adopted at a duly advertised public hearing at which a quorum was present and a majority voted in favor, this 14th day of November, 2006.

ATTEST:

Suzanne NeSmith
Suzanne NeSmith, Town Clerk

TOWN COUNSEL OF THE
TOWN OF GREENWOOD,
FLORIDA

Charles Sanders
Charles Sanders, Mayor

APPROVED AS TO FORM:

George Little
George Little, Esq., Town Attorney