

LEON COUNTY ORDINANCE NO. 22-¹⁷

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 10 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA; REPEALING AND REPLACING ARTICLE IX, ENTITLED "SIGNS;" AMENDING SECTION 10-1.101, ENTITLED "DEFINITIONS;" AND AMENDING SECTIONS 10-6.612, 10-6.653, 10-6.654, 10-6.654.2, 10-6.655, 10-6.660, 10-6.673, 10-6.674, 10-6.675, 10-6.676, AND 10-6.680 TO ELIMINATE DUPLICATIVE SIGN REGULATIONS IN INDIVIDUAL ZONING DISTRICTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the United States Supreme Court has upheld the regulation of signs and their negative impacts as permissible municipal police power so long as such regulations do not aim to regulate the viewpoint of the speaker, as indicated in *City of Ladue v. Gilleo*, 512 U.S. 43, 114 S.Ct. 2083 (U.S. 1994); and

WHEREAS, Policy 1.2.12 of the Mobility Element of the Tallahassee-Leon County Comprehensive Plan requires the County to adopt and maintain a County sign ordinance to control sign and billboard placement and limit lighted and motion activated sign usage; and

WHEREAS, Section 163.202, Florida Statutes, requires each local government in the State of Florida to adopt or amend land development code regulations that are consistent with and implement its adopted Comprehensive Plan; and

WHEREAS, the County currently regulates signs within its jurisdiction, pursuant to Article IX of Chapter 10 of the Code of Laws of Leon County, Florida ("Sign Code"); and

WHEREAS, since 2007, the Sign Code has had relatively minor amendments; and

WHEREAS, on June 18, 2015, the United States Supreme Court held unanimously in *Reed v. Town of Gilbert, Arizona*, 135 S. Ct. 2218 (U.S. 2015), that the provisions of the Town of Gilbert's sign code, which regulate signs by category according to the type of information they convey, are content-based and therefore subject to strict scrutiny under the First Amendment of the United States Constitution; and

WHEREAS, the Board of County Commissioners of Leon County, Florida (Board) wishes to revise the Sign Code to comply with the Supreme Court's decision in *Reed* and all other constitutional and legal requirements; and

WHEREAS, prior to *Reed*, sign codes across the nation typically differentiated signs based on their content to determine which regulations apply to the sign, without the intent to regulate the content itself; and

WHEREAS, compliance with *Reed* requires that sign codes eliminate different categories of signs with reference to their content and regulate all signs in the same manner; and

WHEREAS, in *Reed*, Justice Alito, in a concurring opinion joined in by Justices Kennedy and Sotomayor, pointed out that municipalities still have the power to enact and enforce reasonable sign regulations; and

1 **WHEREAS**, in *Reed*, Justice Alito, in a concurring opinion joined in by Justices Kennedy and
2 Sotomayor, provided a list of rules that would not be content-based; and
3

4 **WHEREAS**, Justice Alito noted that these rules were not a comprehensive list of such rules; and
5

6 **WHEREAS**, Justice Alito included the following rules among those that would not be content-based:
7 (1) rules regulating the size of signs, which rules may distinguish among signs based upon any content-neutral
8 criteria such as those listed below; (2) rules regulating the locations in which signs may be placed, which rules
9 may distinguish between freestanding signs and those attached to buildings; (3) rules distinguishing between
10 lighted and unlighted signs; (4) rules distinguishing between signs with fixed messages and electronic signs with
11 messages that change; (5) rules that distinguish between the placement of signs on private and public property;
12 (6) rules distinguishing between the placement of signs on commercial and residential property; (7) rules
13 distinguishing between on-premises and off-premises signs; (8) rules restricting the total number of signs
14 allowed per mile of roadway; and (9) rules imposing time restrictions on signs advertising a one-time event,
15 where rules of this nature do not discriminate based on topic or subject and are akin to rules restricting the times
16 within which oral speech or music is allowed; and
17

18 **WHEREAS**, the County recognizes that Justice Alito further noted that, in addition to regulating signs
19 put up by private actors, government entities may also erect their own signs consistent with the principles that
20 allow governmental speech [see *Pleasant Grove City v. Summum*, 555 U.S. 460, 467-469 (2009)], and that
21 government entities may put up all manner of signs to promote safety, as well as directional signs and signs
22 pointing out historic sites and scenic spots; and
23

24 **WHEREAS**, the County recognizes that Justice Alito noted that the *Reed* decision, if properly
25 understood, will not prevent cities from regulating signs in a way that fully protects public safety and serves
26 legitimate esthetic objectives, including rules that distinguish between on-premises and off-premises signs; and
27

28 **WHEREAS**, in addition to amendments following the Supreme Court's decision in *Reed*, on January 26,
29 2016, the Board adopted a Strategic Initiative for the creation of the North Monroe Corridor Task Force for the
30 purposes of revitalization; and
31

32 **WHEREAS**, on February 9, 2016, the Board established the North Monroe Street Stakeholders Task
33 Force (Task Force), which consisted of representatives from businesses, adjacent neighborhoods and the Florida
34 Department of Transportation, with support of County staff, for the purpose of providing a Corridor Plan for the
35 revitalization of the corridor; and
36

37 **WHEREAS**, in its Corridor Plan the Task Force recommended that the Sign Code be revised to reduce
38 blight and establish a gateway signage standard that limits billboards, establishes similar sign code standards as
39 the Bradfordville zoning districts and provide for the replacement of existing blighted signs; and
40

41 **WHEREAS**, the County finds and determines that the purpose, intent and scope of its signage standards
42 and regulations should be detailed so as to further describe the beneficial aesthetic and other effects of the
43 County's sign standards and regulations, and to reaffirm that the sign standards and regulations are concerned
44 with the secondary effects of speech and are not designed to censor speech or regulate the viewpoint of the
45 speaker; and
46

47 **WHEREAS**, the County finds and determines that the provisions of Article IX of the Land
48 Development Code set forth in this Ordinance that replace the current Sign Code are consistent with all
49 applicable policies of the County's adopted Comprehensive Plan; and
50

51 **WHEREAS**, the County finds and determines that these amendments are not in conflict with the public
52 interest; and
53

1 **WHEREAS**, the number, size, height, lighting, design, location, portability, changing frequency, and
2 other physical characteristics of signs in the County directly affect the public health, safety and welfare of its
3 citizens and visitors alike; and
4

5 **WHEREAS**, the County finds and determines that in order to preserve the County as a desirable
6 community in which to live, vacation and do business, a pleasing, visually-attractive urban environment is of
7 foremost importance; and
8

9 **WHEREAS**, the County finds and determines that the regulation of signs within the County is a highly
10 contributive means by which to achieve this desired end, and that the sign standards and regulations of this
11 Ordinance are prepared with the intent of enhancing the urban environment and promoting the continued well-
12 being of the County; and
13

14 **WHEREAS**, the County finds and determines that the regulation of signage for purposes of aesthetics
15 is a substantial governmental interest and directly serves the policy articulated in Article II, Section 7, of the
16 Florida Constitution, by conserving and protecting its scenic beauty; and
17

18 **WHEREAS**, the County finds and determines that the regulation of signage for purposes of aesthetics
19 has long been recognized as advancing the public welfare; and
20

21 **WHEREAS**, the County is the home to Florida's Capital, the City of Tallahassee, where legislators and
22 lobbyists gather annually from around the State of Florida, which benefits the local economy; and
23

24 **WHEREAS**, as the Capital of Florida, the County is home to museums and exhibits highlighting various
25 aspects of Florida's history which attract tourists from around the state and nation which benefits the local
26 economy; and
27

28 **WHEREAS**, at the heart of the County are two nationally renowned public universities which attract
29 student bodies and faculty from all over the nation and drive a significant portion of the County's economy; and
30

31 **WHEREAS**, the County finds and determines that the regulation of signage benefits the local economy
32 by providing for an aesthetically pleasing environment, and provides an efficient means of way-finding to
33 significant locations, services, attractions, and events to the many students and visitors from outside of the
34 County; and
35

36 **WHEREAS**, the County finds and determines that the enhancement of the visual environment is critical
37 to a community's image and its continued presence as a tourist destination; and
38

39 **WHEREAS**, the County finds and determines that the sign control principals set forth in this Ordinance
40 create a sense of character and ambiance that distinguishes the County as one with a commitment to maintaining
41 and improving an attractive environment; and
42

43 **WHEREAS**, the County finds and determines that the County's beauty, both with regard to its natural
44 and developed environment, has provided the foundation for the economic base of the County's development,
45 and that the County's sign regulations not only help create an attractive community for its residents, but also
46 bolster the County's image as a tourist destination; and
47

48 **WHEREAS**, the County finds and determines that, from a planning perspective, one of the most
49 important community goals is to define and protect aesthetic resources and community character; and
50

51 **WHEREAS**, the County finds and determines that, from a planning perspective, sign regulations are
52 especially important to counties and cities with a tourist-based economy, and sign control can create a sense of
53 character and ambiance that distinguishes one community from another; and
54

1 **WHEREAS**, the County agrees with the American Society of Landscape Architects' determination that
2 billboards tend to deface nearby scenery, whether natural or built, and the Sierra Club's opposition to billboard
3 development and proliferation, and the American Society of Civil Engineers Policy Statement 117 on Aesthetics
4 that aesthetic quality should be an element of the planning, design, construction, operations, maintenance,
5 renovation, rehabilitation, reconstruction, and security enhancement of the built environment; and
6

7 **WHEREAS**, the County finds and determines that a regulation of the erection of billboards will reduce
8 the number of driver distractions and the number of aesthetic eyesores along the roadways and highways of the
9 County [see, e.g., *E. B. Elliot Adv. Co v. Metropolitan Dade County*, 425 F.2d 1141, 1154 (5th Cir. 1970), *cert.*
10 *denied*, 400 U.S. 8058 (1970)]; and
11

12 **WHEREAS**, the County finds and determines that various signs that serve as signage for particular land
13 uses, such as drive-through lanes for businesses, are based upon content-neutral criteria in recognition of the
14 specific functions served by those land uses, but are not based upon any intent to favor any particular viewpoint
15 or control the subject matter of the sign; and
16

17 **WHEREAS**, visual clutter is potentially harmful to property values, economic development and quality
18 of life; and
19

20 **WHEREAS**, the County finds and determines that the sign regulations set forth in this Ordinance are
21 intended to protect the public from the dangers of unsafe signs; and
22

23 **WHEREAS**, the County finds and determines that the sign regulations set forth in this Ordinance are
24 intended to regulate signs in a manner so as to not interfere with, obstruct the vision of, or distract motorists,
25 bicyclists or pedestrians; and
26

27 **WHEREAS**, the County finds and determines that the sign regulations set forth in this Ordinance are
28 intended to require signs to be constructed, installed and maintained in a safe and satisfactory manner; and
29

30 **WHEREAS**, the County finds and determines that any sign beside the road is intended to divert the
31 attention of drivers and tends to distract the driver of a motor vehicle, which directly affects traffic safety and
32 may reasonably be found to increase the danger of accidents, and agrees with the courts that have reached the
33 same determination [see, *In re Opinion of the Justices*, 103 N.H. 268, 169 A.2d 762 (1961); *Newman Signs, Inc.*
34 *v. Hjelle*, 268 N.W. 2d 741 (N.D. 1978)]; and
35

36 **WHEREAS**, the County finds and determines that in addition to the sign regulations set forth in this
37 Ordinance, signs may also be subject to applicable building and electrical codes; and
38

39 **WHEREAS**, the County finds and determines that in order to overcome any constitutional objection
40 that this Ordinance impermissibly favors commercial speech over noncommercial speech, the County has
41 allowed noncommercial messages to appear wherever commercial speech are permitted; and
42

43 **WHEREAS**, the County finds and determines that a traffic control device sign, exempt from regulation
44 under the County's land development regulations for signage, is any government sign located within the right-
45 of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform
46 Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the National
47 Standard, and that according to the MUTCD, traffic control device signs include those signs that are classified
48 and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs
49 (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations,
50 directions, distances, services, points of interest, and other geographical, recreational, or cultural information);
51 and
52

53 **WHEREAS**, technology has improved since the inception of the Sign Code, necessitating updates to
54 the regulation of digital signs, or those signs emitting light, scent, sounds, smoke or other emissions; and

1 **WHEREAS**, the County finds and determines that the sign standards and regulations adopted hereby
2 allow and leave open adequate alternative means of communications, such as newspaper advertising and
3 communications, internet advertising and communications, advertising and communications in shoppers and
4 pamphlets, advertising and communications in telephone books, advertising and communications on cable and
5 satellite television, advertising and communications on UHF and/or VHF television, advertising and
6 communications on AM and/or FM radio, advertising and communications on satellite and internet radio,
7 advertising and communications via direct mail, and other avenues of communication available in the County
8 [see *State v. J & J Painting*, 167 N.J. Super. 384, 400 A.2d 1204, 1205 (Super. Ct. App. Div. 1979); *Board of*
9 *Trustees of State University of New York v. Fox*, 492 U.S. 469, 477 (1989); *Green v. City of Raleigh*, 523 F.3d
10 293, 305-306 (4th Cir. 2007); *Naser Jewelers v. City of Concord*, 513 F.3d 27 (1st Cir.2008); *Sullivan v. City of*
11 *Augusta*, 511 F.3d 16, 43-44 (1st Cir. 2007); *La Tour v. City of Fayetteville*, 442 F.3d 1094, 1097 (8th Cir.
12 2006); *Reed v. Town of Gilbert*, 587 F.3d 966, 980-981 (9th Cir. 2009), *aff'd in part & remanded in part on other*
13 *grounds*, 832 F. Supp. 2d 1070, *aff'd*, 707 F.3d 1057, 1063 (9th Cir. 2013), *cert. granted*, 134 S. Ct. 2900 (2014),
14 *rev'd on other grounds & remanded*, 135 S. Ct. 2218 (2015)]; and
15

16 **WHEREAS**, the County finds and determines that there have been several judicial decisions where the
17 courts have not given full effect to severability clauses that applied to sign regulations, and where the courts
18 have expressed uncertainty over whether the legislative body intended that severability would apply to certain
19 factual situations despite the presumption that would ordinarily flow from the presence of a severability clause;
20 and
21

22 **WHEREAS**, the County finds and determines that it intends that the severability clause provided in this
23 Ordinance be applied to the maximum extent possible, even if less speech would result from a determination
24 that any provision is invalid or unconstitutional for any reason whatsoever; and
25

26 **WHEREAS**, the County finds and determines that it is appropriate to repeal sections, subsections,
27 paragraphs, subparagraph, divisions, subdivisions, clauses, sentences, phrases, words, and provisions of the
28 existing Sign Code which are obsolete or superfluous, and/or which have not been enforced, and/or which are
29 not enforceable, and/or which would be severable by a court of competent jurisdiction; and
30

31 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY,
32 FLORIDA, that:
33

34 **Section 1. Amendments to Code.** 35

36 The Code of Laws of Leon County, Florida, is hereby amended by repealing Article IX of Chapter 10,
37 regarding "Signs" in its entirety, and adopting a new Article IX of Chapter 10, which article reads as follows:
38

39 **IX. SIGNS** 40

41 **DIVISION 1. GENERAL PROVISIONS** 42

43 **Sec. 10-9.101. Purpose and Intent.** 44

45 (a) It is the purpose and intent of this Article to promote the public health, safety, and general welfare of
46 Leon County through reasonable, consistent, and non-discriminatory sign standards. The sign regulations in this
47 Article are not intended to censor speech or regulate viewpoints, but instead are intended to regulate the time,
48 place, and manner of speech, as well as regulate the impact signs have on aesthetics and traffic and pedestrian
49 safety. The sign regulations are designed to serve substantial governmental interests, and in some cases,
50 compelling governmental interests such as traffic safety.
51

(b) In order to preserve and enhance Leon County as a desirable community in which to live, visit, and do business, a pleasing, visually attractive environment is of the foremost importance. These sign regulations have been prepared with the intent of enhancing the visual environment of Leon County and promoting its continued well-being. Leon County has the following objectives in implementing these sign regulations: establish a set of fair and comprehensive standards for the erection, use, installation, maintenance, alteration, and placement of all signs, symbols, markings, or advertising devices within Leon County.

(c) This Article regulates signs, as defined in this Land Development Code, which are placed on private property or on property owned by public agencies including the county and over which the county has zoning authority. This Article is not intended to extend its regulatory regime to objects that are not traditionally considered signs for purpose of government regulation.

(d) These standards are designed to protect and promote the health, safety, welfare, and general well-being of the community's citizens in a manner consistent with the following objectives:

- (1) To enhance the visual attractiveness of the environment of the County, which is important to making the County a desirable place to visit by seasonal residents and tourists who provide an economic base to the County;
- (2) To foster a good visual environment and enhance the economic well-being of the community as a place in which to live, visit, and conduct business;
- (3) To preserve the aesthetic, natural, and historical qualities of the community;
- (4) To contribute to the safe movement of traffic by controlling the excessive height, area, and bulk of signs, as well as certain types and lighting of signs which can distract the attention of pedestrians and motorists so as to constitute hazards to traffic safety;
- (5) To encourage creativity and allow the sufficient conveyance of a message in a manner which promotes traffic safety and avoids visual blight;
- (6) To control the use of signs determined to be detrimental to the aesthetic sense and welfare of the community;
- (7) To regulate signs in a manner so as not to interfere with, obstruct the vision of, or distract motorists, bicyclists or pedestrians;
- (8) To encourage signs appropriate to the zoning district in which they are located and consistent with the category of use to which they pertain;
- (9) To encourage the effective use of signs as a means of communication in the County;
- (10) To allow for traffic control devices consistent with national and state standards and whose purpose is to promote highway safety and efficiency by providing for the orderly movement of road users on streets and highways, and that notify road users of regulations and provide warning and guidance needed for the safe, uniform, and efficient operation of all elements of the traffic stream;
- (11) To allow signs that are compatible with their surroundings, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct land uses and/or signs;

- (12) To regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the County and that compliments the natural surroundings in recognition of the County's reliance on its natural surroundings and beautification efforts;
- (13) To foster the integration of signage with architectural and landscape designs;
- (14) To ensure that signs are installed, constructed, and maintained in a safe and satisfactory manner, and protect the public from unsafe signs, except to the extent such action is expressly preempted by state or federal law;
- (15) To enable the fair and consistent enforcement of these sign regulations;
- (16) To lessen the visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height, and excessive size (area) of signs which compete for the attention of pedestrian and vehicular traffic;
- (17) To allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs;
- (18) Except to the extent expressly preempted by state or federal law, to ensure that signs are constructed, installed, and maintained in a safe and satisfactory manner, and to protect the public from unsafe signs;
- (19) To protect property values by precluding, to the maximum extent possible, sign types that create a nuisance to the occupancy or use of other properties as a result of their size, height, illumination, brightness, or movement;
- (20) To protect property values by ensuring that sign types, as well as the number of signs, are in harmony with building, neighborhoods, and confirming signs in the area; and
- (21) To enable the fair and consistent enforcement of these sign regulations.

Sec. 10-9.102. Substitution of Noncommercial Speech for Commercial Speech.

Notwithstanding anything contained in this Article to the contrary, any sign erected pursuant to the provisions of this Article may, at the option of the owner, contain a non-commercial message in lieu of a commercial message and the noncommercial copy may be substituted at any time in place of the commercial copy. The noncommercial message (copy) may occupy the entire sign face or any portion thereof. The sign face may be changed from a commercial message to a noncommercial message or from one noncommercial message to another noncommercial message; provided, however, that there is no change in the size, height, setback or spacing criteria contained in this article.

Sec. 10-9.103. Viewpoint Neutrality.

Notwithstanding anything in this Article to the contrary, no sign or sign structure shall be subject to any limitation based upon the viewpoint of the message contained on such sign or displayed on such sign structure.

Sec. 10-9.104. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1 *Accessory sign* shall mean a sign that is secondary in purpose.

2
3 *Animated sign* shall mean any sign of which all or any part thereof visibly moves in any electronic fashion
4 whatsoever; and any sign which contains or uses for illumination any light, lights, or lighting device or devices
5 which change color, flash or alternate, show movement or motion, or change the appearance of said sign or any
6 part thereof automatically. The term "animated sign" shall not include revolving signs or multi-face mechanical
7 (tri-vision) signs.

8
9 *Animated sign* shall mean any sign which contains or uses for illumination any light, lights, or lighting
10 device or devices which change color, flash or alternate, show movement or motion, or change the appearance
11 of said sign or any part thereof automatically, excepting any digital billboard sign. The term "animated sign"
12 shall not include revolving signs, or multifaced mechanical (multivision) signs, or digital billboard signs.

13
14 *Awning sign*. See Figure 1.

15
16 *Bandit sign* shall mean any sign placed on wooden stakes or wire supports that are driven into the ground.

17
18 *Banner* shall mean any hanging sign possessing characters, letters, illustrations or ornamentations applied
19 to paper, plastic or fabric of any kind. This classification shall not include plastic or fabric signs which are
20 permanently attached within a rigid frame which are intended to be used as a permanent sign. National or state
21 flags, flags of political subdivisions, and symbolic flags of any institution or business shall not be considered
22 banners for the purpose of this article.

23
24 *Bench sign* shall mean a sign located on any part of the surface of a bench or seat placed adjacent to a public
25 right-of-way.

26
27 *Blade sign* shall mean a projecting sign mounted on a building façade or storefront pole, or attached to a
28 surface perpendicular to the normal flow of traffic.

29
30 *Canopy sign*. See "marquee." See Figure 2.

31
32 *Canopy sign, under* shall mean any permanent sign attached to or constructed underneath a canopy. These
33 signs are below a projecting structure which extends over the pedestrian walkway which effectively prevents the
34 walls signs from being visible to the pedestrian walking underneath the canopy. See Figure 3.

35
36 *Changeable copy sign* shall mean any poster board, bulletin board, neon sign, screen, surface, or wall, with
37 characters, letters or illustrations affixed thereto or thereon, by any method or means whatsoever, that can be
38 changed, rearranged, or altered without changing the face of the poster board, bulletin board, neon sign, screen,
39 surface, or wall.

40
41 *Copy* shall mean the wording on a sign surface in either permanent or removable letter form.

42
43 *Digital billboard sign* shall mean a sign without moving parts whose content may be changed by electronic
44 process through the use of intermittent light or lights, including light emitting diodes, liquid crystal display, and
45 plasma screen image display.

46
47 *Double-faced sign* shall mean a sign having two display surfaces, not necessarily displaying the same copy,
48 which are usually parallel and back-to-back and not more than 24 inches apart. When the display surfaces of a
49 double-faced sign are not parallel, the interior angle created by said surfaces shall not exceed 60 degrees and the
50 two sides may be joined at a vertex or separated by no more than 60 inches where closest to one another.

1 *Electronic message center (EMC)* shall mean a sign or portion thereof on which the copy or symbols change
2 either automatically through electrical or electronic means (for example, time and temperature units). This may
3 also be referred to as an electronic message board.
4

5 *Flag* shall mean a piece of woven cloth or other material designed to be flown from a pole or mast.
6

7 *Flashing sign* shall mean a sign designed to attract attention through the use of a light source that flashes,
8 flickers, or revolves, or a change of light intensity.
9

10 *Ground sign* shall mean a sign supported permanently upon the ground by poles, pylons, or a solid base,
11 and not attached to any building. Ground signs include those signs otherwise known as “pole signs,” “pylon
12 signs,” and “monument signs.” See Figure 4.
13

14 *Illuminated sign* shall mean a sign which contains a source of light or which is designed or arranged to
15 reflect light from an artificial source, including indirect lighting, neon, incandescent, or back lighting.
16

17 *Internally illuminated sign* shall mean a light source which is enclosed within the sign and viewed through
18 a translucent panel. This type of illumination is often referred to as direct.
19

20 *Marquee* shall mean a canopy or covered structure projecting from and supported by a building when such
21 canopy or covered structure extends beyond the building line or property line.
22

23 *Masonry wall sign.* See Figure 5.
24

25 *Monument sign.* See definition of a ground sign and Figure 4.
26

27 *Multivision sign* shall mean a sign composed of mechanically operated louvers or slats containing multiple
28 separate messages, each of which becomes visible when the louvers are synchronically rotated to one of a
29 multiple of positions.
30

31 *Nonconforming sign* shall mean any sign, legal at the time of its erection, which does not conform to the
32 requirements of this article.
33

34 *On-site sign* shall mean a sign relating its subject matter to the premises on which it is located, or to
35 products, accommodations, services, or activities on the premises.
36

37 *Off-site sign* shall mean any sign whose purpose is to advertise, display, identify, direct attention to, or in
38 any other way present to the public a message or other activity conducted by any company, person, or
39 organization that is not located, purchased, rented, based, offered, furnished, or otherwise associated with the
40 property on which the sign is located. This includes a sign erected by an outdoor advertising business, a digital
41 billboard sign, a multivision sign, or any other sign meeting the definition of off-site sign. An off-site sign shall
42 include a sign structure and sign display surface, upon which copy or information content is intended to be
43 displayed. A sign structure without display surface shall not be construed to be an off-site sign, nor shall a sign
44 structure with only nondurable paper, cloth, or plastic sheeting, without a rigid frame, be construed to be an off-
45 site sign.
46

47 *Painted wall sign* shall mean any sign which is applied with paint or similar substance on the face of a wall.
48

49 *Permanent sign* shall mean a sign permanently affixed to a building or to the ground.
50

51 *Pole or pylon sign.* See definition of ground sign and Figure 6.

1 *Premises* shall mean an area of land with its appurtenances and buildings which, because of its unity of use,
2 may be regarded as the smallest conveyable unit of real estate.

3
4 *Projecting sign* shall mean any sign, other than a wall sign affixed to any building or wall, whose leading
5 edge extends beyond such building or wall.

6
7 *Rear identification sign* shall mean a sign located over a secondary entrance to a business or establishment
8 for the purpose of identifying the establishment from the rear parking or loading area. See Figure 7.

9
10 *Revolving sign* shall mean any sign so erected or constructed as to periodically change the direction toward
11 which any plane containing the sign surface area is oriented.

12
13 *Roof sign* shall mean any sign erected, constructed, and maintained wholly upon or over the roof of any
14 building with the principal support on the roof structure.

15
16 *Shopping center* shall mean a group of two or more retail and service establishments of more than 30,000
17 square feet gross floor area on the ground floor and located on commonly owned property, sharing the same
18 parking facilities and connected together by common walls, interior aisles, or malls.

19
20 *Sign* shall mean any combination of structure and/or message in the form of a display, device, figure,
21 painting, drawing, message, placard, poster, billboard, advertising structure, advertisement, logo, symbol,
22 graphic, or other form, designed, intended, or used to advertise or inform. Drawings of articles for sale on the
23 premises that are related to the business and are intended to advertise or inform, rather than being merely
24 aesthetic, shall be classified as a sign under this Article. The term does not include an official traffic control sign,
25 official marker, national or state flags permitted by this Article, athletic scoreboards, or the official
26 announcements or signs of government. "Sign" includes sign structure. The following are not traditionally
27 considered "signs" and are not included in the definition of sign in this Article: graveyard or cemetery markers
28 visible from a public area, vending machines or express mail drop-off boxes visible from a public area,
29 decorations that do not constitute advertising visible from a public area, artwork that does not constitute
30 advertising or a building's architectural features visible from a public area, or a manufacturer's or seller's
31 markings on machinery or equipment visible from a public area.

32
33 *Sign direction* shall mean that direction from which the message or informative contents are most visible to
34 oncoming traffic on the main-traveled way.

35
36 *Sign face* shall mean the area of a sign, including trim and background, which contains the message or
37 informative contents.

38
39 *Sign height* shall mean the vertical distance from the finished grade of the road or at the base of the
40 supporting structure to the top of the sign, or its frame or supporting structure, whichever is higher. Allowances
41 in height should be made on a case-by-case basis and only for unusual topographical features.

42
43 *Sign number.* For the purpose of determining the number of signs, a sign shall be construed to be a single
44 display surface or device containing elements organized, related, and composed to form a single unit. In cases
45 where material is displayed in a random or unconnected manner, or where there is reasonable doubt as to the
46 intended relationship of such components, each component or element shall be considered to be a single sign. A
47 projecting sign or ground sign with sign surface on both sides of such sign shall be construed as a single sign,
48 and the total area of such sign shall be the area computed on a single side.

49
50 *Sign surface area.* The surface area of a sign shall be computed for the entire area within the periphery of a
51 regular geometric form, or combination of regular geometric forms, comprising all of the display area of the sign

1 and including all of the elements of the matter displayed, but not including structural elements of the sign bearing
2 no advertising matter. The surface area of a sign shall be measured from the outside edges of the sign or the sign
3 frame, whichever is greater.
4

5 *Sign structure* shall mean all the interrelated parts and materials, such as beams, poles, and stringers, which
6 are constructed for the purpose of supporting or displaying a message or informative contents.
7

8 *Sign width* shall mean the horizontal distance from the outer edges from side to side of a sign, or its frame
9 or supporting structure, whichever is greater.
10

11 *Snipe sign* shall mean any sign of any material whatsoever that is attached in any way to a utility pole, tree,
12 fence post, or any other similar object located or situated on public or private property.
13

14 *Subdivision sign, primary* shall mean any ground at an entrance to a residential subdivision or
15 neighborhood, multi-family residential development, or manufactured housing park, contiguous to an entrance.
16

17 *Subdivision sign, secondary* shall mean any ground sign at an entrance to a subdivision or neighborhood at
18 the point of internal interconnection between two subdivisions.
19

20 *Temporary sign* shall mean a sign or advertising display constructed of cloth, canvas, fabric, paper,
21 plywood, or other light material, and intended to be displayed for a specific and limited period of time.
22

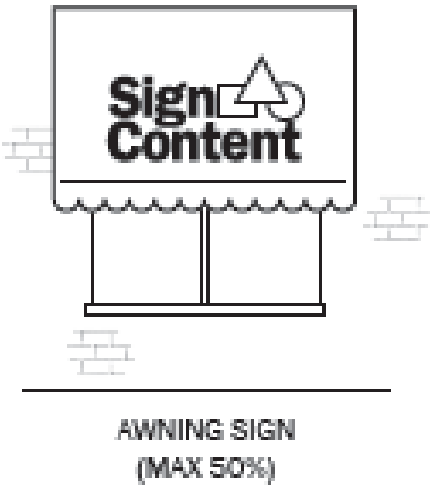
23 *Vehicular sign* shall mean any sign permanently or temporarily attached or placed on a vehicle or trailer.
24

25 *Wall sign* shall mean a sign attached to or erected against the wall of a building with the face in a parallel
26 plane to the plane of the building wall.
27

28 *Window sign* shall mean any sign placed inside or upon a window facing the outside, which is intended to
29 be seen from the exterior and is intended to identify or advertise activities, services, goods, or products available
30 within the building.
31

32 *Wind sign* shall mean any sign, object, or material fastened in such a manner as to move upon being
33 subjected to pressure by wind, and shall include, but not be limited to, pennants, ribbons, spinner, streamers,
34 inflatables, or captive balloons. The term wind sign shall not include flags.
35
36

1 *Figure 1 Awning Sign*

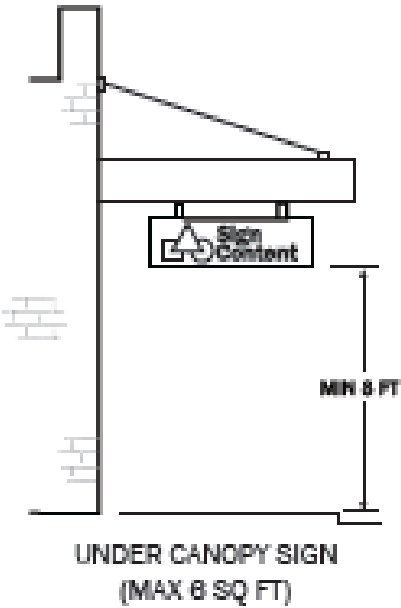


2
3
4 *Figure 2 Canopy Sign*



5
6

1 *Figure 3 Under Canopy Sign*



2
3 *Figure 4 Ground or Monument Sign*



4
5
6

1 *Figure 5 Masonry Wall Sign*



2
3
4
5 *Figure 6 Pole or Pylon Sign*



6
7
8 *Figure 7 Rear Identification Sign*



DIVISION 2. PROHIBITIONS AND EXEMPTIONS

Sec. 10-9.201. Prohibited Signs.

(a) No person, firm, corporation or other entity, shall erect, place, post, install, affix, attach, or in any other way locate or maintain any unlawful or prohibited signs. Information contained in any sign, including names, addresses, or telephone numbers of persons or entities benefiting from or advertising on the sign, shall be sufficient evidence of ownership or beneficial use or interest for purposes of enforcing this section. More than one person or entity may be deemed jointly and severally liable for the placement or erection of the same sign. Each unlawful sign shall be deemed a separate violation of this section.

(b) The following signs are prohibited, except as otherwise provided by the article:

(1) *Signs in the right-of-way.* Signs upon, within or otherwise encroaching on a right-of-way or upon a structure located within such a right-of-way, except for signs installed by governmental units having jurisdiction as may be required by law or to protect the public health, safety and welfare, or signs authorized to be placed on transit shelters or other governmental fixtures approved for placement in the right-of-way.

(2) *Signs on canopy roads.* No billboards shall be permitted within 300 feet from the centerline of a canopy road regardless of the zoning district.

(3) Animated signs, flashing signs, or signs that scroll or flash text or graphics.

(4) Bench signs and other signs on bus stop facilities.

(5) Projected image signs.

(6) Membrane adhesive signs.

(7) Roof signs.

(8) Signs that imitate, resemble, interfere with, or obstruct official traffic lights, signs, or signals.

(9) Signs erected or maintained upon trees or fences, or painted or drawn upon rocks or other natural features, except for "posted land" signs as authorized and defined by statute.

(10) Signs which emit visible smoke, vapor, particles, sound, odor, or contain open flames.

(11) Bandit signs, except as may be allowed as a temporary sign or as part of a temporary use permit under section 10-6.804.

(12) Vehicular signs attached to or painted onto a vehicle parked for the primary purpose or outcome of providing signs not otherwise allowed by this article. This regulation does not include the use of advertising logos or identification signs on vehicles primarily and actively used for business purposes and/or personal transportation.

(13) Wind signs, except as may be allowed as a temporary sign.

Sec. 10-9.202. Exempt from requiring a sign permit.

(a) The following signs may be used without the need to first obtain a sign permit, except for signs that contain components that need to demonstrate compliance with the minimum standards of the Florida Building Code and the National Electric Code.

(1) Address or mailbox signs

(2) Flags, limited to three (3) per premise and not to exceed a pole height of 20 feet in residential districts and 30 feet in non-residential districts. Flag poles shall be setback a minimum of 10 feet from the property line. No rooftop flag poles shall be allowed.

(3) Historical markers, memorial signs or tablets and names of buildings and date of erection for buildings determined to have historical interest or value when designated as part of a federal, state or local historic designation program or other historical marker program.

(4) Identification signs at the entrance drive of residences, estates, farms, ranches, plantations and religious institutions which do not exceed four (4) square feet in area.

(5) Legal notices and official instruments required by law or as a condition of a building permit, or other governmental permit.

(6) Signs inside a building.

(7) Signs required by federal or state statute, or local regulation.

(8) Signs required by a government authority, agency, or utility to ensure public safety, related but not limited to, traffic, utility, and railroad crossings.

(9) Signs on the body of vending machines, gasoline pumps, ice vending equipment, or similar, which identify or advertise the product or service dispensed by the machine or equipment.

(10) Signs placed to warn of a general safety concern or to prohibit trespassing, not to exceed six (6) square feet in sign surface area and six (6) feet in height. Size limitations do not apply to those signs regulated by statute.

(11) Scoreboard signs and off-premises signs placed inside recreation facilities.

(12) Temporary signs.

(13) Signs located inside windows which identify or advertise activities, services, goods, or products available within the building, and which collectively cover 25 percent or less of the window glass surface area. Window film with graphics is counted as a window sign and is prohibited in some special districts.

(14) Signs guiding vehicles to entrances, exits, loading and delivery areas, or similar, when they do not exceed four (4) square feet in sign surface area and four (4) feet in height. No more than four (4) signs shall be allowed per premise.

(15) Changeable copy signs for movie theaters or playhouses used to identify current or coming attractions. No more than six (6) single-face wall signs no larger than 27" x 41" each shall be allowed.

DIVISION 3. PERMITS AND ENFORCEMENT

Sec. 10-9.301. Permits.

(a) Except as otherwise provided in this article, no sign shall be erected without a permit and as a condition of permit issuance, all signs shall comply with:

- (1) the development standards and permitting requirements of this article; and
- (2) Chapter 16 and Appendix H (Signs) of the Florida Building Code, as may be amended; and
- (3) the National Electrical Code, Article 600-4, as may be amended; and
- (4) the Environmental Management Act, as adopted in article IV of this chapter of the Leon County Code of Laws; and
- (5) all applicable sections of F.S. Ch. 479, in the case of signs in the state right-of-way, interstate system, or federal aid primary system; and
- (6) wherever there is an inconsistency between these regulations and the building or electrical code, the more stringent requirement shall apply.

(b) The county shall make available an application that will require information deemed necessary to review the sign structure for compliance with this article. No sign may be displayed without the consent of the legal owner of the property on which the sign is mounted or displayed. For purposes of this article, "owner" means the holder of the legal title to the property and any party and person holding a present legal right to possession, control, or use of the property. The application will require at a minimum:

- (1) identification of land ownership and proof of land authorization; and
- (2) a site plan that includes the boundaries of the property and adjacent roadways; the proposed sign location, orientation and setbacks; location of building(s); building and tenant space dimensions; distance of proposed sign from the nearest residentially zoned property; easements; and designated landscape areas, buffering, and all environmentally sensitive features; and
- (3) sign construction and elevation drawings that include views from the front and side and that include the following information based on the type of sign proposed:
 - a. **wall signs:** proposed sign location; entrances to building or tenant space; height to the top of the sign and other signs on the wall where the sign is proposed; and fastener details identifying number, size and spacing;
 - b. **ground-mounted monument, pole or pylon signs:** show views from all sides (include height from ground level to the top of the sign); foundation details for new sign locations; advertising surfaces, wording and design elements (not required for changeable copy signs);
 - c. **electrical signs:** lighting details and the location of disconnects. To comply with the National Electrical Code Article 600-4, an authorized testing laboratory must list every electrical sign of any type. The name of the sign manufacturer, the listing and number assigned by the testing laboratory, as well as the installation instructions for the listed sign, shall be provided;

d. *all signs subject to wind exposure*: shall be signed and sealed by a State of Florida registered architect or engineer to demonstrate compliance with the county's minimum wind speed requirements, per Chapter 16 of the Florida Building Code. Sign face changes on existing signs do not need to be signed/sealed but must be clearly marked "face changes only" on the application.

(c) Upon a showing of compliance with the requirements of the applicable provisions of Chapter 10 and upon payment of the proper permit fee, the Board of County Commissioners or designee may issue a permit. A certificate of completion shall be issued upon approval of all required inspections. Final disposition of complete applications will be provided within 90 calendar days of completeness determination.

Sec. 10-9.302. General Construction and Maintenance.

Every permanent sign and its supporting structures, including signs exempt from county permitting, shall be designed, constructed, placed, and maintained in compliance with applicable provisions of the state building code and the following construction and maintenance requirements:

(a) *Weather resistance*. Signs shall be constructed of weather resistant materials.

(b) *Use of wood*. Bare wood is prohibited as part of any sign face, and wood embedded in the soil as structural support for permanent signs shall be treated for in-ground use.

(c) *Wind hazard*. Signs exempt from wind load requirements of the state building code shall, nevertheless, be sufficiently constructed and anchored to avoid the hazard of contributing to windborne debris during severe weather.

(d) *Maintenance*. All signs and sign structures, together with their supports, anchors, and electrical components, shall be maintained in good repair and safe condition to ensure sign messages are clearly legible and to avoid the blight and hazards of deteriorated signs.

(e) *Nuisance*. The Building Official may order the repair of signs declared a nuisance. The Building Official shall immediately notify, in writing, the owner of such sign who shall correct such condition within forty-eight (48) hours. Should the Building Official determine a public nuisance presents imminent peril to the public health, or general welfare, or immediate danger to the life or safety of any person, the Building Official may abate such nuisance following the processes outlined in section 14-55 of the Leon County Code of Laws.

Sec. 10-9.303. Priority of signs.

Where the location of two or more signs or applications for signs conflict under the requirements of this article, a complete application for the replacement or repair of an existing, conforming sign, shall have priority over all other applications; otherwise, the first application determined complete by Leon County shall have priority over other applications.

Sec. 10-9.304. Enforcement.

(a) In the event of a violation of this article, the county may apply any one or a combination of the remedies available at law, including but not limited to, the Code of Laws of Leon County, Florida, F.S. Ch. 162 and [F.S.] § 403.413, as may be amended, or equity.

(b) Whenever a violation of this article occurs or exists, or has occurred or existed, any person, firm, corporation or other entity, who has legal, beneficial, or equitable interest in the facility or instrumentality causing or contributing to the violation, shall be liable for such violation.

(c) Failure of the county to enforce any requirements of this division shall not constitute a waiver of the county's right to enforce this article with respect to that violation or subsequent violations of the same type or to seek appropriate enforcement remedies.

Sec. 10-9.305. Removal.

Except as provided otherwise in this article, any sign on a right-of-way in violation of section 10-9.201 shall be subject to immediate removal and destruction without notice, by any code inspector or designee, and at the joint and several expense of the person, firm, corporation, or other entity having beneficial use of the sign, or the sign contractor.

Sec. 10-9.306. Severability.

If any or more provisions of this article are held to be invalid, illegal, or unenforceable in any respect by a court of competent jurisdiction, the validity, legality, and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby and this article shall be treated as though the invalidated portion(s) had never been a part thereof.

DIVISION 4. ON-SITE SIGNS

Sec. 10-9.401. Permanent on-site sign standards.

(a) *Sign face and sign surface area measurement.* For the purposes of this article, the surface area of a sign is the area of the smallest regular geometric shape (rectangle, triangle, circle, etc.), or simple combination of such shapes, that forms or approximates the perimeter of all sign message elements and comprises the sign face. When a background to the message elements is defined by a frame, outline, panel, or other border, the area of the background defined by that border is the sign area. Sign faces having no shared support from the same structure constitute separate signs and are subject to area (and other) standards accordingly. In the calculation of sign surface area, the county administrator or designee may exclude minor appendages beyond the regular shape of the sign area perimeter. See Figure 1.

(b) *Sign number.* For the purpose of determining the number of signs, a sign shall be construed to be a single display surface or device containing elements organized, related, and composed to form a single unit. In cases where material is displayed in a random or unconnected manner, or where there is reasonable doubt as to the intended relationship of such components, each component or element shall be a single sign. A projecting sign or ground sign with sign surface on both sides of such sign shall be construed as a single sign, and the total area of such sign shall be the area computed on a single side.

(c) *Sign height measurement.* The height of all ground signs, unless otherwise noted, shall be measured from the average adjacent grade at the base of the sign. In the calculation of sign height, the county administrator or designee may exclude minor appendages beyond the regular shape of the sign area perimeter.

(d) *Sign width measurement.* The width of all ground signs, unless otherwise noted, shall be measured from the outer edges side to side. In the calculation of sign height, the county administrator or designee may exclude minor appendages beyond the regular shape of the sign area perimeter.

(e) *Sign illumination.* Signs may be illuminated by internal or external light sources that comply with the following standards:

(1) *Luminance and Glare.* Signs shall not utilize lights which may be confused with traffic lights or lights on emergency vehicles. Sign lighting shall not obstruct the view of traffic control devices or signs and shall not project into the line of vision of any traffic control signal from any point in a moving traffic lane within 660 feet of the signal.

(2) *Lighting source and direction.* External light sources shall be shielded to minimize light pollution and shall only be directed onto sign faces. Internally illuminated signs shall use semi-opaque materials for sign text and logos such that the light emanating from the sign is diffused. Transparent or clear materials are not allowed for sign text and logos. Non-text portions of the sign (e.g., background and graphics other than the logo) shall be made of completely opaque material.

(3) *Disconnect.* All electrically illuminated signs shall have a default control or disconnecting switch located in accordance with the provisions of the National Electrical Code which shall turn off the sign or freeze the message in one position if a malfunction of normal operation occurs.

(f) *Gateway Roads.* The following roadways shall be considered gateway roadways for the purposes of on-site sign placement:

- (1) Thomasville Road;
- (2) Welaunee Boulevard;
- (3) Mahan Drive; and
- (4) North Monroe Street.

(g) *Electronic message center (EMC) signs.* EMCs, or similar electronic or digital signs, shall only be allowed in conjunction with a ground sign and shall not be allowed as, or in conjunction with, a wall sign and shall comply with the following standards:

(1) *Exceptions.* This section shall not apply to billboards, electronic fuel pricing signs at gas stations, or signs defined as accessory, which are regulated by other sections of this article.

(2) *Location.* EMCs shall only be allowed along principal arterial, minor arterial or major collector roadways on property zoned AC, CP, C-2, CM, I, IC, M-1, UP-1, UP-2 or WC. EMCs shall also be allowed along principal arterial, minor arterial or major collector roadways on property zoned C-1, OR-1, OR-2, OR-3 zoning districts when the sign location would not directly face property zoned for or constructed with a residential use.

(3) *Prohibitions.* EMCs shall not be allowed on any property that is within a historic preservation district, historic preservation overlay, has been listed on the local or national register, or as otherwise outlined in section 10-6.708 of this chapter. Additionally, EMCs shall not be permitted on a canopy road, as designated by the comprehensive land use map of the county and as defined in section 10-6.707 of this chapter.

(4) *Maximum Surface Area Allowance.* The EMC component of a sign shall not exceed 50 square feet.

(5) *Movement.* No flashing, traveling, animation or other movement shall be allowed.

(6) *Display times.* Each message shall be displayed for a minimum of six consecutive seconds and the time to completely change from one message to the next shall be a maximum of two seconds.

(7) *Dimming Technology.* All permitted EMCs shall be equipped with a sensor or other device that automatically determines the ambient illumination and is programmed to automatically dim

according to ambient light conditions. Each application for an EMC sign permit shall include a certificate signed by the contractor that the sign will be equipped with such automatic dimming technology.

(h) *Planned Unit Developments (PUD) districts.* All new PUD districts shall submit a master sign plan in conjunction with the first PUD final plan. Different PUD sub-districts may be allowed to submit separate master sign plans if the County Administrator or designee decides it is more appropriate or feasible. Existing PUD districts without clearly defined sign standards or allowances, or which defer to the land development code, shall follow the sign allowances of this division for individual signs or may elect to submit a master sign plan.

(i) *Ground sign standards.* These requirements shall apply to all types of ground signs in this section, notwithstanding any additional requirements or allowances which have been provided for in this article.

(1) *Sign Allowances.* The height, width, sign copy area, type and number of signs allowed per premise are outlined in Table 10-9.3a, or as otherwise provided in this section.

(2) *Height Adjustments.* To allow for flexibility in sign design and to aid visibility based on site specific conditions, sign height adjustments may be requested. Each request for sign height adjustment shall be considered unique and shall not set a precedent for others.

a. *Adjustment criteria.* Height adjustment requests are limited to on-site ground signs when necessary to clear obstruction or interference by significant or severe grades, buildings, bridges, trees or like physical conditions, provided that all the other requirements of this code are met. Height adjustments approvals shall only be granted for the minimum height adjustment deemed necessary and shall not exceed 25% over the maximum sign height allowed by this section.

b. *Submittal requirements.* All height adjustment requests shall be made in writing to the county and provide the following: a narrative of the request, including supporting documentation for the request based on site-specific criteria; associated sign renderings to scale with lighting details; and a site plan that shows minimum setback requirements based on the requested sign height adjustment.

c. *Review process and fees.* A height adjustment of up to 25% can be granted through administrative approval and shall be assessed the same fees as other sign permit compliance reviews. Height adjustments greater than 25% will require review and approval by the Board of Adjustment and Appeals and assessed review fees accordingly.

Table 10-9.3a – Ground Sign Allowances for Non-Residential Uses:

Allowances	Interstate Highway Interchange	Arterial Roads	Major Collector Roads	Minor Collector Gateway Roads &	Local Roads & Special Zoning Districts (LPN, MCN, MCR, NBO, R)
Maximum Height (in feet)	100	25	15	10	8
Maximum Width (in feet)	In no case shall the width of a sign exceed 175% of the height of the sign. In calculating the width of a pole sign, the sign copy area, including frame, shall be used but not the height of the pole itself.				
Maximum Sign Copy Area (SF) for each sign	150	100	80	60	40

Sign Type	Structure	Pole, pylon or monument	Pole, pylon or monument ¹	Monument	Monument	Monument
		¹ A monument sign is required along arterial roads when adjacent to a residential zoning district or a property containing a residential land use.				
	Maximum Number of Ground Signs	2 per premise ²				
	Calculation of Maximum Number	² For properties with more than one street frontage, one ground sign shall be allowed per non-local street frontage. For example, if the property has frontage along an arterial and a local street, a ground sign shall only be allowed along the arterial street. If the property has frontage along an arterial and a collector street, the property can have a ground sign along each frontage. If the property only has frontage along a local street, then one ground sign is allowed on that frontage.				

(3) *Structure type.* All monument signs shall be constructed with a base full width to the sign face that shall be architecturally designed to incorporate details and materials which are complementary to those utilized in the primary building facade.

(4) *Setbacks and Spacing.* All ground signs shall meet the following minimal setback requirements:

- a. All ground signs shall comply with the requirements for preserving corner visibility at street intersections contained in section 10-7.506 and transportation right-of-way preservation contained in section 10-7.530 of this Code which may increase the minimum setback requirements of this section.
- b. All ground signs shall maintain a minimum 5-foot setback from all property lines, except in the BC-1, BC-2, BCS and BOR zoning districts which shall maintain a 10-foot setback from the property line.
- c. All ground signs shall maintain a minimal peripheral spacing of fifty (50) feet between sign structures, including those off-site.
- d. Where adjoining single-family residential uses, all ground signs shall be set back a minimum of 50 feet from adjoining property lines.

(5) *Maintenance entity.* A legal entity, such as a homeowner's association, property owner's association, or similar entity, shall be provided to ensure the maintenance of the ground sign if located in a residential subdivision, shopping center, or mixed-use development. If a sign is not located within common areas with a defined maintenance entity, then a sign easement area will be required.

(j) *Masonry-wall signs:* Masonry-wall signs shall be considered a type of ground and shall adhere to the allowances and requirements for ground signs outlined in this article. Signs shall be mounted directly to the masonry-wall surface.

(k) *Interstate highway signs.* Interstate highway signs shall only be allowed on properties within 660 feet of an intersection of an interstate highway interchange. Interstate highway signs shall not exceed 100 feet in height and a maximum sign surface area of 150 square feet. An interstate highway sign shall count toward a property's maximum number of ground sign allowances outlined in Table 10-9.3a. Interstate highway signs shall incorporate trees into the required landscaping plan. The type of trees required (canopy or understory) shall

depend on the site and be determined in coordination with the county and the utility provider if the sign location impacts utility services.

(l) *Residential subdivision signs.* Ground signs, including monument, masonry-wall, and pole signs, are allowed for residential subdivisions, multi-family residential developments, or manufactured housing parks, contiguous to an entrance, provided the following requirements are met:

- (1) *Non-commercial message.* Signs shall contain only the name of the subdivision, development, or park, and an address. The sign shall not contain promotional or sales material.
- (2) *Sign area and height.* The sign surface area shall not exceed 40 square feet and shall not be greater than six (6) feet in height.
- (3) *Number of primary signs.* One double-faced or two single-faced signs are allowed per entrance when located on an arterial or collector roadway. One single-faced or one double-faced sign is allowed per entrance when located on a local roadway. The term “entrance” in this section does not apply to the points of interconnection between two subdivisions.
- (4) *Number of secondary signs.* Two additional signs shall be allowed at each point of internal interconnection between two subdivisions for neighborhood identification. Signs shall not exceed 10 square feet in sign surface area and four (4) feet in height.

(m) *Signs accessory to services offered to patrons within vehicles.* Businesses which offer services to patrons within vehicles shall be afforded the following additional ground and/or wall sign allowances. To qualify, the sign shall be purely accessory, generally informational, or directional in nature.

- (1) *Signs accessory to drive-thru banks, drugstores, pharmacies, and other similar uses as determined by the County Administrator or designee.*
 - a. One drive-thru lane indicator sign which directs patrons to lanes which are open, closed, or similarly directional is allowed per drive-thru lane, not to exceed 3 square feet of sign copy area.
- (2) *Signs accessory to drive-thru restaurants, car washes or other similar uses as determined by the County Administrator or designee.*
 - a. One ground drive-thru menu item preview sign display comprised of up to 10 square feet of sign copy area shall be permitted per drive-thru lane.
 - b. One ground drive-thru menu display comprised of up to 80 square feet of sign copy area shall be permitted per drive-thru lane. Content upon such signage shall be permitted to change but shall not include video, flashing images, or effects.
 - c. One ground drive-thru order confirmation sign display comprised of up to 2.5 square feet of sign copy area shall be permitted per drive-thru lane.
- (3) *Signs accessory to emergency medical drive-thru facilities or other similar uses as determined by the County Administrator or designee.* One additional wall sign comprised of up to 25 square feet of sign copy area shall be permitted per drive thru canopy over emergency and ambulance entrances.
- (4) *Signs accessory to the sale of gasoline.* Up to 3 sides of canopy shall be allowed to have signage, provided the total sign surface area for all canopy signs shall not exceed 30 square feet. Striping and

coloring that may be associated with a corporate logo shall not be counted as part of the sign surface area.

(n) *Shopping center signs.* One ground monument sign shall be allowed in a shopping center for the first 500 linear feet of frontage adjacent to a street and one additional ground monument sign for each additional 500 linear feet of frontage or major fraction thereof. A master sign plan, as outlined in subsection 10-9.402, is required for shopping centers. Sign height and surface area allowances shall be as follows:

- (1) Overall maximum surface area for shopping center ground signs shall be based on the gross leasable area (GLA) within the shopping center as follows:
 - a. *Neighborhood Center, at least 30,000 but less than 125,000 square feet GLA:* One hundred seventy-five square feet.
 - b. *Community Center, at least 125,000 but less than 400,000 square feet GLA:* Two hundred square feet.
 - c. *Regional Mall, at least 400,000 square feet GLA:* Three hundred square feet.
- (2) Each monument sign may include the name of the shopping center, which shall not be counted in the calculation of allowable sign surface area.

(o) *Wall signs.* Wall signs shall be subject to the allowances and requirements herein. Allowable sign surface area may be further limited by the placement standards outlined in this section. Calculations for allowable sign surface area will need to be demonstrated on the sign permit application.

- (1) *Sign surface area allowances:* The maximum sign surface area allowance for all wall signs shall be calculated as two square feet (2 SF) of area for each foot of building frontage occupied by the business displaying signs, or one square foot (1 SF) of area for each foot of frontage of property occupied by the building, whichever is greater. However, in no case shall the total square footage of all wall signs exceed the maximum sign surface area outlined in Table 10-9.3b.

Table 10-9.3b – Wall Sign Allowances for Non-Residential Uses:

Building Footprint (Single-Use Tenant)	Maximum Wall Sign Surface Area	Maximum Number of Wall Signs*	Location
1 SF – 50,000 SF	100 SF	2	(1) Primary frontage; or (2) Secondary frontage*, when same or similar facade treatment is used on both the front and side of the building *When signs are only proposed on the primary frontage, the maximum number of signs allowed shall be reduced by one.
50,001 – 100,000 SF	250 SF	3	
100,001 – 200,000 SF	350 SF		
200,001 – 400,000 SF	500 SF	4	
400,001 – 600,000 SF	650 SF		
600,001 – 800,000 SF	800 SF	5	
800,001+	900 SF		

- (2) *Placement and Sign Surface Area Limitations:*

- a. *Wall signs.* Wall signs shall not extend more than 12 inches from the building wall to which they are attached and shall adhere to the placement standards outlined below:

- i. Walls signs shall be compatible in scale with the building façade on which they are located and shall not block or cover architectural features.
 - ii. A wall mounted sign shall not exceed ten (10) percent of the area of the tenant wall area on which it is mounted and shall maintain a minimum of ten (10) percent clear area on each outer edge of the tenant space or the edge of the architectural features of the façade, whichever is more restrictive.
 - iii. Wall signs for multiple tenant commercial buildings shall be uniformly designed and placed.
 - iv. Wall sign placement for buildings with multiple tenant floors shall be approved as part of a master sign plan.
- b. *Projecting or blade signs.* Projecting or blade signs shall be considered a type of wall sign and shall be calculated in the overall sign surface area allowances for wall signs. Projecting or blade signs shall not project four (4) feet beyond the surface portion of the building to which they are attached and shall not project vertically above the roofline. Such signs under which a pedestrian walkway passes shall maintain an eight (8) foot vertical clearance.
- c. *Canopy signs.* Canopy signs shall be wall signs and shall be calculated in the overall sign surface area allowances for wall signs. Signs or sign structures located on a canopy, including a marquee, shall be affixed flat to the surface and shall not be greater than two (2) feet in vertical dimension above the marquee and shall not extend horizontally beyond the canopy.
- d. *Awning signs.* Awning signs with words shall be considered a wall sign and shall be calculated in the overall sign surface area allowances for wall signs. No more than 2 awning signs shall be allowed per single-use tenant and shall not exceed 50% of the awning face to which it is applied. Awning signs shall be considered accessory signs only when graphics are used without words. No more than 6 accessory awning signs (graphics only) shall be allowed per single-use tenant and shall not exceed 25% of the awing face to which it is applied. No more than 6 total awning signs (word signs, graphics or a combo of both) shall be allowed for each premise.
- e. *Rear identification signs.* Rear identification signs shall be considered accessory signs and shall not be calculated in the overall sign surface area allowances for wall signs. Establishments with access through the rear of the building shall be allowed one rear identification sign for the purpose of identifying the establishment from a rear parking or loading area. The rear identification sign shall not exceed ten (10) square feet of sign surface area.
- f. *Under canopy signs.* Under canopy signs shall be considered accessory signs and shall not be calculated in the overall sign surface area allowances for wall signs. Under canopy signs shall not exceed six (6) square feet, including the sign structure but excluding hanging brackets or other hanging mechanisms. Under canopy signs may extend below a canopy but shall maintain an eight (8) foot vertical clearance and shall not exceed the width of the canopy.
- g. *Window signs and graphics.* Window signs and graphics are considered accessory signs and shall not be calculated in the overall sign surface area allowances for wall signs. The placement of window signs shall not obscure more than 25 percent of the area of the window or spandrel glass in or on which they are placed or through which they are viewed.

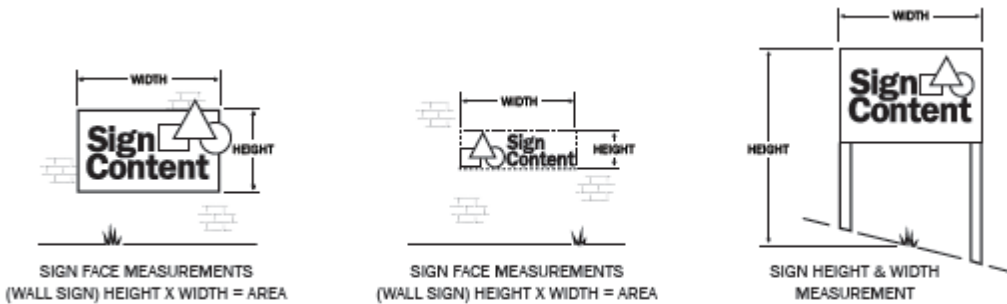


Figure 1 Sign Measurements

Sec. 10-9.402. Master Sign Plan.

Master sign plan. Development plans for any shopping center, office park, industrial park or any other multi-tenant non-residential development with 30,000 gross leasable square feet or greater and more than 3 tenant spaces, shall include a master sign plan for the development's ground signage and wall signage. The master sign plan shall establish an adequate distribution among tenants, and any associated or related outparcels, for the total non-exempt ground site sign allowances as outlined in this article. Existing non-residential development and redevelopment may have the option of submitting for a master sign plan if desired. Other development, under the 30,000-gross leasable square footage, may also have the option of submitting for a master sign plan.

(1) *Allowances.* Where required, sites shall present a master sign plan which demonstrates the following:

- a. The total square footage of all wall signs and ground signs (not including any exempt signage) added together does not exceed the standards as set by this article.
- b. The allowable wall sign(s) square footage may be transferred to the allowable ground sign(s) on a site.
- c. The allowable ground sign(s) square footage may be transferred to the allowable wall sign(s) on a site.
- d. Wayfinding signs may be allowed, where determined appropriate, within a master sign plan and shall not count towards the overall square footage allowances allotted to a development. Wayfinding signs shall not exceed 6 feet in height and 25 SF in sign surface area.

(2) *Review Process.*

- a. *New development.* A master sign plan shall be established at the time of site plan review for the first development on the property(ies), including any outparcels or areas under common ownership or control.
- b. *Redevelopment.* A master sign plan shall be established at the time of site plan review for the redevelopment of the property. If the property is a smaller portion of an area under common

- ownership or control, then these areas may also be required to be included in the master sign plan as determined by the County Administrator or designee.
- c. *Existing development.* A master sign plan may be submitted at any time to allow more flexibility in signage for a site. If the property is a smaller portion of an area under common ownership or control, then these areas may also be required to be included in the master sign plan as determined by the County Administrator or designee.
 - d. *Fees.* A master sign plan and/or master sign plan modification shall be assessed the same fees as other sign permit compliance review.
 - e. *Approval Authority.* The entity with the authority to approve the associated site and development plan shall review and approve the master sign plan.
- (3) *Submittal requirements.* The master sign plan application shall include, at a minimum, the following information; however, additional information may be required as determined by the County Administrator or designee:
- a. A map of all the parcels included in the signage plan.
 - b. A location map of all proposed grounds signs shown with setbacks from property lines and other ground signs.
 - c. A chart showing the height and square footage of all ground signs.
 - d. Standards and square footage allowances for all tenant wall signs. Tenant spaces can be further defined to allow anchor tenants more square footages than smaller tenants. Individual wall signs do not have to be shown or dimensioned at this time.
 - e. Lighting details for all ground signs and wall signs noting if up-lighting or down-lighting is being incorporated in the building construction.
- (4) *Plan authority.* Upon county approval of the master sign plan, non-exempt ground and wall signage for the entire development and its tenants shall be as prescribed by the plan, regardless of subsequent changes in property ownership or tenancy, unless a modified signage plan for the entire development is resubmitted by the property owner(s) and approved by the county.
- (5) *Plan modifications.* Modifications to existing master sign plan shall include a written narrative of the proposed changes, including a justification for these changes, along with a site plan showing the new proposed sign locations.
- (6) *Prohibitions.* Billboards, or other off-site signs, shall not be included as part of a master sign plan and shall require separate review and approval as outlined in this article. Additionally, a master sign plan shall not be a mechanism used to bring non-conforming signs into compliance by the creation of standards which exceed the standards contained in this article.

DIVISION 5. TEMPORARY SIGNS

Sec. 10-9.501. Temporary Signs.

Temporary signs on real property shall only be permitted as outlined in Table 10-9.5.

Table 10-9.5 - Temporary Sign Standards:

TEMPORARY SIGN STANDARDS	Residential Properties 5 Acres or Less	Residential Properties Greater than 5 Acres and all Non-Residential Properties
Number of Signs per Event or Occurrence	One	One for every 5 acres or major fraction thereof
Frequency	No more than 3 times during any calendar year	
Duration	30 calendar days prior to the event or occurrence with a maximum duration of 60 calendar days total	
Removal	No later than 10 days after the event or occurrence	
Additional Temporary Sign	One additional sign shall be allowed on property when such property is actively listed for sale or for lease and shall conform with the standards as set forth herein. This additional sign shall be removed within one week of the execution of an agreement for sale or lease of the property.	
Maximum Area	8 SF	32 SF
Maximum Height	4 feet	6 feet
Minimum Setback	5 feet from all property lines	10 feet from all property lines
Illumination	Temporary signs shall not be illuminated	
Sign Type	May only be in ground, building mounted, or a banner	

DIVISION 6. BILLBOARDS

Sec. 10-9.601. Application approval requirements for billboards.

- (a) No billboard shall be allowed unless an application, pursuant to this section, has been approved.
- (b) An application for a billboard shall be made on a form prescribed by the county, and a separate application shall be submitted for each requested sign structure.
- (c) An approved application is valid only for the location specified in the application.
- (d) The county will act on applications in the order of the date of receipt of a complete application.
- (e) An application will be considered complete when all the items on the application form, which is to be completed by the applicant, have been filled in, all required attachments received, and the correct permit fee submitted. All information provided on the application by the applicant must be certified as true and correct. The applicant may utilize information derived from the Tallahassee-Leon County Geographic Information Systems database as the basis of the application. To be determined complete, an application shall include, at a minimum, the following content, unless the County Administrator or designee waives any requirement, with documentation, as inapplicable to the application:

- 1 (1) Tax identification numbers for the parcel or parcels that are the subject of application, along with a
2 completed owner's affidavit attesting that they own the subject property and have authorized the
3 construction of the proposed sign thereupon.
- 4 (2) Names, addresses, and telephone numbers of all owners of the parcel on which the sign is to be located,
5 along with the same information for the sign's owners, and any optionees, and agents.
- 6 (3) Total acreage of the parcel or parcels, and, if the development is on a portion of a larger parcel, the
7 acreage of the larger parcel and of the portion on which the billboard is proposed to be located.
- 8 (4) A graphic plan, 11 inches × 17 inches or larger, containing the following:
 - 9 a. The date of the application preparation, north arrow, and the scale of the site plan, both written
10 and graphic.
 - 11 b. Location of sign to be constructed by the applicant.
 - 12 c. Rendering of sign and sign structure, in plan view and in section view, either drawn to scale or
13 with dimensions labeled, and illustrating the orientation of the sign relevant to the property
14 boundaries.
 - 15 d. Latitude and longitude of proposed sign location (GPS coordinates).
 - 16 e. Type of sign to be constructed (standard/multivision/digital; copy on one or two faces).
 - 17 f. Location of off-site signs removed in exchange for the billboard proposed by the application,
18 along with documentation (original certificates of removal) for each such sign removed.
 - 19 g. Lot and block numbers, if applicable.
 - 20 h. Location of access/driveway connections and sidewalks within 100 feet of the proposed sign
21 location.
 - 22 i. Proposed changes to existing topography; if no changes are proposed, indicate accordingly.
 - 23 j. Location and depth of setback from all streets and roadways within 100 feet of the proposed sign
24 location.
 - 25 k. Where the site and development plan covers only a portion of the landowner's entire parcel, a
26 map depicting all of the landowner's contiguous property and proposed use for the balance of the
27 parcel or parcels, not including the site which is the subject of the application.
 - 28 l. Identification of trees that would require removal or be impacted by the proposed billboard.
 - 29 m. Additional information as may be required by the county to clarify relevant points.
- 30 (f) Construction plans (may be provided on either legal size or larger plans) illustrating the face of
31 the sign, the supporting structure, the foundation, the electrical plan for the illumination of the sign, and the wind
32 analysis evaluation. The construction plans must be sealed by a professional engineer licensed in the state.
- 33 (g) Incomplete applications shall be returned to the applicant.
- 34 (h) Completion of or corrections to the original submitted document must be initialed by the
35 applicant.

(i) Final disposition of complete applications will be provided within 90 calendar days of completeness determination. Final disposition will constitute either approval of the application; approval of the application, subject to conditions; or denial of the application. No environmental or building permit shall be issued for any billboard unless an application has been approved in compliance with this section; any environmental or building permit for a billboard shall be consistent with the application approved in compliance with this section. No modification of an approved environmental permit or building permit for an off-site sign shall be authorized unless an application has been approved in compliance with this section.

(j) Applications for the construction of billboards shall require the applicant to furnish location coordinates for the proposed sign or billboard. The coordinates shall indicate the latitude and longitude in decimal degrees of the proposed sign or billboard and shall conform to the standards of the Global Coordinate System WGS84. For monopole supported signs and billboards, the coordinates provided shall refer to the location of the center of the pole. For billboards proposed to utilize multiple support structures, the coordinates shall refer to the location of the center of the sign.

Sec. 10-9.603. Location standards.

(a) Billboards shall be located only in the following zoning districts:

(1) CP - Commercial Parkway District.

(2) C-2 - General Commercial.

(3) M-1 - Light Industrial District.

(4) I - Industrial District.

(5) IC - Interchange Commercial District.

(6) PUD - Planned Unit Development District. If located inside the urban services area, signs may be located within PUD districts if "billboard or off-site sign" is an allowed use in the approved PUD concept plan or if commercial or industrial uses are allowed uses and residential use is not an allowed use.

(7) DRI - Development of Regional Impact District. If located inside the urban services area, signs may be located within areas allowing commercial or industrial use if "billboard or off-site sign" is an allowed use in the approved application for development approval or other implementing development order.

(b) Gateway and canopy road overlay restrictions. Billboards shall be prohibited in the following locations:

(1) Within 200 feet of the right-of-way of Thomasville Road.

(2) Within 200 feet of the right-of-way of Kerry Forest Extension.

(3) Within 200 feet of the right-of-way of Welaunee Boulevard.

(4) Within 200 feet of the right-of-way of that segment of Mahan Drive, extending from Buck Lake Road generally eastward to the Jefferson County Boundary, except for that segment between Thornton Road and I-10.

(5) Within 200 feet of the right-of-way of N. Monroe Street, north of I-10 and extending to the Leon County jurisdictional line.

(6) Within 300 feet from the centerline of a canopy road regardless of the zoning district.

(c) No billboard shall be located in any location where existing trees in the public right-of-way, or trees proposed as part of an approved/permitted beautification project approved prior to the application, must be cut, trimmed, or removed so that the sign face is visible from the public right-of-way.

(d) No standard billboard shall be permitted within 150 feet of any residentially zoned property; this standard shall be applied to properties located both within and without the unincorporated area of the county. Minimum setbacks from residentially zoned property for multivision signs and digital billboards are set out in sections 10-9.307 and 10-9.308, respectively.

(e) No billboard shall be located within 50 feet of the right-of-way of a street classified as a principal arterial, minor arterial or major collector in the comprehensive plan.

(f) No billboard sign shall be located closer than 15 feet from the nearest right-of-way line, as measured from any point of the structure.

(1) Billboards shall be set back from all other existing or permitted off-site signs as follows:

(2) Billboards shall be set back a minimum of χ feet from any other existing or permitted billboard located along a street, where χ =:

a. 1,500 feet between two standard off-site signs;

b. 1,800 feet between a standard off-site sign and a multivision sign or digital billboard; and

c. 2,700 feet between two digital billboards, two multivision signs, or a digital billboard and multivision sign.

(3) Setbacks between signs are required between billboards located on the same side of a street. No setback is required between billboards located on opposite sides of the right-of-way boundary of a street.

(4) Setbacks between billboards signs shall be measured from the shortest point-to-point distance between closest portions of signs.

(5) Billboards shall be considered to be located along a street when located 660 feet or less from that street's right-of-way boundary.

(6) This standard shall be applied to properties located both within and without the unincorporated area of Leon County.

Sec. 10-9.604. Maximum number of billboards allowed within the unincorporated county.

(a) *Billboard inventory will be maintained by the county.* The department of development support and environmental management will maintain an annual inventory of billboards within the unincorporated portion of the county. The county will conduct an annual audit of permits issued for billboards to determine the current number of such signs within the unincorporated portion of the county. Signs located within areas subsequently annexed into corporate municipal limits shall be deleted from the county's inventory of billboards.

(b) *The maximum number of permitted billboards shall be equivalent to the number in the inventory.* The maximum number of billboards allowed within the county shall be limited to the number of signs included in the billboard inventory.

1 **Sec. 10-9. 605. Maximum height.**

2 The maximum height of an off-site sign shall be measured from the crown of the right-of-way where
3 the sign is affixed to the ground. The maximum height of an off-site sign shall be 40 feet.

4 **Sec. 10-9.606. Maximum-size and structural requirements.**

5
6 Billboards shall not exceed the following maximum size limits: including border and trim, but excluding
7 the supporting framework, of 380 square feet per face. No more than two sign faces may be located on one sign
8 structure. Signs may not be stacked (vertically or horizontally). Faces on a sign may be parallel to one another,
9 or arranged to form an angle not exceeding 60 degrees. When faces on a sign are not parallel to one another,
10 they may be joined at a vertex or separated by no more than 60 inches where closest to one another.

11 **Sec. 10-9. 607. Procedural requirements to obtain a new billboard.**

12 A building permit for the construction of a new billboard may be issued only after the removal of one
13 or more existing billboards with its supporting structure. Confirmation of removal of an existing off-site sign
14 shall be on file in the county department of development support and environmental management prior to
15 issuance of a building permit to construct a new sign. Such documentation shall be in the form of a site inspection
16 by county staff. Upon documentation of the removal of a billboard with its supporting structure, a certificate
17 shall be issued by the county for each billboard and structure removed. The certificate of removal (COR) shall
18 allow the holder to apply for a permit for construction of a sign having a surface area no greater than that of the
19 sign removed. The owner of the certificate may hold the certificate, redeem it as a prerequisite for a building
20 permit to construct a new billboard, or convey the certificate to a third party.

21
22
23
24 **Sec. 10-9. 608. Requirements for multivision signs.**

25
26 In addition to the requirements provided for all billboards, multivision signs shall also comply with the
27 following criteria:

28 (a) In order to obtain an approval for a new multivision sign, the applicant must permanently remove one
29 existing multivision sign or two standard billboards; for purposes of this requirement, any existing sign
30 considered to be nonconforming with regard to those location standards, set out in section 10-9.302(a), (d) and
31 (e), shall be considered to be equivalent to two standard billboards;

32 (b) No multivision sign shall be located within 200 feet of any residentially zoned property;

33 (c) The static display time for each message is a minimum of six seconds;

34 (d) The time to completely change from one message to the next is a maximum of two seconds;

35 (e) The change of message occurs simultaneously for the entire sign face; and

36 (f) The sign shall contain a default design that will hold the face of the sign in one position in the event of
37 malfunction.

38 **Sec. 10-9.609. Requirements for digital billboard signs.**

39
40 The following standards shall apply to digital billboard signs:

(a) *Number of digital billboards allowed.* No more than six digital billboard signs shall be allowed. An applicant shall not be eligible to apply for or receive more than two-thirds of the six digital billboards allowed.

(b) *Removal of off-site signs required in exchange for digital billboard signs.* An applicant shall be eligible to receive a permit for one digital billboard sign after the permanent removal of four existing off-site signs so long as their application complies with applicable regulations and standards set out in this article. For purposes of this requirement, any existing sign considered to be nonconforming with regard to those location standards, as set out in section 10-9.302(a), (d) and (e), shall be considered to be equivalent to two off-site signs, any existing multivision sign shall be considered to be equivalent to two off-site signs, and any existing multivision sign or digital billboard sign considered to be nonconforming with regard to gateway road overlay restrictions as set out in section 10-9.302(b), shall be considered to be equivalent to four billboards. At least one of the signs removed must be from the county commission district in which the new digital billboard sign is to be permitted and constructed.

(c) *Signs to be deleted from inventory.* Standard billboards removed in exchange for digital billboards shall be deleted from the county inventory of billboards.

(d) *Standards for digital billboards.* Digital billboards shall be required to comply with all requirements for off-site signs, and, in addition, all digital billboard signs shall comply with the following standards:

1. No digital billboard sign shall be located within 300 feet of any residentially zoned property;
2. No flashing lights, traveling messages, animation, or other movement shall be allowed;
3. No message may be displayed for less than six seconds;
4. The time to completely change from one message to the next is a maximum of two seconds;
5. Illumination of a digital billboard sign shall not exceed the following brightness limits measured as candelas per square foot at any focal point on any roadway, berm, or vehicular approach to any roadway:

Color	Day	Night
Red	200	67
Green	400	133
Amber	300	100
Blue	500	210
All Colors	400	170

(e) The sign shall contain a default design that will hold the face of the sign in one position if a malfunction occurs.

DIVISION 7 - NONCONFORMING SIGNS

Sec. 10-9.701. General Provisions.

(a) *Addition of ground signs to property with non-conforming ground signs.* No property shall be allowed to add new ground signs as afforded by this article until such time that all non-conforming ground signs are

1 made conforming to the standards outlined in this article, with the exception of meeting setbacks, or a variance
2 is granted by the board of adjustment and appeals.

3
4 (b) *Alterations, modifications, and rebuilding.* Non-conforming permanent on-site sign or billboard sign
5 shall not be altered, modified, or rebuilt except in conformity with this article, unless a variance is granted by
6 the board of adjustment and appeals in accordance with article II, division 3, subdivision 3 of this chapter based
7 upon a demonstration of hardship not resultant of the sign owner's or property owner's actions, and no increase
8 in degree of nonconformity.

9
10 (c) *Maintenance and repair.* Non-conforming permanent on-site signs and billboards may be maintained
11 and repaired but shall not be structurally or mechanically extended or altered to further the non-conformance,
12 except as required by the building official in cases where it has been determined that there exists imminent
13 danger to the public safety.

14
15 (d) *Relocation of billboards.* Notwithstanding those regulations, requirements, and standards as set out in
16 article VI, division 6 of this chapter, any existing and lawfully established billboard which is non-conforming as
17 to location requirements may be relocated upon receipt of a variance from the board of adjustment and appeals,
18 based upon the following findings:

- 19
20 (1) The applicant has demonstrated a hardship not resultant of the sign owner's actions;
21
22 (2) The relocation of the sign is by not greater than 50 feet;
23
24 (3) The relocation of the sign is to another portion of the same parcel of property;
25
26 (4) The relocation of the sign shall comply with the applicable standards for setback from residentially
27 zoned property as established in section 10-9.602 for standard off-site signs, section 10-9.607 for
28 multivision signs, and section 10-9.608 for digital billboards;
29
30 (5) Existing trees in the public right-of-way, or trees proposed as part of an approved/permitted
31 beautification project approved prior to the application, will not be cut, trimmed, or removed to
32 make the sign face visible from the main travel way;
33
34 (6) The sign conforms with all other applicable standards in Chapter 10 of the Leon County Code of
35 Laws; and,
36
37 (7) The new location does not increase the degree of nonconformity as to location.
38

39 **Sec. 10-9.702. Limitations for Non-Conforming Signs, Not Including Billboards.**

40
41 (a) A non-conforming sign shall be removed upon verification that any of the following conditions have
42 been met:

- 43
44 (1) The use in which such non-conforming sign references has been abandoned for more than 24
45 months; or
46
47 (2) The regulations or amendment to these regulations which made the sign non-conforming has been
48 in effect for ten (10) years or more.
49

1 (b) *Extension of time to comply.* The dates established in this section for a sign to be brought into compliance
2 with the requirements of these regulations may be extended at the request of the sign owner or lessee. In
3 evaluating the extension of time for a nonconforming sign, the applicant shall provide documentation and the
4 county shall consider the following factors to determine whether the owner of the sign has had a reasonable
5 amount of time to recoup the initial investment:

- 6
- 7 (1) The value of the sign at the time of construction and the length of time the sign has been in place;
- 8
- 9 (2) The life expectancy of the original investment in the sign and its salvage value, if any;
- 10
- 11 (3) The amount of depreciation and/or amortization of the sign already claimed for tax or accounting
12 purposes;
- 13
- 14 (4) The length of the current tenant lease or expected occupancy compared to the date the sign is to be
15 brought into compliance;
- 16
- 17 (5) The extent to which the sign is not in compliance with the requirements of these regulations; and
- 18
- 19 (6) The degree to which the county determines that the sign is consistent with the purposes of these
20 regulations.
- 21

22

23 **DIVISION 8. ABANDONED SIGNS**

24

25 **Sec. 10-9.801. Abandoned Signs.**

26

27 (a) Sign structures that remain vacant, unoccupied, devoid of any message, or display a message pertaining
28 to a time, event, or purpose that no longer applies, for a period of 24 months, shall be deemed to be abandoned.

29

30 (b) A non-conforming sign deemed abandoned shall immediately terminate the right to maintain such sign.

31

32 (c) After a sign structure has been deemed abandoned, it shall be the responsibility of the property owner
33 or the property owner's authorized agent to remove the abandoned sign and to patch and conceal any and all
34 damage to any other structure resulting from the removal of the sign.

35

36 (d) When a sign is deemed abandoned, all components, including foundation, shall be removed.

37

38 **DIVISION 9. VARIANCES AND APPEALS**

39

40 **Sec. 10-9.901. Variances and appeals.**

41

42 (a) Application of the provisions of this article may be varied by the board of adjustment and appeals, in
43 accordance with article II, division 3, subdivision 3 of this chapter where such variance will not be contrary to
44 the public interest and, where owing to conditions peculiar to the property and not the result of the actions of the
45 applicant, a literal enforcement of the code involved would result in an unnecessary or a unique hardship.

46 (b) Whenever it is claimed that the true intent or meaning of any of the provisions in this article or any of
47 the regulations contained therein or promulgated thereunder have been misconstrued or wrongly interpreted, the
48 property or sign owner or his duly authorized agent may appeal from the decision of the administrative officer

to the board of adjustment and appeals in accordance with article II, division 3, subdivision 3 of this chapter. In addition, a request for an extension of time to avoid a determination that a discontinuance of use constitutes an abandonment of a sign for purposes of this article shall be processed as an appeal.

(c) Requests for variances or appeals shall be made in written form to the board of adjustment and appeals.

(d) Decisions of the board of adjustment and appeals shall be final, subject to such legal remedy as any aggrieved party might have.

Section 2. Amendments to Section 10-1.101 of the Code of Laws of Leon County, Florida.

Section 10-1.101 of Article I of Chapter 10, the Land Development Code, of the Code of Laws of Leon County, Florida, entitled "Definitions," is hereby amended to read as follows:

Sec. 10-1.101. Definitions.

The following words, terms, phrases, and abbreviations and their derivations, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning, or a different meaning is ascribed to them under another section in this chapter. Words defined herein shall be construed as defined, whether or not the first letter of the defined term is capitalized. Words, terms, and phrases not defined herein shall be construed to have the meaning given by their common and ordinary use. When consistent with the context, words used in the present tense include the future tense, words used in the plural tense include the singular tense, and words used in the singular tense include the plural tense.

[* * * *]

Animal feedlot means a lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising, or holding of animals and is specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For the purpose of this chapter, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots under this chapter.

~~*Animated sign* means any sign of which all or any part thereof visibly moves in any electronic fashion whatsoever; and any sign which contains or uses for illumination any light, lights, or lighting device or devices which change color, flash or alternate, show movement or motion, or change the appearance of said sign or any part thereof automatically. The term "animated sign" shall not include revolving signs or multi-face mechanical (tri-vision) signs.~~

Apartment means a multifamily dwelling unit containing a room or suite of rooms together with kitchen or kitchenette and sanitary facilities.

[* * * *]

Available capacity means the capacity of a concurrency facility available for use by the demand from new development.

~~*Bandit sign* means any sign placed on wooden stakes or wire supports that are driven into the ground.~~

~~*Banner* means any hanging sign possessing characters, letters, illustrations or ornamentations applied to paper, plastic or fabric of any kind. This classification shall not include plastic or fabric signs which are permanently attached within a rigid frame which are intended to be used as a permanent sign. National flags, flags or political subdivisions and symbolic flags of any institution or business shall not be considered banners for the purpose of this chapter.~~

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Base flood elevation shall mean the flood elevation having a one-percent chance of being equaled or exceeded in any given year, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the flood insurance rate map (FIRM).

Basement means the part of a building that has at least half of its height below ground level. The basement of a building will be included in calculation of a floor area ratio if it is finished sufficiently to serve as space that is suitable for the primary activities for which the building was designed and constructed.

Bed and breakfast inn means an owner-occupied structure originally built and utilized as a single-family residence converted to function as a single-family residence providing a limited number of guest rooms available on a daily rental basis. Kitchen facilities are not available in individual rooms.

~~*Bench sign* means a sign located on any part of the surface of a bench or seat placed adjacent to a public right-of-way.~~

Best management practice (BMP) means a practice or principle designed to reduce and manage pollution, the adverse impact of changes in the natural ecosystem, and in some cases, protect wildlife and habitat. These principles and practices are generally outlined in the latest updated version of various BMP manuals, including Silviculture Best Management Practices; Best Management Practices, A Landowners Handbook for Controlling Erosion for Forestry Operations; Management Guidelines for Forested Wetlands; DER: Florida Development Manual, A Guide to Sound Land and Water Management; and other publications on best management practices that are generally accepted by the industries and regulatory bodies.

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Coop means a covered house, structure, or room that will provide chickens with shelter from weather and with a roosting area protected from predators. A coop typically includes an outside exercise area to allow chickens access to foraging and sunlight.

~~*Copy* means the wording on a sign surface in either permanent or removable letter form.~~

Correction plat means a plat which contains dimensional or notational corrections of erroneous information contained on the originally approved and recorded plat. A correctional plat is intended solely to

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Housing, special needs, mean that part of the housing provision system designed to fulfill the demand of a household or individual who needs assistance, either permanent or temporary, in obtaining basic shelter, including, but not limited to, very low and low income individuals, persons with disabilities, or homeless persons. Special needs housing includes group homes for persons with physical, emotional or cognitive disabilities; shelters for battered victims; adult congregate living facilities; and halfway houses for the noncriminal or nondelinquent.

~~Identification sign means a sign which depicts the name and/or address of a building or establishment on the premises where the sign is located as a means of identifying said building or establishment.~~

Impact fee means collectively the countywide road impact fee and the collector road impact fee.

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Owner means the person holding fee simple title to a parcel, building, or structure.

~~Painted wall sign means any sign which is applied with paint or similar substance on the face of a wall.~~

Parcel means real property in the county, which has a single property certification number assigned to it by the property appraiser of the county.

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Waiver means a grant of permission which is authorized under this chapter that authorizes an applicant to deviate from specific standards or provisions of Article VI of this chapter.

~~Wall sign means a sign attached to or erected against the wall of a building with the face in a parallel plane to the plane of the building wall.~~

Warehouses, miniwarehouses, or self-storage facilities mean a building used primarily for storage of goods and materials.

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Wildlife habitat enhancements mean elements of a landscape design which facilitate the use of a landscaped area by wildlife. Such elements may include hummingbird and butterfly gardens, use of native shrubs which provide food for wildlife, birdhouses, bathhouses, and water gardens.

~~Window sign means any sign placed inside or upon a window facing the outside and which is intended to be seen from the exterior.~~

Xeriscaping means landscaping or other planting or preservation of areas in a manner that will require minimal irrigation for survival of vegetation, including planting or preservation of native and natural species.

Yard, required, means the minimum lot area as specified in these regulations for front, side, and rear yards, as distinguished from any yard area in excess of the minimum required.

Zero lot line means the location of a building on a lot in such a manner that one or more of the building's sides rests directly on a lot line.

Section 3. Amendments to Section 10-6.612 of the Code of Laws of Leon County, Florida.

Section 10-6.612 of Article VI of Chapter 10, the Land Development Code, of the Code of Laws of Leon County, Florida, entitled "Rural Zoning District," is hereby amended to read as follows:

1 **Sec. 10-6.612. – Rural Zoning District**

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7. Development Standards									
Use Category	a. Lot area (acres)	b. Minimum lot frontage	c. Front yard setback	d. Corner yard setback	e. Side yard setback	f. Rear Yard setback	g. Maximum height at building envelope perimeter	h. Maximum height per additional setback	i. Total maximum height
Low density residential	10 acres minimum	15 feet	30 feet	30 feet	20 feet	50 feet	35 feet	1'1'	Not applicable
Rural commercial	3.0 acres minimum, 5.0 acres maximum*	40 feet	50 feet building, 50 feet parking	50 feet building, 50 feet parking	50 feet building, 50 feet parking	50 feet building, 50 feet parking	35 feet	1'1'	45 feet
Community services	See Development Standards for Community Services in Section 8	40 feet	50 feet building, 50 feet parking 100 feet building, 100 feet parking (for structures greater than 5,000 square feet)	50 feet building, 50 feet parking 100 feet building, 100 feet parking (for structures greater than 5,000 square feet)	50 feet building, 50 feet parking 100 feet building, 100 feet parking (for structures greater than 5,000 square feet)	50 feet building, 50 feet parking 100 feet building, 100 feet parking (for structures greater than 5,000 square feet)	35 feet	1'1'	45 feet
Restricted uses; passive recreation facilities	3.0 acres minimum	Not applicable	50 feet building, 50 feet parking; unless otherwise specified in subsection 10 of this section	50 feet building, 50 feet parking; unless otherwise specified in subsection 10 of this section	50 feet building, 50 feet parking; unless otherwise specified in subsection 10 of this section	50 feet building, 50 feet parking; unless otherwise specified in subsection 10 of this section	35 feet	1'1'	45 feet

Comp. Plan Policy 2.1.9 subdivision	0.5 acres minimum	15 feet	25 feet	25 feet	15 feet	50 feet	35 feet	1'1'	Not applicable
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8. Development Standards for Community Service Uses:

(1) The maximum single structure size and site area shall be limited by the overall acreage of the parcel to preserve the rural character through proper scale and massing. Community service uses shall also be subject to the site design criteria of subsection 11 of this section.

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Parcel size	Less than or equal to 10 acres	>10 to 49 acres	50 acres +
Maximum single structure size (gross building floor area)	5,000 square feet	10,000 square feet	15,000 square feet
Site area	Min: 3 ac Max: 5 ac	Min: 3 ac Max: 10 ac	Min: 3 ac Max: 15 ac

Existing, lawfully established non-conforming community services uses will be afforded flexibility with the required development standards, to the extent practical, when improvements are necessary to meet minimum health and safety standards according to the Florida Building Code (FBC), including, but not limited to ADA accessibility requirements.

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9. Rural Commercial Intersection Location Standards: The intersection location standard is intended to group rural commercial activities toward intersections to provide access and to prevent fragmentation of agricultural uses.

(1) Major function: Provide sales and services functionally related to and supportive of agriculture, silviculture and natural resource-based activities.

(2) Location: On or near the intersection (access within 330 feet of the centerline of the intersection) of an arterial/arterial or arterial/major collector roadway.

(3) Site area: 3.0 acres minimum with a maximum of 5.0 acres per quadrant.

(4) Allowable building square footage: Maximum of 10,000 gross square feet per intersection (only 2 quadrants per intersection may be developed for rural commercial). Single structure limited to a maximum of 5,000 gross square feet.

10. Development Standards for Restricted Uses: All proposed restricted uses shall meet the applicable provisions of section 10-6.611; the applicable design standards noted in subsection 11 of this section; the buffer zone standards (section 10-7.522); and the parking and loading requirements (subdivision 3, division 5, article VII of this chapter). All restricted uses shall be limited to a maximum building area of 2,000 gross square feet per acre with no more than 5,000 gross square feet of retail commercial or office space. The following restricted uses require satisfaction of additional criteria:

(1) Mining activities.

a. All mining activities as defined on the schedule of permitted uses must meet the specific development standards, as follows upon review and approval by the Board of County Commissioners following a duly noticed public hearing. This includes NAICS items 212321 and 212324.

b. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:

1. The mining activity, all accessory uses and structures, internal roadways, and driveways onto the adjacent streets shall be set back a minimum of 100 feet from the perimeter property boundaries or 200 feet from the nearest off-site residence, residential zoning district, or subdivision intended primarily for residential land use, whichever distance is greater. This setback standard may be reduced if less of a setback is approved in writing by the adjacent property owner prior to site plan approval or if the adjacent property is also used as a mining

activity.

2. A plan of vehicular access to and from the site demonstrating that heavy trucks and equipment will not travel on that portion of a local or minor collector street with frontage containing residential land use, zoned for residential land use, or containing subdivision lots intended primarily for residential land use. For purposes of this requirement, local and minor collector streets shall be those identified in the local government Comprehensive Plan and the Tallahassee-Leon County Long Range Transportation Plan.

3. A land reclamation plan shall be submitted demonstrating that upon termination of the activity the land shall be returned to a condition that will allow an effective reuse comparable to surrounding properties.

4. Fencing requirement: All areas proposed for use in open-pit mining operations and/or construction and demolition debris disposal must be secured by a fence, unless the area is determined by the County Administrator or designee to be a reclaimed open-pit mine. The fence must be at least four feet in height with openings that will reject the passage of a seven-inch diameter sphere. The fence must be equipped with a gate which shall remain locked when workers or employees of the land owner or mining company are not present at the site. At every gate or access point, at least one sign must be posted which states, in at least four-inch tall letters, "Danger," "Keep Out," "No Trespassing," or similar language indicate that there may be hazardous conditions on the premises.

(2) Camps and recreational vehicle parks (NAICS 721211 and 721214).

a. All camps and recreational vehicle parks must meet the specific development standards, as follows upon review and approval by the Board of County Commissioners following a duly noticed public hearing. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:

1. Sanitary facilities shall be provided.

2. Not more than 5 campsites per gross acre shall be provided.

3. Individual campsites, roadways, and accessory structures shall be located to meet the minimum building setback standards from the exterior property lines of the campground.

(3) Airports, flying fields and services.

a. All airports, flying fields and services must meet the specific development standards as noted in this section and as required by state or federal law, and shall require review and approval by the Board of County Commissioners following a duly noticed public hearing.

(4) Outdoor sport shooting ranges.

a. This subsection shall not apply to personal firearm use on private property or to businesses that operate an outdoor sport shooting range as an ancillary use to a legal, principal use, such as, but not limited to, a hunting plantation, timber plantation, or special event venue.

b. All outdoor sport shooting ranges must meet the specific development standards as noted in this section, and shall require a Type C review and approval by the Board of County Commissioners following a duly noticed public hearing.

c. All outdoor sport shooting ranges must demonstrate protection of adjacent properties and the public interest which shall include, but not limited to the following:

1. An outdoor sport shooting range shall not be located within an unrecorded or recorded subdivision or in the residential preservation overlay district.

2. No outdoor sport shooting range shall be permitted within 500 feet of the property line.

3. The firing lines shall be oriented to minimize off-site impacts, including, but not limited to, noise and safety of existing structures and roadways.

4. Access to Canopy Road shall be subject to division 7, article VI of this chapter.

5. A minimum of a Type D buffer and a 15-foot high berm behind the line of fire/targets shall be constructed.

6. The county encourages the use of the National Rifle Association's Range Source Book for best practices.

7. The county encourages compliance with the state department of environmental protection's best management practices for environmental stewardship of state shooting ranges.

8. The county encourages outdoor sport shooting ranges to have range safety officers on the premises during the hours of operation.

9. To ensure compatibility with the surrounding area, additional site specific conditions may be imposed, such as, but not limited to, conditions related to noise reduction and safety.

11. Site Design Criteria: Rural commercial uses, community service uses and restricted uses shall be subject to the locational and design standards as noted herein. ~~(1) Signs: Freestanding on-site signs shall be limited to monument style signs and the sign base shall be consistent with the materials and design context of the primary~~

~~on-site building. Signs shall be illuminated with externally mounted lighting focused on the sign in a manner that limits off-site illumination. Internally illuminated signs and pole signs are prohibited. For sites not located at intersections, on-site ground signs shall be limited to no more than 32 square feet in area and limited to no more than 10 feet in height.~~

A plan and supporting narrative must be submitted pursuant to the applicable site and development plan process outlined in article VII of this chapter that demonstrates compliance, as applicable, with the following:

(21) Building and Site Design Standards: All primary buildings and accessory structures shall reflect or compliment the local vernacular architectural style. Building facade treatments and materials shall provide architectural interest through, but not limited to: the utilization of fenestration that allows for natural surveillance and gabled or parapet roof treatments.

(32) Lighting: On-site lighting including 24-hour security lighting shall be wall mounted with illumination focused on the building in a manner that limits off-site illumination, consistent with the "Dark Sky Friendly" guidelines. All exterior lighting shall have recessed bulbs and filters which conceal the source of illumination. Security lighting is permitted; however, wall or roof mounted flood or spot lights used as general grounds lighting are prohibited. Lighting at the property line (six feet above ground) adjacent to residential uses shall not exceed 0.1 footcandles. Lighting for parking areas shall not exceed 15 feet in height as measured from average grade to the light fixture.

(45) Perimeter Buffering and Fencing: If the adjacent residential density is 0.5 dwelling units per acre or greater, a Type C buffer shall be required. A wooden buffer fence may be utilized on sites where the required vegetative buffer cannot be established based on site limitations or constraints.

(5) Fencing and Screening of Outdoor Service Areas and Equipment:

a. Refuse collection areas shall be located in the side or rear yard and shall be fenced with a material and design treatment consistent with the building facade of the principal building and screened with vegetation.

b. All appurtenant mechanical and electrical equipment, outside collection/drop-off/storage areas, and other accessory or ancillary structures shall be screened from public view. The screening material shall be consistent with the materials and design context of the primary on-site building.

(6.) Hours of Operation: The hours of operation shall be limited to 6:00 a.m. to 8:00 p.m. Community service uses shall not be limited in hours of operation; however, typical hours of operation for facility shall be identified on final development plans.

*If subdivision is proposed to create the rural commercial parcel, then the remaining portion of the property shall meet the minimum lot size standards noted herein.

General notes:

(1) If central sanitary sewer is not available, residential development shall provide no less than 0.50 acre of buildable area. Non-residential development and community service facilities located within the USA are limited to a maximum of 900 gallons of wastewater flow per day. Refer to Sanitary Sewer Policy 2.1.2 of the Comprehensive Plan for additional requirements.

(2) Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.

(3) Refer to the concurrency management ordinance for information pertaining to the availability of capacity for certain public facilities (roads, schools, parks, etc.).

Section 4. Amendments to Section 10-6.653 of the Code of Laws of Leon County, Florida.

Section 10-6.653 of Article VI of Chapter 10, the Land Development Code, of the Code of Laws of Leon County, Florida, entitled "IC Interchange Commercial District," is hereby amended to read as follows:

Sec. 10-6.653. IC Interchange Commercial District.

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Development Standards									
	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
Use Category	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Permitted Non-Industrial or Non-Office Principal Uses	None	None	1,000 square feet	50 feet	None	25 feet	10 feet	25,000 square feet of gross building floor area per acre not to exceed 200,000 square feet per site. 50,000 square feet of gross building floor area per acre for storage areas within buildings.	4 stories
All Other Principal Uses	None	None	1,000 square feet	50 feet	None	25 feet	10 feet	25,000 square feet of gross building floor area per acre. 50,000 square feet of gross building floor area per acre for storage areas within buildings.	4 stories
<p>7. Urban Design Criteria—Development within the IC district shall meet the following criteria:</p> <p>a. All buildings elevations which may be viewed from a public street shall be finished in brick, stucco, glass curtain wall, architectural concrete or textured block. All building elevations which may be viewed from a public street shall have an uniform appearance consistent with the front building elevation.</p> <p>b. All buildings shall screen utility connections, roof top equipment and meter locations with materials found on the building exterior or with evergreen landscaping.</p> <p>c. All buildings shall screen trash collection/storage areas with materials found on the exterior of the building.</p> <p>d. All delivery truck docks shall provide a screen of sufficient height and length to screen loading and unloading trucks.</p>									

- e. Sidewalks shall be a minimum 6 feet in width and form a continuous system on the site.
- f. All electrical and telecommunication utilities shall be located underground except for antennae.
- g. Parking shall not exceed a concentration of 100 spaces per net acre of parking lot and adjacent landscaping.
- h. Each development within the IC district shall establish a uniform sign design for all signs.
- ~~i. All wall signs shall be internally illuminated individual letters, or an internally illuminated logo not exceeding 80 square feet in area. No other wall mounted signs are permitted. Signs composed solely of upper case letters shall not exceed 36 inches in height. Signs composed of upper and lower case letters shall not exceed 45 inches in height including the descender.~~
- ~~j. No roof signs, not billboards are permitted.~~
- ~~k. One freestanding sign per public street frontage per site is permitted. Freestanding signs shall be constructed with a base using material found on the principal structure. Freestanding signs shall not exceed 400 square feet in area per face, nor have more than 2 faces, not exceed 50 feet in height.~~
- ~~l. Temporary signs, not to exceed 30 days per of display per calendar year are permitted, except for "for sale" and "for lease" signs which are not subject to this limitation.~~
- ~~m. No other signs are permitted in the IC district except for the signs listed in subsection 7.i—m of this section.~~
- ni. Parking lots and driveways shall be designed to achieve a 60 percent tree canopy coverage within 10 years of development.
- oj. All development shall develop and maintain a 30-foot landscape area adjacent to all public streets. This landscape area shall have at least one street tree for every 40 feet of street frontage. The landscape area may contain a sidewalk and be crossed by driveway entrances no wider than 30 feet.

8. Street Access Restrictions: Properties within the IC zoning district may have vehicular access to the types of streets listed below. For the purpose of this section, a "type" of street refers to the functional classification of the street according to the "Roadway Functional Classification" map adopted in the transportation element of the 2010 Comprehensive Plan. Also for the purpose of this section, a street is considered to be "at the border" of the M-1 zoning district if a zoning district other than the M-1 zoning district is located on the other side of the street.

- a. To any street classified as a collector or arterial that is located inside or at the border of the IC zoning district;
- b. To any street classified as a local that is located inside of the IC zoning district; or
- c. To any street classified as a local that is located at the border of the IC zoning district, except that properties in the IC zoning district shall not have vehicular access to a local street if the local street is located at the border of the M-1 zoning district and a residential zoning district is located on the other side of the local street. For the purpose of this section, residential zoning districts include the following: RA, R-1, R-3, R-4, R-5, MR, MR-1, and the RP zoning districts.

General notes:

- (1) If central sanitary sewer is not available, residential development is limited to a minimum of 0.50-acre lots and non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500-gallon septic tank, also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
- (2) Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
- (3) Refer to the concurrency management ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).

Section 5. Amendments to Section 10-6.654 of the Code of Laws of Leon County, Florida.

Section 10-6.654 of Article VI of Chapter 10, the Land Development Code, of the Code of Laws of Leon County, Florida, entitled "MCN Mahan Corridor Node District," is hereby amended to read as follows:

Sec. 10-6.654. – MCN Mahan Corridor Node District.

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10. Building Size Standards		
Use Category	a. Maximum Building Footprint	b. Maximum building floor area per structure
Single-Family Attached Residential	N/A	N/A
Multifamily Residential	15,000 square feet	N/A
Non-Residential and Community Facilities	Standard: 8,000 square feet With master planning bonus: 10,000 square feet	Standard: 14,000 square feet With master planning bonus: 20,000 square feet
Mixed-Use Development	Standard: 10,000 square feet With master planning bonus: 15,000 square feet	Standard: 30,000 square feet With master planning bonus: 40,000 square feet
<p>11. Mixed Use Incentive Qualifications: Developments incorporating both residential and non-residential uses within a single development application or those which retrofit an existing development to include both residential and non-residential uses, qualify for additional density and intensity provided for mixed-use development, pursuant to the following criteria:</p> <p>a. At the completion of all development phases, no less than 20 percent of the gross floor area within the development is devoted to either residential use or non-residential use;</p> <p>b. The development consists of a mixture of uses within a single building or within multiple adjacent buildings, wherein the different uses are located no further than 200 feet apart; and,</p> <p>c. The development application must provide a common plan for the development of all included parcels, including shared infrastructure.</p>		
<p>12. Master Planning Bonus: The following shall be entitled to the master planning bonus:</p> <p>a. Any development site area of 8 or more acres;</p> <p>b. Development site area of 5 or more acres wherein at least 50 percent of associated off-street parking will be provided in a shared facility; and at least 50 percent of the surface area required for stormwater management facility area is located below grade, or in a shared facility; or</p> <p>c. The development site area may be composed of multiple parcels; in those instances, the development application must provide a common plan for the development of all included parcels.</p>		
<p>13. Access Management:</p> <p>a. Direct access to Mahan Drive shall be limited and provided via public right-of-way.</p> <p>b. There shall be no more than one public right-of-way connection to Mahan Drive and to each adjacent collector street per each nodal quadrant; until such time as a street system is created to provide access to all parcels adjoining Mahan Drive and the adjacent collector street, individual properties may obtain access, if needed, on a temporary basis.</p> <p>c. Applicants for development shall enter an agreement to cooperate in any future project to consolidate access points or to share access with abutting properties as opportunities arise.</p>		
<p>14. Blocks, Frontage, and Sidewalks: Street design and layout shall support an interconnected street network and pattern of a scale conducive to pedestrian and bicycle use.</p> <p>a. Block length: Long side: 600 feet maximum, except where divided by a mid-block pedestrian crossing or alley, in which case, maximum block length may be 850 feet. Short side: Distance may vary between 200 and 400 feet to accommodate environmental and physiographic limitations.</p>		

- b. Mid-block pedestrian crossings: A publicly accessible pedestrian crossing shall be provided for blocks with a length greater than 600 feet on one or more sides.
- c. Sidewalk width and placement: Frontage sidewalks shall be a minimum of 8 feet in width. All other sidewalks shall be no less than 5 feet in width.
- d. Pedestrian weather protection: Where practical, non-residential and mixed-use buildings shall provide weather protection, arcade, awning, etc., along the frontage sidewalk extending at least 3 feet.
- e. Alternative Surface Material: Use of distinctive paving texture, type, and color for transitions between neighborhoods and within pedestrian areas is encouraged. Interconnections between neighborhoods should also be distinguished through the use of vertical architectural elements, such as archways, gateways, or bollards.

15. Street Trees: All development or redevelopment shall incorporate street trees within the right-of-way, preferably between the back of curb and sidewalk.

- a. Street trees shall be planted between 20—30 feet on center, except when a greater distance may be required to avoid conflict with visibility, street lamps, utilities, or safety issues would be compromised with the required location.
- b. A minimum planting strip of six feet shall be provided between the back of curb and sidewalk, except where on-street parking is provided and tree wells or planters are more appropriate.
- c. Tree selection and location shall be approved by the local utility provider and shall be no higher than 20 feet at maturity when located beneath power lines.

16. Parking:

- a. Location: Parking shall not be located between the building facade and the right-of-way, and shall be located on-street, internal to the block, or to the rear of structures. Where site constraints necessitate, up to 25 percent of required parking may be permitted to the side of buildings.
- b. On-street parking: All streets created or expanded in association with development in this district shall be designed to accommodate on-street parking.
- c. Quantity: On-site parking shall be limited to a range of 40 percent to 70 percent of the general parking standard set forth in section 10-7.545, schedule 6-2. On-street parking, provided on adjacent rights-of-way within the MCN zoning district without crossing an arterial or collector street may be counted towards meeting the parking requirement. Shared parking may also count toward the requirement.
- d. Size: Individual off-street surface parking lots shall not exceed 0.75 acre.

17. Building Position:

- a. Orientation: The principal building entryway shall be oriented to the street, other than Mahan Drive, and be designed to provide direct pedestrian access from that street. Where buildings are equidistant to two or more streets, the principal entryway may be located on either street. Buildings may be oriented toward Mahan Drive so long as there is a parallel street located between Mahan Drive and the building.
- b. Encroachments: Porches, balconies, patios, pedestrian weather protection features and other like architectural features may encroach into 50 percent of the front setbacks. Seating within the required yard setbacks shall be allowed. Encroachments, permanent and temporary, shall not result in a constrained pedestrian passageway of less than 5 feet in width.

18. Building Facade Length: Non-residential and mixed-use building facades along any public street frontage shall not exceed 100 feet, unless vertical structural elements and functional entrance doors divide that facade no less than every 50 feet.

19. Transparency: Adjacent to streets, sidewalks, and publicly accessible parking areas, non-residential and mixed-use buildings shall provide a minimum facade transparency of 50 percent at pedestrian level, between two and 8 feet above finished grade, and residential buildings shall provide a minimum facade transparency of 25 percent at pedestrian level.

20. Building Materials:

- a. The following materials are prohibited: corrugated metal, standing seam, or v-crimp metal sheeting

exterior walls or wall coverings.

b. The use of vinyl siding may not comprise more than 20 percent of any wall plane.

21. Roof types:

a. All roof types are allowed. The use of gable roofs, cross gable roofs, and dormers are encouraged for buildings of two stories or less.

b. Flat roofs shall provide horizontal articulation with a building cap at the top of the building base and/or incorporate the use of parapets.

22. Buffering, Fencing, and Screening:

a. Buffer zone standards: Buffering is not required between uses in the MCN zoning district. Where development abuts Residential Preservation future land use areas, the landscape buffer standards of section 10-7.522 shall apply.

b. Fencing: Chainlink fencing visible from public right-of-way or property is prohibited, unless screened by vegetation that covers completely at plant maturity.

c. Screening of service connections and facilities: Outdoor service areas; loading docks, trash collection, outdoor storage, mechanical equipment; shall be mitigated by the use of screening material consistent with the materials and design treatments of the primary facade of the primary building and/or evergreen landscape plant material.

i. Landscape plans shall provide sight lines for natural surveillance between 3 and 8 feet above grade.

ii. The service areas shall not be within 50 feet of any adjoining residential property.

iii. The service areas shall be screened with vegetation and fences/masonry walls that are of sufficient height (minimum six feet) and opacity (minimum 50 percent) to screen from nearby streets and residential areas. Fences or masonry walls shall be constructed with materials that are incorporated in the design of the principal building.

iv. Above ground utility boxes visible from the street shall be screened with landscaping on at least two sides, thereby preserving access for the utility provider.

d. Off-street parking; landscaping: A minimum ten-foot wide landscaping strip shall line the perimeter of surface parking lots, and shall be landscaped with one canopy tree per 20 linear feet of frontage and a continuous row of shrubbery not to exceed 3 feet at maturity.

e. Required landscaping; alternative compliance methods. Development is encouraged to utilize the site design alternatives set out in sections 110-4.347 and 10-4.350.

23. Lighting:

a. Intensity limits. Lighting levels at the property line as measured at six feet above ground level shall not exceed 0.5 footcandles. The footcandle average in on-site parking lots should not exceed 2.0 footcandles. The recommended maximum uniformity ratio (average: minimum light level) is 4:1.

b. Light fixture types and location:

i. "Shoebox" and "Cobrahead" lights are prohibited.

ii. All light fixtures shall be full cut-off type fixtures and direct light internal to the site.

iii. Individual light poles and wall mounted light fixtures shall be no taller than 20 feet above grade. Wall mounted light fixtures shall be placed no closer than every 25 feet along the facade. Lighted bollards are encouraged along pedestrian routes.

~~**24. Signage:** All signs shall comply with the county sign code and requirements set out in this section; where conflicts occur, the most restrictive standard applies.~~

~~a. Prohibited signs: Roof signs, billboard signs, pole signs, signs that rotate or are in motion, including animated signs, are not allowed in this district. b. One free standing monument ground sign of no greater than 80 square feet display area per side, with no more than two sides, may be provided for each tenant. Properties shall be entitled to one ground sign per 500 feet of frontage.~~

~~c. Maximum height of monument signs shall not exceed six feet above grade for single tenant structures and shall not exceed 15 feet above grade for multiple tenant structures.~~

~~d. Monument ground signs shall incorporate the same exterior materials as the principal structure, and should utilize exterior finish of metal, wood, or masonry materials.~~

~~e. Two on-site directional signs, not to exceed 4 square feet each, shall be allowed per tenant. Such signs are intended for navigational purposes and shall be free of logos, advertisements, badges, or slogans.~~

~~f. Sign illumination:~~

~~i. Prohibited lighting: Flashing, rotating, pulsing, search, laser, or lights moving in any manner.~~

~~ii. Ground sign lighting: Ground signs are encouraged to be illuminated with an opaque field and letters of a lighter tone to control glare.~~

~~iii. Wall sign lighting: Wall mounted signs shall be internally illuminated or externally illuminated with full cut off type light fixtures directed downward.~~

2524. Stormwater Management Facilities:

a. Whenever possible, low impact development (LID) techniques such as rain gardens and bio-retention swales are encouraged to allow stormwater infiltration to occur as close to the source as possible. A decentralized stormwater management design which disperses stormwater facilities across the site rather than to a centralized treatment facility is encouraged.

b. Landscape vegetation shall be incorporated around the perimeter of the stormwater facility, which at maturity will visually conceal required fencing.

c. Landscape plants should be native. A minimum of 4 different species of trees and shrubs shall be utilized. Stormwater management facilities shall incorporate appropriate tree and plant species that take into account the soil, hydrologic, and other site and facility conditions. Existing vegetation should be incorporated into the facility design where possible.

2625. Facility Accommodation Credit Exchange: Where land area is dedicated to the state, the county, or City of Tallahassee for public facility development, the associated development rights may be transferred in whole or part to any other parcel within the MCN district. The resulting density and intensity shall not be greater than 200 percent of the amount which would otherwise be authorized to be developed.

General notes:

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500-gallon septic tank, also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the concurrency management ordinance for information pertaining to the availability of capacity for certain public facilities (roads, schools, parks, etc.).

Section 6. Amendments to Section 10-6.654.2 of the Code of Laws of Leon County, Florida.

Section 10-6.654.2 of Article VI of Chapter 10, the Land Development Code, of the Code of Laws of Leon County, Florida, entitled “MCR Mahan Corridor Ring District,” is hereby amended to read as follows:

Sec. 10-6.654.2. MCR Mahan Corridor Ring District.

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DEVELOPMENT STANDARDS									
	5. Minimum Lot or Site Size			6. Minimum Building Setbacks				7. Maximum Building Restrictions	
Use Category	a. Lot Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear (Alley setback)	a. Building Size	b. Building Height (See number 8)
Single-Family Detached Dwellings	N/A	40 feet	70 feet	15 feet	5 feet	15 feet	20 feet (5 feet from alley)	N/A	35 feet
Zero-Lot Line, Single-Family Detached Dwellings (not allowed when adjoining RP Future Land Use areas)	N/A	30 feet interior lot; 40 feet corner lot	70 feet	15 feet	0 feet one side; 6 feet other side	15 feet	20 feet (5 feet from alley)	N/A	35 feet
Single-Family Attached Dwellings (not allowed when adjoining RP Future Land Use areas)	N/A	20 feet	70 feet	15 feet	N/A	15 feet	20 feet (5 feet from alley)	Maximum length: 8 units	35 feet
Two-Family Dwellings (not allowed when adjoining RP Future Land Use areas)	N/A	40 feet	70 feet	15 feet	5 feet	15 feet	20 feet (5 feet from alley)	N/A	35 feet
Multifamily Dwellings	N/A	50 feet	80 feet	15 feet	15 feet	15 feet	25 feet	Maximum 12,000	35 feet

(not allowed when adjoining RP Future Land Use areas)								square ft building footprint	
Community Facilities and Service Uses	N/A	50 feet	80 feet	N/A	15 feet	15 feet	50 feet (25 feet from alley)	8,500 square feet of gross building floor area per acre	35 feet

8. Building Height: When located immediately adjacent to RP Future Land Use areas, the maximum building height shall be 25 feet.

9. Roof Types:

- a. All roof types are allowed. The use of gable roofs, cross gable roofs, and dormers are encouraged for non-residential buildings.
- b. Flat roofs shall provide horizontal articulation with a building cap at the top of the building base and/or incorporate the use of parapets.

10. Encroachments: Porches, balconies, patios, pedestrian weather protection features and other like architectural features may encroach into 50 percent of the front setbacks. Encroachments, permanent and temporary, shall not result in a constrained pedestrian passageway of less than 5 feet in width.

11. Access Management:

- a. Direct access to Mahan Drive shall be limited and provided via public right-of-way.
- b. There shall be no more than one public right-of-way connection to Mahan Drive and to each adjacent collector street per each nodal quadrant; until such time as a street system is created to provide access to all parcels adjoining Mahan Drive and the adjacent collector street, individual properties may obtain access, if needed, on a temporary basis.
- c. Applicants for development shall enter an agreement to cooperate in any future project to consolidate access points or to share access with abutting properties as opportunities arise.

12. Blocks, Frontage, and Sidewalks: Street design and layout shall support an interconnected street network and pattern of a scale conducive to pedestrian and bicycle use.

- a. Block length: Long side: 600 feet maximum, except where divided by a mid-block pedestrian crossing or alley, in which case, maximum block length may be 850 feet. Short side: Distance may vary between 200 and 400 feet to accommodate environmental and physiographic limitations.
- b. Mid-block pedestrian crossings: A publicly accessible pedestrian crossing shall be provided for blocks with a length greater than 600 feet on one or more sides.
- c. Sidewalk width and placement: All sidewalks shall be no less than 5 feet in width.

13. Off-Street Parking:

- a. All off-street residential parking shall be either side-entry, rear-loaded (accessed by alley) or recessed as noted in subsection b of this section).
- b. Recessed garages shall be setback, at minimum, an additional 10 feet from the street than the front facade of the principal structure.
- c. All off-street parking associated with community facilities shall be located to the side or rear of the principal structure and shall meet the screening requirements set forth in subsection 14 of this section.

d. The use of shared driveways is encouraged, where there is the ability to reduce impervious surface area and stormwater runoff.

14. Buffering, Fencing, and Screening:

a. Buffer zone standards: Buffering is not required between uses within the MCR zoning district. Where development abuts a residential zoning district, the landscape buffer standards of section 10-7.522 shall apply.

b. Fencing: Chainlink fencing visible from public right-of-way or public property is prohibited. The following provisions (subsections c through e of this section) apply only to community facilities or non-residential uses:

c. Screening of service connections and facilities: Outdoor service areas, loading docks, trash collection, outdoor storage, mechanical equipment, shall be mitigated by the use of screening material consistent with the materials and design treatments of the primary facade of the primary building and/or evergreen landscape plant material.

i. Landscape plans shall provide sight lines for natural surveillance between 3 and 8 feet above grade.

ii. The service areas shall not be within 50 feet of any adjoining residential property.

iii. The service areas shall be screened with vegetation and fences/masonry walls that are of sufficient height (minimum six feet) and opacity (minimum 50 percent) to screen from nearby streets and residential areas. Fences or masonry walls shall be constructed with materials that are incorporated in the design of the principal building.

iv. Service area gates to any enclosure shall be solid wood or metal doors.

v. Above ground utility boxes visible from the street shall be screened with landscaping on at least two sides, thereby preserving access for the utility provider.

d. Off-street parking; landscaping: A minimum 10-foot wide landscaping strip shall line the perimeter of surface parking lots, and shall be landscaped with one canopy tree per 20 linear feet of frontage and a continuous row of shrubbery not to exceed 3 feet at maturity.

e. Required landscaping; alternative compliance methods. Development is encouraged to utilize the site design alternatives set out in sections 10-4.347 and 10-4.350.

15. Street Trees: All development or redevelopment shall incorporate street trees within the right-of-way, preferably between the back of curb and sidewalk.

a. Street trees shall be planted between 20—40 feet on center, except when a greater distance may be required to avoid conflict with driveways, street lamps, other utilities, or visibility or safety issues would be compromised with the required location.

b. A minimum planting strip of six feet shall be provided between the back of curb and sidewalk, except where on-street parking is provided and tree wells or planters are more appropriate.

c. Tree selection and location shall be approved by the local utility provider and shall be no higher than 20 feet at maturity when located beneath power lines.

16. Stormwater Management Facilities:

a. Whenever possible, low impact development (LID) techniques such as rain gardens and bio-retention swales are encouraged to allow stormwater infiltration to occur as close to the source as possible. A decentralized stormwater management design which disperses stormwater facilities across the site rather than to a centralized treatment facility is encouraged.

b. Landscape vegetation shall be incorporated around the perimeter of the stormwater facility, which at maturity will visually conceal required fencing.

c. Landscape plants should be native. A minimum of 4 different species of trees and shrubs shall be utilized. Stormwater management facilities shall incorporate appropriate tree and plant species that take into account the soil, hydrologic, and other site and facility conditions. Existing vegetation should be incorporated into the facility design where possible.

d. Landscaping shall be situated to visually integrate the stormwater system into the overall landscape design.

17. Lighting for Community Facilities and Non-Residential Uses:

a. Intensity limits: Lighting levels at the property line, as measured at six feet above ground level, shall not exceed 0.5 footcandles. The footcandle average in on-site parking lots should not exceed 2.0 footcandles. The recommended maximum uniformity ratio (average: minimum light level) is 4:1.

b. Light fixture types and location:

i. "Shoebox" and "cobrahead" lights are prohibited. Flood or spotlights used as general grounds lighting are prohibited.

ii. All light fixtures shall be full cut-off type fixtures and shall direct light internal to the site.

iii. Individual light poles and wall mounted light fixtures shall be no taller than 20 feet above grade. Wall mounted light fixtures shall be placed no closer than every 25 feet along the facade. Lighted bollards are encouraged along pedestrian routes.

iv. Exterior lighting shall not exceed 0.5 footcandles, as measured at the property line and six feet above grade.

18. Signage for Community Facilities and Non-Residential Uses: ~~All signs within this district shall meet the sign standards set forth in this section in addition to current locally adopted sign code regulations. A uniform sign design for the parcels included within the district shall conform to the following standards:-~~

~~a. Wall mounted signs: One wall mounted sign is allowed per tenant per street frontage. In no case shall any wall mounted sign exceed an area of 24 square feet.~~

~~b. Prohibited signs: Roof signs, billboard signs, pole signs, signs that rotate or are in motion, including animated signs, are not allowed in this district.~~

~~c. Ground signs: One ground sign is allowed per street frontage. Ground signs shall be shared when a building contains multiple tenants or when there are multiple tenants located on the premise. The maximum surface area or display area for a ground sign within this district is 35 square feet per side with no more than two sides. Ground signs, including the sign structure itself, are limited to a maximum height of six feet from grade. Ground signs shall be constructed with a base full width to the sign face or pedestal mounted with materials that are consistent and compatible with those utilized on the principal building.~~

~~d. Sign illumination:-~~

~~i. Prohibited lighting: Flashing, rotating, pulsing, search, laser, or lights moving in any manner.~~

~~ii. Ground sign lighting: Ground signs are encouraged to be illuminated with an opaque field and letters of a lighter tone to control glare.~~

~~iii. Wall sign lighting: Wall mounted signs shall internally illuminated or externally illuminated with full cut off type light fixtures directed downward.~~

General notes:

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50-acre lots and non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500-gallon septic tank, also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the concurrency management ordinance for information pertaining to the availability of capacity for certain public facilities (roads, schools, parks, etc.).

Section 7. Amendments to Section 10-6.655 of the Code of Laws of Leon County, Florida.

Section 10-6.655 of Article VI of Chapter 10, the Land Development Code, of the Code of Laws of Leon County, Florida, entitled "Neighborhood boundary office," is hereby amended to read as follows:

Sec. 10-6.655. Neighborhood boundary office.

(a) *Purpose and intent.* The purpose and intent of this district is to provide minor office opportunities and higher intensity residential land uses up to a maximum of eight dwelling units per acre. The district is intended to be located on the edges of existing or planned single-family neighborhoods fronting on arterial and collector roadways and provides a transition between the residential development and more intensive development. This zoning district is not intended to be applied to the interior of an existing neighborhood or in areas designated as lake protection on the future land use map of the Comprehensive Plan. The provisions of this district are intended to allow higher density residential development and non-residential development that is compatible in scale and design with adjoining residential neighborhoods. The maximum amount of non-residential square footage allowed per acre is 10,000 square feet, but additional criteria may further limit that amount. Design guidelines applicable to this district include building orientation, lighting criteria for non-residential use, street vehicular access requirements, fencing, buffering, and screening requirements, signs, noise source restrictions, and solid waste container restrictions.

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(d) *Development standards.* All proposed development shall meet the buffer zone standards (section 10-7.522); the parking and loading requirements (subdivision 3, division 5, article VII of this chapter) and the land use development criteria as specified below:

Development Standards									
	4. Minimum Lot or Site Size			5. Minimum Building Setbacks (Note 4)				6. Maximum Building Restrictions	
Use Category	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	20 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet.	15 feet	25 feet	Not applicable	2 stories including floors devoted to parking.
Single-Family	3,750 square feet	37.5 feet	80 feet	20 feet	Not applicable	15 feet	25 feet	Maximum length: 4	2 stories including

Attached Dwellings	feet end unit; 2,400 square feet interio r lot	end unit; 25 feet interio r lot						residential units	floors devoted to parking.
Two-Family Dwellings	8,000 square feet	60 feet	100 feet	20 feet	Same as for single- family detached dwellings	15 feet	25 feet	A) Residential structures adjacent to existing single-family detached dwellings structures may not be less than 50 percent smaller than the smallest adjacent principal single-family detached dwelling structure: and B) All other two-family residential has no size limitations .	2 stories including floors devoted to parking.
Any Permitted Non-Residential Principal Use	None	80 feet	None	25 feet	15 feet on each side	25 feet	25 feet	A) Non-residential structures adjacent to existing residential single-family detached structures	2 stories including floors devoted to parking.

								may not exceed 2 times that of the largest adjacent principal residential structure: and B) All other non-residential structures shall not exceed 5,000 square feet of non-residential gross building floor area per parcel and 10,000 square feet per acre.	
Community Facilities and Service Uses	N/A	50 feet	80 feet	N/A	15 feet	15 feet	50 feet	8,500 square feet of gross building floor area per acre.	35 feet

7. Building Orientation:

a. Non-residential development and/or redevelopment of properties located at the intersection of arterial or collector roadways shall have a primary building entrance oriented toward the arterial or collector roadway.

8. Lighting Criteria for Non-Residential Uses: All nighttime lighting including wall mounted security lighting, shall not exceed 0.5 vertical surface footcandle measured at the property line 6 feet above grade. Lighting shall not exceed 10 feet in height and shall have recessed bulbs and filters, which conceal the source of illumination. No wall or roof mounted flood or spotlights used as general grounds lighting are permitted. Wall mounted security lighting is permitted.

9. Street Vehicular Access Requirements:

- a. Properties in the NBO zoning district may have vehicular access to any type of street except where specifically prohibited by this section.
- b. Residential developments shall have access to the street serving the adjoining residential neighborhood where possible.
- c. Non-residential development is not permitted access onto the street serving the residential neighborhood, or local street, and must have access onto the collector or arterial roadway.

d. All new non-residential development shall construct a vehicular and pedestrian interconnection to adjoining properties that have an existing commercial use. Interconnections shall be required to adjoining vacant properties, which are zoned for commercial and/or office use. The vehicular interconnection shall be constructed with material consistent with constructed or proposed vehicular use areas. Location of such interconnections shall be approved by the county Engineer or designee and constructed prior to issuance of a certificate of occupancy. Required interconnections between properties and/or to a private or public roadway shall be placed in a cross access easement acceptable by the County Attorney. The parking standards committee shall approve exemptions to and deviations from the interconnection requirements of this section.

10. Fencing, Buffering and Screening Requirements:

- a. Chainlink fencing is prohibited.
- b. Buffering shall be in accordance with the provisions of section 10-7.522. Notwithstanding that any existing trees and vegetation are required to remain in place and must be used to either fully or partially satisfy the buffering requirements of section 10-7.522. In instances where existing trees and vegetation are not present or are not sufficient to satisfy the buffering requirements of section 10-7.522, then new plantings shall be required.
- c. The off-site visual impacts associated with outdoor service functions or areas such as loading areas, trash collections, outdoor storage, or mechanical equipment shall be mitigated by the use of screening material consistent with the materials and design treatments of the primary facade of the primary building and/or evergreen landscape plant material.
- d. On-site parking adjoining roadways shall be screened from view from public roadways by landscape buffers with a minimum height of 3 feet. Approved height of screening shall take into consideration the elevation of the site in relation to the public roadway.
- e. Landscaping should be used to define on-site pedestrian corridors, building design elements, public areas, and viewsapes.

~~**11. Signs:** All signs within the NBO district shall be designed in accordance with the current locally-adopted sign code. Where conflict between standards of this district and other rules or regulations occur, the stricter of the two shall apply. A uniform sign design for the parcels included within the NBO district shall conform to the following minimum guidelines:-~~

- ~~a. One wall mounted sign per building per collector or arterial street frontage is permitted. A wall mounted sign shall not exceed 10 percent of the area of the building wall area on which it is mounted. Wall signs for multiple tenant commercial buildings shall be uniformly designed and placed. Only one wall sign for multiple tenant office land uses shall be allowed.~~
- ~~b. No roof signs, billboard signs, pole signs, flashing signs or signs in motion are permitted.~~
- ~~c. Freestanding signs shall be setback a minimum of 10 feet from the right of way line.~~
- ~~d. Freestanding signs shall be constructed with a base full width to the sign face that is constructed with materials that are consistent with the principal building.~~
- ~~e. One free standing sign per driveway access along the collector or arterial street frontage is permitted and shall be internally illuminated with an opaque field to control glare. The Maximum sign area permitted is 36 square feet with a maximum height of 10 feet.~~

1211. Noise Source Restrictions: In the event that a property zoned NBO abuts a residential property, the noise source of the NBO zoned property shall not exceed an L10 noise level of 60 dBA in the daytime (7:00 a.m. to 7:00 p.m.) and an L10 noise level of 50 dBA in the night time (7:00 p.m. to 7:00 a.m.) as measured on the property line abutting the source.

1312. Solid Waste Restrictions: New development and redevelopment may not place solid waste facilities within 30 feet of an adjoining residential property. However, such facilities shall be screened with a material consistent with the principal structure. The use of solid waste facilities greater than 90 gallons is prohibited within in the NBO district.

1413. Additional Criteria for the Construction of New Non-Residential Buildings and Additions: The overall goals of this district is to provide a unified sense of place, a pedestrian scale, and design that reflects the general character and scale of typical residential structures in adjacent neighborhoods. No particular architectural style or materials are mandated variety within these design criteria is encouraged. However, buildings shall be designed to reduce the mass, scale, and monolithic appearance of large structures. Flat roofs are prohibited. Roofs shall be designed with a minimum pitch of 4 in 12 (four feet of rise per 12 feet of run). The horizontal footprint of a single roof plane may not exceed 1,000 square feet. Doors and windows shall be placed to reflect the predominant character and scale of adjacent residential structures, and to provide natural surveillance opportunities to discourage criminal activities. Exterior walls shall be designed with doors or windows spaced horizontally no more than 14 feet from each other. For purposes of this requirement, doors and windows shall be defined as having a horizontal dimension of no less than 3 feet and no more than 10 feet. Development and redevelopment applications shall provide sufficient documentation including, but not limited to, architectural elevations (at time of site plan submittal) demonstrating that the proposed development is consistent with the following features of the adjoining neighborhood:

- a. Building facades including building material, architectural style, and colors.
- b. Roof form.

These criteria shall only apply to new construction and when building additions are being proposed.

General notes:

- (1) If central sanitary sewer is not available, residential development is limited to a minimum of 0.50-acre lots and inside the Urban Service Area, non-residential development is limited to a maximum of 2,500 square feet of building area. Also, refer to sanitary sewer policies 3.1.6 and 3.1.7 of the Comprehensive Plan for additional requirements.
- (2) Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
- (3) Refer to the concurrency management: ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).
- (4) If setbacks have been previously established by a preliminary plat or recorded plat, then setbacks that have been established shall apply except where approved by the development review committee.

(e) *Specific restrictions.* If uses are restricted according to the scheduled of permitted uses, they must follow the general development guidelines for restricted uses as provided in this division.

Section 8. Amendments to Section 10-6.660 of the Code of Laws of Leon County, Florida.

Section 10-6.660 of Article VI of Chapter 10, the Land Development Code, of the Code of Laws of Leon County, Florida, entitled "Lake Protection Node Zoning District," is hereby amended to read as follows:

Sec. 10-6.660. Lake Protection Node Zoning District.

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13. Buffering, Screening and Outdoor Service Areas:

(a) **Buffer zone standards:** Buffering is not required between uses within the LPN zoning district. Where development abuts existing single-family subdivisions, the landscape buffer standards of section 10-7.522 shall apply.

(b) **Fencing:** Chain link fencing visible from public streets or adjoining property is prohibited, unless it is screened by vegetation that provides 100% opacity within 5 years from planting or at plant maturity, whichever is less.

(c) **Outdoor service areas, loading docks, delivery areas:**

1. Location: Shall only be located to the rear, side of a building, or in an interior location and shall adhere to the screening requirements in subsection (c)(2). Additionally, all outdoor services areas, loading docks and delivery areas shall be set back a minimum of 75-feet from the nearest residential structure in an adjoining zoning district.
 2. Screening: Outdoor service areas, loading docks, delivery areas, trash collection, outdoor storage, and mechanical equipment shall be mitigated using screening material consistent with the materials and design treatments of the primary facade of the primary building and/or evergreen landscape plant material.
 - a. Landscape plans shall provide sight lines for natural surveillance between 3 and 8 feet above grade.
 - b. The service areas shall not be within 50 feet of any adjoining residential property.
 - c. The service areas shall be screened with vegetation and fences/masonry walls that are of sufficient height (minimum six feet) and opacity (minimum 50 percent) to screen from nearby streets and residential areas. Fences or masonry walls shall be constructed with materials that are incorporated in the design of the principal building.
 - d. Above ground utility boxes visible from the street shall be screened with landscaping on at least two sides, thereby preserving access for the utility provider.
- (d) **Required landscaping; alternative compliance methods:** Development is encouraged to utilize the site design alternatives set out in sections 10-4.347 and 10-4.350.

14. Lighting: A lighting and photometric plan that includes all lighting proposed on-site shall be provided at the time of site plan review to demonstrate compliance with this section.

(a) Parking Areas and Pedestrian Pathways:

1. Intensity limits: Lighting levels adjacent to residential areas shall not exceed 0.5 footcandles at the property line as measured at 6 feet above ground level. The footcandle average for on-site parking lots shall not exceed 2.0 footcandles. The recommended maximum uniformity ratio (average: minimum light level) is 4:1.
2. Light fixture types and location:
 - a. Dark Sky compliant fixtures are encouraged.
 - b. All light fixtures shall be full cut-off type fixtures and direct light internal to the site.
 - c. Parking lighting shall be spaced a maximum of 50 feet apart and shall not exceed 20 feet in height above grade.
 - d. Lighting for off-street walkways shall be spaced no more than 30 feet apart and shall not exceed 10 feet in height.

(b) Building Lighting: Lighting should be concentrated at ground floor. Above the ground floor, lighting shall only be used to selectively highlight specific architectural features and signs without lighting up an entire façade of the building. General floodlighting of building facades is not permitted.

15. Signage: All signs shall comply with the county sign code (Article IX) and any additional requirements set out in this section. Where conflicts occur, the most restrictive standard shall apply.

(a) Prohibitions: Roof signs, billboard signs, electronic message centers, pole signs, signs that rotate or are in motion, or signs that contain flashing, rotating, pulsing, search, laser, or lights which move in any manner.

(b) Allowances:

- ~~1. A master sign plan for the entire LPN zone or unified development plan is highly encouraged. Additional sign allowances may be granted through a deviation process during site plan review if a master sign plan is developed and approved. Any future modifications to an approved master sign plan will require a site plan modification with associated fee.~~
- ~~2. Monument signs shall not exceed six feet above grade for single tenant structures and 15 feet above grade for multiple tenant structures.~~
- ~~3. All monument signs shall be setback a minimum of 10 feet from the right of way line and shall be constructed with a full base width to the sign face that is constructed with materials that are consistent~~

~~with the principal building. It is encouraged that the base is constructed with either metal, wood, or masonry materials.~~

~~4. One wall mounted sign per tenant is permitted. A wall mounted sign shall not exceed 10 percent of the area of the tenant wall area on which it is mounted. Wall signs for multiple tenant commercial buildings shall be uniformly designed and placed. Wall mounted signs shall be internally illuminated or externally illuminated with full cut off type light fixtures directed downward.~~

~~5. Two on-site directional signs, not to exceed 4 square feet each, shall be allowed per tenant. Such signs are intended for navigational purposes and shall be free of logos, advertisements, badges, or slogans.~~

1615. Stormwater Management Facilities: All stormwater management facilities shall be constructed with 4:1 side slopes. Refer to section 10-4.301 for water quality treatment and volume control standards associated with development.

(a) Stormwater ponds shall be designed to imitate "natural" pond characteristics, including curved geometrics, gently sloping edges, landscaping and paving materials, and should be placed to be focal design amenities. A decentralized stormwater management design which disperses stormwater facilities across the site rather than to a centralized treatment facility is encouraged. Low impact development (LID) techniques, such as rain gardens and bio-retention swales, are encouraged to allow stormwater infiltration to occur as close to the source as possible.

(b) Landscape vegetation shall be incorporated around the perimeter of the stormwater facility, which at maturity will visually conceal required fencing. Landscape plants should be native and a minimum of four different species of trees and shrubs shall be utilized. Stormwater management facilities shall incorporate appropriate tree and plant species that consider the soil, hydrologic, and other site and facility conditions. Existing vegetation should be incorporated into the facility design wherever possible.

(c) Chain-link and vinyl clad fencing enclosures are prohibited where stormwater management facilities are visible from public roadways/access ways. Where fencing and/or retaining walls are proposed and visible from a public roadway/access way, such fencing shall be architecturally compatible with the principal structure.

1716. Single-Family Attached Dwelling Units: Front-loaded units are prohibited. Driveway and parking access shall be from the rear of the unit.

1817. Existing Single-Family Detached Dwelling Units: Individual single-family homes in the LPN zoning district that became non-conforming as of the date of this ordinance, shall be allowed to make improvements such as additions to the home, porches, accessory structures and an accessory dwelling unit provided they meet all the requirements for establishing such improvements on the property. Setback standards for single-family detached dwelling units shall be as follows: 10-foot front yard setback, 20-foot rear yard setback, 10-foot side corner setback and 10-foot maximum side yard setback. In the event of casualty, in whole or in part, structures located on the property shall be allowed to rebuild provided all provisions and requirements of the county's land development code have been met.

General notes:

- (1) Central sanitary sewer and water are required within LPN.
- 2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
- 3. Refer to the concurrency management ordinance for information pertaining to the availability of capacity for certain public facilities (roads, schools, parks, etc.).
- 4. Development standards. All proposed development shall meet the buffer zone standards (section 10-7.522), and the parking and loading requirements (subdivision 3, division 5, article VII of this chapter).

Section 9. Amendments to Section 10-6.673 of the Code of Laws of Leon County, Florida.

Section 10-6.673 of Article VI of Chapter 10, the Land Development Code, of the Code of Laws of Leon County, Florida, entitled "BC-1 Bradfordville Commercial Auto-Oriented District," is hereby amended to read as follows:

Sec. 10-6.673. BC-1 Bradfordville Commercial Auto-Oriented District.

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Development Standards									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Any permitted principal and special exception use	None	None	None	20 feet	15 feet	25 feet	10 feet	17,000 square feet of commercial floor area per acre. No single use tenant shall exceed 10,000 gross square feet.	30 feet (within Lake McBride Overlay District); otherwise, 3 stories.
<p>7. Access Management Criteria: (In case of a conflict with the provisions of other ordinances or regulations, the most strict provisions shall apply).</p> <p>(a.) Arterial and collector roads. Direct driveway access to arterial and collector roads is prohibited except for:</p> <ol style="list-style-type: none"> Existing driveway access as of July 28, 1998; A single driveway access for properties in existence before July 28, 1998 which have sole access to the arterial road and does not have other street access; and Temporary driveway access may be permitted for properties which establish permanent access to another public street and grant the local government with jurisdiction the right to close the temporary access without compensation upon opening of access to an alternative roadway. <p>(b.) All properties. All properties shall provide cross access easements benefiting adjoining properties to permit the development of an internal vehicular and pedestrian circulation system. All non-residential properties shall provide driveway interconnections to adjoining non-residential properties. All new developments proposing subdivision shall have shared access for every two parcels created.</p> <p>(c.) Local streets. Full movement access to a local street shall not be permitted within 200 feet of a signalized intersection. Right-in/right-out access to a local street shall not be permitted closer than 100 feet to another access point or intersecting public street, nor within 200 feet of a signalized intersection,</p>									

except properties with sole access to a local street are permitted at least one access point, which may be limited to right-in/right-out based upon a traffic safety evaluation.

8. Street Vehicular Access Restrictions: Properties in the BC-1 zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from non-residential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, R, and RP.

9. Landscape Standards: Development within the BC-1 shall be subject to the landscape requirements of this section in addition to those requirements of the Environmental Management Act (EMA). Where standards conflict, the stricter of the two shall apply. All landscape plans shall be prepared by a registered landscape architect as per F.S. ch. 481.

(a.) Arterial road landscaping. All properties fronting arterial roads shall provide and maintain a 30-foot-wide landscape area immediately adjoining the arterial road. All vegetation within the 30-foot-wide landscaped area of good condition four inches and larger shall be preserved. This landscape area shall be planted with canopy trees with at least one tree for each 200 square feet of landscape area. Creative design and spacing is encouraged. The landscape area may be crossed by driveways permitted pursuant to subsection 7 of this section, but compensatory area shall be added, equal to the area of the driveway, adjacent to the required landscape area. Sidewalks are not permitted within the landscaped area except for interconnections to sidewalks fronting public roadways. Signs in accordance with subsection 13 of this section may be located within the landscape area, but shall not reduce the tree planting requirement. Existing healthy trees in the landscape area may be counted as prescribed in section 10-4.350(b) toward meeting the tree planting requirement. Management of the existing trees within the 30 feet shall include pruning of dead and hazardous tree limbs, pruning of live limbs less than 25 percent of the green mass of the tree, fertilization, pest control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed.

(b.) Collector and local road landscaping. All properties fronting collector and local roads shall provide and maintain a 20-foot-wide landscape area immediately adjoining the collector or local road. All vegetation within the 20-foot-wide landscaped area of good condition four inches and larger shall be preserved (This provision shall not apply where a primary entrance is oriented toward the street and there is no vehicular use area between the building and roadway). This landscape area shall be planted with canopy trees with at least one tree for each 200 square feet of landscape area. Creative design and spacing is encouraged. The landscape area may be crossed by driveways permitted pursuant to subsection 7 of this section, but compensatory area shall be added equal to the area of the driveway within the required landscape area. Sidewalks are not permitted within the landscaped area except for interconnections to sidewalks fronting public roadways. Signs in accordance with subsection 13 of this section may be located within the landscape area, but shall not reduce the tree planting requirement. Existing healthy trees in the landscape area may be counted as prescribed in section 10-4.350(b) toward meeting the tree planting requirement. Management of the existing trees within the 20 feet shall include pruning of dead and hazardous tree limbs, pruning of live limbs less than 25 percent of the green mass of the tree, fertilization, pest control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed.

(c.) Street trees. All existing and proposed roadways/access ways shall be planted with canopy trees at a standard of one canopy tree per 200 square feet of landscaped area. Credit shall be given for existing vegetation within the required landscaped areas as identified in subsections (a.) and (b.) of this section. Creative design and spacing is encouraged.

(d.) Parking areas. All vehicular use areas shall be buffered from view from public streets and/or access ways through the use of vegetation and/or topography or other manmade structures so long as such structures are architecturally compatible with the principle structure. All manmade visual buffers greater than 20 feet in unbroken length shall be designed to provide interesting visual effects and reduce apparent mass through the use of vegetation and plane projections, material changes, changes in

scale or other architectural features. Canopy tree cover for the parking area shall be provided so as to attain a minimum of 60 percent plan view shading within 10 years of planting date. At grade parking grade shall include interior landscaped areas at a minimum ration of 400 square feet per 5,000 square feet of vehicular use area located internally to the parking area. Where interior landscaped areas cannot be obtained, the required landscaped area shall be placed between the proposed vehicular use area and the public right-of-way and/or access way. Existing vegetation shall be incorporated into the landscaped areas to the greatest extent possible. Planting areas shall have a minimum area of 400 square feet, with a minimum dimension of 10 feet and shall have a depth of 3 feet of good planting soil.

(e.) Trees planted within a sidewalk area shall incorporate tree grates or other surfacing so as to not impede the flow of pedestrian traffic.

(f.) Buffer standards for uncomplimentary land uses shall meet the requirements of section 10-7.522.

(g.) Developments within this district shall preserve a minimum of 25 percent of the total site as natural area. The required natural area may be located off-site if the required area is designated as public open space and is accepted by the public works department. On-site natural area shall encompass significant, naturally occurring vegetation areas or other significant environmental features.

(h.) Stormwater management facilities shall be landscaped in accordance with the Environmental Management Act, however, development is encouraged to provide innovative designs making such facilities an amenity to the site. All stormwater management facilities are encouraged to be constructed with 4:1 side slopes. Chainlink and vinyl clad fencing enclosures are prohibited where stormwater management facilities are visible from public roadways/access ways. Where fencing and/or retaining walls are proposed and visible from a public roadway/access way, such fencing shall be architecturally compatible with the principle structure. Stormwater ponds shall be designed to imitate "natural" pond characteristics, including curved geometrics, gently sloping edges, landscaping and paving materials, and should be placed so as to be focal design amenities.

~~**10. Signs:** All signs within the BC-1 district shall be designed in accordance with the current locally adopted building code. Where conflict between standards of this district and other rules or regulations occur, the stricter of the two shall apply. A uniform sign design for the parcels included within the BC-1 district shall conform to the following minimum guidelines:-~~

~~(a.) One wall mounted sign per tenant per street frontage is permitted. A wall mounted sign shall not exceed 10 percent of the area of the tenant wall area on which it is mounted. Wall signs for multiple-tenant commercial buildings shall be uniformly designed and placed. Only one wall sign for multiple-tenant office land uses shall be allowed.-~~

~~(b.) No roof signs, billboard signs, pole signs, flashing signs or signs in motion are permitted.-~~

~~(c.) Freestanding signs shall be setback a minimum of 10 feet from the right of way line.-~~

~~(d.) Temporary signs (not to exceed 30 days of display in a calendar year) are permitted at the discretion of the developer, except signs advertising property for sale or lease are not subject to this restriction.-~~

~~(e.) Freestanding signs shall be constructed with a base full width to the sign face that is constructed with materials that are consistent with the principle building. One freestanding sign per driveway-access per street frontage is permitted and shall be internally illuminated with an opaque field to control glare. Freestanding signs are sized proportional to the type of roadway to which they are adjacent. Allowable size restrictions are as follows:-~~

~~1.) Arterial roads: Maximum area: 150 square feet, maximum height: 25 feet.-~~

~~2.) Major collector roads: Maximum area: 100 square feet, maximum height: 20 feet.-~~

~~3.) Minor collector and local roads: Maximum area: 36 square feet, maximum height: eight feet.-~~

11.10. Parking Standards:

(a.) Properties fronting an arterial road shall be allowed to construct 50 percent of all parking required by the land development code in front of the proposed building/structure and/or adjacent to a public roadway. Additional parking, above code requirements shall be located to a side or rear of the proposed

building/structure that is not fronting a public or private roadway or access way.

(b.) Properties fronting a collector or local road shall be allowed to construct a single parking aisle between the proposed building and the collector and/or local road.

1211. Lighting Standards:

(a.) All exterior lighting shall have recessed bulbs and filters which conceal the source of illumination. No wall or roof mounted flood or spot lights used as general grounds lighting are permitted. Security lighting is permitted.

(b.) Lighting for off-street walkways shall be spaced no more than 30 feet apart, and shall not exceed 10 feet in height.

(c.) Parking lighting shall be spaced a maximum of 50 feet apart and shall not exceed 20 feet in height.

(d.) Lighting levels adjacent to residential areas shall not exceed 0.5 footcandles at the property line (six feet above ground).

1312. Noncompliance: Existing noncompliance of the standards set forth in this section shall be subject to the provisions of division 3 of this article.

1415. Variance Procedure: Conformance to these design criteria shall be verified by the county during the site and development plan review process required for individual development projects. Deviation from the following subsections of this section may be requested pursuant to article I of the Leon County Land Development Code: subsections 5, 6, 7, 8, 10(c) and 11 of this section.

1514. Incentives for Site Design Alternatives: An intensity bonus shall be provided to developments incorporating any of the following site design alternatives:

1) An intensity bonus of 3,000 square feet per acre (maximum) shall be allowed provided new development or redevelopment utilizes one or more of the following:

a) For properties fronting an arterial or collector roadway, no less than 25 percent of the parking will be provided in a shared facility.

b) Development site areas of 3 or more acres wherein at least 50 percent of the parking will be provided in a shared facility.

c) Parking is provided within a range of 50 percent—75 percent of the parking requirements in section 10-7.545.

d) The development contains a minimum of 35 percent natural open space.

General notes:

- (1) If central sanitary sewer is not available, non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area of a 500-gallon septic tank. Also, refer to sanitary sewer policy 2.1.12 of the Comprehensive Plan for additional requirements.
- (2) Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
- (3) Refer to the concurrency management ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).

Section 10. Amendments to Section 10-6.674 of the Code of Laws of Leon County, Florida.

Section 10-6.674 of Article VI of Chapter 10, the Land Development Code, of the Code of Laws of Leon County, Florida, entitled “BC-2 Bradfordville Commercial Pedestrian-Oriented District,” is hereby amended to read as follows:

Sec. 10-6.674. BC-2 Bradfordville Commercial Pedestrian-Oriented District.

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Development Standards									
	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
Use Category	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Any Permitted Principal and Special Exception Use	None	None	None	None (5 feet maximum)	None	None	30 feet	18,000 square feet of commercial floor area per acre. No single use tenant shall exceed 10,000 gross square feet.	3 stories

7. Access Management Criteria: (In case of a conflict with the provisions of other ordinances or regulations, the most strict provisions shall apply).

(a.) Arterial and collector roads. Direct driveway access to arterial and collector roads is prohibited except for:

- 1) Existing driveway access as of July 28, 1998;
- 2) A single driveway access for properties in existence before July 28, 1998 which have sole access to the arterial road and does not have other street access; and
- 3) Temporary driveway access may be permitted for properties which establish permanent access to another public street and grant the local government with jurisdiction the right to close the temporary access without compensation upon opening of access to an alternative roadway.

(b.) All properties. All properties shall provide cross access easements benefiting adjoining properties to permit the development of an internal vehicular and pedestrian circulation system. All non-residential properties shall provide driveway interconnections to adjoining non-residential properties. All new developments proposing subdivision shall have shared access for every two parcels created where accessed from a local street.

(c.) Local streets. Full movement access to a local street shall not be permitted within 200 feet of a signalized intersection. Right-in/right-out access to a local street shall not be permitted closer than 100 feet to another access point or intersecting public street, nor within 200 feet of a signalized intersection, except properties with sole access to a local street are permitted at least one access point, which may be limited to right-in/right-out based upon a traffic safety evaluation.

8. Street Vehicular Access Restrictions: Properties in the BC-2 zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from non-residential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, R, and RP.

9. Landscape Standards: Development within the BC-2 shall be subject to the landscape requirements of this section in addition to those requirements of the Environmental Management Act (EMA). Where

standards conflict, the stricter of the two shall apply. All landscape plans shall be prepared by a registered landscape architect as per F.S. ch. 481.

(a.) Arterial road landscaping. All properties fronting arterial roads shall provide and maintain a 30 foot wide landscape area immediately adjoining the arterial road. All vegetation within the 30 foot wide landscaped area of good condition four inches and larger shall be preserved. This landscape area shall be planted with canopy trees with at least one tree for each 200 square feet of landscape area. Creative design and spacing is encouraged. The landscape area may be crossed by driveways permitted pursuant to subsection 7 of this section, but compensatory area shall be added, equal to the area of the driveway, adjacent to the required landscape area. Sidewalks are not permitted within the landscaped area except for interconnections to sidewalks fronting public roadways. Signs in accordance with section 13. of this section may be located within the landscape area, but shall not reduce the tree planting requirement. Existing healthy trees in the landscape area may be counted as prescribed in section 10-4.350(b) toward meeting the tree planting requirement. Management of the existing trees within the 30 feet shall include pruning of dead and hazardous tree limbs, pruning of live limbs less than 25 percent of the green mass of the tree, fertilization, pest control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed.

(b.) Collector road landscaping. All properties fronting collector and local roads shall provide and maintain a 20-foot-wide landscape area immediately adjoining the collector road. All vegetation within the 20-foot-wide landscaped area of good condition four inches and larger shall be preserved (This provision shall not apply where a primary entrance is oriented toward the street and there is no vehicular use area between the building and roadway). This landscape area shall be planted with canopy trees with at least one tree for each 200 square feet of landscape area. Creative design and spacing is encouraged. The landscape area may be crossed (for redevelopment projects only) by driveways permitted pursuant to subsection 7 of this section, but compensatory area shall be added equal to the area of the driveway within the required landscape area. Sidewalks are not permitted within the landscaped area except for interconnections to sidewalks fronting public roadways. Signs in accordance with subsection 13 of this section may be located within the landscape area, but shall not reduce the tree planting requirement. Existing healthy trees in the landscape area may be counted as prescribed in section 10-4.350(b) toward meeting the use planting requirement. Management of the existing trees within the 20 feet shall include pruning of dead and hazardous tree limbs, paining of live limbs less than 25 percent of the green mass of the tree, fertilization, post control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed.

(c.) Local road and access ways landscaping. All properties fronting a local road and every access way shall provide one canopy tree for every 15 linear feet of local road frontage and/or access way.

(d.) Street trees. All canopy tree planting areas shall contain a minimum of 200 square feet of landscaped area. Creative design and spacing is encouraged.

(e.) Parking areas. All vehicular use areas shall be buffered from view from public streets and/or access ways through the use of vegetation and/or topography or other manmade structures so long as such structures are architecturally compatible with the principle structure. All manmade visual buffers greater than 20 feet in unbroken length shall be designed to provide interesting visual effects and reduce apparent mass though the use of vegetation and plane projections, material changes, changes in scale or other architectural features. Canopy tree cover for the parking area shall be provided so as to attain a minimum of 60 percent plan view shading within 10 years of planting date. At grade parking grade shall include interior landscaped areas at a minimum ratio of 400 square feet per 5,000 square feet of vehicular use area located internally to the parking area. Where interior landscaped areas cannot be obtained, the required landscaped area shall be placed between the proposed vehicular use area and the public right-of-way and/or access way. Existing vegetation shall be incorporated into the landscaped areas to the greatest extent possible. Planting areas shall have a minimum area of 400 square feet, with a minimum dimension of 10 feet and shall have a depth of 3 feet of good planting soil.

(f.) Trees planted within a sidewalk area shall incorporate tree grates or other surfacing so as to not impede the flow of pedestrian traffic.

(g.) Buffer standards for uncomplimentary land uses shall meet the requirements of section 10-7.522.

(h.) Developments within this district shall preserve a minimum of 25 percent of the total site as natural area. The required natural area may be located off-site if the required area is designated as public open space and is accepted by the public works department. On-site natural area shall encompass significant, naturally occurring vegetation areas or other significant environmental features.

(i.) Stormwater management facilities shall be landscaped in accordance with the Environmental Management Act, however, development is encouraged to provide innovative designs making such facilities an amenity to the site. All stormwater management facilities are encouraged to be constructed with 4:1 side slopes. Chainlink and vinyl clad fencing enclosures are prohibited where stormwater management facilities are visible from public roadways/access ways. Where fencing and/or retaining walls are proposed and visible from a public roadway/access way, such fencing shall be architecturally compatible with the principle structure. Stormwater ponds shall be designed to imitate "natural" pond characteristics, including curved geometrics, gently sloping edges, landscaping and paving materials, and should be placed so as to be focal design amenities.

10. Signs: All signs within the BC 2 district shall be designed in accordance with the current locally adopted building code. Where conflict between standards of this district and other rules or regulations occur, the stricter of the two shall apply. A uniform sign design for the parcels included within the BC 2 district shall conform to the following minimum guidelines:-

(a.) One wall mounted sign per tenant per street frontage is permitted. A wall mounted sign shall not exceed 10 percent of the area of the tenant wall area on which it is mounted. Wall signs for multiple tenant commercial buildings shall be uniformly designed and placed.

(b.) No roof signs, billboard signs, pole signs, flashing signs or signs in motion are permitted.

(c.) Freestanding signs shall be setback a minimum of 10 feet from the right of way line.

(d.) Temporary signs (not to exceed 30 days of display in a calendar year) are permitted at the discretion of the developer, except signs advertising property for sale or lease are not subject to this restriction.

(e.) Free standing signs shall be constructed with a base full width to the sign face that is constructed with materials that are consistent with the principle building. One free standing sign per driveway access per street frontage is permitted and shall be internally illuminated with an opaque field to control glare. Freestanding signs are sized proportional to the type of roadway to which they are adjacent. Allowable size restrictions are as follows:-

1.) Arterial roads: Maximum area: 150 square feet, maximum height: 25 feet.

2.) Major collector roads: Maximum area: 100 square feet, maximum height: 20 feet.

3.) Minor collector and local roads: Maximum area: 36 square feet, maximum height: 8 feet.

11.10. Parking Standards:

(a) Off-street parking is prohibited between buildings fronting a local street and/or access way.

11.11. Lighting Standards:

(a.) All exterior lighting shall have recessed bulbs and filters which conceal the source of illumination. No wall or roof mounted flood or spot lights used as general grounds lighting are permitted. Security lighting is permitted.

(b.) Lighting for off-street walkways shall be spaced no more than 30 feet apart, and shall not exceed 10 feet in height.

(c.) Parking lighting shall be spaced a maximum of 50 feet apart and shall not exceed 20 feet in height.

(d.) Lighting levels adjacent to residential areas shall not exceed 0.5 footcandles at the property line (six feet above ground).

11.12. Noncompliance: Existing noncompliance of the standards set forth in this section shall be subject to the provisions of division 3 of this article.

11.13. Variance Procedure: Conformance to these design criteria shall be verified by the county during the site and development plan review process required for individual development projects. Deviation from the following subsections of this section may be requested pursuant to article I of the Leon County Land Development Code: subsections 4, 6, 7, 8, 9, 11(a), and 12 of this section.

1514. Incentives for Site Design Alternatives: An intensity bonus shall be provided to developments incorporating any of the following site design alternatives.

1) An intensity bonus of 2,000 square feet per acre (maximum) shall be allowed provided new development or redevelopment utilizes one or more of the following:

a) For properties fronting an arterial or collector roadway, no less than 25 percent of the parking will be provided in a shared facility.

b) Development site areas of 3 or more acres wherein at least 50 percent of the parking will be provided in a shared facility.

c) Parking is provided within a range of 50 percent—75 percent of the parking requirements in section 10-7.545.

d) The development contains a minimum of 35 percent natural open space.

General notes:

- (1) If central sanitary sewer is not available, non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500-gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
- (2) Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
- (3) Refer to the concurrency management ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).

Section 11. Amendments to Section 10-6.675 of the Code of Laws of Leon County, Florida.

Section 10-6.675 of Article VI of Chapter 10, the Land Development Code, of the Code of Laws of Leon County, Florida, entitled “BCS Bradfordville Commercial Services District,” is hereby amended to read as follows:

Sec. 10-6.675. BCS Bradfordville Commercial Services District.

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Development Standards									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Any Permitted Principal and Special Exception Use	None	None	None	20 feet	15 feet	25 feet	10 feet	Gross floor area shall not exceed 15,000 square feet per acre, except for	2 stories

								buildings or portions thereof which are used for storage which may not exceed 17,000 square feet per acre. No single use tenant shall exceed 10,000 square feet.	
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7. Access Management Criteria: (In case of a conflict with the provisions of other ordinances or regulations, the most strict provisions shall apply.)

(a) Arterial and collector roads. Direct driveway access to arterial and collector roads is prohibited except for:

- 1) Existing driveway access as of July 28, 1998;
- 2) A single driveway access for properties in existence before July 28, 1998, which have sole access to the arterial road and does not have other street access; and
- 3) Temporary driveway access may be permitted for properties which establish permanent access to another public street and grant the local government with jurisdiction the right to close the temporary access without compensation upon opening of access to an alternative roadway.

(b) All properties. All properties shall provide cross access easements benefiting adjoining properties to permit the development of an internal vehicular and pedestrian circulation system. All non-residential properties shall provide driveway interconnections to adjoining non-residential properties. All new developments proposing subdivision shall have shared access for every two parcels created.

(c) Local streets. Full movement access to a local street shall not be permitted within 200 feet of a signalized intersection. Right-in/right-out access to a local street shall not be permitted closer than 100 feet to another access point or intersecting public street, nor within 200 feet of a signalized intersection, except properties with sole access to a local street are permitted at least one access point, which may be limited to right-in/right-out based upon a traffic safety evaluation.

8. Street Vehicular Access Restrictions: Properties in the BCS zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from non-residential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, R, and RP.

9. Landscape Standards: Development within the BCS shall be subject to the landscape requirements of this section in addition to those requirements of the Environmental Management Act (EMA). Where standards conflict, the stricter of the two shall apply. All landscape plans shall be prepared by a registered landscape architect as per F.S. ch. 481.

(a.) Arterial road landscaping. All properties fronting arterial roads shall provide and maintain a 30 foot wide landscape area immediately adjoining the arterial road. All vegetation within the 30-foot-wide landscaped area of good condition four inches and larger shall be preserved. This landscape area shall be planted with canopy trees with at least one tree for each 200 square feet of landscape area. Creative

design and spacing is encouraged. The landscape area may be crossed by driveways permitted pursuant to subsection 7 of this section, but compensatory area shall be added, equal to the area of the driveway, adjacent to the required landscape area. Sidewalks are not permitted within the landscaped area except for interconnections to sidewalks fronting public roadways. Signs in accordance with subsection 13 of this section may be located within the landscape area, but shall not reduce the tree planting requirement. Existing healthy trees in the Landscape area may be counted as prescribed in section 10-4.350(b) toward meeting the tree planting requirement. Management of the existing trees within the 30 feet shall include pruning of dead and hazardous tree limbs, pruning of live limbs less than 25 percent of the green mass of the tree, fertilization, pest control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed.

(b.) Collector and local road landscaping. All properties fronting collector and local roads shall provide and maintain a 20-foot-wide landscape area immediately adjoining the collector or local road. All vegetation within the 20-foot-wide landscaped area of good condition four inches and larger shall be preserved (This provision shall not apply where a primary entrance is oriented toward the street and there is no vehicular use area between the building and roadway). This landscape area shall be planted with canopy trees with at least one tree for each 200 square feet of landscape area. Creative design and spacing is encouraged. The landscape area may be crossed by driveways permitted pursuant to subsection 7 of this section, but compensatory area shall be added equal to the area of the driveway within the required landscape area. Sidewalks are not permitted within the landscaped area except for interconnections to sidewalks fronting public roadways. Signs in accordance with subsection 13 of this section may be located within the landscape area, but shall not reduce the tree planting requirement. Existing healthy trees in the landscape area may be counted as prescribed in section 10-4.350(b) toward meeting the tree planting requirement. Management of the existing trees within the 20 feet shall include pruning of dead and hazardous tree limbs, pruning of live limbs less than 25 percent of the green mass of the tree, fertilization, pest control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed.

(c.) Street trees. All existing and proposed roadways/access ways shall be planted with canopy trees at a standard of one canopy tree per 200 square feet of landscape area. Credit shall be given for existing vegetation within the required landscaped areas as identified in subsection 9.(a) and (b) of this section. Creative design and spacing is encouraged.

(d.) Parking areas. All vehicular use areas shall be buffered from view from public streets and for access ways through the use of vegetation and/or topography or other manmade structures so long as such structures are architecturally compatible with the principle structure. All manmade visual buffers greater than 20 feet in unbroken length shall be designed to provide interesting visual effects and reduce apparent mass through the use of vegetation and plane projections, material changes, in scale or other architectural features. Canopy tree cover for the parking area shall be provided so as to attain a minimum of 60 percent plan view shading within 10 years of planting date. At grade parking areas shall include interior landscaped areas at a minimum ratio of 400 square feet per 5,000 square feet of vehicular use area located internally to the parking area. Where interior landscaped areas can not be obtained, the required landscaped area shall be placed between the proposed vehicular use area and the public right-of-way and/or access way. Existing vegetation shall be incorporated into the landscaped areas to the greatest extent possible. Planting areas shall have a minimum area of 400 square feet, with a minimum dimension of 10 feet and shall have a depth of 3 feet of good planting soil.

(e.) Trees planted within a sidewalk area shall incorporate tree grates or other surfacing so as to not impede the flow of pedestrian traffic.

(f.) Buffer standards for uncomplimentary land uses shall meet the requirements of section 10-7.522.

(g.) Developments within this district shall preserve a minimum of 25 percent of the total site as natural area. On-site natural area shall encompass significant, naturally occurring vegetation areas or other significant environmental features.

(h.) Stormwater management facilities shall be landscaped in accordance with the Environmental Management Act, however, development is encouraged to provide innovative designs making such

facilities an amenity to the site. All stormwater management facilities are encouraged to be constructed with 4:1 side slopes. Chainlink and vinyl clad fencing enclosures are prohibited where stormwater management facilities are visible from public roadways/access ways. Where fencing and/or retaining walls are proposed and visible from a public roadway/access way, such fencing shall be architecturally compatible with the principle structure. Stormwater ponds shall be designed to imitate "natural" pond characteristics, including curved geometrics, gently sloping edges, landscaping and paving materials, and should be placed so as to be focal design amenities.

~~10. Signs:~~ All signs within the BCS district shall be designed in accordance with the current locally-adopted building code. Where conflict between standards of this district and other rules or regulations occur, the stricter of the two shall apply. A uniform sign design for the parcels included within the BCS district shall conform to the following minimum guidelines:-

~~(a.) One wall mounted sign per tenant per street frontage is permitted. A wall mounted sign shall not exceed 10 percent of the area of the tenant wall area on which it is mounted. Wall signs for multiple-tenant commercial buildings shall be uniformly designed and placed.~~

~~(b.) No roof signs, billboard signs, pole signs, flashing signs or signs in motion are permitted.~~

~~(c.) Freestanding signs shall be setback a minimum of 10 feet from the right of way line.~~

~~(d.) Temporary signs (not to exceed 30 days of display in a calendar year) are permitted at the discretion of the developer, except signs advertising property for sale or lease are not subject to this restriction.~~

~~(e.) Freestanding signs shall be constructed with a base full width to the sign face that is constructed with materials that are consistent with the principle building. One freestanding sign per driveway access per street frontage is permitted and shall be internally illuminated with an opaque field to control glare. Freestanding signs are sized proportional to the type of roadway to which they are adjacent. Allowable size restrictions are as follows:~~

~~1.) Arterial Roads: Maximum area: 150 square feet, maximum height: 25 feet.~~

~~2.) Major Collector Roads: Maximum area: 100 square feet, maximum height: 20 feet.~~

~~3.) Minor Collector and Local Roads: Maximum area: 36 square feet, maximum height: 8 feet.~~

11.10. Parking Standards:

(a) Properties fronting an arterial road shall be allowed to construct 50 percent of all parking required by the land development code in front of the proposed building/structure and/or adjacent to a public roadway. Additional parking, above code requirements shall be located to a side or rear of the proposed building/structure that is not fronting a public or private roadway or access way.

(b) Properties fronting a collector or local road shall be allowed to construct a single parking aisle between the proposed building and the collector and/or local road.

11.11. Lighting Standards:

(a.) All exterior lighting shall have recessed bulbs and filters which conceal the source of illumination. No wall or roof-mounted flood or spot lights used as general grounds lighting are permitted. Security lighting is permitted.

(b.) Lighting for off-street walkways shall be spaced no more than 30 feet apart, and shall not exceed 10 feet in height.

(c.) Parking lighting shall be spaced a maximum of 50 feet apart and shall not exceed 20 feet in height.

(d.) Lighting levels adjacent to residential areas shall not exceed 0.5 footcandles at the property line (six feet above ground).

11.12. Noncompliance:

(a.) Existing noncompliance of the standards set forth in this section shall be subject to the provisions of division 3 of this article.

11.13. Variance Procedure: Conformance to these design criteria shall be verified by the county during the site and development plan review process required for individual development projects. Deviation from the following subsections of this section may be requested pursuant to article I of the Leon County Land Development Code: subsections 5, 6, 7, 8, 10(a), 10(c), and 11 of this section.

1514. Incentives for Site Design Alternatives: An intensity bonus shall be provided to developments incorporating any of the following site design alternatives:

1) An intensity bonus of 2,500 square feet per acre (maximum) shall be allowed provided new development or redevelopment utilizes one or more of the following:

a) For properties fronting an arterial or collector roadway, no less than 25 percent of the parking will be provided in a shared facility.

b) Development site areas of 3 or more acres wherein at least 50 percent of the parking will be provided in a shared facility.

c) Parking is provided within a range of 50 percent—75 percent of the parking requirements in section 10-7.545.

d) The development contains a minimum of 35 percent natural open space.

General notes:

- (1) If central sanitary sewer is not available, non-residential development is limited to a minimum of 0.50 acre lots and non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500-gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
- (2) Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation conservation features), stormwater management requirements, etc.
- (3) Refer to the concurrency management ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).

Section 12. Amendments to Section 10-6.676 of the Code of Laws of Leon County, Florida.

Section 10-6.676 of Article VI of Chapter 10, the Land Development Code, of the Code of Laws of Leon County, Florida, entitled “BOR Bradfordville Office Residential District,” is hereby amended to read as follows:

Sec. 10-6.676. BOR Bradfordville Office Residential District.

[* * * * *]

Development Standards									
	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
Use Category	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	20 feet	7.5 feet on each side; or any combination of setbacks	20 feet	25 feet	Not applicable	3 stories

					that equals at least 15 feet, provided that no such schools shall be less than 5 feet				
Two-Family Dwellings	8,500 square feet	70 feet	100 feet	20 feet	Same as single-family above	20 feet	25 feet	Not applicable	3 stories
Single-Family Attached Dwellings	3,750 square feet end unit; 2,400 square feet interior lot	37.5 feet end unit; 25 feet interior lot	80 feet	20 feet	None	20 feet	25 feet	Maximum length: 8 units	3 stories
Any Permitted Principal Non-Residential Use	6,000 square feet	50 feet	100 feet	20 feet	Same as single-family above	20 feet	10 feet	10,000 square feet of gross building floor area per acre (does not apply to a conversion of an existing structure)	3 stories

7. Access Management Criteria: (In case of a conflict with the provisions of other ordinances or regulations, the most strict provisions shall apply).

(a.) Arterial and collector roads. Direct driveway access to arterial and collector roads is prohibited except for:

- 1) Existing driveway access as of July 28, 1998;
- 2) A single driveway access for properties in existence before July 28, 1998, which have sole access to the arterial road and does not have other street access; and
- 3) Temporary driveway access may be permitted for properties which establish permanent access to another public street and grant the local government with jurisdiction the right to close the temporary access without compensation upon opening of access to an alternative roadway.

(b.) All properties. All properties shall provide cross access easements benefiting adjoining properties to permit the development of an internal vehicular and pedestrian circulation system. All non-residential properties shall provide driveway interconnections to adjoining non-residential properties. All new developments proposing subdivision shall have shared access for every two parcels created.

(c.) Local streets. Full movement access to a local street shall not be permitted within 200 feet of a signalized intersection. Right-in/right-out access to a local street shall not be permitted closer than 100 feet

to another access point or intersecting public street, nor within 200 feet of a signalized intersection, except properties with sole access to a local street are permitted at least one access point, which may be limited to right-in/right-out based upon a traffic safety evaluation.

8. Street Vehicular Access Restrictions: Properties in the BOR zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from non-residential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, R, and RP.

9. Landscape Standards: Development within the BOR shall be subject to the landscape requirements of this section in addition to those requirements of the Environmental Management Act (EMA). Where standards conflict, the stricter of the two shall apply. All landscape shall be prepared by a registered landscape architect as per F.S. ch. 481.

(a.) Arterial road landscaping. All properties fronting arterial roads shall provide and maintain a 30-foot-wide landscape area immediately adjoining the arterial road. All vegetation within the 30-foot-wide landscaped area of good condition four inches and larger shall be preserved. This landscape area shall be planted with canopy trees with at least one tree for each 200 square feet of landscape area. Creative design and spacing is encouraged. The landscape area may be crossed by driveways permitted pursuant to subsection 7 of this section, but compensatory area shall be added, equal to the area of the driveway, adjacent to the required landscape area. Sidewalks are not permitted within the landscape area except for interconnections to sidewalks fronting public roadways. Signs in accordance with subsection 13 of this section may be located within the landscape area, but shall not reduce the tree planting requirement. Existing healthy trees in the landscape area may be counted as prescribed in section 10-4.350(b) toward meeting the tree planting requirement. Management of the existing trees within the 30 feet shall include pruning of dead and hazardous tree limbs, pruning of live limbs less than 25 percent of the green mass of the tree, fertilization, pest control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed.

(b.) Collector and local road landscaping. All properties fronting collector and local roads shall provide and maintain a 20-foot-wide landscape area immediately adjoining the collector or local road. All vegetation within the 20-foot-wide landscaped area of good condition four inches and larger shall be preserved (This provision shall not apply where a primary entrance is oriented toward the street and there is no vehicular use area between the building and roadway). This landscape area shall be planted with canopy trees with at least one tree for each 200 square feet of landscape area. Creative design and spacing is encouraged. The landscape area may be crossed by driveways permitted pursuant to subsection 7 of this section, but compensatory area shall be added equal to the area of the driveway within the required landscape area. Sidewalks are not permitted within the landscaped area except for interconnections to sidewalks fronting public roadways. Signs in accordance with subsection 13 of this section may be located within the landscape area, but shall not reduce the tree planting requirement. Existing healthy trees in the landscape area may be counted as prescribed in section 10-4.350(b) toward meeting the tree planting requirement. Management of the existing trees within the 20 feet shall include pruning of dead and hazardous tree limbs, pruning of live limbs less than 25 percent of the green mass of the tree, fertilization, pest control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed.

(c.) Street trees. All existing and proposed roadways/access ways shall be planted with canopy trees at a standard of one canopy tree per 200 square feet of landscaped area. Credit shall be given for existing vegetation within the required landscaped areas as identified in subsections a and b of this section. Creative design and spacing is encouraged.

(d.) Parking areas. All vehicular use areas shall be buffered from view from public streets and/or access ways through the use of vegetation and/or topography or other manmade structures so long as such structures are architecturally compatible with the principle structure. All manmade visual buffers greater than 20 feet in unbroken length shall be designed to provide interesting visual effects and reduce apparent mass though the use of vegetation and plane projections, material changes, changes in scale or other

architectural features. Canopy tree cover for the parking area shall be provided so as to attain a minimum of 60 percent plan view shading within 10 years of planting date. At grade parking areas shall include interior landscaped areas at a minimum ratio of 400 square feet per 5,000 square feet of vehicular use area located internally to the parking area. Where interior landscaped areas cannot be obtained, the required landscaped area shall be placed between the proposed vehicular use area and the public right-of-way and/or access way. Existing vegetation shall be incorporated into the landscaped areas to the greatest extent possible. Planting areas shall have a minimum area of 400 square feet with a minimum dimension of 10 feet and shall have a depth of 3 feet of good planting soil.

(e.) Trees planted within a sidewalk area shall incorporate tree grates or other surfacing so as to not impale the flow of pedestrian traffic.

(f.) Buffer standards for uncomplimentary land uses shall meet the requirements of section 10-7.522.

(g.) Developments within this district shall preserve a minimum of 25 percent of the total site as natural area. The required natural area may be located off-site if the required area is designated as public open space and is accepted by the public works department. On-site natural area shall encompass significant, naturally occurring vegetation areas or other significant environmental features.

(h.) Stormwater management facilities shall be landscaped in accordance with the Environmental Management Act, however, development is encouraged to provide innovative designs making such facilities an amenity to the site. All stormwater management facilities are encouraged to be constructed with 4:1 side slopes. Chainlink and vinyl clad fencing enclosures are prohibited where stormwater management facilities are visible from public roadways/access ways. Where fencing and/or retaining walls are proposed and visible from a public roadway/access way, such fencing shall be architecturally compatible with the principle structure. Stormwater ponds shall be designed to imitate "natural" pond characteristics, including curved geometries, gently sloping edges, landscaping and paving materials, and should be placed so as to be focal design amenities.

10. Signs: All signs within the BOR district shall be designed in accordance with the current locally adopted building code. Where conflict between standards of this district and other rules or regulations occur, the stricter of the two shall apply. A uniform sign design for the parcels included within the BOR district shall conform to the following minimum guidelines:-

(a.) One wall mounted sign per tenant per street frontage is permitted. A wall mounted sign shall not exceed 10 percent of the area of the tenant wall area on which it is mounted. Wall signs for multiple tenant commercial buildings shall be uniformly designed and placed. Only one wall sign for multiple tenant office land uses shall be allowed.-

(b.) No roof signs, billboard signs, pole signs, flashing signs or signs in motion are permitted.-

(c.) Freestanding signs shall be setback a minimum of 10 feet from the right of way line.-

(d.) Temporary signs (not to exceed 30 days of display in a calendar year) are permitted at the discretion of the developer, except signs advertising property for sale or lease are not subject to this restriction.-

(e.) Freestanding signs shall be constructed with a base full width to the sign face that is constructed with materials that are consistent with the principle building. One freestanding sign per driveway access per street frontage is permitted and shall be internally illuminated with an opaque field to control glare. Freestanding signs are sized proportional to the type of roadway to which they are adjacent. Allowable size restrictions are as follows:-

1.) Arterial roads: Maximum area: 150 square feet, maximum height: 25 feet.-

2.) Major collector roads: Maximum area: 100 square feet, maximum height: 20 feet.-

3.) Minor collector and local roads: Maximum area: 36 square feet, maximum height: 8 feet.-

11. Off-Street Parking Requirements: Off-street parking facilities associated with permitted principal non-residential uses in the BOR zoning districts must comply with the following requirements:

(a.) Parking setbacks: Side-corner: 20 feet; Rear and side-interior: 10 feet.

(b.) Driveway setbacks: Side-corner: 10 feet (none if driveway is shared); Rear and side-interior: 4 feet (none if driveway is shared).

(c.) Off-street parking may not be placed in a front yard between a building and the street.

- (d.) The parking or driveway separation from the building is four feet.
- (e.) All off-street parking spaces behind a building shall be screened from the required front yard and side corner lot areas by evergreen landscaping at least four feet in height.
- (f.) Parking spaces shall be screened from rear and interior side property lines by a combination of a six feet high opaque fence or wall and landscape plant material.
- (g.) Driveways connecting to a public street shall be the narrowest possible width to ensure appropriate safety standards, as determined by the County Administrator or designee.

1211. Lighting Standards:

- (a.) All exterior lighting shall have recessed bulbs and filters which conceal the source of illumination. No wall or roof-mounted flood or spot lights used as general grounds lighting are permitted. Security lighting is permitted.
- (b.) Lighting for off-street walkways shall be spaced no more than 30 feet apart, and shall not exceed 10 feet in height.
- (c.) Parking lighting shall be spaced a maximum of 50 feet apart and shall not exceed 20 feet in height.
- (d.) Lighting levels adjacent to residential areas shall not exceed 0.5 footcandles at the property line (six feet above ground).

1312. Noncompliance: Existing noncompliance of the standards set forth in this section shall be subject to the provisions of division 3 of this article.

1413. Variance Procedure: Conformance to these design criteria shall be verified by the county during the site and development plan review process required for individual development projects. Deviation from the following subsections of this section may be requested pursuant to article I of the Leon County Land Development Code: subsections 4, 5, 6, 7, 8, 10(a), 10(c), and 11 of this section.

1514. Design Standards Applicable to Miniwarehouse Land Uses:

- (a.) Miniwarehouse developments shall be developed in accordance with standards as set forth in section 10-6.675 (BCS district).
- (b.) A continuous 100 percent opaque buffer obtained through the use of vegetation and/or fencing shall be required around the perimeter of all areas used for miniwarehouse storage. This standard does not apply to the portion of the development utilized for a sales office.

General notes:

- (1) If central sanitary sewer is not available, non-residential development is limited to a minimum of 0.50-acre lots and non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500-gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12. of the Comprehensive Plan for additional requirements.
- (2) Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation conservation features), stormwater management requirements, etc.
- (3) Refer to the concurrency management ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).

Section 13. Amendments to Section 10-6.680 of the Code of Laws of Leon County, Florida.

Section 10-6.680 of Article VI of Chapter 10, the Land Development Code, of the Code of Laws of Leon County, Florida, entitled “Bradfordville Commercial Center District,” is hereby amended to read as follows:

Sec. 10-6.680. Bradfordville Commercial Center District (BCCD).

- (a) *Purpose and intent.* The purpose and intent of the Bradfordville commercial center district (BCCD) is to provide development standards that implement the goals, objectives, and policies of the Tallahassee-Leon County Comprehensive Plan recognizing the special character of the Bradfordville Study

Area. The BCCD district is provided to ensure that goods and services are provided primarily for the area residents rather than serving a regional market and providing development consistent with the character of the area. The BCCD district is also intended to provide more focused development reviews for projects associated with sensitive historical, cultural or environmental resources. The BCCD district is implemented by the following zoning districts: BC-1 Bradfordville commercial auto-oriented district, BC-2 Bradfordville Commercial Pedestrian-Oriented District, BCS Bradfordville Commercial Services District, BOR Bradfordville Office-Residential District, OS Open Space, and PUD Planned Unit Development. The BCCD boundary is defined in figure A. Expansion of this district shall be prohibited until a new commercial needs assessment has been completed in 2030.

[* * * * *]

(c) *Development standards.* Development standards are established in the underlying zoning district as set forth in this subdivision. Developments affecting land within the BCCD shall be subject to review pursuant to division 4, article VII of this chapter and shall comply with the following development standards:

- (1) *Site analysis.* A comprehensive site analysis is required before planning and design begins. The analysis should examine the site's physical properties, amenities, special problems, character, and the neighboring environment of the site.
- (2) *Stormwater.* Development or redevelopment of any property located within the BCCD shall be subject to compliance with the Bradfordville Stormwater Standards outlined in article IV of this chapter.
- (3) *Roadway access standards.* In order to protect the roadway capacity of Thomasville, Bannerman, and Bradfordville Roads, new direct access is prohibited along the arterial and collector roadways except as permitted in this division.
- (4) *Site design.* Building and site design shall comply with the Bradfordville Site and Building Standards Guidelines Manual adopted by the Board of County Commissioners. Low impact design alternatives shall be incorporated into all site and development plans within the BCCD district. Development within the overlay shall provide integration of the proposed use and development with the adjacent uses and developments including, but not limited to, access/egress, building and parking location/orientation, natural and landscaped areas. Development shall incorporate the existing natural features of the development site into site and development plans avoiding clearing of expansive naturally vegetated areas. Parking areas shall be buffered from all public roadways through placement of vegetation and/or topography or manmade structures.
- ~~(5) *Signage.* All signage shall be proportional to the roadway classification along which it is located. Larger signs will be permitted along arterial roadways, smaller signs will be permitted along collector roadways, and the smallest signs will be permitted along local non-residential streets. Freestanding signs are prohibited in the BC-2 district along local streets. Roof signs and pole signs are prohibited within the BCCD. Freestanding signs within the BCCD shall be limited to monument-style construction and architecturally compatible with the principle structure to which it is related.~~
- ~~(6) *Lighting.* All building lighting and parking area lighting shall be downward directional. Lighting in parking areas shall be restricted to low mounted closely spaced fixtures to minimize glare.~~

[* * * * *]

1 **Section 14. Conflicts.**

2
3 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed
4 to the extent of such conflict, except to the extent of any conflicts with the Tallahassee-Leon County 2030
5 Comprehensive Plan as amended, which provisions shall prevail over any parts of this ordinance which are
6 inconsistent, either in whole or in part, with the said Comprehensive Plan.
7

8 **Section 15. Severability.**

9
10 If any word, phrase, clause, section, or portion of this Ordinance is declared by any court of competent
11 jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this
12 Ordinance shall remain in full force and effect.
13

14 **Section 16. Effective Date.**

15
16 This ordinance shall have effect upon becoming law.
17
18
19
20
21

22 **[The remainder of this page intentionally left blank.]**
23
24

1 DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon County, Florida,
2 this 14th day of June, 2022.

3
4 LEON COUNTY, FLORIDA

5
6 DocuSigned by:
7 *Bill Proctor*
8 By: Bill Proctor, Chair
9 Board of County Commissioners

10
11 ATTESTED BY:
12 Gwendolyn Marshall Knight, Clerk of
13 Court & Comptroller, Leon County, Florida

14
15 DocuSigned by:
16 *Gwendolyn Marshall Knight*
17 By: Gwendolyn Marshall Knight

18
19 DocuSigned by:



20
21 APPROVED AS TO FORM:
22 Chasity H. O'Steen, County Attorney
23 Leon County Attorney's Office

24
25 DocuSigned by:
26 *Chasity H. O'Steen*
By: Chasity H. O'Steen