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**AGENDA ITEM
ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS**

Deadline for Submission - Wednesday 9 a.m. - Thirteen Days Prior to BCC Meeting

5/2/2017

BCC MEETING DATE

TO: Michael D. Wanchick, County Administrator **DATE:** March 30, 2017

FROM: Paolo S. Soria, Assistant County Attorney **PHONE:** 904 209-0809

SUBJECT OR TITLE: Land Development Code Amendments - Sign Code Revision - Article VII and Article XII

AGENDA TYPE: Ordinance, Public Hearing

BACKGROUND INFORMATION:

This is the third and final hearing of a three part hearing process. Presented is a revision to Article VII and Article XII of the Land Development Code, which regulates signs and signage. The Planning and Zoning Agency recommended enactment of the presented proposed changes to Article VII and Article XII and removal of Digital Billboard Language by a vote of 5 to 1, with discussion of an additional consideration for residential districts on rural highways.

1. IS FUNDING REQUIRED? No **2. IF YES, INDICATE IF BUDGETED.** No

IF FUNDING IS REQUIRED, MANDATORY OMB REVIEW IS REQUIRED:

INDICATE FUNDING SOURCE:

SUGGESTED MOTION/RECOMMENDATION/ACTION:

APPROVE WITH NO CHANGES: motion to enact Ordinance 2017-_____, revisions to Article VII and to Article XII of the Land Development Code as presented as consistent with Florida Law and the St. Johns County Comprehensive Plan.

[OPTIONAL] APPROVE WITH CHANGES: motion to enact Ordinance 2017-_____, revisions to Article VII and to Article XII of the Land Development Code as presented as consistent with Florida Law and the St. Johns County Comprehensive Plan with the following changes:

DENIAL: Motion to deny the proposed amendments to Article VII and Article XII of the Land Development Code as being inconsistent with Florida Law and the St. Johns County Comprehensive Plan.

For Administration Use Only:

Legal: PS 4/20/2017

OMB: DC 4/17/2017

Admin: KS 4/24/2017



GROWTH MANAGEMENT DEPARTMENT REPORT Land Development Code Amendments

To: Board of County Commissioners

From: Paolo S. Soria, Assistant County Attorney
Joseph Cearley, Special Project Manager

Date: April 13, 2017

Subject: Public Hearing – Amending *Article VII and XII* of the St. Johns County Land Development Code.

Hearing dates: Board of County Commissioners – November 1, 2016
Planning and Zoning Agency – February 16, 2017
Board of County Commissioners – April 4, 2017 (continued)
Board of County Commissioners – May 2, 2017

Commissioner District: All

Sign Code - Proposed Modifications to the Land Development Code Board of County Commissioners Meeting of May 2, 2017

SUMMARY AND INTRODUCTION

This is a revision to the entirety of Article VII and Article XII of the Land Development Code regarding Signs. The revisions are to update the Article VII of the Sign Code in response to a U.S. Supreme Court case, as well as to make general updates for clarity. This item was continued from the April 4, 2017 BCC meeting and during that meeting the Board motioned and directed staff to separate the Digital Billboard component from the revisions to Article VII. The ordinance was re-advertised without digital billboards as a consideration and the proposed changes are presented without digital billboards. The changes to Article VII do not apply to the Sign code provisions of the Ponte Vedra Zoning District or the Coastal Overlays (Palm Valley, North Coastal, Mid-Anastasia, South-Anastasia). Staff will be bringing revisions to those ordinances in the near future after discussion with the local community and corresponding appointed board.

REVISION TO ARTICLE VII SIGNS TO COMPLY WITH NEW CASE LAW

A. Background

Last year the U.S. Supreme Court decided the case of Reed v. Town of Gilbert, Arizona and struck down that town's sign code for violating the First Amendment. The town ordinance had a separate category for "temporary directional signs" with separate regulations, including limiting sign size to 6 square feet of advertising display area (ADA) and that such signs could not be located within the right-of-way. However the town also had a category of "political (election) signs" and such signs could have an ADA of 32 square feet and could be in the right of way for 60 days prior to an election and 15 days prior to an election. The court ruled that a sign code that regulated "temporary directional signs" in a different manner than "temporary political signs" was content based and unconstitutional. The result of the case was an interpretation on content neutrality that defines the purpose of the sign as a content-based system that is an unconstitutional regulation of speech. In practical terms, sign categories that describe the purpose of a sign such as a Real Estate Sign, Directional Sign, Holiday Sign, and Political Sign are content based even if the regulations do not discriminate on the message conveyed or the speaker of the message.

B. SUMMARY OF PROPOSED REVISIONS

The County Attorney's Office sought and received direction from the Board of County Commissioners to revise the entirety of the Sign Code to comply with the Reed v. Gilbert case. The revised Article VII sign Code, as well as a revised Article XII regarding sign code definitions are included in **Attachment 1, sign code ordinance**.

The scope of the revisions was to come into compliance with Reed v. Gilbert. To that end, the multiple categories and descriptions of signs are greatly reduced and consolidated. The purpose of the revisions is not to substantively change the sign code provisions or make policy determinations on signs, but only to make the sign code content neutral. To the greatest extent possible, the previous sign code regulations were left untouched. The Board of County Commissioners may direct Staff to re-analyze the Sign Code to update and make policy changes to certain provisions.

C. DESCRIPTION OF CHANGES

The proposed revision of Article VII is provided to this agency in a color-coded format for ease of use when comparing text to the currently approved Article VII. A strike-through/underline version in legislative format would not be helpful as large portions of Article VII have been moved, removed, and substantially re-worked. The color key is as follows: **black text** means that the text is unchanged and remains in substantially the same location; **green text** means that existing language has been moved to another location or existing language has been nominally tweaked for clarification but is in substance identical; **blue text** means that language has been added that did not appear in the previous version of Article VII; **text in red** means that language has been substantially changed and now represents a revised policy or application.

Part 7.00.00 General and Administration:

This section describes the administration, review, and appeal of sign permits, as well as general interpretation of the physical characteristics of signs (measurement of ADA and measurement of height). There are some additional

clarifications to prevent the erecting of signs where they would constitute a hazard such as impairment of access, and sight triangles.

Changes of note:

7.00.04 This provision clarifies when the Sign Code does not apply.

7.00.06.A Measurement of ADA. Expanded measurement of ADA

7.00.06.B Measurement of Height. Expanded measurement of sign height.

7.00.06.C Sign Illumination – white lighting with a color temperature between 2500K (Kelvin) to 4000K (Kelvin) which is a described as a warm to cool white. All illumination, must adhere to limitations on illumination of no more than 0.3 foot candles over ambient light levels.

7.00.08.F This is a revised procedure for permanent sign permit review and sets guidance on review and appeal of signage.

7.00.08.K This allows revocation of a sign permit when the sign is in violation of this Code or Comprehensive Plan or Florida Building Code.

Part 7.01.00 Billboards:

This section remains largely unchanged. Existing sections in Article VII that deal with billboard language have been consolidated into one section. The two year expiration of swapdown points has been removed. Digital Billboards have been removed from consideration at the direction of the Board on April 4, 2017.

Part 7.02.00 On-Premise Signs:

This Section is dramatically changed and governs the majority of allowed temporary and permanent signs. It has consolidated several old sections where the distinctions were content-based and has described them in a manner that only relates to location, maximum size, and duration. Please see **Part 1.D** for a table describing Temporary Signs, section 7.02.02 and 7.02.03 for compliance with Reed v. Gilbert.

Portions related to On-Premise signs have been consolidated and re-ordered within this Part, however substantive changes are kept to a minimum.

Some changes of note:

Section 7.02.04 – clarification of when on-premise commercial signs apply to zoning districts.

Section 7.02.04.B - Clarifies in PUDs, on-premise sign criteria does not apply only when a PUD has an approved Unified Sign Plan with associated waivers to the relevant section. If compliance with Article VII is not achieved in a PUD, then a Unified Sign Plan must be provided. Clarifies that the PUD is considered as the same property for signage purposes, so that a communal sign is not considered off-site signage for a business located in a PUD. Clarifies that the limitations and number of signs are for the PUD as a whole and not for individual parcels or out-parcels.

Section 7.02.04.G – Automatic Changeable Message Devices (On-Premise Digital Signs). The Land Development Code accommodated a limited form of digital signs, limited only to static numbers, such as those found on gas station sites, and not more than 40% of the overall sign. This small exception for numbers and dates was to accommodate gas stations, however compliance with Reed makes this distinction difficult. On balance, staff recommends keeping on-premise digital signs, but further restricting the maximum size and further restricting the number of times such sign can change. This new provision allows these signs as only as on-premise ground signs but is limited to 20% of the overall sign and not to exceed thirty (30) square feet, whichever is less but only on ground signs and only when they do not change more than once every 2 hours. The 2 hour limitation matches the existing provision regarding flashing signs. Additionally these Automatic Changeable Message Devices must comply with the illumination requirements of 7.00.06.C to prevent signs from being too bright or distracting. The change to two (2) hours was in response to the initial presentation.

Section 7.02.04.H provides standards for manual changeable copy signs.

Section 7.02.06 – Additional signs: Flags, Parking Space Signs, Ingress/Egress signs. This section accommodates some of the permanent signs previously in the Special Use section and do not count towards the maximum allotment of ADA for each commercial site. Some signs are allowed for traffic safety and circulation purposes and serve a compelling government interest.

Part 7.03.00 Reserved:

This Part formerly regulated Special Use signs that did not require a sign permit and described them in a manner that is now considered unconstitutional: “real estate signs” and “construction signs”. This provision has been consolidated into larger categories of Temporary and Permanent signage, without reference to content or purpose.

Part 7.04.00 Reserved:

This Part formerly regulated Political Campaign Signs. This is now consolidated into Part 7.02.00 as part of the temporary sign provisions.

Part 7.05.00 Special Event Signs

This Part remains largely the same, content-wise, but has been reformatted for clearer understanding.

Part 7.06.00 Signs and Entry Features at Project Entrances

This section has been clarified for signs at project entrances

Section 7.06.01.C – This new section is created to address entry features, which, while not signage, serve as identification. Such entry features include unoccupied buildings or other structural extravagance that signify or are associated with a development. This section sets standards for such entry feature standards.

Part 7.07.00 Scenic Highway Signs

Section 7.07.01 this section clarified to remove the purpose of signage for each business site. The number and types (ground, monument pole) remain the same.

Part 7.08.00 Prohibited Signs

This section has kept the previous prohibitions, but has described them in a manner that is content neutral. Some prohibited signs, such as vehicle signs, have been substantially reworked.

Part 7.09.00 Non-Conforming Signs

This section has kept the previous regulations governing non-conforming signs.

Part 7.10.00 Race Track Road

A change to this section limits the Race Track Road sign overlay from SR 13 to CR 2203 (St. Johns Parkway) consistent with the Board’s previous discussions and direction. Additionally the maximum square footage for ground signs have been significantly reworked as the original proposal served to be untenable for businesses wishing to locate on Race Track Road.

D. TEMPORARY SIGNS

Temporary signs allowable by right:

Part 7.02.02 provides a temporary sign code table that incorporates temporary signs previously described in the code. This table directly addresses the issue in Reed v. Gilbert regarding content based categories and discrimination. Each parcel is allotted by right a certain number of Temporary Signs, depending on zoning category. Such temporary signs are not content based and can be anything from a directional sign, a political/election sign, or a temporary sale sign. The maximum ADA are taken from the former Special Use sign dimensions, which almost universally allocated a maximum ADA of 6 sqft in residential zoning districts and a maximum ADA of 32 sqft in non-residential districts.

ZONING DISTRICTS¹	RS-E, RS-1, RE-2, RS-3, RG-1, RG-2, RMH, RMH(S), Residential Portions of PUDs, PRDs; OR	OP, CN, CHT, CG, CI, CR, CW, CHI, TCMU, IW, HI, Non-Residential Portions of PUDs, PRDs, PS, AD
Maximum number of Temporary Signs per Parcel ²	2	4
Maximum Advertising Display Area per Temporary Sign ³	6 sq. ft.	32 sq. ft.
Maximum aggregate Advertising Display Area for all Temporary Signs on a Parcel ⁴	12 sq. ft.	128 sq. ft.
Maximum Sign height for a Temporary Free-Standing Sign	6 ft.	6 ft.

¹ Zoning districts are referred to by the abbreviations provided in Section 2.01.02.B of this Code.

² The number of temporary commercial signs per parcel shall be no more than two (2) signs. The remainder signs shall be non-commercial messages. There is no limit on the number of separate Messages that may appear on the allowable surfaces(s) of any Temporary Sign.

³ The square foot limitation is per Face based on a Single-Faced Temporary Sign. For example, a six (6) square foot limitation means that there is a limit of six (6) square feet of Advertising Display Area per Face for a Double-Faced Temporary Sign, for an aggregate of twelve (12) square feet per Double-faced temporary sign.

⁴ The square foot limitation is per Face, based on a Single-Faced Temporary Sign. The circumstances on some parcels may reduce the aggregate Advertising Display Area allowed.

ZONING DISTRICTS¹	RS-E, RS-1, RE-2, RS-3, RG-1, RG-2, RMH, RMH(S), Residential Portions of PUDs, PRDs; OR	OP, CN, CHT, CG, CI, CR, CW, CHI, TCMU, IW, HI, Non-Residential Portions of PUDs, PRDs, PS, AD
Maximum Sign height for a Temporary Wall or Window Sign	15 ft.	15 ft.
Minimum setback of a Temporary Sign from the front property line ⁵	5 ft.	5 ft.
Minimum setback of a Temporary Sign from any adjoining property lines	15 ft.	5 ft.
Minimum setback of a Temporary Sign from the Right-of-Way ⁶	5 ft.	5 ft.
Minimum spacing from any other Temporary Ground Sign	15 ft.	15 ft.
Allowed on public property or public right-of-way	No	No
Allowed within sight visibility triangle	No	No
Illumination allowed	No	No
Duration allowed after event ends	7 calendar days	7 calendar days

The County is able to allow a temporary sign, without regard to content, based on some described or specified event. The County has encountered two (2) prevalent and events on properties that warrant the consideration of temporary signage:

1. Property is on sale: an additional temporary sign is permitted when the property is placed on sale. This effectively replaces a category description for a Real Estate Sign. Signs based on this event may be erected regardless of content.
2. Property is under construction: an additional temporary sign is permitted when the property obtains construction plan approval or when the property is issued a building permit. This is a common event in St. Johns County and replaces the category of Construction Sign. Such signs may be erected regardless of content.

Other event based temporary signage may be added based on experience and need. Part 7.05.00 Special Event Signage and the already allotted temporary signage provisions cover any miscellaneous form of advertising that may arise on a property.

E. Article XII Definitions

Various sign code definitions have been amended to remove references to content and to address and cross reference new sign types. The article is amended as an attachment to the ordinance. Article XII is in strike-through/underline format as the changes are minor in comparison to a complete revision.

⁵ Not applicable to Wall Signs.

⁶ Not applicable to Wall Signs.

PLANNING AND ZONING AGENCY RECOMMENDATION

The Planning and Zoning Agency heard the revisions to Article VII and Article XII and briefly discussed the sign code provisions. The Agency recognized the constitutional mandate for certain changes. Staff reiterated the changed policies for Automatic Changeable Message Devices, limiting the dwell time to 2 hours and maximum size to 30 square feet or 20% of overall sign, whichever is less. While the main bulk of the hearing dealt with the discussion of Digital Billboards, Agency Members questioned the reason for the Race Track road changes and Staff responded that the area east of St. Johns Parkway (CR 2209) was transitioning into a more urban development pattern due to the State Road 9B and the regional scale commercial development and similar development pattern in that area. Additionally, the Agency had a discussion on temporary signs in residential or open rural zonings where the posted speed limit is higher, where smaller signs of 6 square feet are difficult to see. However, some members of the Agency were concerned that such larger temporary signs were more of a safety distraction.

The Agency did recommend approval of the remainder of the changes with the Digital Billboard Component removed by a vote of 5 to 1.

Staff has prepared the following language as an additional footnote to be inserted into the Temporary Use Table above and applicable to Residential and Open Rural districts:

“Residential and Open Rural properties that abut roads with a posted speed limit of forty-five (45) miles per hour or greater may double the maximum advertising display area per temporary sign placed adjacent to such roads.”

CORRESPONDENCE

Staff has received no correspondence regarding these proposed revisions of the Sign Code.

STAFF RECOMMENDATION

Staff recommends approval of the Ordinance revising Article VII of the Land Development Code and Article XII Definitions regarding signs.

ATTACHMENTS

1. Ordinance
 - a. Cover Ordinance
 - b. Exhibit A – Article VII Revision
 - c. Exhibit B – Article XII Definitions
2. Current Article VII
3. Correspondence

BEGIN DOCUMENTS TO BE
RECORDED:

Attachment 1

1. Cover Ordinance
2. Exhibit A – Article VII Revision
3. Exhibit B – Article XII Revision

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, RELATING TO SIGNS AND AMENDING THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, ORDINANCE 99-51, AS AMENDED; REPLACING THE ENTIRETY OF ARTICLE VII, SIGNS, IN COMPLIANCE WITH CURRENT LAW REGARDING CONTENT NEUTRALITY AND ORGANIZING THE ARTICLE INTO TEN (10) PARTS; AMENDING ARTICLE XII, DEFINITIONS, IN REGARDS TO SIGNS IN COMPLIANCE WITH CURRENT LAW REGARDING CONTENT NEUTRALITY; PROVIDING FOR LEGISLATIVE FINDINGS OF FACT; PROVIDING FOR CONTENT NEUTRALITY; PROVIDING FOR THE PURPOSE, GENERAL ADMINISTRATION, MEASUREMENT, AND INTERPRETATION OF THE REGULATION OF SIGNS; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR PROCEDURES, STANDARDS, REVIEW, AND APPEAL FOR SIGN PERMITS; PROVIDING FOR THE REGULATION AND CONTROL OF THE LOCATION, TYPE, GENERAL REQUIREMENTS, AND STANDARDS OF BILLBOARDS; PROVIDING FOR CONTROL OF NEW BILLBOARD FACES THROUGH SWAPDOWN PROCEDURES; PROVIDING FOR TEMPORARY AND PERMANENT ON-PREMISE SIGNS IN ZONING DISTRICTS; PROVIDING NUMBER, SIZE, AND GENERAL STANDARDS AND REQUIREMENTS FOR TEMPORARY SIGNS IN RESIDENTIAL AND NON-RESIDENTIAL DISTRICTS; PROVIDING FOR THE NUMBER, SIZE, AND GENERAL STANDARDS OF PERMANENT ON-PREMISE SIGNS IN RESIDENTIAL AND NON-RESIDENTIAL DISTRICTS; PROVIDING FOR ADDITIONAL PERMANENT AND INTERSTATE SIGNAGE; PROVIDING FOR SIGNS FOR SPECIAL EVENTS; PROVIDING FOR REGULATIONS OF SIGNAGE AT SUBDIVISION ENTRANCES; PROVIDING FOR REGULATION OF SIGNS AND ANTENNAS ON DESIGNATED SCENIC HIGHWAYS; PROVIDING FOR THE PROHIBITION OF SIGN TYPES; PROVIDING FOR THE REGULATION OF LEGALLY EXISTING SIGNS MADE NONCONFORMING BY THIS CODE; PROVIDING FOR REGULATIONS OF A SIGN OVERLAY ALONG RACE TRACK ROAD; PROVIDING A SAVINGS CALUSE; PROVIDING FOR INCLUSION AND CODIFICATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CORRECTION OF SCRIVENERS ERRORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, St. Johns County finds and determines that local land development regulations require evaluation and revision to address public health, safety, and welfare issues that may occur during implementation; and

WHEREAS, St. Johns County finds and determines that it is appropriate to update and revise its Land Development Code relative to signs;

WHEREAS, St. Johns County finds and determines that it is appropriate to delete sections, subsections, paragraphs, subparagraphs, divisions, subdivisions, clauses, sentences, phrases, words, and provisions of the existing ordinance which are obsolete or superfluous, and/or which have not been enforced, and/or which are not enforceable, and/or which would be severable by a court of competent jurisdiction;

WHEREAS, St. Johns County finds and determines that it is appropriate to ensure that the Land Development Code as it relates to signs are in compliance with all constitutional and other legal requirements;

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

WHEREAS, St. Johns County finds and determines that the limitations on the size (area), height, number, spacing, and setback of signs, adopted herein, are based upon sign types;

WHEREAS, St. Johns County finds and determines that limitations on signs are related to the zoning districts for the parcels and properties on which they are located;

WHEREAS, St. Johns County finds and determines that various signs that serve as signage for particular land uses, such as drive-through lanes for businesses, are based upon content-neutral criteria in recognition of the functions served by those land uses, but not based upon any intent to favor any particular viewpoint or control the subject matter of public discourse;

WHEREAS, St. Johns County finds and determines that the sign standards and regulations adopted hereby still allow adequate alternative means of communications;

WHEREAS, St. Johns County finds and determines that the sign standards and regulations adopted hereby allow and leave open adequate alternative means of communications, such as newspaper advertising and communications, internet advertising and communications, advertising and communications in shoppers and pamphlets, advertising and communications in telephone books, advertising and communications on cable and satellite television, advertising and communications on UHF and/or VHF television, advertising and communications on AM and/or FM radio, advertising and communications on satellite and internet radio, advertising and communications via direct mail, and other avenues of communication available in St. Johns County [*see State v. J & J Painting*, 400 A.2d 1204, 1205 (N.J. Super. Ct. App. Div. 1979); *Bd. of Trustees of State Univ. of N.Y. v. Fox*, 492 U.S. 469, 477 (1989); *Green v. City of Raleigh*, 523 F.3d 293, 305-06 (4th Cir. 2007); *Naser Jewelers v. City of Concord, N.H.*, 513 F.3d 27 (1st Cir. 2008); *Sullivan v. City of Augusta*, 511 F.3d 16, 43-44 (1st Cir. 2007); *La Tour v. City of Fayetteville, Ark.*, 442 F.3d 1094, 1097 (8th Cir. 2006); *Reed v. Town of Gilbert, Ariz.*, 587 F.3d 966, 980-81 (9th Cir. 2009), *aff'd in part & remanded in part on other grounds*, 832 F. Supp. 2d 1070, *aff'd*, 707 F.3d 1057, 1063 (9th Cir. 2013), *cert. granted*, 134 S. Ct. 2900 (2014), *rev'd on other grounds & remanded*, 135 S. Ct. 2218 (2015).];

WHEREAS, St. Johns County finds and determines that the provisions of Articles III, VII, and XII of the Land Development Code, as amended, that replace the current Articles III, VI, and XII of the Land Development Code, as amended, are consistent with the 2025 Comprehensive Plan Amendment of St. Johns County, as adopted and enacted on August 17, 2010, and as amended thereafter;

WHEREAS, St. Johns County finds and determines that these amendments are not in conflict with the public interest;

WHEREAS, St. Johns County finds and determines that these amendments will not result in incompatible land uses;

WHEREAS, St. Johns County recognizes that under established United States Supreme Court precedent, a law that is content-based is subject to strict scrutiny under the First Amendment of the United States Constitution, and such law must therefore be narrowly tailored to serve a compelling governmental interest;

WHEREAS, St. Johns County recognizes that under established United States Supreme Court precedent, a compelling government interest is a higher burden than a substantial or significant governmental interest;

WHEREAS, St. Johns County recognizes that under established United States Supreme Court precedent, aesthetics is not a compelling governmental interest, but is a substantial governmental interest;

WHEREAS, St. Johns County recognizes that until a recent United States Supreme Court decision released in June 2015, there had not been clarity as to what constitutes a content-based law as distinguished from a content-neutral law;

WHEREAS, St. Johns County recognizes that in *Reed v. Town of Gilbert, Ariz.*, 135 S. Ct. 2218 (2015), the United States Supreme Court, in an opinion authored by Justice Thomas and joined by Chief Justice Roberts and Associate Justices Scalia, Alito, Kennedy, and Sotomayor, addressed the constitutionality of a local sign ordinance that had different criteria for different types of temporary, noncommercial signs;

WHEREAS, St. Johns County recognizes that in *Reed*, the United States Supreme Court held that content-based regulation is presumptively unconstitutional and may be justified only if narrowly tailored to serve a compelling governmental interest;

WHEREAS, St. Johns County recognizes that in *Reed*, the United States Supreme Court held that government regulation of speech is content based if the regulation applies to particular speech because of the topic discussed or the idea or message expressed;

WHEREAS, St. Johns County recognizes that in *Reed*, the United States Supreme Court held that even a purely directional message, which merely gives the time and location of a specific event, still conveys an idea about a specific event, so that a category for directional signs is therefore content-based, and event-based regulations are not content neutral;

WHEREAS, St. Johns County recognizes that in *Reed*, the United States Supreme Court held that if a sign regulation on its face is content-based, neither its purpose, function, nor

justification matters, and the sign regulation is therefore subject to strict scrutiny and must serve a compelling governmental interest;

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

WHEREAS, St. Johns County recognizes that, in his concurring opinion in *Reed*, Justice Alito provided a list of rules that would not be content-based;

WHEREAS, St. Johns County recognizes that, in his concurring opinion in *Reed*, Justice Alito included the following nonexclusive list of rules that would not be content-based: (1) rules regulating the size of signs, which rules may distinguish among signs based upon any content-neutral criteria such as those listed below; (2) rules regulating the locations in which signs may be placed, which rules may distinguish between freestanding signs and those attached to buildings; (3) rules distinguishing between lighted and unlighted signs; (4) rules distinguishing between signs with fixed messages and electronic signs with messages that change; (5) rules that distinguish between the placement of signs on private and public property; (6) rules distinguishing between the placement of signs on commercial and residential property; (7) rules distinguishing between on-premises and off-premises signs [*see also* discussion in Memorandum dated September 11, 2015 from Lawrence Tribe to Nancy Fletcher, President, Outdoor Advertising Association of America, re Applying the First Amendment to Regulations Distinguishing Between Off-premises and On-premises Signs After *Reed v. Town of Gilbert*]; (8) rules restricting the total number of signs allowed per mile of roadway; and (9) rules imposing time restrictions on signs advertising a onetime event, as rules of this nature do not discriminate based on topic or subject and are akin to rules restricting the times within which oral speech or music is allowed;

WHEREAS, St. Johns County recognizes that, in his concurring opinion in *Reed*, Justice Alito further noted that, in addition to regulating signs put up by private actors, government entities may also erect their own signs consistent with the principles that allow governmental speech [*see Pleasant Grove City, Utah v. Sumnum*, 555 U.S. 460, 467-69 (2009)], and that government entities may put up all manner of signs to promote safety, as well as directional signs and signs pointing out historic sites and scenic spots;

WHEREAS, St. Johns County recognizes that, in his concurring opinion in *Reed*, Justice Alito noted that the opinion of the Court in *Reed*, if properly understood, will not prevent cities from regulating signs in a way that fully protects public safety and serves legitimate esthetic objectives, including rules that distinguish between on-premises and off-premises signs;

WHEREAS, St. Johns County recognizes that as a result of the *Reed* decision, it is appropriate and necessary for local governments to review and analyze their sign standards and regulations, beginning with their temporary sign standards and regulations, so as to make the necessary changes to conform with the holding in *Reed*;

WHEREAS, St. Johns County recognizes that under established United States Supreme Court precedent, commercial speech may be subject to greater restrictions than noncommercial speech and that that doctrine is true for both temporary and permanent signs;

WHEREAS, St. Johns County finds and determines that under Florida law, whenever a portion of a statute or ordinance is declared unconstitutional, the remainder of the act will be

permitted to stand provided: (1) the unconstitutional provisions can be separated from the remaining valid provisions; (2) the legislative purpose expressed in the valid provisions can be accomplished independently of those which are void; (3) the good and the bad features are not so inseparable in substance that it can be said that the legislative body would have passed the one without the other; and (4) an act complete in itself remains after the valid provisions are stricken [*see, e.g., Waldrup v. Dugger*, 562 So. 2d 687 (Fla. 1990)];

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

WHEREAS, St. Johns County finds and determines that St. Johns County has consistently adopted and enacted severability provisions in connection with its ordinance code provisions; and St. Johns County wishes to ensure that severability provisions apply to its land development regulations, including its sign standards;

WHEREAS, St. Johns County finds and determines that there be an ample record of its intention that the presence of a severability clause in connection with the County's sign regulations be applied to the maximum extent possible, even if less speech would result from a determination that any provision is invalid or unconstitutional for any reason whatsoever;

WHEREAS, St. Johns County finds and determines that objects and devices such as graveyard and cemetery markers visible from a public area, vending machines or express mail drop-off boxes visible from a public area, decorations that do not constitute advertising visible from a public area, artwork that does not constitute advertising; a building's architectural features visible from a public area, or a manufacturer's or seller's markings on machinery or equipment visible from a public area are not within the scope of what is intended to be regulated through "land development" regulations that pertain to signage under Chapter 163 of the Florida Statutes;

WHEREAS, St. Johns County finds and determines that the aforesaid objects and devices are commonly excluded or exempted from being regulated as signs in land development regulations and sign regulations, and that extending a regulatory regime to such objects or devices would be inconsistent with the free speech clause of the First Amendment;

WHEREAS, St. Johns County finds and determines that it should continue to prohibit discontinued signs regardless of whether or not there was any intent to abandon the sign;

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

WHEREAS, St. Johns County finds and determines that it is appropriate to prohibit certain vehicle signs similar to the prohibition suggested in Article VIII (Signs) of the Model Land Development Code for Cities and Counties, prepared in 1989 for the Florida Department of Community Affairs by the UF College of Law’s Center for Governmental Responsibility and by a professional planner with Henigar and Ray Engineering Associates, Inc., and that is nearly identical to Section 7.05.00(x) of the Land Development Regulations of the Town of Orange Park, which were upheld against a constitutional challenge in *Perkins v. Town of Orange Park*, 2006 WL 5988235 (Fla. 4th Cir. Ct.);

WHEREAS, St. Johns County finds and determines that the County includes resort communities on the east coast of the state with several miles of beaches on the Atlantic Ocean and the County has an economic base which relies on tourism;

WHEREAS, St. Johns County finds and determines that in order to preserve St. Johns County as a desirable community in which to live, vacation, and do business, a pleasing, visually-attractive environment is of foremost importance;

WHEREAS, St. Johns County finds and determines that the regulation of signs within the County is a highly contributive means by which to achieve this desired end, and that the sign standards and regulations in Exhibit A attached to this Ordinance are prepared with the intent of enhancing the urban environment and promoting the continued wellbeing of the County;

WHEREAS, St. Johns County finds and determines that Article II, Section 7, of the Florida Constitution, as adopted in 1968, provides that it shall be the policy of the state to conserve and protect its scenic beauty;

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

WHEREAS, St. Johns County finds and determines that the regulation of signage for purposes of aesthetics has long been recognized as advancing the public welfare;

WHEREAS, St. Johns County finds and determines that, at least as early as 1954, the United States Supreme Court recognized that “the concept of the public welfare is broad and inclusive,” that the values it represents are “spiritual as well as physical, aesthetic as well as monetary,” and that it is within the power of the legislature “to determine that the community should be beautiful as well as healthy, spacious as well as clean, well balanced as well as carefully patrolled” [*Berman v. Parker*, 348 U.S. 26, 33 (1954)];

WHEREAS, St. Johns County finds and determines that aesthetics is a valid basis for zoning, and the regulation of the size of signs and the prohibition of certain types of signs can be based upon aesthetic grounds alone as promoting the general welfare [see *Merritt v. Peters*, 65 So. 2d 861 (Fla. 1953); *Dade Cty. v. Gould*, 99 So. 2d 236 (Fla. 1957); *E.B. Elliott Adver. Co. v. Metro. Dade Cty.*, 425 F.2d 1141 (5th Cir. 1970), *cert. dismissed*, 400 U.S. 805 (1970)];

WHEREAS, St. Johns County finds and determines that the enhancement of the visual environment is critical to a community’s image and its continued presence as a tourist destination;

WHEREAS, St. Johns County finds and determines that the sign control principles set forth herein create a sense of character and ambiance that distinguishes the County as one with a commitment to maintaining and improving an attractive environment;

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

WHEREAS, St. Johns County finds and determines that the goals, objectives, and policies from planning documents developed by the County over the years demonstrate a strong, long-term commitment to maintaining and improving the County's attractive and visual environment;

WHEREAS, St. Johns County finds and determines that, from a planning perspective, one of the most important community goals is to define and protect aesthetic resources and community character;

WHEREAS, St. Johns County finds and determines that, from a planning perspective, sign regulations are especially important to communities with tourist-based economies, and sign control can create a sense of character and ambiance that distinguishes one community from another;

WHEREAS, St. Johns County finds and determines that two decades ago a growing number of cities had begun prohibiting pole signs, allowing only ground signs (also referred to as monument signs), and monument signs are typically used and preferred by vacation resorts, planned communities, and other cities that seek a distinctive image; the County seeks to maintain that distinctive image for as part of its community character;

WHEREAS, St. Johns County finds and determines that preserving and reinforcing the uniqueness of the County's tourist communities attracts tourists and, more importantly, establishes a permanent residential and commercial base to ensure the future viability of the community;

WHEREAS, St. Johns County finds and determines that the purpose of the regulation of signs as set forth in Exhibit A and other sections of this Ordinance is to promote the public health, safety and general welfare through a comprehensive system of reasonable, consistent and nondiscriminatory sign standards and requirements;

WHEREAS, St. Johns County finds and determines that the sign regulations in Exhibit A and other sections of this Ordinance are intended to enable the identification of places of residence and business;

WHEREAS, St. Johns County finds and determines that the sign regulations in Exhibit A and other sections of this Ordinance are intended to allow for the communication of information necessary for the conduct of commerce;

WHEREAS, St. Johns County finds and determines that the sign regulations in Exhibit A and other sections of this Ordinance are intended to lessen hazardous situations, confusion, and visual clutter caused by the proliferation, improper placement, illumination, animation, and

excessive height, area, and bulk of signs which compete for the attention of pedestrian and vehicular traffic;

WHEREAS, St. Johns County finds and determines that the sign regulations in Exhibit A and other sections of this Ordinance are intended to enhance the attractiveness and economic well-being of the County as a place to live, vacation, and conduct business;

WHEREAS, St. Johns County finds and determines that the sign regulations in Exhibit A and other sections of this Ordinance are intended to protect the public from the dangers of unsafe signs;

WHEREAS, St. Johns County finds and determines that the sign regulations in Exhibit A and other sections of this Ordinance are intended to permit signs that are compatible with their surroundings and aid orientation, and to preclude placement of signs in a manner that conceals or obstructs adjacent land uses or signs;

WHEREAS, St. Johns County finds and determines that the sign regulations in Exhibit A and other sections of this Ordinance are intended to encourage signs that are appropriate to the zoning district in which they are located and which are consistent with the category of use to which they pertain;

WHEREAS, St. Johns County finds and determines that the sign regulations in Exhibit A and other sections of this Ordinance are intended to curtail the size and number of signs and sign messages to the minimum reasonably necessary to identify a residential or business location and the nature of any such business;

WHEREAS, St. Johns County finds and determines that the sign regulations in Exhibit A and other sections of this Ordinance are intended to establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains;

WHEREAS, St. Johns County finds and determines that the sign regulations in Exhibit A and other sections of this Ordinance are intended to preclude signs from conflicting with the principal permitted use of the site or adjoining sites;

WHEREAS, St. Johns County finds and determines that the sign regulations in Exhibit A and other sections of this Ordinance are intended to regulate signs in a manner so as to not interfere with, obstruct the vision of, or distract motorists, bicyclists, or pedestrians;

WHEREAS, St. Johns County finds and determines that the sign regulations in Exhibit A and other sections of this Ordinance are intended to require signs to be constructed, installed, and maintained in a safe and satisfactory manner;

WHEREAS, St. Johns County finds and determines that the sign regulations in Exhibit A and other sections of this Ordinance are intended to preserve and enhance the natural and scenic characteristics of the County;

WHEREAS, St. Johns County finds and determines that the regulation of signage was originally mandated in 1985 by Florida's Local Government Comprehensive Planning and Land Development Regulation Act [*see* Ch. 85-55, § 14, Laws of Florida], and the requirement continues to apply to St. Johns County through section 163.3202(2)(f), Florida Statutes;

WHEREAS, St. Johns County finds and determines that it has adopted a land development code, known as the Land Development Code, Ordinance 99-51, as amended, in order to implement its Comprehensive Plan, and to comply with the minimum requirements in the State of Florida's Growth Management Act, at section 163.3202, Florida Statutes, including the regulation of signage and future land use;

WHEREAS, St. Johns County finds and determines that the Land Development Code is the manner by which the County has chosen to regulate signage;

WHEREAS, St. Johns County finds and determines that the Land Development Code and its signage regulations were and are intended to maintain and improve the quality of life for all citizens of the County;

WHEREAS, St. Johns County finds and determines that in meeting the purposes and goals established in these preambles, it is appropriate to prohibit and/or to continue to prohibit certain sign types;

WHEREAS, St. Johns County finds and determines that consistent with the foregoing preambles, it is appropriate to prohibit and/or to continue to generally prohibit the sign types listed in Part 7.08.00, Prohibited Signs, within Exhibit A to this Ordinance;

WHEREAS, St. Johns County finds and determines that billboards may detract from the natural and manmade beauty of the County;

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

WHEREAS, St. Johns County recognizes that states such as Vermont, Alaska, Maine, and Hawaii have prohibited the construction of billboards in their states and are now billboard-free in an effort to promote aesthetics and scenic beauty;

WHEREAS, St. Johns County finds and determines that the restriction and limitation of the construction of billboards and certain other sign types, as well as the establishment and continuation of height, size, and other standards for on-premise signs, is consistent with the policy set forth in the Florida Constitution that it shall be the policy of the state to conserve and protect its scenic beauty;

WHEREAS, St. Johns County agrees with the courts that have recognized that outdoor advertising signs tend to interrupt what would otherwise be the natural landscape as seen from the highway, whether the view is untouched or ravished by man, and that it would be unreasonable and illogical to conclude that an area is too unattractive to justify aesthetic improvement [*see E.B. Elliott Adver. Co. v. Metro. Dade Cty.*, 425 F.2d 1141 (5th Cir. 1970), *cert. dismissed*, 400 U.S. 805 (1970); *John Donnelly & Sons, Inc. v. Outdoor Adver. Bd.*, 339 N.E.2d 709, 720 (Mass. 1975)];

WHEREAS, St. Johns County recognizes that local governments may separately classify off-site and on-site advertising signs in taking steps to minimize visual pollution [*see City of Lake Wales v. Lamar Advert. Ass'n of Lakeland, Fla.*, 414 So.2d 1030, 1032 (Fla. 1982)];

WHEREAS, St. Johns County finds and determines that billboards attract the attention of drivers passing by the billboards, thereby adversely affecting traffic safety and constituting a public nuisance and a noxious use of the land on which the billboards are erected;

WHEREAS, St. Johns County finds, determines, and recognizes that billboards are a form of advertisement designed to be seen without the exercise of choice or volition on the part of the observer, unlike other forms of advertising that are ordinarily seen as a matter of choice on the part of the observer [*see Packer v. Utah*, 285 U.S. 105 (1932); and *Gen. Outdoor Advert. Co. v. Dep't of Public Works*, 289 Mass. 149, 193 N.E. 799 (1935)];

WHEREAS, St. Johns County acknowledges that the United States Supreme Court and many federal courts have accepted legislative judgments and determinations that the prohibition, restriction, or regulation of billboards promotes traffic safety and the aesthetics of the surrounding area. [*see Markham Advert. Co. v. State*, 73 Wash. 2d 405 (1969), *appeal dismissed for want of a substantial federal question*, 439 U.S. 808 (1978); *Markham Advert. Co. v. State*, Case No. 648, October Term, 1968, Appellants' Jurisdictional Statement, 1968 WL 129277 (October 14, 1968); *Suffolk Outdoor Advert. Co. v. Hulse*, 43 N.Y.2d 483, 372 N.E.2d 263 (1977), *appeal dismissed for want of a substantial federal question*, 439 U.S. 808 (1978); *Suffolk Outdoor Advert. Co. v. Hulse*, Case No. 77-1670, October Term, 1977, Appellant's Jurisdictional Statement (March 23, 1978); *Metromedia, Inc. v. City of San Diego*, 453 U.S. 490, 509-10 (1981); *Members of City Council of City of Los Angeles v. Taxpayers for Vincent*, 466 U.S. 789, 806-07 (1984), *City of Cincinnati v. Discovery Network, Inc.*, 507 U.S. 410, 425 and 442 (1993); *Nat'l Advert. Co. v. City & Cty. of Denver*, 912 F.2d 4055, 409 (10th Cir. 1990), and *Outdoor Sys., Inc. v. City of Lenexa, Kan.*, 67 F. Supp. 2d 1231, 1239 (D. Kan. 1999)];

WHEREAS, St. Johns County finds, determines and recognizes that on-site business signs are considered to be part of the business itself, as distinguished from off-site outdoor advertising signs, and that it is well-recognized that the unique nature of outdoor advertising and the nuisances fostered by billboard signs justify the separate classification of such structures for the purposes of governmental regulation and restrictions [*see E. B. Elliott Advert. Co. v. Metro. Dade Cty.*, 425 F.2d 1141, 1153 (5th Cir. 1970), *cert. denied*, 400 U.S. 805 (1970), quoting *United Advert. Corp. v. Borough of Raritan*, 11 N.J. 144, 93 A.2d 362, 365 (1952)];

WHEREAS, St. Johns County finds and determines that restrictions on the erection of off-site outdoor advertising signs will reduce the number of driver distractions and the number of aesthetic eyesores along the roadways and highways of the County [*see, e.g., E. B. Elliott Advert. Co. v. Metro. Dade Cty.*, 425 F.2d 1141, 1154 (5th Cir. 1970), *cert. denied*, 400 U.S. 8058 (1970)];

WHEREAS, St. Johns County finds and determines that, if unregulated, billboard signs are public nuisances given their adverse impact on both traffic safety and aesthetics;

WHEREAS, St. Johns County finds and determines that billboards, if unregulated, are a traffic hazard and impair the beauty of the surrounding area, and the prohibition of the construction of billboards will reduce these harms [*see Outdoor Sys., Inc. v. City of Lenexa, Kan.*, 67 F. Supp. 2d 1231, 1239 (D. Kan.1999)];

WHEREAS, St. Johns County recognizes that more than three hundred Florida communities have adopted ordinances prohibiting the construction of billboards in their communities in order to achieve aesthetic, beautification, traffic safety, and/or other related goals;

WHEREAS, St. Johns County finds and determines that in order to preserve, protect and promote the safety and general welfare of the residents of the County, it is necessary to regulate off-site advertising signs, commonly known as billboard signs or billboards, so as to regulate, restrict, and limit the construction of new and existing billboards, and to provide that the foregoing provisions shall be severable;

WHEREAS, St. Johns County finds and determines that the continued regulation, restriction, and limitation of new and existing billboards as set forth herein will maintain and improve the beauty of the County, foster overall improvement to the aesthetic and visual appearance of the County, preserve and open up areas for beautification on public property adjoining the public roadways, increase the visibility, readability, and/or effectiveness of on-site signs by reducing and/or diminishing the visual clutter of off-site signs, enhance the County as an attractive place to live and/or work, reduce blighting influences, and improve traffic safety by reducing driver distractions;

WHEREAS, St. Johns County wishes to assure that the construction of new billboards are regulated and limited as a sign-type within the County using the County's existing swapdown provision;

WHEREAS, St. Johns County finds and determines that anything beside the road which tends to distract the driver of a motor vehicle directly affects traffic safety, and signs, which divert the attention of the driver and occupants of motor vehicles from the highway to objects away from it, may reasonably be found to increase the danger of accidents, and agrees with the courts that have reached the same determination [*see Opinion of the Justices*, 103 N.H. 268, 169 A.2d 762 (1961); *Newman Signs, Inc. v. Hjelle*, 268 N.W.2d 741 (N.D.1978)];

WHEREAS, St. Johns County acknowledges that the view of the seven United States Supreme Court Justices in *Metromedia*, as expressly recognized in the later United States Supreme Court decisions in *Taxpayers for Vincent* and *Discovery Network, Inc.*; and in more than a dozen published federal Court of Appeal decisions following *Metromedia*, on the permissible distinction between onsite signs and offsite signs-when it comes to government's substantial interest in prohibiting the latter sign type (the offsite sign), including: *Major Media of the Se., Inc. v. City of Raleigh*, 792 F.2d 1269, 1272 (4th Cir. 1986); *Georgia Outdoor Advert., Inc. v. City of Waynesville*, 833 F.2d 43, 45-46 (4th Cir. 1987); *Naegele Outdoor Advert., Inc. v. City of Durham*, 844 F.2d 172, 173-74 (4th Cir. 1988); *Nat'l Adver. Co. v. City & County of Denver*, 912 F.2d 405, 408-11 (10th Cir. 1990); *Nat'l Adver. Co. v. Town of Niagara*, 942 F.2d 145, 157-158 (2d Cir. 1991); *Outdoor Sys., Inc. v. City of Mesa*, 997 F.2d 604, 610-12 (9th Cir. 1993); *Outdoor Graphics, Inc. v. City of Burlington, Iowa*, 103 F.3d 690, 695 (8th Cir. 1996); *Ackerley Commc'ns of Nw. Inc. v. Krochalis*, 108 F.3d 1095, 1099 (9th Cir. 1997); *Southlake Prop. Assocs., Ltd v. City of Morrow, Ga.*, 112 F.3d 1114, 1117-19 (11th Cir. 1997), *cert. denied*, 525 U.S. 820 (1998); *Bad Frog Brewery, Inc. v. New York State Liquor Auth.*, 134 F.3d 87, 99 (2d Cir. 1998); *Lavey v. City of Two Rivers*, 171 F.3d 1110, 1114-15 (7th Cir. 1999); *Long Island Bd. of Realtors, Inc. v. Incorp. Vill. of Massapequa Park*, 277 F.3d 622, 627 (2d Cir. 2002); *Clear Channel Outdoor, Inc. v. City of Los Angeles*, 340 F.3d 810, 814-16 (9th Cir. 2003); *Riel v. City of Bradford*, 485 F.3d 736, 753 (3d Cir. 2007); *Naser Jewelers, Inc. v. City of Concord, NH*, 513

F.3d 27, 36 (1st Cir. 2008); *RTM Media, L.L.C. v. City of Houston*, 584 F.3d 220, 225 (5th Cir. 2009);

WHEREAS, St. Johns County recognizes that the distinction between the location of off-premises signs and on-premises signs is a time, place, and manner regulation, and recognizes that in 1978 in *Suffolk Outdoor*, over the objection of Justices Blackmun and Powell, the United States Supreme Court denied review of the underlying decision for want of a substantial federal question, and that denial on this basis was a decision on the merits, wherein the decision was framed by the petitioner's jurisdictional statement which presented its first question as to whether a total ban on billboards within an entire municipality was constitutional, claiming that this disparate treatment of off-premises billboards from on-premises accessory signs was a violation of the First Amendment;

WHEREAS, St. Johns County acknowledges that the significance of *Suffolk Outdoor* is that it was a merits decision that recognized that it is constitutionally permissible to distinguish between on-site signs and off-site signs (Billboards) for regulatory purposes, and to ban the latter, and that this merits decision has never been overturned;

WHEREAS, St. Johns County finds and determines, consistent with the foregoing preambles, that the business of outdoor advertising should be a prohibited use in each of the County's zoning residential districts and regulated in the County's commercial or industrial zoning districts;

WHEREAS, St. Johns County finds and determines that it is appropriate to prohibit discontinued signs and/or sign structures because they visually degrade the community character and are inconsistent with the general principles and purposes of Article VII as set forth in Exhibit A;

WHEREAS, St. Johns County finds and determines that it is appropriate to specify that in addition to land development regulations identified in Exhibit A and other sections of this Ordinance, signs shall comply with all applicable building and electrical code requirements;

WHEREAS, St. Johns County finds and determines that the County has allowed noncommercial speech to appear wherever commercial speech appears; and the County desires to continue that practice by including a specific substitution clause that expressly allows non-commercial messages to be substituted for commercial messages;

WHEREAS, St. Johns County finds and determines that by confirming in its ordinance that noncommercial messages are allowed wherever commercial messages are permitted, the County will continue to overcome any constitutional objection that its ordinance impermissibly favors commercial speech over noncommercial speech [*see Outdoor Sys., Inc. v. City of Lenexa*, 67 F. Supp. 2d 1231, 1236-37 (D. Kan. 1999)];

WHEREAS, St. Johns County finds and determines that the district court in *Granite State Outdoor Advertising, Inc. v. City of Clearwater, Fla.*, 213 F. Supp. 2d 1312 (M.D. Fla. 2002), *aff'd in part, rev'd in part on other grounds*, 351 F.3d 1112 (11th Cir. 2003), *cert. denied*, 543 U.S. 813 (2004), cited the severability provisions of land development code at issue as a basis for severing isolated portions of the land development code [*see Granite State Outdoor Advert., Inc.*, 213 F. Supp. 2d at 1326, n.22];

WHEREAS, St. Johns County finds and determines that the Land Development Code's severability clause was adopted with the intent of upholding and sustaining as much of the County's regulations, including its sign regulations, as possible in the event that any portion thereof (including any section, sentence, clause, or phrase) be held invalid or unconstitutional by any court of competent jurisdiction;

WHEREAS, St. Johns County finds and determines that the failure of some courts to uphold severability clauses has led to an increase in litigation seeking to strike down sign ordinances in their *entirety* so as to argue that the developers' applications to erect prohibited sign types, such as billboards, must be granted;

WHEREAS, St. Johns County finds and determines that there be an ample record of its intention that the presence of a severability clause in connection with the County's sign regulations be applied to the maximum extent possible, even if less speech would result from a determination that any exceptions, limitations, variances, or other provisions are invalid or unconstitutional for any reason whatsoever;

WHEREAS, St. Johns County finds and determines that the regulation and restriction on billboards, as contained herein, continue in effect regardless of the invalidity or unconstitutionality of any, or even all, other provisions of the County's sign regulations, other ordinance code provisions, or other laws, for any reason(s) whatsoever;

WHEREAS, St. Johns County finds and determines that there be an ample record that it intends that the height and size limitations on free-standing and other signs continue in effect regardless of the invalidity or unconstitutionality of any, or even all other, provisions of the County's sign regulations, other ordinance code provisions, or other laws, for any reason(s) whatsoever;

WHEREAS, St. Johns County finds and determines that there be an ample record that it intends that each prohibited sign-type continue in effect regardless of the invalidity or unconstitutionality of any, or even all, other provisions of the County's sign regulations, other ordinance code provisions, or other laws, for any reason(s) whatsoever;

WHEREAS, St. Johns County finds and determines that it is appropriate to allow for the display of allowable temporary signage without any prior restraint or permit requirement;

WHEREAS, St. Johns County finds and determines that it is appropriate to prohibit direct illumination of the surface of any temporary sign but such prohibition shall not be construed to constrain the general illumination of flags and flagpoles unless otherwise expressly prohibited;

WHEREAS, St. Johns County finds and determines that when an application for a permanent sign is deemed denied that the applicant shall have an avenue to immediately request in writing via certified mail to the County a written explanation as to why the application was not approved and the County shall promptly respond in writing and provide the reason(s) the application was not approved [*see Covenant Media of S.C., LLC v. City of N. Charleston*, 493 F.3d 421, 435-37 (4th Cir. 2007)];

WHEREAS, St. Johns County finds and determines that an applicant for a permanent sign who is aggrieved by the decision of the County Administrator upon a sign permit application, or aggrieved by any failure by the County Administrator or any other county official

to act upon a sign permit application in accordance with the Land Development Code, shall have the right to seek judicial review by the Circuit Court of the Fourth Judicial Circuit in and for Duval County, Florida, or by any other court of competent jurisdiction, filed in accordance with the requirements of law, seeking such appropriate remedy as may be available;

WHEREAS, St. Johns County finds and determines that there have been reported instances of persons claiming under oath to have submitted applications to local governments but with no record of those applications ever having been delivered or left with the local government for processing, followed by claims that the local government had then failed to act on the purported applications for an inordinate length of time and had thereby infringed upon the constitutional rights of the applicant;

WHEREAS, St. Johns County finds and determines that local governments are vulnerable to schemes whereby false assertions are made as to the delivery or submission of sign permit applications when in fact such applications were never submitted or left with county officials and claims of unconstitutional failures to timely act upon the applications are then made so as to obtain permits that could otherwise not be granted;

WHEREAS, St. Johns County finds and determines that the “deemed denial” of applications after the passage of a set amount of time after their purported submission dates protects local governments from schemes to obtain ineligible permits, and is a fair resolution when balanced by a right of the applicant to submit a request to the local government, via certified mail, for an explanation for lack of action on a purported application and for the reason(s) for the lack of approval so as to ensure that the local government has the opportunity to act on an application, if no application had initially been submitted or had been misplaced or lost;

WHEREAS, St. Johns County finds and determines that this opportunity for an applicant to make such request, via certified mail, provides an additional chance to secure an explanation of the reason(s) for no approval within a defined and short period of time and also aids in the protection of the applicant’s rights, especially when combined with access by the applicant to a judicial remedy for no response to such a request;

WHEREAS, St. Johns County finds and determines that an applicant shall have access to prompt judicial relief under the circumstances where an applicant’s sign permit application is either denied, deemed denied, or not approved in a timely manner, as set forth in the County’s sign permitting regulations, and acknowledges that the display of temporary signs in compliance with the County’s sign standards and regulations is not subject to any permitting whatsoever; and

WHEREAS, St. Johns County finds and determines that it is appropriate that there shall be no criminal penalties for a violation of Article VII of the Land Development Code, as amended, and that any penalty for a violation of Article VII shall be limited to civil penalties only;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY:

Section 1. Legislative Findings of Fact. The above Recitals and WHEREAS clauses are hereby adopted as legislative findings by the St. Johns County Board of County Commissioners and incorporated and made a part of this Ordinance.

Section 2. Sign Code. Article VII of the Land Development Code, St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by replacing the entirety of Article VII of the Land Development Code with the attached **EXHIBIT A**, incorporated herein and made a part of this Ordinance.

Section 3. Definitions. Article XII, Part 12.01.00 Definitions of the Land Development Code, St. Johns County Ordinance No. 99-51, as previously amended is hereby amended to read as follows in the attached **EXHIBIT B**, incorporated herein and made a part of this Ordinance.

Section 4. The remaining portions of the St. Johns County Land Development Code, Ordinance 99-51, as amended, which are not in conflict with the provisions of this ordinance, shall remain in full force and effect.

Section 5. Modification. It is the intent of the Board of County Commissioners that the provisions of this ordinance may be modified as a result of considerations that may arise during public hearings. Such modifications shall be incorporated into the final version of the ordinance adopted by the Board and filed with the Clerk to the Board.

Section 6. Inclusion and Codification into the Land Development Code. It is the intent of the St. Johns County Board of County Commissioners that the provisions of this Ordinance shall be codified and made part of the St. Johns County Land Development Code, Ordinance No. 99-51, as previously amended, and that the parts, sections, and attachments of this ordinance may be renumbered, reorganized, relettered, and appropriately incorporated into the Land Development Code in order to accomplish such intentions. It is the intent of the St. Johns County Board of County Commissioners that scrivener and typographic errors which do not change the tone or tenor of this Ordinance may be corrected during codification and may be authorized by the County Administrator or designee, without public hearing, by filing a corrected or recodified copy of the same with the Clerk of the Board.

Section 7. Ordinance to be Liberally Construed. This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

Section 8. Severance Clause. It is the intent of the Board of County Commissioners of St. Johns County, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions or sections of this Ordinance.

Section 9. Effective Date. This Ordinance shall take effect upon its being filed with the Department of State of Florida.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida, this _____ day of _____, 2017.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
James K. Johns , Chair

ATTEST: Hunter S. Conrad, Clerk of Court

By: _____
Deputy Clerk

Effective Date: _____

**ARTICLE VII
SIGNS**

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PART 7.00.00 GENERALLY

Sec. 7.00.01 Index to Article VII

PART 7.00.00 GENERALLY

- Sec. 7.00.01 Index to Article VII
- Sec. 7.00.02 Purpose, Intent, and Scope
- Sec. 7.00.03 Interpretation
- Sec. 7.00.04 Applicability
- Sec. 7.00.05 Severability
- Sec. 7.00.06 General Provisions
- Sec. 7.00.07 Building Permits
- Sec. 7.00.08 Sign Permits
- Sec. 7.00.09 Enforcement and Penalties

PART 7.01.00 BILLBOARD SIGNS

- Sec. 7.01.01 Intent and Future Billboards
- Sec. 7.01.02 Types of Billboards Allowed
- Sec. 7.01.03 General Requirements
- Sec. 7.01.04 Established Setbacks and Spacing (See Appendix D for Illustration)
- Sec. 7.01.05 Swapdown Requirement for New Permits

PART 7.02.00 ON-PREMISES SIGNS

- Sec. 7.02.01 Temporary and Permanent Signs Allowed in Zoning Districts
- Sec. 7.02.02 Temporary Signs Allowed in Zoning Districts
- Sec. 7.02.03 Additional Temporary Signs
- Sec. 7.02.04 On-Premise Permanent Sign
- Sec. 7.02.05 On-Premise Permanent Signs - Interstate
- [Sec. 7.02.06 Additional On-Premise Signs](#)
- Sec. 7.02.07 On-Premise Permanent Sign Setbacks and Placement Limits (See Appendix D for Illustration)

PART 7.03.00 RESERVED

- Sec. 7.03.01 Reserved

PART 7.04.00 RESERVED

- Sec. 7.04.01 Reserved

PART 7.05.00 SPECIAL EVENT SIGNS

- Sec. 7.05.01 Special Event Signs

PART 7.06.00 SIGNS AND ENTRY FEATURES AT PROJECT ENTRANCES

- Sec. 7.06.01 Signs at Entrances
- [Sec. 7.06.02 Entry Features](#)

PART 7.07.00 SCENIC HIGHWAY SIGNS AND ANTENNAS

- Sec. 7.07.01 Scenic Highway Signs and Antennas

41 Sec. 7.07.02 Scenic Vistas

42 PART 7.08.00 PROHIBITED SIGNS

43 Sec. 7.08.01 Prohibited Signs

44 PART 7.09.00 NON-CONFORMING SIGNS

45 Sec. 7.09.01 Non-Conforming Signs

46 PART 7.10.00 RACE TRACK ROAD SIGNS

47 Sec. 7.10.01 Race Track Road Signs

48

49 **Sec. 7.00.02 Purpose, Intent, and Scope**

50 It is the purpose of this Article to promote the public health, safety, and general welfare through
 51 reasonable, consistent, and non-discriminatory Sign standards. The Sign regulations in this Article
 52 are also designed and intended to meet the statutory requirement that the County adopt land
 53 development regulations that regulate Signage, a requirement set forth in Section 163.3202(f),
 54 Florida Statutes. The Sign regulations in this Article are not intended to censor speech or to
 55 regulate viewpoints, but instead are intended to regulate the adverse secondary effects of Signs.
 56 The Sign regulations are especially intended to address the secondary effects that may adversely
 57 impact aesthetics and safety. The Sign regulations are designed to serve substantial
 58 governmental interests and, in some cases, compelling governmental interests such as traffic
 59 safety and warning of threats to bodily injury or death.

60 This Article regulates Signs, as defined in this Code, which are placed on private property or on
 61 property owned by public agencies, including the County, and over which the County has zoning
 62 authority. This Article is not intended to extend the County’s regulatory regime to objects that are
 63 not traditionally considered Signs for purpose of government regulation.

64 The County is a diverse community on the east coast of Florida. The eastern boundary of the
 65 County is the Atlantic Ocean and the western boundary is formed largely by the St. Johns River.
 66 The economic base of the County includes, among other things, tourism of visitors from the
 67 Northeast Florida and Southeast Georgia area, as well as other areas of the United States. In
 68 order to preserve and promote the County as a desirable community in which to live, vacation,
 69 and do business, a pleasing, visually attractive environment is of foremost importance. The
 70 regulation of Signs within the County is a highly contributive means by which to achieve this
 71 desired end.

72 These Sign regulations have been prepared with the intent of enhancing the visual environment
 73 of the County and promoting its continued well-being, and are intended to:

- 74 **A.** Encourage the effective use of Signs as a means of communication in the County;
- 75 **B.** Maintain and enhance the aesthetic environment and the County’s ability to attract
 76 sources of economic development and growth;
- 77 **C.** Improve pedestrian and traffic safety;
- 78 **D.** Minimize the possible adverse effect of Signs on nearby public and private property;
- 79 **E.** Foster the integration of Signage with architectural and landscape designs;

- 80 **F.** Lessen the visual clutter that may otherwise be caused by the proliferation, improper
81 placement, illumination, animation, excessive height, and excessive size (area) of Signs
82 which compete for the attention of pedestrian and vehicular traffic;
- 83 **G.** Allow Signs that are compatible with their surroundings and aid orientation, while
84 precluding the placement of Signs that contribute to Sign clutter or that conceal or obstruct
85 adjacent land uses or Signs;
- 86 **H.** Encourage and allow Signs that are appropriate to the zoning district in which they are
87 located;
- 88 **I.** Establish Sign size in relationship to the scale of the lot and building on which the Sign is
89 to be placed or to which it pertains;
- 90 **J.** Preclude Signs from conflicting with the principal permitted use of the site and adjoining
91 sites;
- 92 **K.** Regulate Signs in a manner so as to not interfere with, obstruct the vision of, or distract
93 motorists, bicyclists, or pedestrians;
- 94 **L.** Except to the extent expressly preempted by state or federal law, ensure that Signs are
95 constructed, installed, and maintained in a safe and satisfactory manner, and protect the
96 public from unsafe Signs;
- 97 **M.** Preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all
98 districts of the County;
- 99 **N.** Allow for traffic control devices consistent with national standards and whose purpose is
100 to promote highway safety and efficiency by providing for the orderly movement of road
101 users on streets and highways, and that notify road users of regulations and provide
102 warning and guidance needed for the safe, uniform, and efficient operation of all elements
103 of the traffic stream;
- 104 **O.** Protect property values by precluding, to the maximum extent possible, Sign types that
105 create a nuisance to the occupancy or use of other properties as a result of their size,
106 height, illumination, brightness, or movement;
- 107 **P.** Protect property values by ensuring that Sign types, as well as the number of Signs, are
108 in harmony with buildings, neighborhoods, and conforming Signs in the area;
- 109 **Q.** Regulate the appearance and design of Signs in a manner that promotes and enhances
110 the beautification of the County and that complements the natural surroundings in
111 recognition of the County's reliance on its natural surroundings and beautification efforts
112 in retaining economic advantage for the community, as well as for its major subdivisions,
113 commercial areas, shopping centers, and industrial parks;
- 114 **R.** Enable the fair and consistent enforcement of these Sign regulations;
- 115 **S.** Promote the use of Signs that positively contribute to the aesthetics of the community, are
116 appropriate in scale to the surrounding buildings and landscape, and advance the
117 County's goals of quality development;
- 118 **T.** Provide standards regarding the non-communicative aspects of Signs, which are

- 119 consistent with county, state, and federal law;
- 120 **U.** Provide flexibility and encourage variety in Signage, and create an incentive to relate
121 Signage to the basic principles of good design; and
- 122 **V.** Assure that the benefits derived from the expenditure of public funds for the improvement
123 and beautification of streets, sidewalks, public parks, public rights-of-way, and other public
124 places and spaces are protected by exercising reasonable controls over the physical
125 characteristics and structural design of Signs.

126 **Sec. 7.00.03 Interpretation**

127 The County Administrator shall interpret the provisions of this Article. When making such
128 interpretation, the County Administrator shall use the definitions provided in this Code. Any
129 ambiguity, dispute, or conflict in the interpretation a term or phrase not defined in this Code shall
130 be resolved by reference to the commonly understood meaning of the term or phrase, as provided
131 in dictionaries, the Florida Building Code, the County's zoning regulations, County ordinances,
132 Florida Statutes pertaining to building codes or Signs, or other governmental or professional
133 references pertaining to building or structural standards. The County Administrator may also use
134 rules and canons of statutory construction, including the rules of construction in Section 1.03.04
135 of this Code. The decision of the County Administrator on any ambiguity, dispute, or conflict in
136 the interpretation of this Article shall be the final decision of the County unless appealed to the
137 Board of County Commissioners pursuant to Section 7.00.08.F below.

138 **Sec. 7.00.04 Applicability**

139 The provisions of this Article shall apply to all Signs displayed or Erected in the County, except
140 the following:

- 141 **A.** A Sign, other than a Window Sign, located entirely inside the premises of a building or
142 enclosed space.
- 143 **B.** A Sign on a Vehicle, other than a prohibited Vehicle Sign.
- 144 **C.** A Statutory Sign.
- 145 **D.** A Traffic Control Device Sign.
- 146 **E.** Any Sign internal to a plaza, interior courtyard, inside fence line of ball and multi-purpose
147 playing fields, stadiums, arenas, racetracks, or within gated communities and similar
148 places, visible only to those Persons visiting such a place and not visible from a public
149 street, public sidewalk, or public right-of-way or from a navigable waterway or body of
150 water; except that the foregoing does not exempt a Sign for a commercial use that is
151 visible from an abutting residential use.
- 152 **F.** Any Sign otherwise exempted as provided in this Article.

153 **Sec. 7.00.05 Severability**

- 154 **A.** Generally. If any part, section, subsection, paragraph, subparagraph, sentence, phrase,
155 clause, term, or word of this Article VII is declared unconstitutional by the valid judgment
156 or decree of any court of competent jurisdiction, the declaration of such unconstitutionality
157 shall not affect any other part, section, subsection, paragraph, subparagraph, sentence,

158 phrase, clause, term, or word of this Article VII.

159 **B.** Severability where less speech results. Without diminishing or limiting in any way the
160 declaration of severability set forth above in subsection A. above, or elsewhere in this
161 Article VII, this Code, or any adopting ordinance, if any part, section, subsection,
162 paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article VII is
163 declared unconstitutional by the valid judgment or decree of any court of competent
164 jurisdiction, the declaration of such unconstitutionality shall not affect any other part,
165 section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of
166 this Article VII, even if such severability would result in a situation where there would be
167 less speech, whether by subjecting previously exempt Signs to permitting or otherwise.

168 **C.** Severability of provisions pertaining to prohibited Signs. Without diminishing or limiting in
169 any way the declaration of severability set forth above in subsection A. above, or
170 elsewhere in this Article VII, this Code, or any adopting ordinance, if any part, section,
171 subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this
172 Article VII or any other law of the County is declared unconstitutional by the valid judgment
173 or decree of any court of competent jurisdiction, the declaration of such unconstitutionality
174 shall not affect any other part, section, subsection, paragraph, subparagraph, sentence,
175 phrase, clause, term, or word of this Article VII that pertains to prohibited Signs, including
176 specifically those Signs and Sign types prohibited and not allowed under Part 7.08.00,
177 Prohibited Signs, of this Article VII. Furthermore, if any part, section, subsection,
178 paragraph, subparagraph, sentence, phrase, clause, term, or word of Part 7.08.00 is
179 declared unconstitutional by the valid judgment or decree of any court of competent
180 jurisdiction, the declaration of such unconstitutionality shall not affect any other part,
181 section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of
182 Part 7.08.00 thereby ensuring that as many prohibited Sign types as may be
183 constitutionally prohibited continue to be prohibited.

184 **D.** Severability of provisions pertaining to Billboards. Without diminishing or limiting in any
185 way the declaration of severability set forth above in subsection A. above, or elsewhere in
186 this Article VII, this Code, or any adopting ordinance, if any part, section, subsection,
187 paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article VII, other
188 than Part 7.01.00 (Billboards), or any other law of St. Johns County is declared invalid or
189 unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the
190 declaration of such unconstitutionality shall not affect any other part, section, subsection,
191 paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article VII that
192 pertains to Billboards. Furthermore, if any part, section, subsection, paragraph,
193 subparagraph, sentence, phrase, clause, term, or word of Part 7.01.00 is declared
194 unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the
195 declaration of such unconstitutionality shall not affect any other part, section, subsection,
196 paragraph, subparagraph, sentence, phrase, clause, term, or word of Part 7.01.00.
197 Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase,
198 clause, term, or word of this Article VII pertaining to allowing and permitting new Billboards,
199 including Swapdown procedures, is declared unconstitutional or otherwise invalid by the
200 valid judgment or decree of any court of competent jurisdiction, all provisions pertaining to
201 allowing and permitting new Billboards shall be deemed voided in their entirety and no
202 new Billboards shall be allowed.

203 **E.** Severability of provisions pertaining to Special Event Signs. Without diminishing or limiting
204 in any way the declaration of severability set forth above in subsection A. above, or

205 elsewhere in this Article VII, this Code, or any adopting ordinance, if any part, section,
206 subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this
207 Article VII, other than Part 7.05.00 (Special Event Signs), or any other law of the County
208 is declared unconstitutional by the valid judgment or decree of any court of competent
209 jurisdiction, the declaration of such unconstitutionality shall not affect any other part,
210 section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of
211 this Article VII that pertains to Special Event Signs. Furthermore, if any part, section,
212 subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Part
213 7.05.00 is declared unconstitutional by the valid judgment or decree of any court of
214 competent jurisdiction, all provisions for Special Event Signs under this Code shall be
215 deemed voided in their entirety and no Special Event Signage shall be allowed.

216 **Sec. 7.00.06 General Provisions**

217 The following general Sign provisions shall apply to this Article and to all lawful conforming and
218 Non-Conforming Signs, unless otherwise indicated.

219 **A. Measurement of Sign Size (Advertising Display Area)**

220 The size, or Advertising Display Area, of a Sign is measured or calculated as follows:

221 1. Advertising Display Area. The advertising display surface area encompassed
222 within any one geometric figure which would enclose all parts of the Sign display
223 but excluding the structural supports for a Sign, whether they be columns, pylons,
224 or a building or part thereof. In computing the area, the rules below and standard
225 mathematical formulas for known common shapes will be used. The Administrator
226 may break down complex forms into component simple forms; however, all
227 pertinent area shall be included.

228 2. Background panel Signs. Sign Copy that is mounted, affixed, or painted on a
229 background panel or area distinctively painted, textured, or constructed as a
230 background for the Sign Copy, is measured as that area contained within any one
231 geometric figure that will enclose both the Sign copy and the background. In
232 computing the area, the standard mathematical formulas for known common
233 shapes will be used. The Administrator may break down complex forms into
234 component simple forms; however, all pertinent area shall be included.

235 3. Background surface Signs. The area of a Sign consisting of Copy mounted as
236 individual letters, visual elements, or graphics against a wall, fascia, or parapet of
237 a building surface or another surface, that has not been painted, textured, or
238 otherwise altered to provide a distinctive background for the Sign Copy, is
239 measured as any one geometric figure that will enclose each word, graphic or
240 discrete visual element in the total Sign. In computing the area, the standard
241 mathematical formulas for known commons shapes will be used. The
242 Administrator may break down complex forms into component simple forms;
243 however, all pertinent area shall be included.

244 4. Illuminated background Signs. The area of a Sign with copy mounted, affixed, or
245 painted on an illuminated surface or illuminated element or a building or structure,
246 is measured as the entire illuminated surface or illuminated element which contains
247 Sign copy.

- 248 5. Double-faced Signs. If a Sign has two display faces, and the interior angle between
 249 the two faces is sixty (60) degrees or less, then the Sign area is one Sign face
 250 only; however, if the two faces are of different sizes or shapes, then the larger is
 251 used. If the Sign has two display faces, and the interior angle between the two
 252 faces is greater sixty (60) degrees, then the Sign area is the sum of the areas of
 253 the two faces.
- 254 6. Multi-faced Signs. If a Sign has three or more faces, then the Sign area is equal to
 255 fifty percent (50%) of the aggregate area of all Sign faces. The area of each face
 256 shall be determined according to subsection (a) or (b) of this section, as applicable.
- 257 7. Sculptural and nonplanar Signs. The area of a spherical, free form, sculptural, or
 258 other nonplanar Sign is fifty percent (50%) of the sum of the areas, using only the
 259 four vertical sides of the smallest four-sided polyhedron which will completely
 260 enclose the entire Sign Structure.

261 **B. Measurement of Sign Height**

262 Except for Bill Boards subject to Part 7.01.00, the height of a Free-Standing or Ground
 263 Sign shall be measured as the vertical distance from the crown of the road, other than an
 264 elevated roadway, immediately adjacent to the structure or from the existing natural grade
 265 immediately adjacent to the structure, whichever is higher.

266 **C. Sign Illumination**

- 267 1. Sign Illumination is prohibited for Temporary Signs.
- 268 2. Except for Automatic Changeable Message Devices, all Sign Illumination shall be
 269 white and shall have a color temperature between 2500K (Kelvin) to 4000K
 270 (Kelvin).
- 271 3. All Signs, except those Signs not greater than sixty-four (64) square feet in size
 272 and where the top of the Sign is not greater than eight (8) feet from the top of
 273 established grade, shall comply with the following lighting and illumination
 274 requirements:
- 275 a. Signs shall be top-lighted with the point light source facing downward.
- 276 b. No Sign shall be Erected, or any existing Sign operated, where Illumination
 277 is not shielded to prevent beams or rays of light from being directed at any
 278 portion of the traveled right-of-way, including Interstate and federal-aid
 279 primary highways and other right-of-ways, so as to prevent any driver
 280 seeing a Sign's point light source.
- 281 c. No Sign shall be Erected, or any existing Sign operated, where Illumination
 282 is not shielded to prevent beams of light from being directed at any
 283 residential Use property. No Sign's point light source shall be located so
 284 that it may be seen from residential Use property.
- 285 d. No Sign shall be illuminated at a level greater than 0.3 footcandles over
 286 ambient light levels, as measured using a foot candle meter at a pre-set
 287 distance in accordance with the following:

288 1. At least 30 minutes past sunset, ambient light shall be measured
289 using a foot candle meter for the area, excluding light from the
290 illuminated copy;

291 2. The measurement must be taken 150 feet from the source.

292 e. No Sign shall be Erected, or any existing Sign be operated, where
293 Illumination is of such intensity or brilliance as to cause glare or impair the
294 vision of any driver of any motor vehicle or which interferes with any driver's
295 operation of a motor vehicle. The limits of Illumination shall be determined
296 by the County Administrator with the assistance of the Building
297 Department.

298 **D. Viewpoint Neutrality**

299 Notwithstanding anything in this Article to the contrary, no Sign or Sign Structure shall be
300 subject to any limitation based upon the viewpoint of the message contained on such Sign
301 or displayed on such Sign Structure.

302 **E. Substitution of Non-Commercial Speech for Commercial Speech**

303 Notwithstanding anything contained in this Article to the contrary, any Sign Erected
304 pursuant to the provisions of this Article may, at the option of the Owner, contain a Non-
305 Commercial Message in lieu of a Commercial Message, and the Non-Commercial Copy
306 may be substituted at any time in place of the Commercial Copy. The Non-Commercial
307 Message (Copy) may occupy the entire Sign Face or any portion thereof. The Sign Face
308 may be changed from a Commercial Message to a Non-Commercial Message or from one
309 Non-Commercial Message to another Non-Commercial Message; provided, however, that
310 there is no change in the size, height, setback, or spacing criteria contained in this Article.

311 **F. Consent of Legal Owner of Property**

312 No Sign may be displayed or Erected without the consent of the legal owner of the property
313 on which the Sign is displayed or Erected. For purposes of this subsection, "owner" means
314 the holder of the legal title to the property and any party and person holding a present
315 legal right to possession, control, or use of the property.

316 **G. Signs on Public Property**

317 Any Sign installed or placed on public property, except in conformance with the
318 requirements of this Article or otherwise permitted, shall be deemed illegal and shall be
319 forfeited to the public and subject to confiscation. In addition to other remedies hereunder,
320 the County shall have the right to recover the cost of removal and disposal of such Sign
321 from the owner or person placing such Sign.

322 **H. Signs That Obstruct Means of Egress**

323 No Sign shall be Erected so as to obstruct any fire escape, required exit, window, or door
324 opening intended as a means of egress.

325 **I. Signs That Interfere with Ventilation Openings**

326 No Sign shall be Erected that interferes with any opening required for ventilation.

327 **J. Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface**
328 **and Underground Water or with Drainage**

329 Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve
330 (12) feet overhead clearance from electrical conductors and from all communications
331 equipment or lines. Signs and Sign Structures shall maintain clearance from and
332 noninterference with all surface and underground facilities and conduits for water, sewage,
333 electricity, or communications equipment or lines. Sign placement shall not interfere with
334 surface or underground water or with natural or artificial drainage.

335 **K. Signs Shall Not Be Attached to Certain Property and Shall Not Impair Roof Access**

336 Signs shall not be attached to standpipes, gutters, drains, or fire escapes. Signs shall not
337 be installed so as to impair access to a roof.

338 **L. Street Address Signs**

339 For each parcel and for each tenant space, one Sign for the official Street Address shall
340 be displayed for public safety and to serve as visible Street Address for delivery of mail
341 and official governmental notification. All such Street Address Signs shall be visible and
342 legible from the Street or right-of-way, and the numbers shall be a minimum of three (3)
343 inches in height and one-and-one-half (1.5) inches in width. For a parcel in residential use,
344 the street address Sign shall not exceed two (2) square feet in Sign area and may be
345 externally illuminated. For a parcel in non-residential use, the Street Address Sign shall
346 not exceed four (4) square feet in Sign area and may be externally or internally illuminated.
347 Street address signs shall be excluded from the calculation of total Advertising Display
348 Area.

349

350 **M. Maintenance of Sign Location**

351 For a Sign requiring a Sign Permit, weeds and grass shall be kept cut in front of, behind,
352 underneath, and from around the base of the Sign for a minimum distance of ten (10) feet
353 from the Sign base, and there shall be no rubbish or debris within ten (10) feet of the Sign
354 base or underneath the Sign.

355 **Sec. 7.00.07 Building Permits**

356 It shall be unlawful for any person or business or the person in charge of the business to Erect,
357 construct, alter, or maintain a Sign Structure, as defined in the Florida Building Code (FBC),
358 without first obtaining a Building Permit from the County in accordance with the provisions of the
359 FBC and applicable law. Permit fees for a Building Permit shall be paid in accordance with the
360 applicable County fee schedules. The requirement of a Building Permit under the FBC is separate
361 and independent of the requirement for a Sign Permit under this Article.

362 **(NOTICE:** Section 125.56, Florida Statutes, authorizes the counties of Florida to enforce the FBC
363 as provided in Section 553.80, Florida Statutes. The FBC also regulates Signs and requires
364 permits. St. Johns County enforces the FBC. Section 125.56(5), Florida Statutes provides that
365 any person, firm, or corporation that violates the FBC is guilty of a misdemeanor of the second
366 degree. Please be aware that this Article does not include all of the Sign requirements that are
367 contained in the FBC and are enforced by St. Johns County.)

368 **Sec. 7.00.08 Sign Permits**

369 Unless exempt from permitting, no Permanent Sign shall be Erected, altered, relocated,
370 maintained, or displayed until a Sign Permit is obtained from, and the appropriate fee paid to, the
371 County. The Sign Permit is in addition to any Building Permit required to be obtained pursuant to
372 the provisions of the FBC.

373 No Sign Permit shall be issued for the display or Erection of a Prohibited Sign.

374 A Sign lawfully Erected may be Maintained, repainted, or have ordinary and customary repairs
375 performed, including replacement of plastic or glass panels, without a Sign Permit; however, if
376 such Sign is to be structurally altered in any manner, or involves replacing, repairing,
377 disassembling, or refurbishing more than one-sixth (1/6) of a Sign Structure annually by any
378 action, a new Sign Permit shall be required and the altered Sign must meet all requirements of
379 this Article and this Code.

380 **A. Exceptions from Permitting**

381 Temporary Signs identified in Section 7.02.01 and 7.02.02 shall not require a Sign Permit.

382 Unless identified in Part 7.02.00 as not requiring a Sign Permit and unless otherwise
383 excepted from requiring a Sign Permit, such as a Public Sign, all Permanent Signs shall
384 require a Sign Permit. However, these exceptions in no way waive any requirement set
385 forth in the FBC; or any limitation or restriction on the number, size, height, setback,
386 placement, or duration of such Signs under this Article, or any limitation or restriction under
387 any other applicable law or regulation.

388 **B. Permits Not Required for Change of Sign Copy or Message**

389 No Permit or Permit fee shall be required for changing the Copy or Message of a Sign, as
390 long as no changes are made to the Sign's height, size, location, or Sign Structure. This
391 exemption shall also apply to any change of Copy on a changeable Copy Sign.

392 **C. Applicants**

393 Permits shall only be issued to:

- 394 1. Persons licensed as Sign contractors, to include the following:
- 395 a. Certified Contractors (structural and/or electrical);
 - 396 b. State Registered Contractors (structural and/or electrical); and
 - 397 c. County Authorized Contractors (structural only; no electrical work allowed
398 with this license).
- 399 2. Owners of property acting as their own Sign contractor, provided:
- 400 a. The property is held in the Owner's private personal name, by solely-owned
401 proprietorship, or a partnership of individuals such that a human may
402 personally appear to claim the state-authorized exemption from contracting
403 laws. No corporation, including a solely-owned or closely-held corporation,
404 can personally appear to claim an exemption from contractor licensing;

- 405 b. The property to benefit from the Sign is personally used by the Owner, not
406 leased, rented, or used by another Person;
- 407 c. The Sign total is less than \$25,000.00; and
- 408 d. Any electrical work is permitted only after the Owner/Applicant successfully
409 completes an open Code book questionnaire on technical basics of
410 electrical work

411 **D. Sign Permit Applications**

412 A Sign Permit Application form must contain information as provided by Section 713.135,
413 Florida Statutes, and shall be completed in its entirety and signed by the Applicant. The
414 Sign Permit Application is in addition to any Building Permit application required by the
415 FBC. The Applicant shall furnish the following information on or with the Sign Permit
416 Application form:

- 417 1. Completed Clearance Sheet.
- 418 2. A Complete Sign Permit Application, which provides the following information:
- 419 a. Type of proposed Sign: (1) Ground, Pylon, Wall, or Awning; and (2) On-
420 premise or Off-premise.
- 421 b. Square footage of all proposed Signs and location, number, and square
422 footage of existing Signs.
- 423 c. Height of proposed Ground or Pylon Signs.
- 424 d. Proposed lighting information, if the Sign is to be Illuminated.
- 425 e. Elevation of Wall Sign depicting the location of the Sign in relation to any
426 other store of office fronts.
- 427 f. Site plan indicating location of Sign in relation to property lines, Streets,
428 public rights-of-way, easements, overhead utility lines, other utility facilities
429 and equipment, buildings, other existing Signage, and location of Sign if
430 within 500 feet or one-half (1/2) mile of the interstate system.
- 431 g. Billboard Application will be reviewed to determine sufficient Swapdown
432 credits.
- 433 3. Site Plan (3 copies).
- 434 4. Three (3) sets of construction plans showing proposed Signs at one-quarter (1/4)
435 inch per foot minimum scale. Method of design for ground supported Signs must
436 be shown using American Society Civil Engineering Manual methodology. These
437 plans must include:
- 438 a. All structural details including foundation cross-section and attachment
439 details;
- 440 b. All proposed electrical work including fixtures; and

- 441 c. Indicate if internally illuminated signage is listed with approved testing
442 agency.
- 443 5. Supporting structural calculations (2 copies).
- 444 6. Building Permit fee, if applicable.
- 445 7. Clearance Sheet fee.
- 446 8. A Comprehensive Design Plan drawn to a scale and detailed to demonstrate
447 compliance with this Code. Such Comprehensive Design Plan shall include the
448 Sign's maximum height, maximum square footage, exact dimensions, type of
449 construction material, footers and construction designs, full structural details and
450 calculations which shall be by a Florida Professional Engineer (P.E.) on Billboards
451 and also on Ground Signs over twelve (12) feet in height or over one hundred (100)
452 square feet in Advertising Display Area, and any Signs with internal and external
453 lighting designs with designed wattage and electrical wiring. A detailed scaled Site
454 Plan (3 copies) shall also be required showing exact Sign placement relative to Lot
455 lines and buildings within a distance equal to the Sign's height.
- 456 9. Applications for Signs to be located in special overlay districts with more restrictive
457 Sign regulations than this Code shall be submitted complete with plans and details
458 approved in writing by the applicable special overlay district architectural review
459 process.
- 460 10. On Billboard Applications, the Swapdown Classification point rating of the new
461 Sign shall be calculated and transmitted to the Applicant within three (3) business
462 days by the County Administrator so the applicant's Swapdown nominations or
463 banked credit may be considered by the applicant to add to the application packet.
464 The applicant's Swapdown nominations or sufficiently banked credits shall be
465 required for a Complete Billboard Application. The following information is required
466 to nominate a Billboard Swapdown:
- 467 a. Type of Support, i.e. wood, steel, monopole.
- 468 b. Height to Top Edge of Billboard.
- 469 c. Size of Advertising Face.
- 470 d. Location, i.e. Urban, Rural, Suburban.
- 471 e. Location within a Scenic Vista or Scenic Highway.
- 472 f. Roadway Classification.
- 473 g. Zoning Classification.
- 474 h. Lighting, if any.
- 475 i. Proximity of Buildings.
- 476 11. The Applicant shall designate whether the application is for a Billboard, On-
477 premise, Special Event, or Development Sign.

- 478 12. If the Application is for an On-premise Sign, the Applicant shall provide
479 documentation evidencing the business, person, activity, goods, product,
480 commodity, service, or entertainment located on the Premises where the Sign is
481 to be installed and Maintained.
- 482 13. If the Sign is to be Illuminated, a completed electrical Permit application shall be
483 submitted.
- 484 14. The legal description of the property on which the Sign is to be Erected.

485 **E. Sign Construction Specifications**

- 486 1. Florida Building Code. Construction and Erection of Signs shall be in accordance
487 with the structural requirements set forth in the FBC.
- 488 2. National Electrical Code. Signs having electrical connections of any kind shall be
489 wired in accordance with the National Electrical Code (NEC).
- 490 3. Inspections. Any Sign having an electrical connection shall be permitted,
491 inspected, and approved by the electrical inspector prior to its completion. All Sign
492 Structures shall be inspected and approved by the Building Official. The inspection
493 point shall be selected by the Building Official. All excavations for concrete Sign
494 support bases shall be inspected and approved by the Building Official prior to the
495 pouring of concrete.
- 496 4. Support requirements. The supporting members of all Signs shall be free of any
497 external bracing such as guy wires or cables. All supporting columns shall be
498 designed as integral or architectural features of the Sign.
- 499 5. Materials. Paper or cardboard Signs and cloth or plastic fabric banners may only
500 be used in conjunction with a Special Event as provided herein. However, paper
501 or cardboard Signs may be used for indoor Window Signs, when such are allowed.
- 502 6. Construction standards. All Signs shall be installed and constructed in a
503 professional and workmanlike manner; and shall be maintained in good and safe
504 structural condition and good physical appearance. All exposed structural
505 components shall be painted, coated, or made of rust inhibitive material.

506 **F. Sign Permit Application Review and Appeal**

- 507 1. An Applicant shall submit a Sign Permit Application for a Permanent Sign to the
508 County Administrator. The County Administrator shall review the Sign Permit
509 Application for a determination of whether the proposed Sign meets the applicable
510 requirements of this Article and any applicable zoning law of the County as set
511 forth in this Code or the Comprehensive Plan.
- 512 a. The review of the Sign Permit Application shall be completed within ten
513 (10) business days following receipt of a Complete and Sufficient
514 Application as specified in Section 7.00.08.D, unless the Sign is proposed
515 to be located in an overlay district, in which case the review of the Sign
516 Permit Application shall be completed within thirty (30) calendar days of
517 submittal of a Complete and Sufficient Application as specified in Section

- 518 7.00.08.D.
- 519 b. A Sign Permit Application shall either be approved, approved with any
520 condition that is specifically described and set forth in this Code, or
521 disapproved, and the decision shall be reduced to writing. A disapproval
522 shall include or be accompanied by a statement of the reason(s) for the
523 disapproval.
- 524 c. In the event that no decision is rendered within ten (10) business days of
525 submittal of a Complete and Sufficient Application, or within thirty (30)
526 calendar days of submittal for a Sign proposed to be located in an overlay
527 district, the Application shall be deemed denied and the denial shall be a
528 final decision of the County unless the Applicant timely appeals the denial
529 to the Board of County Commissioners. At any time within thirty (30)
530 calendar days following passage of the ten (10) business day period, or
531 thirty (30) calendar day period for Signs proposed to be located in an
532 overlay district, the Applicant may submit via certified mail a written request
533 to the County Administrator for a decision setting forth the reason that the
534 Application was not approved. The County Administrator shall promptly
535 respond within ten (10) business days after receipt of the written request
536 by providing a written explanation of the reason(s) for the nonapproval of
537 the Sign Permit Application.
- 538 2. An approval, an approval with conditions, or disapproval by the County
539 Administrator shall be deemed the final decision of the County upon the Application
540 unless the Applicant timely appeals to the Board of County Commissioners.
- 541 3. Any written decision of the County Administrator pertaining to Sign permitting may
542 be appealed to the Board of County Commissioners by filing a written notice of
543 appeal that includes all pertinent information and paying the required appeal fee
544 established by Resolution of the Board of County Commissioners.
- 545 a. The written notice of appeal must be filed with the County Administrator
546 within ten (10) business days of the written decision sought to be appealed.
- 547 b. Upon receipt of the written notice of appeal, the County Administrator shall
548 set an appellate hearing before the Board of County Commissioners for a
549 date no later than twenty (20) business days after filing of the written notice
550 of appeal. The County Administrator shall provide the appellant written
551 notice of the date, time, and location of the hearing by mail, electronic
552 transmission or, or hand-delivery.
- 553 c. The Board of County Commissioners shall render a written order on the
554 appeal within five (5) business days of the appeal hearing. If a written order
555 is not rendered within five (5) business days of the appeal hearing, the
556 appeal shall be deemed denied.
- 557 d. An appeal as provided herein shall stay all administrative proceedings until
558 a final determination on such appeal has been rendered by the Board of
559 County Commissioners or Circuit Court; provided, however, that the
560 Building Official may act to address any immediate peril, hazard, or danger
561 to the public health or safety that the Building Official determines to exist.

562 4. All decisions of the County Administrator and the Board of County Commissioners
563 shall be mailed, transmitted electronically, or hand-delivered to the Applicant and
564 shall be deemed made when deposited in the mail, transmitted electronically, or
565 hand-delivered to the Applicant. Whenever required by state statute, the
566 explanation for a denial or disapproval of a Sign Permit shall include a citation to
567 the applicable portions of an ordinance, rule, statute, or other legal authority for the
568 denial of the Permit. In the event that the Applicant fails to receive a statutorily
569 required explanation, the Applicant shall submit a written request for the
570 explanation to the County Administrator by certified mail.

571 5. The deadlines in subsections F.1 and F.3 above shall be stayed and suspended
572 in the following circumstances:

573 a. In any case in which the Application requires a rezoning of the property, or
574 an amendment to the comprehensive plan of the County, upon the written
575 request of the Applicant delivered to the County Administrator by certified
576 mail before the applicable deadline, the time shall be suspended until a
577 final decision is made upon the application for the variance, rezoning, or
578 comprehensive plan amendment.

579 b. In any case in which the Applicant is required to make any change to the
580 Application in order to obtain an unconditional approval so as to satisfy an
581 express provision of state law, this Code, or other County code or
582 ordinance, upon the written request of the Applicant delivered by certified
583 mail to the County Administrator before the applicable deadline, the time
584 shall be suspended while the Applicant makes such change.

585 c. If an Applicant is required by state statute or by any express provision of
586 either this Code or other County code or ordinance, to obtain an approval
587 of the Sign from any other governmental agency within the limitations set
588 forth in Section 166.033(4), Florida Statutes, upon the written request of
589 the Applicant delivered to the County Administrator by certified mail before
590 the applicable deadline, the time shall be suspended. The time shall remain
591 suspended until such approval is obtained or until the Applicant requests
592 in writing delivered by certified mail to the County Administrator that the
593 County take final action. The County shall comply with the provisions of
594 Section 166.033(4), Florida Statutes.

595 d. In any of the foregoing cases, the Applicant may elect to not make any
596 changes to the Application or to not obtain an approval that may be
597 required by another governmental agency, and may instead demand in
598 writing a final decision upon the Sign Permit Application as filed. Such a
599 written demand shall be delivered by certified mail to the County
600 Administrator. In such event, the County Administrator, or the Board of
601 County Commissioners in the context of an appeal, shall make a decision
602 on the Application as appropriate within thirty (30) calendar days after
603 receiving such demand. If a decision is not made in such a time, the
604 Application shall be deemed denied.

605 G. Any person aggrieved by the decision of the Board of County Commissioners or aggrieved
606 by any failure by the Board of County Commissioners to act upon a Sign Permit Application
607 in accordance with this Code shall have the right to seek judicial review by the Circuit

608 Court of the Seventh Judicial Circuit in and for St. Johns County, Florida, or by any other
609 court of competent jurisdiction, filed in accordance with the requirements of law, seeking
610 such appropriate remedy as may be available.

611 **H.** If an Applicant believes that his or her speech rights are being denied due to enforcement
612 of subsections F.3, F.4, or F.5 above, the Applicant may immediately contact the County
613 Administrator in writing via certified mail and request immediate review of any pending
614 Sign Permit Application. If such a letter is received by the County Administrator, the County
615 shall have twenty (20) calendar days to review the Application as under subsection F.1
616 above, notwithstanding the provisions of subsections F.3, F.4, or F.5. above. If the County
617 Administrator does not respond with twenty (20) calendar days of receipt of the written
618 request, the substance of the Applicant's complaint shall be deemed rejected.

619 **I.** If an Application is deemed incomplete, the Applicant may either take steps to submit a
620 Complete and Sufficient Application or challenge the County's decision by seeking judicial
621 review by the Circuit Court of the Seventh Judicial Circuit in and for St. Johns County,
622 Florida, or by any other court of competent jurisdiction, filed in accordance with the
623 requirements of law, seeking such appropriate remedy as may be available.

624 **J. Inspection**

625 The County Administrator may make or require any inspections to ascertain compliance
626 with the provisions of this Article, the Code, and the Comprehensive Plan.

627 **K. Revocation of Sign Permit**

628 If work under any Sign Permit is proceeding in violation of this Article, this Code, the
629 Comprehensive Plan, or the FBC, or should it be found that there has been any false
630 statement or misrepresentation of a material fact in the Application or plans on which the
631 Sign Permit was based, the Permit holder shall be notified of the violation, false statement,
632 or misrepresentation. If the Permit holder fails or refuses to make corrections within ten
633 (10) days of the date of the notice, the County Administrator shall revoke such Sign Permit
634 and serve written notice upon such Permit holder by certified mail or personal service. It
635 shall be unlawful for any person to proceed with any part of work after such notice has
636 been issued.

637 **Sec. 7.00.09 Enforcement and Penalties**

638 As provided by Section 125.69, Florida Statutes, any person violating any of the provisions of this
639 Article shall be prosecuted in the same manner as misdemeanors are prosecuted. Each day that
640 a violation continues may be deemed a separate violation. Notwithstanding anything in this Code
641 or in any other law of the County to the contrary, a penalty for violation of this Article shall be
642 limited to civil penalties only and shall not extend to any criminal penalty, including but not limited
643 to incarceration.

644 Additionally, this Article may be enforced by any other means prescribed by law, including
645 injunctive relief and any of the provisions of Chapter 162, including Part II, Florida Statutes, and
646 any County Ordinances enacted thereunder.

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PART 7.01.00 BILLBOARD SIGNS

Sec. 7.01.01 Intent and Future Billboards

A. Control on Additional Total Faces

No increase in the total number of Billboard Faces in the County shall be permitted, and no new Billboard Faces shall be hereinafter permitted or Erected unless fully compliant with this Code. All Billboards and Faces not fully in conformance with this article are hereby declared Non-Conforming; however, existing Billboards and Faces may continue in Use until destroyed, abandoned, or removed. Notwithstanding said prohibition on an increase in the total number of Billboards, the Billboard reduction and compliance program outlined below allows compliant new Billboards. The program includes the voluntary action of the Billboard Owner and either:

1. Remodels an existing Billboard into greater conformity with this Code, such as decreasing size or reducing height, or
2. Allows a totally conforming new Billboard in exchange for removal of an existing Non-Conforming Billboard of similar style and construction, or
3. Reduces the total Billboard Face count by removal of multiple existing Billboard Faces by the Swapdown methodology detailed below in exchange for a permit to build a new conforming Billboard Face.

B. Future Billboard Locations

Compliance with the Comprehensive Plan and applicable Land Development regulations is required and evidence of compliance with both shall be provided to the County with the permit application and shall be in accordance with the provisions below. Billboards are allowed only on certain property and sites, as provided in below:

1. Billboards, within the requirements of this Code, shall be allowed within the Commercial Highway Tourist (CHT) Zoning District, Commercial Intensive (CI) Zoning District, Industrial Warehouse (IW) Zoning District, and Heavy Industrial (HI) Zoning District that exist within the Mixed Use, Industrial, or Commercial land Use designations, as designated on the Comprehensive Plan Future Land Use Map.
2. Billboards, within the requirements of this Code, shall be allowed on parcels of land being requested for new Planned Unit Development (PUD) zoning that contain a minimum five acres of land for Uses as those allowed in CHT, CI, IW, or HI zoning and subject to the PUD development plan stating such Signs shall be allowed as a Use within the PUD and that such Signs be integrated into the overall unified development plan. Billboards Erected within the PUD zoning districts shall be subject to the requirements of this Code.

Any Applicant within an existing approved PUD that proposes to Erect a Billboard within the existing approved PUD and has not specifically listed Billboards as a permitted Use within the PUD, shall be subject to obtaining major modification approval prior to the Erection of the Billboard. Such major modification shall be processed through the standard major modification process, as established in this

688 Code, and may only be approved by the Board of County Commissioners. All
689 Billboard signage provided in PUD zoning districts shall comply with the
690 requirements of this Code, unless more stringent Sign requirements apply.

691 3. Billboards, within the requirements of this Code, may be allowed on property zoned
692 to allow Billboards, as provided herein, on any Business Site that contains an
693 existing business that uses On-premise Signs. Any Billboard permitted as an Off-
694 premise Sign that displays On-premise messages shall thereby be deemed to be
695 an On-premise Sign and shall meet all requirements for On-premises Signs set
696 forth in this Article.

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698 **Sec. 7.01.02 Types of Billboards Allowed**

699 A Billboard Structure may be single or multi-faced, provided any multi-faced Billboard Structure
700 shall have advertising surfaces of equal size and shape, excluding Embellishments. For purposes
701 of this Article, the following shall be considered multi-faced Billboards:

702 **A.** A Billboard Structure where two (2) Facings are placed parallel back-to-back within six (6)
703 feet of each other, or

704 **B.** A Billboard Structure with two or more Faces when constructed in the form of a “V” as
705 viewed from above, provided the internal angle at the apex is not greater than sixty (60)
706 degrees and the Billboard Facings are not separated by more than thirty-six (36) inches
707 at the apex on the “V”, or

708 **C.** A Billboard Structure with three (3) Faces forming a triangle “Δ” shape when viewed from
709 above, with the Faces each within three (3) feet of the adjacent Face at the corners.

710 **Sec. 7.01.03 General Requirements**

711 **A. Height**

712 Billboards shall not exceed thirty-five (35) feet in height; except Billboards along Interstate
713 95 shall not exceed forty (40) foot in height. The height of a Billboard shall be measured
714 from the higher of (1) the crown of the road immediately adjacent to the structure, or (2)
715 the existing natural grade immediately adjacent to the structure.

716 **B. Size**

717 A Billboard Facing area shall not exceed three hundred seventy-eight (378) square feet,
718 excluding Embellishments; except a Billboard Facing area along Interstate 95 shall not
719 exceed five hundred sixty (560) square feet, excluding Embellishments.

720 **C. Materials**

721 Billboards may be constructed upon wood poles, steel I-Beams, or monopoles.

722 **D. Sign Structure**

723 No portion of the Sign Structure of a Billboard shall be visible above any Advertising
724 Display Area, excluding Embellishments. No Billboard or Billboard Sign Structure shall be

725 above a Building. No new Building shall be hereafter permitted when any portion would
726 be beneath any part of an existing Billboard or Billboard Sign Structure.

727 **E. Movement**

728 No Billboard shall be Erected, or any existing Billboard modified or operated, that
729 incorporates Flashing, Scintillating, Beacon, or Running Lights, or Animated Copy.

730 **F. Embellishments**

731 Embellishments may be added to Billboard Facings; provided, however, such
732 Embellishments shall not exceed ten percent (10%) of the total Advertising Display Area.

733 **G. Owner Identification**

734 All Billboards Erected, operated and maintained within the County shall carry, and have
735 displayed upon them, the Owner's name information displayed in such a manner as to
736 provide clear readable visibility from the abutting road right-of-way during daylight hours.

737 **H. Multi-Message Faces**

738 Nothing herein shall prohibit a Billboard Face displaying no more than two (2) horizontal
739 side-by-side messages of the same size and shape, excluding Embellishments, facing the
740 same direction.

741 **I. Building Standards**

742 Billboards shall be subject to the requirements of the Occupational Safety and Health
743 Administration (OSHA) and the FBC.

744 **J. Lighting**

745 Billboards may be lighted in accordance with **Section 7.00.06.C** of this Article.

746 **K. Non-Conforming Billboards**

747 Any Billboard Face or Billboard Sign Structure failing to meet all requirements of this Article
748 on the effective date of this Code shall become Non-Conforming.

749 **Sec. 7.01.04 Established Setbacks and Spacing (See Appendix D for Illustration)**

750 **A. Rights-of-way**

751 No part of a Billboard or Billboard Sign Structure shall be Erected within fifteen (15) feet
752 of the right-of-way of an interstate highway, federal-aid primary highway, or other right-of-
753 way.

754 **B. Separation from Residential Property**

755 No part of a Billboard or Billboard Sign Structure shall be Erected within one hundred (100)
756 feet of any property zoned to allow residential Use as a principal Use.

757 **C. Public Facilities**

758 No part of a Billboard or Billboard Sign Structure shall be located within one hundred (100)
759 feet of the nearest property lines of any public park, municipal, county, state or federal
760 building, religious institution or any public or private school.

761 **D. Corner Lots**

762 On any corner lot, no part of a Billboard shall be Erected or project within the triangular
763 area formed by the street right-of-way lines and a line connecting them at points fifty (50)
764 feet from the corner formed by the intersection of the street right-of-way lines.

765 **E. Spacing**

766 For purposes of this subsection E, "Billboard" means and includes Billboards and On-
767 premise Signs that exceed three hundred (300) square feet. No part of a Billboard or
768 Billboard Sign Structure shall be permitted or Erected unless all the required distances to
769 the nearest existing Billboard is assured as provided herein. Distance between Billboards
770 and Billboard Sign Structures on the same side of a roadway shall be measured linearly
771 along the center line of the roadway abutting the Billboards or Billboard Sign Structures,
772 between points directly opposite that part of the Sign nearest the roadway; or in the case
773 of parallel Billboards, from a point opposite the center of the Billboards

774 1. Along Interstates

775 No Billboard or Billboard Sign Structure shall be permitted or Erected closer than
776 one thousand five hundred (1,500) feet to the nearest Billboard or Billboard Sign
777 Structure on the same side of the highway.

778 2. Along Federal-Aid Primary Highways or Other Right-of-Way

779 No Billboard or Billboard Sign Structure shall be permitted or Erected closer than
780 one thousand (1,000) feet to the nearest Billboard or Billboard Sign Structure on
781 the same side of the highway.

782 3. Radial Spacing

783 Excluding street intersections, no Billboard or Billboard Sign Structure shall be
784 permitted or Erected within a five hundred (500) foot radius from an existing
785 Billboard or Billboard Sign Structure. The distance between such Billboards or
786 Billboard Sign Structures shall be measured as the shortest horizontal distance
787 between any part of the structures or Faces.

788 4. Intersections

789 No more than two (2) Billboards or Billboard Sign Structures shall be permitted or
790 Erected at a road or street intersection, and such Billboards or Billboard Sign
791 Structures (if more than one (1)) shall be located at diagonal corners of the
792 intersection. The minimum separation distance between the nearest parts of the
793 diagonally placed Billboards or Billboard Sign Structures shall be two hundred
794 (200) feet. For the purpose of this paragraph, intersection shall mean within five
795 hundred (500) feet of the point where the roadway center lines intersect. For the
796 purpose of determining Non-Conforming existing Billboards, the order in time of
797 Billboard Erection shall determine if the spacing is Non-Conforming.

798 5. Proximity to Scenic Highways

799 No Billboards or Billboard Sign Structure shall be permitted or Erected within six
800 hundred (600) feet of the right-of-way along either side of any designated Scenic
801 Highway, as measured from the edge of right-of-way. Any Billboard Erected
802 outside the six hundred (600) foot area shall not be visible from the Scenic Highway
803 at the time of permitting or immediately after Erection. For purposes of this
804 paragraph, "visible" shall mean visible by the unaided human eye from a point six
805 (6) feet above the centerline of the Scenic Highway. Any Billboard greater than two
806 thousand five hundred (2,500) feet from the centerline of the Scenic Highway shall
807 be deemed not visible.

808 6. Utility Lines

809 No Billboards or Billboard Sign Structure shall be permitted or Erected that
810 interferes with any underground and over-head utility lines in compliance with the
811 NEC and OSHA regulations.

812 **Sec. 7.01.05 Swapdown Requirement for New Permits**

813 **A. Swapdown Billboard Removal Prerequisite**

814 Prior to issuance of a Billboard Building Permit for a new Billboard conforming to this
815 Article, the Applicant shall remove Swapdown Billboard(s), as detailed herein, or utilize
816 credits from prior permitted removal of Billboard(s) which were classified under the
817 procedures detailed herein. When an Applicant proposes removal of Swapdown
818 Billboard(s), written confirmation of removal upon on-site inspection by the County
819 Administrator or designee must be on file in the Building Department before a Permit will
820 be issued.

821 **B. Classification Information on Swapdown Billboards**

822 To nominate a Billboard Swapdown, the Owner shall provide written detail of the
823 Billboard's characteristics sufficient to allow the Billboard to be rated by the Classification
824 procedures established in this Part and to determine:

- 825 1. Type of Sign Structure, i.e. wood, steel, monopole;
- 826 2. Height to Top Edge of Billboard;
- 827 3. Advertising Display Area;
- 828 4. Location, i.e. Urban, Rural, Suburban;
- 829 5. Location within a Scenic Vista or Scenic Highway;
- 830 6. Roadway Classification;
- 831 7. Zoning Classification;
- 832 8. Lighting, if any; and
- 833 9. Proximity of Buildings.

834 **C. Swapdown and Classification Procedure at Permitting**

835 Applicants for Billboard Permits shall nominate Swapdown Billboards with the
 836 Classification Information above or banked credits to be utilized in permitting any new
 837 Billboard. The County Administrator or designee shall inspect each nominated Swapdown
 838 Billboard to confirm the Classification Information provided and shall rate the nominated
 839 Swapdown Billboard based on the details established in this Part. Within fourteen (14)
 840 days of receiving a Complete and Sufficient Application including Swapdown nominations,
 841 the Building Department shall notify the Applicant in writing of the tentative Swapdown
 842 ratings and issue a written "Intent to Permit" letter when only removal of any specified
 843 existing Swapdown Billboards is required for permit issuance.

844 **D. Registration of Existing Billboards**

845 All Billboards located within the County shall be registered with the County Administrator.
 846 A master registry of all existing Billboards shall be created to provide details on Billboard
 847 location and characteristics.

848 **E. Classification Points for Swapdown Permitting**

849 Each Face of a proposed new and/or an existing nominated Swapdown Billboard shall be
 850 rated in accordance with the physical characteristics of the Billboard Face, the Sign
 851 Structure, and the site location. Such classification points are termed "Raw Classification
 852 Points" and shall be determined and assigned from the table below:

BILLBOARD CHARACTERISTICS	RAW POINTS
SIGN STRUCTURE	
(a) Wooden Poles	1
(b) Metal Framework	2
(c) Monopoles	6
HEIGHT TO TOP OF FACE	
(a) Up to 20 feet in height	1
(b) Over 20 to 25 feet in height	2
(c) Over 25 to 30 feet in height	3
(d) Over 30 to 35 feet in height	4
(e) Over 35 feet in height	5
ADVERTISING DISPLAY AREA	
(a) Up to 200 square feet	1
(b) Over 200 to 400 square feet	2
(c) Over 400 square feet	3
LIGHTED FOR NIGHT VISIBILITY	
(a) Not lighted	0
(b) Lighted from top only	2
(c) Ground or bottom lighted/other illumination	3
PLACEMENT OF BILLBOARD	

BILLBOARD CHARACTERISTICS		RAW POINTS
(a)	Any part of the Billboard is above a building	4
(b)	Any part of the Billboard is within a Scenic Highway or Vista	8
SITE LOCATION PROXIMITY		
(a)	In Rural area	1
(b)	In Suburban area	2
(c)	In Urban developed area	3

853

854 **F. Adjustments for Compliance Factors**

855 To determine Classification Points of various Billboard Faces, the Raw Points from Section
856 7.01.05.E. above shall be adjusted based upon use of the one most severe applicable
857 compliance factors below:

858 1. Proposed Faces fully compliant with this Code shall have Classification Points
859 equal to the Raw Point total.

860 2. Existing Faces:

861 a. Still fully compliant with this Code shall have Classification Points equal to
862 the Raw Point total.

863 b. Now noncompliant by virtue of excess height or size only, shall have the
864 Raw Point total reduced by a 0.75 multiplier to determine Classification
865 Points.

866 c. Now noncompliant by virtue of existence in land Use (zoning) category not
867 allowing Billboards in this Code, shall have the Raw Point total reduced by
868 a 0.62 multiplier to determine Classification Points.

869 **G. Application Methodology**

870 1. After receiving nominations of registered Billboards by an Owner seeking a Permit
871 for a new Billboard or Billboard removal, the County Administrator or designee
872 shall provide the Owner, Applicant, or designee with Classification Point
873 information on Registered Swapdown Billboards in accordance with Section
874 7.01.05.E and F. Joint onsite visits to nominated Swapdown Billboards shall be
875 made or scheduled within three (3) business days of the Owner's request to the
876 County Administrator to resolve questioned Classification decisions. The final
877 Classification Points shall be those utilized in Swapdowns for new permitted
878 Billboard Faces. Appeals on Classification Points shall be heard by the Adjustment
879 and Appeals Board under the FBC for technical matters within fourteen (14) days
880 of the Applicant's written request to the County Administrator. No Classification
881 Points shall be allowed on unregistered Billboards.

882 2. Owners of existing Billboards may apply for a Building Permit to voluntarily remove
883 Billboards before submitting an Application for a new conforming Billboard.
884 Classification Points for such early removals shall be credited to the Billboard
885 Owner for future Swapdown use. Said Building Permit numbers shall be used by

886 the County Administrator and by the Owners to determine and monitor
887 Classification Points credited and banked for future use by the Owner.

888 3. No Classification Points shall be earned or assigned to any Billboard lost by
889 abandonment, removal pursuant to development approval, or adversely affected
890 by any means so that fifty percent (50%) or more of uprights supporting advertising
891 Faces are no longer serviceable. Furthermore, no Classification Points shall be
892 given for removals required when a Billboard land lease is not renewed by the land
893 Owner.

894 4. Owners may assign, transfer, or convey by notarized writing any unused credited
895 Classification Points to another Billboard Owner for Swapdown use by the other
896 Owner.

897 5. In the event the new proposed Billboard requires fewer Classification Points than
898 earned or assigned to the Swapdown Billboard(s) removed, the County
899 Administrator or designee shall determine the amount of excess points from
900 Swapdown Billboard removal, to be credited and banked for future use by the
901 Owner as provided above, and provide a written copy of determination to the
902 Owner by certified mail.

903 **F.** Examples of Billboards rated by Raw Points, Classification Points, and Swapdown use
904 are detailed in **Appendix G** to this Code.

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PART 7.02.00 ON-PREMISES SIGNS

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Sec. 7.02.01 Temporary and Permanent Signs Allowed in Zoning Districts

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The Signage rights and responsibilities for Temporary Signs and Permanent Signs shall be determined by the provisions of Section 7.00.06, General Provisions, and by the Sign provisions for the zoning districts as set forth in this Part.

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However, in connection with residential Uses in nonresidential zoning districts and nonresidential Uses in residential zoning districts, the Signage rights and responsibilities applicable to any particular Use shall be determined as pursuant to the zoning district.

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Sec. 7.02.02 Temporary Signs Allowed in Zoning Districts

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A. Within its zoning districts and subject to any applicable provisions within Section 7.00.06, General Provisions, the County shall allow Temporary Signs that meet the criteria and limitations set forth below.

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ZONING DISTRICTS ¹	RS-E, RS-1, RE-2, RS-3, RG-1, RG-2, RMH, RMH(S), Residential Portions of PUDs and PRDs; OR	OP, CN, CHT, CG, CI, CR, CW, CHI, TCMU, IW, HI, Non-Residential Portions of PUDs and PRDs, PS, AD
Maximum number of Temporary Signs per Parcel ²	2	4
Maximum Advertising Display Area per Temporary Sign ³	6 sq. ft.	32 sq. ft.
Maximum aggregate Advertising Display Area for all Temporary Signs on a Parcel ⁴	12 sq. ft.	128 sq. ft.
Maximum Sign height for a Temporary Free-Standing Sign	6 ft.	6 ft.
Maximum Sign height for a Temporary Wall or Window Sign	15 ft.	15 ft.
Minimum setback of a Temporary Sign from the front property line ⁵	5 ft.	5 ft.
Minimum setback of a Temporary Sign from any adjoining property lines	15 ft.	5 ft.

¹ Zoning districts are referred to by the abbreviations provided in Section 2.01.02.B of this Code.

² The number of temporary commercial signs per parcel shall be no more than two (2) signs. The remainder signs shall be non-commercial messages. There is no limit on the number of separate Messages that may appear on the allowable surfaces(s) of any Temporary Sign.

³ The square foot limitation is per Face based on a Single-Faced Temporary Sign. For example, a six (6) square foot limitation means that there is a limit of six (6) square feet of Advertising Display Area per Face for a Double-Faced Temporary Sign, for an aggregate of twelve (12) square feet per Double-faced temporary sign.

⁴ The square foot limitation is per Face, based on a Single-Faced Temporary Sign. The circumstances on some parcels may reduce the aggregate Advertising Display Area allowed.

⁵ Not applicable to Wall Signs.

ZONING DISTRICTS¹	RS-E, RS-1, RE-2, RS-3, RG-1, RG-2, RMH, RMH(S), Residential Portions of PUDs and PRDs; OR	OP, CN, CHT, CG, CI, CR, CW, CHI, TCMU, IW, HI, Non-Residential Portions of PUDs and PRDs, PS, AD
Minimum setback of a Temporary Sign from the Right-of-Way ⁶	5 ft.	5 ft.
Minimum spacing from any other Temporary Ground Sign	15 ft.	15 ft.
Allowed on public property or public right-of-way	No	No
Allowed within sight visibility triangle	No	No
Illumination allowed	No	No
Duration allowed after event ends	7 calendar days	7 calendar days

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- B.** A Temporary Public Sign shall not require a Sign Permit and, unless otherwise provided herein, shall be allowed in all zoning districts and on public property and public rights-of-way. However, the foregoing shall have no impact on any separate requirements established by state statute for building permits, electrical permits, or other statutory permits.

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Sec. 7.02.03 Additional Temporary Signs

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- A.** A Lot or Parcel for which Construction Plans or a Building Permit has been approved or secured for construction of a building or project is allowed one additional Temporary Sign, irrespective of Copy or Message, and the corresponding increase in the maximum aggregate Advertising Display Area for all Temporary Signs on the Lot or Parcel. Such additional Temporary Sign shall not be displayed or Erected sooner than thirty (30) calendar days prior to construction and shall be removed by the earlier of (a) seven (7) days after completion of the building or project, (b) the issuance of a Certificate of Occupancy, or (c) seven (7) days after construction operation has ceased. Such additional Temporary Sign shall otherwise comply with the criteria and limitations in section 7.02.02 above regarding maximum Advertising Display Area per Temporary Sign, height, setback, spacing, public property, public rights-of-way, sight visibility triangle, and illumination.

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- B.** A Parcel or unit of property offered for sale, lease, or rent is allowed one additional Temporary Sign, irrespective of Copy or Message, and the corresponding increase in the maximum aggregate Advertising Display Area for all Temporary Signs on the Parcel. Such additional Temporary Sign shall be removed no later than seven (7) calendar days after the Parcel or unit changes ownership, is rented, is leased, or is otherwise no longer for sale, lease, or rent. Such additional Temporary Sign may be displayed or Erected off-premise, but only on private property and with the property owner's consent, and shall be removed immediately after realtors or other sales personnel have left or closed the premises. Such additional Temporary Sign shall otherwise comply with the criteria and limitations in section 7.02.02 above regarding maximum Advertising Display Area per Temporary Sign, height, setback, spacing, public property, public rights-of-way, sight

⁶ Not applicable to Wall Signs.

947 visibility triangle, and illumination.

948 **Sec. 7.02.04 On-Premise Permanent Sign**

949 The following standards, criteria, and provisions shall apply to all On-premise Permanent Signs
950 throughout the County in Commercial and Industrial zoning districts, as defined in this Code, and
951 to non-residential portions of PUDs. This section does not apply to: (a) sites located along a
952 designated Scenic Highway or within a Scenic Vista subject to Part 7.07.00; (b) sites located
953 within special overlay districts, which are governed pursuant to Article III; (c) residential
954 subdivision sites subject to Part 7.06.01 and located within Open Rural, residential zoning
955 districts, residential portions of PUD zoning districts; (d) sites zoned PUD that have an approved
956 unified Sign plan with associated waivers to Article VII; (e) and sites located along the Racetrack
957 Road Overlay subject to Part 7.10.00. Such excepted sites have more restrictive Signage limits
958 as detailed in the applicable Land Development Regulations and PUD zoning approvals.

959 **A. General; Additional Variance Criteria**

960 1. On-premise Signs, within the requirements of the Code, may be erected on any
961 Business Site in Commercial or Industrial districts zoned to allow such. On-premise
962 Signs on Business Sites located in either Open Rural or residential zoning districts
963 shall not exceed thirty-two (32) square feet of area per side or ten (10) feet in
964 height.

965 2. In addition to the requirements for a request for a Non-Zoning Variance of this
966 Code as indicated in Section 10.04.03 of this Code, the Applicant must prove that
967 the Copy, Face, or Message would not be effectively viewable from the nearest
968 road or street right-of-way, and the Board of County Commissioners may approve
969 such request after considering the following:

- 970 a. The distance of the Sign or Signs from the road or street right-of-way;
- 971 b. The speed limit on the road or street right-of-way;
- 972 c. The visible impact of the Sign or Signs from the nearest road or street right-
973 of-way; and
- 974 d. The integration of the Sign or Signs into the architecture of the Building.

975 **B. On-Premise Signs in PUDs**

976 1. On-Premise signs within the requirements of this Code, may be Erected on parcels
977 of land zoned PUD, subject to the PUD Master Development Plan text stating such
978 Signs shall be allowed as a Use within the PUD. All Signage provided in PUD
979 zoning classifications shall comply with the requirements of this Code. The
980 Applicant for the PUD, the Owner of the PUD, or any designated agent of the
981 Applicant or Owner of the PUD may request, with the submittal of the PUD
982 application, a waiver in accordance with Section 5.03.02.G. of this Code of such
983 Sign requirements to accommodate the Project. Waiver requests shall specify the
984 ADA, height, number, and locations of the request.

985 2. In any PUD approved on or before the effective date of this Code, any request to
986 modify the height, size, or square footage of the approved Signage shall be

987 deemed a major modification, pursuant to the requirements of this Code.

988 3. The design of any On-premise Sign or Signs not complying with the provisions of
989 Article VII shall be submitted in a unified sign plan with the PUD application and
990 shall be reviewed with the PUD application or major modification.

991 4. The contiguous boundary of a PUD shall be considered the same property or
992 property for purposes of on-premise signs advertising businesses or services
993 within the PUD boundary.

994 5. Signage standards in this sections shall be for the PUD as a whole and not for any
995 individual parcel or out-parcel.

996 **C. On-Premise Signs at Non-Residential Projects: Number and Size**

997 The following table describes Sign types, the maximum number allowed, and maximum
998 Advertising Display Area.

Sign Type	Maximum Number of Signs Related To Frontage on Street		Maximum Square Footage Per Sign (Advertising Display Area)
	# of signs	Street Frontage	
Ground Signs such as: Pole, Monument, and similar type Sign Structures	1	Up to 100 feet	150 square feet
	2	Over 100 to 200 feet	150 square feet each
	3	Over 200 to 500 feet	Two (2) at 150 square feet each; one (1) at 100 square feet
	4	Over 500 feet	Two (2) at 150 square feet each; two (2) at 100 square feet
Building Signs such as: Fascia, Marquee, Canopy, Building, Wall and similar Sign Structures		Number Not Limited	1.5 square feet per linear footage of Building Frontage. Maximum 150 square feet per Sign, not to exceed 200 square feet of Sign area per business (See Appendix C)

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1000 **D. Maximum Size**

1001 In no case shall any individual Sign described above exceed one hundred fifty (150)
1002 square feet of Advertising Display Area. Each building is allowed a maximum of two
1003 hundred (200) square feet of signage related to building frontage per business.

1004 **E. Height Limits**

1005 Maximum height for On-premise Permanent Signs is based upon the Roadway Functional

1006 Classification, as provided in Appendix E, as amended, and except as otherwise provided
 1007 in this Section, shall not exceed the maximum height as provided below. Height shall be
 1008 measured pursuant to Section 7.00.06 of this Part.

Roadway Functional Classification	Maximum Height (feet)
State Roads (except SR 13)*	30
Major Collector (except International Golf Parkway and Race Track Road)*	25
Local Roads*	20
Minor Collector*	20

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 1010 * Portions of SR/CR 13 and International Golf Parkway are designated as a Scenic Highway which, like Race
 1011 Track Road and roads within overlay zones, have overlay Sign requirements as adopted by the Board of
 1012 County Commissioners

1013 During permitting, an Applicant may submit a written request to the County Administrator
 1014 for an exception to the above height limits for no more than an additional ten (10) feet of
 1015 height on State Roads and Major Collectors and no more than an additional five (5) feet
 1016 of height on Local Roads and Minor Collectors, when visibility of the Sign is obstructed by
 1017 other Signs, buildings, trees, topographical and other natural features, and similar
 1018 obstructions. The Sign Contractor may request the exception to increase the height of an
 1019 existing Sign when existing circumstances or conditions change that create an obstruction.
 1020 Within fourteen (14) days of the written request for exception, the County Administrator
 1021 shall visit the site and shall approve or deny the request in writing. The decision of the
 1022 County Administrator may be appealed to the Board of County Commissioners pursuant
 1023 to Section 7.00.08 above.

1024 **F. Spacing**

1025 Adjacent On-premise Permanent Signs shall be separated by a distance at least equal to
 1026 the width of the two Signs added together measured from the maximum width at any point
 1027 of each Sign.

1028 **G. Automatic Changeable Message Devices**

1029 Automatic Changeable Message Devices shall be allowable only on an on-premise ground
 1030 sign in a nonresidential project and shall count towards the maximum allowable ADA. All
 1031 such signs shall be subject to the following conditions, which may not be waived or varied:

- 1032 1. The sign or portion of the sign that is an automatic changeable message device
 1033 shall not be greater than twenty percent (20%) of the overall ADA for a sign and
 1034 shall not exceed thirty (30) square feet, whichever is less;
- 1035 2. No animated messages, including flashing or frame effect, blinking, fading, rolling,
 1036 shading, dissolving, or any other effect that gives the appearance of movement;
- 1037 3. The face or copy of the sign shall not change more than once every two (2) hours
 1038 and must change simultaneously for the entire sign face;
- 1039 4. Shall comply with illumination standards in section 7.00.06.C

1040 Additionally, no Automatic Changeable Message Device Sign shall be illuminated
1041 at a level greater than 0.3 foot candles over ambient light levels, as measured
1042 using a foot candle meter at a pre-set distance in accordance with the following:

1043 a. At least 30 minutes past sunset, ambient light shall be measured using a
1044 foot candle meter for the area, excluding light from the illuminated copy;

1045 b. The measurement must be taken 150 feet from the source.

1046 **H. Manual Changeable Copy Sign**

1047 Manual Changeable Copy Sign, except as provided for in Article III of this Code, shall be
1048 allowable only on a ground sign and shall count towards the maximum allowable ADA. All
1049 such signs shall be subject to the following conditions, which may not be waived or varied:

1050 1. The sign or portion of the sign that is a manual changeable copy sign shall not
1051 exceed thirty (30) square feet;

1052 2. No portion of the sign shall appear to move, rotate, flash, or be a Prohibited Sign;

1053 3. Any illumination shall comply with Section 7.00.06.C.

1054 **Sec. 7.02.05 On-Premise Permanent Signs - Interstate**

1055 The following standards, criteria and provisions shall apply to all On-premise Permanent Signs
1056 throughout the County on all sites located within the interstate system interchanges, as described
1057 below.

1058 **A. Standard Allowance**

1059 Each Business Site shall be allowed Signage in compliance with Section 7.02.04 above.

1060 **B. Additional Allowance**

1061 Each non-residential Business Site shall be allowed one (1) additional Pole Sign placed
1062 On-premises for primary visibility from the Interstate and designed in compliance with the
1063 following:

1064 1. Business Sites situated within five hundred (500) feet of the interstate system
1065 interchange right-of-way shall be allowed one (1) Pole Sign measuring one
1066 hundred twenty (120) feet in height with no more than three hundred (300) square
1067 feet of Advertising Display Area.

1068 2. Business Sites situated between five hundred (500) feet and one-half (0.5) mile of
1069 the interstate system interchange right-of-way shall be allowed one (1) Pole Sign
1070 measuring eighty-five (85) feet in height with a maximum Advertising Display Area
1071 of two hundred fifty (250) square feet.

1072 **Sec. 7.02.06 Additional Permanent Signs in All Zoning Districts.**

1073 The below signs are allowable in all zoning districts.

1074 **A. Flags**

1075 A sign permit shall not be required for Flags. Flags shall not count towards the maximum
1076 ADA specified in Section 7.02.04 above subject to the following conditions:

- 1077 1. No more than three (3) Permanent Flags may be flown concurrently per site.
- 1078 2. The maximum distance from top to bottom of all Flags situated on a single flagpole
1079 shall be twenty percent (20%) of the total height of the flagpole.
- 1080 3. For Flags situated without a flagpole, the maximum distance from top to bottom of
1081 all Flags shall be twenty percent (20%) of the distance from the top of the Flag or
1082 insignia to the ground.
- 1083 4. The Height of a flagpole located in a commercial or industrial zoning district shall
1084 not exceed the maximum height for On-premise Permanent Signs located in such
1085 zoning districts.

1086 **B. Signs for the purpose of Ingress, Egress, or Direction**

1087 For safety purposes and for traffic circulation purposes, Permanent Signs for the purpose
1088 of ingress, egress or direction within a parcel are permitted, provided the same do not
1089 exceed three (3) square feet in size and no more than three (3) feet in height. A Sign
1090 Permit is not required for a Permanent signs for the purpose of ingress, egress, or
1091 direction. Such signs shall not count towards the maximum ADA specified in Section
1092 7.02.04 above.

1093 **C. Window Signs**

1094 Window Signs shall be legible only from the Premises on which they are located or from
1095 inside the Business. Window Signs shall not be used for Commercial Messages and shall
1096 not cover more than twenty-five percent (25%) of the area of any window or door. A Sign
1097 Permit is not required for a Window Sign.

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1099 **Sec. 7.02.07 On-Premise Permanent Sign Setbacks and Placement Limits (See Appendix**
1100 **D for Illustration)**

1101 All On-premise Permanent Signs shall be setback five (5) feet from the front property line, ten
1102 (10) feet from the side property line, and ten (10) feet from the rear property line, as measured to
1103 the base of the Sign. No portion of the Sign may extend into the right-of-way. Signs Erected on
1104 Corner Lots shall not project within the triangular area formed by the street right-of-way and a line
1105 connecting such points twenty-five (25) feet from the corner formed by the intersection of the
1106 street right-of-way line.

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PART 7.03.00 RESERVED

1109 **Sec. 7.03.01 Reserved**

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PART 7.04.00 RESERVED

1112 **Sec. 7.04.01 Reserved**

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PART 7.05.00 SPECIAL EVENT SIGNS

Sec. 7.05.01 Special Event Signs

- A.** Special Event Signs are allowed when registered with the County Administrator or designee and when displayed or Erected in compliance with the provisions of this section.
- B.** Every Special Event Sign shall be registered with the County Administrator or designee no later than one business day before it is initially displayed or Erected. Every registration shall state the type of Special Use Sign to be displayed or Erected during the Special Event.
- C.** Each Person displaying or Erecting a Special Event Sign shall maintain a cumulative log of all Special Event Signs per calendar year and, upon request, shall present the log to the County for comparison to County records as necessary.
- D.** Special Event Signs may not be displayed or Erected on any residential Property, and may not be displayed or Erected for more than a cumulative total of one hundred twenty (120) days per calendar year.
- E.** No Special Event Signs may be located in, on, or over any public right-of-way.
- F.** All Special Event Signs shall be removed immediately after the Special Event.
- G.** Upon registering, the following listed Special Event Signs shall be allowed:
 - 1. Banners or Pennants. Each Banner or Pennant shall not exceed one hundred twenty (120) square feet in size and no more than three (3) total shall be used per Special Event. Any Banner or Pennant not registered in advance shall be prohibited.
 - 2. Anchored Balloons. Anchored Balloons may be many shapes and shall be anchored to and have contact with the ground at all times during display. Anchored Balloons shall not exceed thirty (30) feet in height when anchored from the ground. Any Anchored Balloon not registered in advance shall be prohibited.
 - 3. Flags when flown on poles. Any Flag not registered in advance shall be prohibited, except as allowed in Section 7.02.06.A

1142 **PART 7.06.00 SIGNS AND ENTRY FEATURES AT PROJECT**
1143 **ENTRANCES**

1144 **Sec. 7.06.01 Signs at Entrances**

1145 **A.** Residential Subdivisions. Each residential subdivision entrance is allowed two (2)
1146 Subdivision Entrance Signs. Such Signs shall be located outside of public rights-of-way
1147 and shall not encroach into any corner sight visibility triangle required pursuant to Section
1148 7.00.06. Subdivision Entrance Signs may be internally or externally lighted and shall be
1149 landscaped. Subdivision Entrance Signs shall not exceed thirty-two (32) square feet in
1150 size of Advertising Display Area, shall be designed as a Monument or Ground Sign, and
1151 shall not exceed fifteen (15) feet in height.

1152 Such Signs may be incorporated into a wall, fence, or other structure that also shall not
1153 exceed fifteen (15) feet in height. Such structures shall be located at least fifteen (15) feet
1154 from County-maintained right-of-way and shall obtain all required building permits.

1155 **B.** Mixed Use or Non-Residential Projects. Each subdivision, multi-family complex, or non-
1156 residential development located within a mixed Use project, or each non-residential project
1157 is allowed one (1) Sign located at or near the entrance to the subdivision, multi-family
1158 complex, or non-residential development. Such Signage is subject to the requirements
1159 provided in this Code.

1160 In addition, such mixed Use project, as a whole, shall be allowed one (1) Sign located and
1161 Erected at each major access point of the mixed Use project. Such Sign shall be located
1162 outside of public rights-of-way. Such Sign shall not exceed one hundred (100) square feet
1163 of Advertising Display Area, shall be designed as a Monument or Ground Sign, and shall
1164 not exceed fifteen (15) feet in height. Such Sign may be incorporated into a wall, fence, or
1165 other structure that also shall not exceed fifteen (15) feet in height. Such design shall be
1166 submitted on the **Unified Sign** Plan.

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1168 **Sec. 7.06.02 Entry features associated with project identification**

1169 **A.** Each project is allowed one entry feature associated with project identification, such as a
1170 stand-alone structure without any attached signage subject to the following:

- 1171 1. Entry features and structures shall be uninhabitable;
- 1172 2. Entry features and structures shall have a maximum height of twenty-five (25) feet;
- 1173 3. Entry features and structures shall not be located within County-maintained right-
1174 of-way;
- 1175 4. Shall be setback a minimum of twenty (20) feet from the right-of-way;
- 1176 5. Shall not interfere with sight distance triangles.

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PART 7.07.00 SCENIC HIGHWAY SIGNS AND ANTENNAS

Sec. 7.07.01 Scenic Highway Signs and Antennas

A. Designation

There are roads within St. Johns County that the Board of County Commissioners, the State of Florida and the Federal governments have determined to be scenic, due to natural, manmade, cultural, historic, archeological, and recreational resources that give the physical landscape its character and Significance. For purposes of this Article, these areas are designated as Scenic Highways or Scenic Roadways designated in Appendix B of this Code, and include SR 13/CR 13, also known as the William Bartram Scenic Highway, SR A-1-A and that portion of International Golf Parkway (formally known as Nine-Mile Road) that passes through Twelve-Mile Swamp. Scenic Highways require compatible Signage requirements that enhance scenic qualities. The following regulations pertain to these designated Scenic Highways or Scenic Roadways and supersede, where applicable, the other criteria provided in this Code. Appendix B, provides characteristics, findings of fact, and Declaration of Policy for Scenic Highways.

B. Regulations

In addition to the other provisions established in this Code, areas designated as Scenic Highways or Scenic Roadways designated in Appendix B of this Code are subject to the following requirements.

1. No Off-premise Signs are allowed within six hundred (600) feet of the right-of-way along either side of any designated Scenic Highway or Scenic Roadway, as measured from the edge of right-of-way; and any Off-premise Signs Erected outside the six hundred (600) foot designation, shall not be visible from the Scenic Highway at the time of permitting or immediately after Erection, except Real Estate Signs as provided herein. For purposes of this paragraph, visible shall mean human eye visibility from six (6) feet above the centerline of the Scenic Highway. Any Signs greater than two thousand five hundred (2,500) feet from the centerline shall be deemed not visible.
2. No Off-premise Signs are allowed within six hundred (600) feet of the right-of-way along either side of the road intersecting or abutting a designated Scenic Highway or Scenic Roadway for a distance of two thousand five hundred (2,500) feet from the Scenic Highway, measured from the centerline of the intersection, except Real Estate Signs as provided herein.
3. On-premise Signs includes all commercial business and subdivision Identification Signage and only may be designed as a Ground Sign, Pole Sign, Monument Sign, Building Sign, Canopy Sign, Fascia Sign, subdivision Sign, Wall Sign and Window Sign and similar Signage types described in this Code.
4. **Each Business Site shall be allowed a maximum of two (2) On-premise entrance Signs, designed as a Ground Sign, Monument Sign or Pole Sign.** No entrance Sign shall exceed the maximum area, maximum width, and maximum height, provided in (h) below of this Section. Such entrance Sign Structures shall be constructed of wood, masonry, brick, or stone (excluding Pole Signs). The Sign Structure shall be

1220 a natural or earthtone color. The Advertising Display Area shall be designed within
1221 the Sign Structure. The Signs may be lighted internally or externally and all back-
1222 lighting or appearance of lighting shall be white in color. In addition to the entrance
1223 Signs, each individual business located within a multi-Use complex shall be
1224 allowed store or Business Identification Signage, not exceeding one square foot
1225 per linear store frontage. All back-lighting or appearance of lighting shall be white
1226 in color.

1227 5. Each Subdivision entrance, mobile home park entrance and similar residential
1228 projects shall be allowed two (2) On-premise entrance Signs, designated as a
1229 Ground Sign, Monument Sign or Pole Sign. No entrance Sign shall exceed the
1230 maximum area, maximum width, and maximum height, provided in (h) of this
1231 Section. Such entrance Sign Structures shall be constructed of wood, masonry,
1232 brick, or stone, excluding Pole Signs. The Sign Structure shall be a natural or
1233 earthtone color. The Advertising Display Area shall be designed within the Sign
1234 Structure. The Signs may be lighted internally or externally and all back-lighting or
1235 appearance of lighting shall be white in color. Back-lighting or appearance of
1236 lighting shall be white in color. Entrance Signs may be incorporated into a wall,
1237 fence, landscape design, or other entrance feature.

1238 6. Signs placed, painted or otherwise Erected upon walls, buildings, Canopies, and
1239 similar structures shall be consistent with and complement the building, with
1240 respect to color, materials, and design. Back-lighting or appearance of lighting
1241 shall be white in color.

1242 7. Window Signs shall be legible only from the Premises on which located or from
1243 inside the Business and shall not be visible from any public roadway or public
1244 walkway.

1245 8. Maximum advertising display area, maximum width, and maximum height for
1246 Ground Signs, Monument Signs, Pole Signs, and similar Signage types described
1247 in this Code shall be limited to the following maximum square footage and height.
1248 The standards in this subsection shall not apply to properties applicable to an
1249 overlay district, as denoted in Sections 3.06.03, 3.07.03, 3.08.03, 3.09.03, 3.10.03,
1250 and 3.11.03.

Distance from Road Right-Of-Way (feet)	Maximum Area (square feet) Advertising Display Area	Maximum Width (feet) (includes Sign Structure)	Maximum Height (feet) (includes Sign Structure)
0-24	30	6	6
25-49	36	6	6
50-99	42	8	8
100-149	48	8	8
150-199	54	10	10
200 or greater	60	10	10

NOTE: Ground Signs within an overlay district, as denoted in Article III, have separate standards.

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9. All Prohibited Signs, listed in Part 7.08.00 are prohibited along designated Scenic Highways. In addition to the Prohibited Signs listed in Part 7.08.00 the following Signs are also prohibited along Scenic Highways.

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- a. Snipe Signs

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- b. Banners, except as provided in Sections 3.07.00, 3.08.00, 3.09.00, and 3.10.00.

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- c. Balloons, except as provided in Sections 3.07.00, 3.08.00, 3.09.00, and 3.10.00.

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- d. Animated Signs, Automatic Changing Message Devices, Revolving Signs, and any Signs that move, spin, and/or rotate, in any manner.

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- e. Pennants

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- f. Billboards

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- g. Any Antenna or satellite dish, greater than one (1) meter in diameter, used for receiving satellite television Signals, visible from the Scenic Highway right-of-way.

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Sec. 7.07.02 Scenic Vistas

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Scenic Vistas are areas that have beauty due to the natural environment, topography, cultural and historic resources. These areas give shape, character, Significance to the County and provide natural or cultural views of the County to the traveling public. These vistas provide views of the Intracoastal waterway, estuaries, the ocean, upland hammocks, historic resources and a combination of these natural settings.

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The Board of County Commissioners may designate Scenic Vistas, after a public hearing. Any

1275 area within St. Johns County designated as a Scenic Vista shall at a minimum, comply with the
1276 Signage criteria, required for Scenic Highways, except that Off-premise Signs may be allowed
1277 within six hundred (600) feet of the right-of-way along either side of the abutting road the Scenic
1278 Vista. All other Scenic Highway criteria, as provided in this Code shall apply to Scenic Vistas. The
1279 Board of County Commissioners may provide additional criteria and regulation to these areas,
1280 when designated.

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PART 7.08.00 PROHIBITED SIGNS

1283 Sec. 7.08.01 Prohibited Signs

1284 The Signs and Sign types listed below are prohibited in the jurisdiction governed by this Code
1285 and shall not be Erected, operated, or placed on any property. Said prohibition shall supersede
1286 any conflicting provision of this Code or other law or regulations of the County. **Notwithstanding**
1287 **anything in Part 5.03.00 or Part 10.04.00 of this Code, no variance or waiver shall be granted**
1288 **permitting a prohibited sign. Any lawfully existing Permanent Sign Structure or Sign type that is**
1289 **among the Prohibited Signs and Sign types listed below shall be deemed a Non-Conforming Sign**
1290 **subject to the provisions of Part 7.09.00, Non-Conforming Signs.**

1291 **A. Abandoned Signs.**

1292 **B. Animated Signs.**

1293 **C. Attached Signs that are taller than the wall of the building to which the Sign is attached.**

1294 **D. Automatic Changeable Message Devices greater than 20% of sign ADA or greater than**
1295 **30 square feet, whichever is less, or signs that change copy more than once every two (2)**
1296 **hours.**

1297 **E. Confusing Signs and Hazardous Signs.**

1298 **F. Flashing Signs.**

1299 **G. Floodlights and beacon lights, except when required by the Federal Aviation**
1300 **Administration.**

1301 **H. Flutter Signs, Feather Signs, streamers, Balloons, Wind Signs, Banner Signs, cold air**
1302 **inflatables, Pennants, and other wind operated or fixed aerial Signage, except for Special**
1303 **Event Signs as provided in Part 7.05.00.**

1304 **I. Fluorescent paints and materials; Reflective Signs, except for those Signs that use**
1305 **ScotchLite and similar pressure sensitive materials that are accepted by outdoor**
1306 **advertising and nation-wide transportation departments; and also prohibiting mirror, and**
1307 **similar Signs.**

1308 **J. Holographic Display Signs.**

1309 **K. Moving, twirling, or swinging Signs, including Multi-Prism and Tri-Vision Signs, including**
1310 **signs held or moved by a Sign Walker.**

1311 **L. Obscene Signs.**

1312 **M. Off-Premises Signs, except Billboards as provided in Part 7.01.00.**

1313 **N. Pavement markings, except for official traffic control markings and building address**
1314 **markings required by law.**

1315 **O. Portable Signs, mobile, and Free-Standing Signs, including commercial signs worn as**
1316 **boards or costumes such as those held or worn by a Sign Walker.**

- 1317 **P.** Revolving Signs; Rotating Signs.
- 1318 **Q.** Roof Signs, when the Signs exceed the highest part of the Roof Line or when the Roof
1319 Sign results in Signage which exceeds the maximum height of On-premises Signs.
- 1320 **R.** Signs attached to a seawall, dock, buoy, tie pole, or pier, other than Warning Signs.
- 1321 **S.** Signs illuminated in a manner that interferes with the effectiveness of, or obscures an
1322 official traffic Sign, device, or signal.
- 1323 **T.** Signs in, on, or over public property, including but not limited to rights-of-way and medians;
1324 other than Public Signs, Traffic Control Signs, and Warning Signs.
- 1325 **U.** Signs in or upon any river, bay, lake, or other body of water within the limits of the County;
1326 except government regulatory Signs and Warning Signs.
- 1327 **V.** Signs located on real property without the permission of the property owner.
- 1328 **W.** Snipe Signs. Signs nailed, fastened, affixed to, or painted on any pole, tree or part thereof
1329 (living or dead), or other vegetation. The Code Enforcement Officer may remove any such
1330 signs upon sight.
- 1331 **X.** Signs, other than Traffic Control Signs, that use the word “stop” or “danger,” or present or
1332 imply the need or requirement of stopping or the existence of danger, or which are a copy
1333 or imitation of Traffic Control Signs and which are adjacent to the right-of-way of any road,
1334 street, or highway.
- 1335 **Y.** Signs that contain any food or other substance that attracts large numbers of birds or other
1336 animals and causes them to congregate on or near the Sign.
- 1337 **Z.** Signs that emit sound, vapor, smoke, odor, or gaseous matter.
- 1338 **AA.** Signs that interfere with or obstruct traffic flow or vehicular vision, such as within an
1339 intersecting right-of-way, that are within a sight visibility triangle, as described in Section
1340 7.00.06 herein, or that otherwise obstruct a clear view of pedestrian or vehicular traffic.
- 1341 **BB.** Signs that obstruct, conceal, hide, or otherwise obscure from view any Traffic Control Sign
1342 or official traffic signal.
- 1343 **CC.** Vehicle Sign or Signs with a total Sign area in excess of twenty (20) square feet on any
1344 vehicle, and when
 - 1345 1. The vehicle is not “regularly used in the conduct of the business,” and
 - 1346 2. The vehicle is visible from a street right-of-way within fifty (50) feet of the vehicle,
1347 and
 - 1348 3. The vehicle is parked for more than a twenty-four (24) hour period within fifty (50)
1349 feet of any street right-of-way.
 - 1350 4. A vehicle shall not be considered “regularly used in the conduct of the business” if
1351 the vehicle is used primarily for advertising.

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5. This subsection does not prohibit the identification of a firm or its principal products on a vehicle operating during the normal hours of business which is currently licensed, insured, and operable; provided, however, that no such vehicle shall be parked on public or private property with Signs attached or placed on such vehicle primarily for the purpose of advertising a business establishment or firm or calling attention to the location of a business establishment or firm.

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PART 7.09.00 NON-CONFORMING SIGNS

Sec. 7.09.01 Non-conforming Signs

All Non-conforming Signs shall:

A. Remain substantially unchanged from the date of becoming Non-conforming, actions listed below shall be prohibited on a Non-conforming Signs.

1. Change structural supporting materials from existing type to another.
2. Enlarging Advertising Display Area, excluding Embellishments.
3. Increase in Sign height.
4. Addition of any methods to provide an Automatic Message Change.
5. Improvement or addition of lighting to increase illumination of the Signs.
6. Relocate, move, or re-Erect the upright supports and framework supporting the Sign Face in excess of annual Maintenance limits, unless such is permitted in advance as a requirement solely for OSHA conformance in accordance with State Outdoor Advertising Sign Regulations, Florida Administrative Code, Section 14-10, as amended.

B. Not be Re-Erected or Rebuilt

No Nonconforming Signs shall remain or be restored to use when one-half (0.5) or more than one-half (0.5) of the upright supports of the Sign assembly supporting the Advertising Display Area are physically in any condition, caused by any means, such that wooden supports are replaced or supplemented by structural attachments equal to one-half (0.5) or more original wood structural capacity, or in the case of metal upright supports, so that one-quarter (0.25) or more of the linear footage above ground is broken, bent or twisted from the original shape.

However nothing herein shall prohibit repairs to a Nonconforming Sign when more than one-half (0.5) of the original upright supports remain in original structural strength and physical condition provided a building permit for such repairs shall be issued in advance of any work (except temporary emergency bracing that may be utilized to stabilize a damaged Sign) and all permitted work thereafter completed within six (6) months of damage. Any such work undertaken before issuance of the required building permit shall create an irrefutable presumption that damage or adverse conditions exceeded the limit recited above and thereby all future Nonconforming rights shall cease to exist, the Sign thereafter being illegal and a violation of the Code.

C. Remain in Use

No Non-conforming Sign which is discontinued in Use for one (1) full calendar year shall be expanded, enlarged, repaired or put back into Use except in compliance with this Code.

D. Exceptions

Approved PUD, PRD and Development of Regional Impact (DRI) projects that have

1399 commenced construction and have provided for Signs as part of the overall unified
1400 development plan, prior to the adoption of this Code, shall be allowed to continue with the
1401 approved Sign design, including, but not limited to, height, size, number and location.
1402 Such Signs may also be replaced if destroyed or damaged by more than fifty percent
1403 (50%), according to the approved unified Sign design. Major modifications to PUD and
1404 PRD projects that affect Signage in any manner shall terminate the existing approval and
1405 shall be subject to the requirements of this Code. The applicant for such projects may
1406 request, in writing, that the County Administrator review such project and issue in writing
1407 whether the approved Sign may continue.

1408

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PART 7.10.00 RACE TRACK ROAD SIGNS

1410 Sec. 7.10.01 Race Track Road Signs

1411 Race Track Road, a Major Collector roadway, within St. Johns County is located at the Duval
 1412 County Line and connects SR 13 to US 1. The Board of County Commissioners have found that
 1413 Race Track Road from SR 13 to CR 2209 (St. Johns Parkway), due to its intersection with the
 1414 William Bartram Scenic Highway, its location along the St. Johns County and Duval County Line,
 1415 its transitioning rural to urban character, and its location within a developing area of St. Johns
 1416 County; that Race Track Road deserves individual Sign requirements. These Sign requirements
 1417 shall constitute a Sign overlay district for Race Track Road, from its connection to SR 13 to CR
 1418 2209 (St. Johns Parkway).

1419 A. Regulations

1420 In addition to the other provisions established in this Code, Signage along Race Track
 1421 Road, from SR 13 to CR 2209 (St. Johns Parkway), is subject to the following
 1422 requirements. In the event of a conflict between this Section, and other Sections of this
 1423 Code, the more restrictive shall apply.

1424 1. No Off-premise Signs are allowed within six hundred (600) feet of the right-of-way
 1425 along either side of Race Track Road, as measured from the edge of right-of-way;
 1426 and any Off-premise Signs Erected outside the six hundred (600) foot designation,
 1427 shall not be visible from Race Track Road at the time of permitting or immediately
 1428 after Erection, except Real Estate Signs as provided herein. For purposes of this
 1429 paragraph, visible shall mean human eye visibility from six (6) feet above the
 1430 centerline of Race Track Road. Any Signs greater than two thousand five hundred
 1431 (2,500) feet from the centerline shall be deemed not visible.

1432 2. No Off-premise Signs are allowed within six hundred (600) feet of the right-of-way
 1433 along either side of the road intersecting or abutting Race Track Road, for a
 1434 distance of two thousand five hundred (2,500) feet from Race Track Road,
 1435 measured from the centerline of the intersection, except Real Estate Signs as
 1436 provided herein. US 1 shall be exempt from this Part.

1437 3. On-premise Signs includes all commercial business and subdivision identification
 1438 Signage and only may be designed as a Ground Sign, Pole Sign, Monument Sign,
 1439 Building Sign, Canopy Sign, Fascia Sign, subdivision Sign, Wall Sign and Window
 1440 Sign and similar Signage types described in this Code.

1441 4. Each Business Site using Signage to identify, a multi-family complex, commercial
 1442 project, shopping center, shopping mall, strip mall, professional business and
 1443 office center, and similar Use sites shall be allowed a maximum of two (2) On-
 1444 premise entrance Signs, designed as a Ground Sign, Monument Sign or Pole Sign.
 1445 No entrance Sign shall exceed the maximum area, maximum width, and maximum
 1446 height, provided in this Section. Such entrance Sign Structures shall be
 1447 constructed of wood, masonry, brick, or stone (excluding Pole Signs). The Sign
 1448 Structure shall be a natural or earthtone color. The Advertising Display Area shall
 1449 be designed within the Sign Structure. The Signs may be lighted internally or
 1450 externally and all back-lighting or appearance of lighting shall be white in color. In
 1451 addition to the entrance Signs, each individual business located within a multi-Use

1452 complex shall be allowed store or Business Identification Signage, not exceeding
 1453 one square foot per linear store frontage. All back-lighting or appearance of lighting
 1454 shall be white in color.

1455 5. Each Subdivision entrance, mobile home park entrance and similar residential
 1456 projects shall be allowed two On-premise entrance Signs, designated as a Ground
 1457 Sign, Monument Sign or Pole Sign. No entrance Sign shall exceed the maximum
 1458 area, maximum width, and maximum height, provided in this Section. Such
 1459 entrance Sign Structures shall be constructed of wood, masonry, brick, or stone,
 1460 excluding Pole Signs. The Sign Structure shall be a natural or earthtone color. The
 1461 Advertising Display Area shall be designed within the Sign Structure. The Signs
 1462 may be lighted internally or externally and all back-lighting or appearance of
 1463 lighting shall be white in color. Back-lighting or appearance of lighting shall be
 1464 white in color. Entrance Signs may be incorporated into a wall, fence, landscape
 1465 design, or other entrance feature.

1466 6. Signs placed, painted or otherwise Erected upon walls, buildings, Canopies, and
 1467 similar structures shall be consistent with and complement the building, with
 1468 respect to color, materials, and design. Back-lighting or appearance of lighting
 1469 shall be white in color.

1470 7. Window Signs shall be legible only from the Premises on which located or from
 1471 inside the Business. Window Signs shall not be used for Advertising Messages,
 1472 products, or services. Window Signs, as described herein, shall not be defined to
 1473 include merchandise, material or object display within the window or Signs offering
 1474 information or direction.

1475 8. Maximum square footage for Ground Signs, Monument Signs, Pole Signs, and
 1476 similar Signage types described in this Code shall be limited to the following
 1477 maximum square footage and height.

Distance from Road Right-Of-Way (feet)	Maximum Area (square feet) Advertising Display Area	Maximum Width (feet) (includes Sign Structure)	Maximum Height (feet) (includes Sign Structure)
0-24	60	10	10

1478
 1479 9. All Prohibited Signs, listed in Part 7.08.00 are prohibited along Race Track Road.
 1480 In addition to the Prohibited Signs listed in Part 7.08.00, the following Signs are
 1481 also prohibited along Race Track Road.

- 1482 a. Snipe Signs
- 1483 b. Banners
- 1484 c. Balloons
- 1485 d. Animated Signs, Changing Copy Signs, Changing Message Devices,
 1486 Revolving Signs, and any Signs that moves, spins, rotates, in any manner

- 1487 e. Pennants
- 1488 f. Billboards
- 1489 g. Any Antenna or satellite dish, greater than one (1) meter in diameter, used
- 1490 for receiving satellite television Signals, visible from Race Track Road.
- 1491
- 1492
- 1493 History: Ord. 2009-44, Ord. 2010-23, Ord. 2010-53, Ord. 2011-38, Ord. 2013-26, Ord. 2015-14

**ARTICLE XII
DEFINITIONS**

PART 12.00.00 GENERALLY

This Article contains most of the definitions for use with this Code. Other definitions, however, may be located elsewhere in this Code and should be used as indicated.

PART 12.01.00 DEFINITIONS

A-weight sound level: The sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated db(A).

Abandoned Sign:

On-premise: Any On-premise Sign which is void of Copy or advertises a business no longer conducted or product no longer sold at that location. In making the determination that a Sign advertises a business no longer being conducted, the Administrator shall consider the existence or absence of a current occupational license, utility service deposit or account, use of the premises, and relocation of the business.

Off-premise: Any Off-premise Sign Face which remains void of Copy for twelve (12) months or longer. Failure of an Owner to register the Sign with the State and/or County shall be prima facie evidence of Abandonment.

Accessory, Agricultural Structure: A Structure containing materials and uses which are accessory to an agricultural activity. Examples of such a Structure would be a pen to contain livestock and farming equipment, but not a Structure used primarily to contain hand tools and domestic vehicles.

Accessory Use or Structure: A Use or Structure of a nature customarily incidental and subordinate to the principal Use or Structure, and unless otherwise provided, on the same premises.

Accessory Family Unit: Shall mean living quarters for one or more Family members, that may include full kitchen facilities, located within the main use Structure or on the same Lot as the main use Structure, provided no intervening street separates the Lot. A Family member shall have the same meaning as the Comprehensive Plan and as defined in Part XII of this Code.

Accessway: A paved area intended to provide ingress and egress of vehicular traffic from a public Right-of-Way to an off-street parking area or loading area.

Account Holder: Means any person, tenant, customer, user, firm, association, corporation, governmental agency, or similar organization or entity who receives service, whether residential or commercial, or has an agreement to receive service, from the County, or an authorized representative of the County.

47
48 **Addition (to an existing building):** Means any walled and roofed expansion to the perimeter of
49 a Building in which the addition is connected by a common load-bearing wall other than a **fire**
50 **wallfirewall**. Any walled and roofed addition which is connected by a fire wall or is separated by
51 independent perimeter load-bearing walls is new construction.

52
53 **Address:** A number and roadway name assigned to properties, buildings and/or structures
54 located on, or with access from, officially named public and private roadways.

55
56 **Adjacent:** For purposes of determining notice requirements for certain limited use, adjacent
57 properties shall be those directly abutting the subject property, or those which would abut by
58 excluding:

- 59
60 A. public Right-of-Way; or
61
62 B. Publicly owned property fifty (50) feet or less in width.

63
64 **Administrator:** Shall mean the County Administrator of St. Johns County, Florida and/or his
65 designee.

66
67 **Adopted Level of Service:** Means the Level of Service (LOS) Policies adopted in the St. Johns
68 County Comprehensive Plan, as may be amended from time to time. All Development Order
69 applications shall be evaluated for the purposes set forth in this Code in accordance with these
70 adopted Levels of Service.

71
72 **Adult Arcade Amusement Center:** A business (a) that is located on the “premises” of a facility
73 that is licensed by the State of Florida pursuant to Ch. 550, Florida Statutes, and (b) that operates
74 Adult Arcade Amusement Machines that complies with section 849.161(1)(a)1., Florida Statutes.
75 Adult Arcade Amusement Centers do not include Family Amusement Arcades.

76
77 **Adult Arcade Amusement Machine:** An electronic, mechanical, computer, or other device which
78 operates by the insertion of coin and may also operate by the use or insertion of other type of
79 monetary consideration, ticket, token, or card that activates the play of a game or multiple games
80 which by application of skill may entitle the person operating the machine to receive (i) points
81 representing a unit of game play on the machine or (ii) coupons which may be exchanged for
82 merchandise available for sale to the general public on the premises of the Adult Arcade
83 Amusement Center or via catalogs or kiosks produced by an Adult Arcade Amusement Center,
84 other than alcoholic beverages and cash, provided the value of the merchandise does not exceed
85 the amount set forth in section 849.161(1)(a) I. Florida Statutes. The "application of skill" shall
86 mean the ability of a player, with knowledge of the game, and by use of probability based
87 strategies, manual dexterity and/or decision making to improve his or her level of theoretical
88 success in the game offered by the machine by decreasing the game's advantage by at least 25%
89 over a completely random strategy of play, as certified by an independent laboratory licensed
90 under Chapter 551, Florida Statutes. The presence of a device as described above that requires
91 the payment of monetary consideration for its operation shall result in the presumption that such
92 machine is an Adult Arcade Amusement Machine as defined herein.

93
94 **Adult Bookstore:** Establishment having as a substantial or significant portion of its stock in
95 trade, books, magazines, films, newspapers, photographs, paintings, drawings, videos, video
96 disk, laser discs, or other publications or graphic media, which are distinguished or characterized
97 by their emphasis on matter depicting, describing, or relating to pornographic material. A

98 substantial or significant portion of its stock and trade shall be deemed to occur when twenty
99 percent (20%) or five hundred (500) square feet (whichever is less) of the floor area of the
100 establishment contains the items listed above.

101
102 **Adult Care Center:** Establishment that provides, on a regular basis, assistance or care for five
103 (5) or more unrelated adults for a period of less than twenty-four (24) hours a day and which
104 receive a payment, fee or grant for the adults attending the facility, whether or not operated at a
105 profit.

106
107 **Adult Photographic or Modeling Studio:** Establishment which offers or advertises the use of
108 its premises for the purpose of photographing or exhibiting specified sexual activities or specified
109 anatomical areas or the modeling of apparel that exhibits specified anatomical areas.

110
111 **Adult Use:** An adult Use as defined herein. Adult Uses include adult bookstores, adult theaters,
112 special cabarets, physical culture establishments, and adult photographic studios.

113
114 **Advertising Display Area:** The advertising display surface area encompassed within any
115 geometric figure which would enclose all parts of the Sign display, including any frame or border,
116 and excluding. ~~The structural supports for a Sign, whether they be columns, pylons, or a building~~
117 ~~or part thereof, shall not be included in the advertising area.~~ In computing area, standard
118 mathematical formulas for known common shapes will be used. Common shapes shall include
119 squares, rectangles, cones, spheres, trapezoids, triangles, circles, ovals, cylinders and other
120 simple forms for which surface area formulas are established. The Administrator may break down
121 complex forms into component simple forms; however, all pertinent area shall be included. ~~All~~
122 ~~words and components of a Sign or related message shall be included as one Sign. Individual~~
123 ~~words or components may be considered separate Signs only if they express a complete~~
124 ~~independent message and are separated so as to be obviously disassociated from other message~~
125 ~~or components. Advertising Display Area shall not include specific sales detail related to the sale~~
126 ~~of individual items, normally sold outside, such as automobiles, boats, plants, and similar items,~~
127 ~~when such items are individually marked.~~

128
129 ~~**Advertising Message:** Sign Copy intended to directly or indirectly promote the sale of a product,~~
130 ~~service, commodity, entertainment or real or personal property. This definition shall also be~~
131 ~~deemed to include political copy intended to directly or indirectly promote a candidate or issue.~~
132 ~~Advertising Message or Copy shall not include Signs or portions of Signs that provide Courtesy~~
133 ~~Messages.~~

134
135 **Affordable Housing:** As defined in the St. Johns County Comprehensive Plan.

136
137 **Agent:** Means any person with valid authority provided by the Owner, as evidenced by a
138 notarized document authorizing the Agent to represent the Owner, and acting on behalf of the
139 Owner of land seeking a land Use change, rezoning, Appeal or any other activity set forth in this
140 Code.

141
142 **Agricultural Use:** The use of land for bona fide agricultural purposes as determined by Enforcing
143 Official taking the following factors into consideration:

- 144
145 A. The length of time the land has been so utilized.
146
147 B. Whether the Use has been continuous.
148

149 C. Whether an indicated effort has been made to use the land in accordance with
150 acceptable agricultural practices.

151
152 **Airport:** Any area of land or water designed and set aside for the landing and taking off of aircraft
153 and utilized in the interest of the public for such purpose.

154
155 **Airport Elevation:** The highest point of an Airport's usable landing area measured in feet from
156 mean sea level.

157
158 **Airport Hazard:** Any Structure or Tree or use of land which would exceed the federal obstruction
159 standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29 and which obstructs
160 the airspace required for the flight of aircraft in taking off, maneuvering, or landing or is otherwise
161 hazardous to such taking off, maneuvering, or landing of aircraft and for which no person has
162 previously obtained a Permit or Variance.

163
164 **Airport Hazard Area:** Any area of land or water upon which an Airport hazard might be
165 established if not prevented as provided in this Code.

166
167 **Airside Activities:** Airside activities include, but are not limited to, runways, taxiways, taxilanes,
168 aircraft aprons, storage hangers, terminal Buildings, aircraft maintenance facilities, and other
169 similar airside activities and Structures.

170
171 **Airspace Height:** For the purpose of determining the height limits in all zones set forth in this
172 Code, the datum shall be mean sea level elevation (AMSL) unless otherwise specified. All height
173 regulations are located in Part 77 of the Federal Aviation Regulations.

174
175 **Alley:** A public or private way which affords only a secondary means of access to property
176 abutting thereon.

177
178 **Alteration:** Alter or alteration shall mean any change in size, shape, character, or use of a
179 Building or Structure.

180
181 **Alternative Tower Structure:** Alternative-design mounting Structures including but not limited
182 to man-made Trees, clock towers, bell steeples, light poles, etc.

183
184 **Alteration of a watercourse.** A dam, impoundment, channel relocation, change in channel
185 alignment, channelization, or change in cross-sectional area of the channel or the channel
186 capacity, or any other form of modification which may alter, impede, retard or change the
187 direction and/or velocity of the riverine flow of water during conditions of the base flood capacity,
188 or any other form of modification which may alter, impede, retard or change the direction and/or
189 velocity of the riverine flow of water during conditions of the base flood.

190
191 **Amateur Radio:** A private radio service defined in Part 97 of the FCC rules.

192
193 **Anchored Balloon:** A Balloon that may have various shapes, forms and sizes, that when inflated
194 through any means and must remain secured to and have contact with the ground at all times.

195
196 **Animal:** A living organism other than a plant or bacterium. As used in this Code, the term animal
197 excludes humans.

198
199 **Animated Sign:** Any Sign or part of a Sign which changes physical position or Copy by
200 movement, electronically or rotation, excluding Automatic Changeable Message Device.

201
202 **Antenna:** An apparatus designed for the transmitting and/or receiving of electromagnetic waves.

203 As used herein the term Antenna includes all antennas integrated and used a single unit, such as
204 an antenna array. For purposes of this Code, the following shall not be considered Antennas and
205 shall not be regulated by this Code: antennas that are designed to receive direct broadcast
206 satellite service, including direct-to-home satellite service, that are one meter or less in diameter
207 or, antennas that are designed to receive video programming services via multipoint distribution
208 services, instructional television fixed services, and local multipoint distribution services, and that
209 are one meter or less in diameter or diagonal measurement; and, satellite earth station antennas
210 in commercial or industrial zoning districts.

211
212 **Antenna Tower:** A facility that is constructed and designed primarily for the support of Antennas,
213 which include the following types:

214
215 **Guyed Tower:** A tower that is supported in whole or in part by guy wires and ground
216 anchors or other means of support in addition to the superstructure of the tower itself.

217
218 **Lattice Tower:** A tower that consists of vertical and horizontal supports and crossed metal
219 braces, which is usually triangular or square in a cross section.

220
221 **Monopole:** A tower of a single pole design.

222
223 **Self Supporting Tower:** A tower that has no structurally supportive attachments other
224 than at its foundation.

225
226 **Camouflaged Structure:** A Structure designed to support Antennas and designed to
227 blend into the existing surroundings.

228
229 Unless otherwise stated in this Code the term "Antenna Tower" shall not include towers used
230 exclusively to support Ham/CB/TV antennas and antennas that are designed to receive direct
231 broadcast satellite service, including direct-to-home satellite service, that are one meter or less in
232 diameter or, antennas that are designed to receive video programming services via multipoint
233 distribution services, instructional TV fixed services, and local multipoint distribution services, and
234 that are one meter or less in diameter or diagonal measurement; and, satellite earth station
235 antennas in commercial or industrial areas.

236
237 **Appeal:** Means a request for a review of the Administrator's interpretation of any provision of this
238 Code or a request for a Variance.

239
240 **Appeal. For the purpose of part 3.03.00 "Flood Damage Control Regulations"** Appeal
241 means a request for a review of the Floodplain Administrator's interpretation of any provision of
242 this ordinance or a request for a variance.

243
244 **Applicant:** Means any person or the person's duly authorized agent who submits plans or other
245 required submittals to any County Department or agency to obtain a Development Permit as
246 defined herein.

247
248 **Application, Complete:** Means an application that includes all of the information required by this
249 Code, the application form, or by the County, but does not mean that said information is sufficient
250 in comprehensiveness of data or in quality of information provided.

251
252 **Application, Sufficient:** Means the application contains the information required by the County
253 for the technical evaluation of the Project and is adequate in comprehensiveness of data and in

254 the quality of information provided.

255

256 **Archaeological Site:** An area which contains significant material remains of past life or activities
257 and which meets one (1) or more criteria for designation.

258

259 **Area of Copy:** See Advertising Display Area.

260

261 **Area of Sign:** See Advertising Display Area.

262

263 **Area of Shallow Flooding:** Means a designated AO or VO Zone on a community's Flood
264 Insurance Rate Map (FIRM) with base Flood depths from one to three feet where a clearly defined
265 channel does not exist, where the path of Flooding is unpredictable and indeterminate, and where
266 velocity flow may be evident.

267

268 **Area of Special Flood Hazard:** Is the land in the floodplain within a community subject to a
269 one percent (1%) or greater chance of Flooding in any given year. This term is synonymous
270 with the phrase "special flood hazard area."

271

272 **Arterial Road:** See Roadway Classifications.

273

274 **Artificial Light or Artificial Lighting:** The light emanating from any human made device.

275

276 **Assessed Value:** Shall mean the value to an improvement or property as determined by the St.
277 Johns County Property Appraiser in the manner provided by law.

278

279 **ASCE 24.** A standard titled *Flood Resistant Design and Construction* that is referenced by the
280 *Florida Building Code*. ASCE 24 is developed and published by the American Society of Civil
281 Engineers, Reston, VA

282

283 **ASTM:** Means American Society for Testing Materials.

284

285 **Auditorium:** The room, hall, Building, or part of a Building used for public gatherings.

286

287 **Authorized Representative of the User:** means:

288

289 A. If the user is a corporation:

290

291 1. The president, secretary, treasurer, or a vice-president of the corporation
292 in charge of a principal business function, or any other person who
293 performs similar policy or decision-making functions for the corporation; or

294

295 2. The manager of one or more manufacturing, production, or operation
296 facilities employing more than two hundred fifty (250) persons or having
297 gross annual sales or expenditures exceeding twenty-five (25) million
298 dollars (in second-quarter 1980 dollars), if authority to Sign documents has
299 been assigned or delegated to the manager in accordance with corporate
300 procedures.

301

302 B. If the user is a partnership or sole proprietorship; a general partner or proprietor,
303 respectively.

304

305 C. If the user is a Federal, State, or local governmental facility: a director or highest
306 official appointed or designated to oversee the operation and performance of the
307 activities of the government facility, or their designee.

- 308
309 D. The individuals described in paragraphs 1 through 3, above, may designate
310 another authorized representative if the authorization is in writing, the authorization
311 specifies the individual or position responsible for the overall operation of the
312 facility from which the discharge originates or having overall responsibility for
313 environmental matters for the company, and the written authorization is submitted
314 to the County.
315

316 **Automatic Changeable Message Device:** Any Sign, except a Digital Billboard, which through
317 a mechanical, electrical, solar, or other power source is capable of delivering messages which do
318 or appear to rotate, change or move at any time in any way, including Tri-Vision or any Multi-
319 Prism Sign faces. ~~However, this does not include Signs displaying numbers or dates provided~~
320 ~~that not more than forty (40%) percent of the total Sign area is capable of delivering messages~~
321 ~~which do or appear to rotate, change or move at any time.~~ (Also see **Flashing Signs**).
322

323 **Automobile Service or Filling Station:** See Service Station.
324

325 **Automobile-Wrecking or Storage Yard:** The dismantling or disassembling of used motor
326 vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete,
327 or wrecked motor vehicles, trailers, or their parts.
328

329 ~~**Auxiliary Business Sign:** A secondary type of Sign, smaller than Business Identification Signs~~
330 ~~which clarifies style and nature of the business or service advertised therein.~~
331

332 **Awning:** A shelter supported entirely from the exterior wall of a Building that projects from a
333 perimeter wall of a Building, including a building Canopy.
334

335 **Awning Sign:** Any Sign which is suspended from, attached to, painted on, supported from or
336 forms a part of an Awning.
337

338 **AWWA:** Means American Water Works Association. Any reference to AWWA standards shall
339 be taken to mean the most recently published revision unless otherwise specified.
340

341 **Background Area:** The entire area of a Sign on which Copy could be placed, as opposed to
342 Copy area, when referred to in connection with Fascia or Wall Signs, computed in the same
343 manner as Copy area.
344

345 **Background Traffic:** Means the estimated traffic for existing and approved but unbuilt
346 Development within the County. Background Traffic may include projected traffic growth rates for
347 Categorically Exempt Developments or Developments with a Concurrency Exemption
348 Determination as determined by the County.
349

350 **Backlogged Segments:** Backlogged Segments means those roadways operating below the
351 Adopted Level of Service which do not have prohibitive financial or environmental constraints, but
352 which are not scheduled for major capacity improvement within the first three years of the adopted
353 Florida Department of Transportation's Five-Year Work Program or the County's Five-Year
354 Schedule of Capital Improvements.
355

356 **Balloon:** Gas filled, air filled or otherwise inflated items.
357

358 **Banner Sign:** A Special Event Sign composed of lightweight material either enclosed or not
359 enclosed in a rigid frame, secured or mounted, so as to allow movement of the Sign.
360

361 **Bar, Cocktail Lounge, Saloon, or Tavern:** Any establishment devoted primarily to the retailing
362 and on-premises drinking of malt, vinous, or other alcoholic beverages, or any place where any

363 Sign is exhibited or displayed indicating that alcoholic beverages are obtainable for consumption
364 on the premises.

365
366 **Base Flood:** Means the Flood having a one percent (1%) chance of being equaled or exceeded
367 in any given year. The base Flood is commonly referred to as the “100 year flood”
368

369 **Base Flood Elevation:** The elevation of the base flood, including wave height, relative to the
370 National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other
371 datum specified on the Flood Insurance Rate Map (FIRM).
372

373 **Base:** A layer of selected, processed, or treated aggregate material of specified thickness and
374 quality placed immediately below the pavement and above the subgrade to support the asphalt
375 or concrete surface, and may include asphalt stabilized aggregate laid in advance of future
376 paving.
377

378 **Basement:** For the purpose of part 3.03.00 “Flood Damage Control Regulations, Basement
379 means that portion of a Building having its floor subgrade (below ground level) on all sides.
380

381 **Beach:** The zone of unconsolidated material facing the Atlantic Ocean that extends landward
382 from the mean low water line to the place where there is a marked change in material or
383 physiographic form, or to the line of permanent vegetation (usually the effective limit of storm
384 waves), as is defined in Chapter 62B-33.002 (4), F.A.C. At the Matanzas Inlet in St. Johns
385 County, the beach shall not extend landward of the centerline of the Matanzas Inlet Bridge; and
386 at the St. Augustine Beach Inlet in St. Johns County, the beach shall not extend landward of the
387 extreme westward points of said inlet.
388

389 **Beach Dune:** See Significant Natural Communities Habitat.
390

391 **Beacon Light:** Any light with one or more beams, capable of being directed in any direction or
392 directions, or capable of being revolved automatically or manually.
393

394 **Bed and Breakfast:** A Building, often of historical significance, containing a number of lodging
395 units intended primarily for rental to provide overnight accommodations with board. No personal
396 care services shall be provided at this facility.
397

398 **Best Management Practices (As it applies to Wellhead Protection):** Practices that are
399 technologically and economically practicable and most beneficial in preventing or reducing
400 adverse impacts to the quality of groundwater in Wellhead Resource Protection Areas. This
401 includes acceptable methods for handling, use, transportation, and storage of a hazardous waste.
402 This includes identification of proper methods for handling, use, transportation and storage, safely
403 and accident prevention measures, data and records for hazardous wastes, and disposal in a
404 proper manner as required by law.
405

406 **Billboard:** Any Sign, over thirty-two (32) square feet in size that is used for Off-premise outdoor
407 advertising and display whether leased or not leased. ~~Each Billboard may also contain one or~~
408 ~~more Political Messages in lieu of or along with other Advertising Messages.~~
409

410 **Biochemical Oxygen Demand or “BOD”:** Means the quantity of oxygen utilized in the
411 biochemical oxidation of organic matter expressed in terms of milligrams per liter.
412

413 **Board:** Means the Board of County Commissioners of St. Johns County, Florida.

414
415 **Boarding or Rooming House:** An establishment with lodging for three (3) or more persons,
416 where meals are regularly prepared and served for compensation and where food is placed upon
417 the table family style, without service or ordering of individual portions from a menu. In addition,
418 Single Family Dwellings in which sleeping accommodations are offered to three (3) or more
419 unrelated persons for rentals of one week or more, and occupancy is generally by residents rather
420 than transients, shall be considered a Boarding or Rooming House. Boarding or Rooming Houses
421 shall be allowed in those zoning districts designated for Special Care Housing.

422
423 **Boat Dock, Boathouse, Boat Shelter, and structure (s) on docks:** Shall mean a structure
424 where Private Pleasure Craft are stored, or a structure that extends over water or land to allow
425 direct access to water and shall include boat houses, boat davits, viewing platforms or any other
426 structure built upon the dock.

427
428 **Boat Dock, Neighborhood:** Establishments intended to serve the immediate residential
429 community where boat slips or storage are limited for the use of the residences of the
430 Development, are no more than 30 slips and are not for rental or sale. Watercraft may not be
431 leased, rented or otherwise let for money or other valuable consideration or used for commercial
432 purposes. Prohibited activities include, but not limited to, watercraft cleaning services, watercraft
433 repair services, fueling and all retail activities. (Also see **Boat Dock, Single Family**).

434
435 **Boat Dock, Single Family:** A private Residential floating or fixed platform that serves without
436 charge only watercraft owned or leased by the Single Family residence owner or lessee of the
437 residence and used for pleasure purposes only. (Also see **Boat Dock, Neighborhood**).

438
439 **Bona Fide Agricultural Operations:** Bona fide agricultural operations activities normal and
440 necessary for good faith commercial Agricultural Use of the land. Such Agricultural Uses include
441 horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bee, aquaculture,
442 piscaculture and all forms of farm products and farm production. Bona fide agricultural activities
443 might include but are not limited to the following activities: transplanting, tilling; plowing; planting;
444 harvesting; contouring to prevent erosion; fencing; construction of internal roads, bridges or
445 culverts to facilitate these operations; construction or maintenance of irrigation and drainage
446 ditches; control structures or dikes; and construction, operation or maintenance of Agricultural
447 Use ponds. In determining whether the activity is normal and necessary for good faith commercial
448 Agricultural Use of the land.

449
450 **Borrow Area:** Borrow area is an area within a Parcel of land where the spoils from an excavation
451 are removed from that Parcel to be placed on another Parcel of land, or are sold, except for the
452 spoils from a swimming pool or Building site. Borrow area excavation includes the leveling,
453 scraping, or reducing of a hill or rise of land, as well as the digging of a pit, hole, depression or
454 valley.

455
456 **Bracket Sign:** Any single or double Faced Sign mounted on brackets, poles or beams projecting
457 at right angles from the front or side of any Building and supported solely by brackets, poles or
458 beams.

459
460 **Breakaway Wall:** Means a wall that is not part of the structural support of the Building and is
461 intended through its design and construction to collapse under specific lateral loading forces
462 without causing damage to the elevated portion of the Building or the supporting foundation
463 system.

464

465 **Bug Light:** Any light that is marketed as being specifically treated in such a way as to reduce
466 the attraction of insects to the light.

467
468 **Buildable Area:** That portion of a Parcel of property intended to be developed or site planned
469 as a single Lot, tract, or Building site, exclusive of any setbacks, easement, jurisdictional wetland
470 line or Yard areas required by any applicable Land Development Regulation; that is, all of the
471 area upon which a Building, or other structure governed by setback, easement or jurisdictional
472 wetland limitations, could be erected by right and without respect to any possible or desired
473 Variance, and without respect to other limiting factors such as maximum Lot coverage or minimum
474 open space requirements.

475
476 **Building:** Any Structure, either temporary or permanent having a roof impervious to weather and
477 used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind.
478 This definition shall include tents, awnings, cabanas, or vehicles situated on private property and
479 serving in any way the function of a Building but does not include screened enclosures not having
480 a roof impervious to weather.

481
482 **Building Footprint:** That land area that is, or is proposed to be, covered by a Building or
483 Structure.

484
485 **Building Frontage:** See Frontage, Building.

486
487 **Building, Principal:** See Principal Building.

488
489 **Building or Structure Sides:**

490
491 **Front of Building or Structure:** The front of a Building or Structure shall be that face of
492 a Building that is adjacent to a required Front Yard or faces the rear of a required Front
493 Yard.

494
495 **Side of Building or Structure:** The side of a Building or Structure shall be that face of
496 the Building that is adjacent to or faces a required Side Yard.

497
498 **Rear of Building or Structure:** The rear of a Building or Structure shall be that face of a
499 Building that is adjacent to or faces a required Rear Yard.

500
501 **Building Pad:** The horizontal limits of the area defined by the Building foundation and up to five
502 (5) feet outside of the Building foundation.

503
504 **Building Permit:** Means any Permit issued by the Building Official for vertical construction for
505 any Buildings for occupancy or use.

506
507 **Building Sewer:** Means the conduit or pipe which conveys Wastewater from the plumbing drain
508 system of a Building to a public Sewer or other place of disposal.

509
510 ~~**Building Sign:** Any Sign whose Copy provides the name or address of a Building itself, as~~
511 ~~opposed to the name of the occupants or services.~~

512
513 **Bulk Water Utility:** Any Person or business entity of any kind whatsoever, lessee, trustee, or
514 receiver owning, operating, managing, or controlling a System or proposing Construction of a
515 System to provide untreated or treated water to a Utility, bulk user or distributor of water for

516 compensation.

517
518 **Bus Terminal:** An area and Building where buses stop to load and unload passengers and
519 luggage or packages and the sale of bus tickets may occur. A bus terminal is not a bus stop.

520
521 ~~**Business Identification Sign:** Any Sign that identifies a business, including the name of a~~
522 ~~business, products and services offered or made, business logos and client information.~~

523
524 **Business Site:** See Lot.

525
526 **Business Site Frontage:** See Lot Frontage.

527
528 **Calendar Year:** January 1 through December 31.

529
530 **Caliper:** The trunk diameter of a nursery grown Tree measured six (6) inches from the ground
531 on Trees up to and including four (4) inches in Caliper, and twelve (12) inches above the ground
532 for larger Trees.

533
534 **Canal:** a manmade trench created by excavation, the bottom of which is normally covered by
535 water with the upper edges of its sides normally above water.

536
537 **Canopy Tree:** Any Tree that normally grows to an over-all height of at least thirty-five feet (35)
538 and develops an average mature crown spread greater than thirty feet (30) as referenced in ST
539 Fact Sheets, a series of the Environmental Horticulture Department, Florida Cooperative
540 Extension Service, Institute of Food and Agricultural Sciences, University of Florida, as amended,
541 and *Trees for Urban and Suburban Landscapes* by Edward F. Gilman, 1997.

542
543 **Canopy Sign:** Any Sign attached to or constructed in or on a Canopy or Marquee.

544
545 **Canopy:** See Awning.

546
547 **Capacity Commitment:** Means any agreement, commitment, and/or temporary Permit which
548 guarantees the availability of a specific number of ERCs of County Water and/or Wastewater
549 Treatment Capacity pursuant to an application for a designed Development.

550
551 **Capacity:** Means the maximum demand that can be accommodated by a public facility or service
552 without exceeding the Adopted Level of Service. For roadways, "capacity" means the maximum
553 number of vehicles that can be accommodated by a given roadway during a specified time period
554 under prevailing roadway, traffic and control conditions at that roadway's Adopted Level of
555 Service.

556
557 **Capital Improvement:** Shall have the same meaning as the same term in the Comprehensive
558 Plan.

559
560 **Carport:** An Accessory Structure or portion of a principal Structure, consisting of a roof and
561 supporting members such as columns or beams unenclosed from the ground to the roof on at
562 least two sides, and designed or used for the storage of motor driven vehicles owned and used
563 by the occupants of the Building to which it is accessory.

564
565 **Category 1 Criteria:** Means the minimum requirements for Wastewater, solid waste, drainage
566 and potable water facilities, consistent with policies of the Comprehensive Plan.

567
568 **Category 2 Criteria:** Means the minimum requirements for parks and open space acreage,
569 consistent with policies of the Comprehensive Plan.

570
571 **Category 3 Criteria:** Means the minimum requirements for roadways, roadway intersections and
572 mass transit facilities, consistent with policies of the Comprehensive Plan.
573
574 **Central Water or Wastewater System:** A water or Wastewater utility or system providing
575 community utility services.
576
577 **Certificate of Completion:** Means the official certification of satisfactory completion of a
578 Building, structure, electrical, gas, mechanical or plumbing system. The Certificate of Completion
579 is proof that a Structure or system is complete and for certain types of Permits is released for use
580 and may be connected to a utility system. The Certificate of Completion does not grant authority
581 to occupy or connect a Building, such as a shell Building, prior to the issuance of a Certificate of
582 Occupancy.
583
584 **Certificate of Concurrency, Informational:** Means a Concurrency Determination which
585 establishes that the Public Facilities and Services are available at the time of issuance of the
586 Informational Concurrency Determination but may not be available at the time of any subsequent
587 concurrency determination review.
588
589 **Certificate of Concurrency, Final:** Means a Concurrency Determination which establishes that
590 adequate Public Facilities and Services are available at the time the Final Certificate is issued
591 and will be available at all subsequent stages of the Development approval process up to the date
592 of expiration of the Final Certificate of Concurrency.
593
594 **Certificate of Occupancy:** (CO) means the official certification that a premise conforms to the
595 provisions of the St. Johns County Land Development Regulations, and Building Codes, and may
596 be used or occupied.
597
598 **Certified Arborist:** Means a Professional who maintains current credentials from the
599 International Society of Arboriculture.
600
601 **CFR:** Means the Code of Federal Regulations.
602
603 **Changeable Copy:** See Automatic Changeable Message Device or Manual Changeable Copy
604 Sign.
605
606 **Chemical Oxygen Demand or “COD”:** Means a measure of the oxygen equivalent of that
607 portion of the organic matter in a water sample that is susceptible to oxidation by a strong chemical
608 oxidant expressed in terms of milligrams per liter.
609
610 **Chlorine Requirement:** Means the amount of chlorine, in milligrams per liter (mg/l), which must
611 be added to Wastewater to produce a specified residual chlorine content, or to meet some other
612 governmental regulatory standard.
613
614 **Child Care Center:** Any establishment that provides, on a regular basis, supervision and care
615 for more than five (5) children unrelated to the operator for a period of less than twenty-four (24)
616 hours a day and which receives payment, fee or grant for any of the children receiving care,
617 wherever operated, and whether or not operated for profit, except that the following are not
618 included: public school and non-public schools which are in compliance with the compulsory
619 school attendance law, Chapter 232, F.S.; summer camps having children in full-time residence;
620 summer day camps; and Bible schools normally conducted during vacation periods. The term
621 includes kindergartens, nurseries, nursery schools, day care centers and day nurseries.

622
623 **Church/Synagogue:** Tax exempt Buildings used for non-profit purposes by a recognized and
624 legally established sect for purpose of worship, including educational buildings when operated by
625 such church/synagogue.
626
627 **Circus:** The temporary Use of land offering entertainment such as thrill rides, games of chance
628 and skill, educational exhibits, display of oddities and the like. The term also includes carnivals
629 and fairs.
630
631 **Citizens Band Radio (CB):** A radio service defined in Part 95 of the FCC rules.
632
633 **City:** Shall mean the City of St. Augustine, Florida.
634
635 **Clean Water Act:** Means the United States Clean Water Act also known as the Federal Water
636 Pollution Control Act, as amended, 33 United States Code 1251 et. seq.
637
638 **Clear Zone:** Area clear of obstructions as referenced in FDOT Manual of Standards.
639
640 **Clearance Guide Sheet:** Means the appropriate pre-Construction Permit data sheet
641 incorporating departmental approvals prior to issuance of a Building Permit.
642
643 **Clerk of the Board:** The Clerk of the Circuit Court serving as the clerk and accountant of the
644 Board.
645
646 **Clerk:** Means the Clerk of the Circuit Court of St. Johns County, Florida, or designee.
647
648 **Club, Night:** A restaurant or dining room serving alcoholic beverages wherein paid floor shows
649 or other forms of paid entertainment are provided for customers as a part of the commercial
650 enterprise.
651
652 **Club, Private:** An association or organization of a fraternal or social character, not operated or
653 maintained for profit. The term private club shall not include casinos, nightclubs, bottle clubs, or
654 other establishments operated or maintained for profit.
655
656 **Coastal Area:** The unincorporated area of St. Johns County lying easterly of the mean high
657 water line of the west shoreline of the Intracoastal Waterway.
658
659 **Coastal Construction Control Line (CCCL):** The line established by the State of Florida
660 pursuant to section 161.053, F.S., and recorded in the official records of the community, which
661 defines that portion of the beach-dune system subject to severe fluctuations based on a 100-year
662 storm surge, storm waves or other predictable weather conditions.
663
664 **Coastal Grassland:** See Significant Natural Communities Habitat.
665
666 **Coastal High Hazard Area:** A special flood hazard area extending from offshore to the inland
667 limit of a primary frontal dune along an open coast and any other area subject to high velocity
668 wave action from storms or seismic sources. Coastal high hazard areas are also referred to as
669 "high hazard areas subject to high velocity wave action" or "V Zones" and are designated on Flood
670 Insurance Rate Maps (FIRM) as Zone V1-V30, VE or V. [Note: The FBC, B defines and uses the
671 term "flood hazard areas subject to high velocity wave action" and the FBC, R uses the term
672 "coast high hazard areas."]

673
674 **Coastal Strand:** See Significant Natural Communities Habitat.
675
676 **Code Enforcement Official or Code Enforcement Officer:** The Code Enforcement Official of
677 St. Johns County, Florida or such other person or office designated by the County Administrator
678 of St. Johns County.
679
680 **Collapse Zone:** The area on the ground within a designed prescribed radius from the base of an
681 Antenna Tower within which, in a catastrophic failure, the tower is designed to fall or collapse, as
682 certified by a licensed engineer.
683
684 **Collocation:** When more than one provider uses an Antenna Tower to attach Antennas or; use
685 of a Structure whose primary purpose is other than to support Antennas, such as a utility pole.
686
687 **Combined Notice:** A notice of any public hearing before the Board of County Commissioners
688 which is combined with a notice of public hearing before any other committee, agency or advisory
689 Board to the Board of County Commissioners.
690
691 **Commercial Message:** Sign Copy that directly or indirectly names, advertises, or calls attention
692 to a product, service, commodity, sale, sales event, activity, entertainment, real or personal
693 property, or other commercial activity.
694
695 **Community Center:** A Building in which members of a community gather for social, educational,
696 or cultural activities.
697
698 **Compensatory storage.** The excavation within a free-flowing, riverine (non-tidal) flood hazard
699 area of hydraulically equivalent volume as proposed fill for the purpose of balancing the effect of
700 proposed fill on the floodplain, provided the excavated area is not below the normal water line of
701 a pond or other body of water and it drains freely to the watercourse.
702
703 **Complete Application:** See Application, Complete.
704
705 **Completely Enclosed Building:** A Building separated on all sides from adjacent open space,
706 or from other Buildings or other Structures, by a permanent roof and by exterior walls or party
707 walls which are pierced only by windows and normal entrance or exit doors.
708
709 **Comprehensive Design Plan:** An architectural plan depicting complete Building, structural and
710 electrical requirements, which integrates any Sign or part thereof.
711
712 **Comprehensive Plan:** Means the St. Johns County Comprehensive Plan adopted by the St.
713 Johns County Board of County Commissioners, as may be amended from time to time.
714
715 **Concurrency Exemption Determination:** Means a decision by the County Administrator, or the
716 Board of County Commissioners by which a Parcel is granted a Determination of Concurrency
717 Exemption and is therefore exempt from the requirements of Part 11.00.00 through Part 11.07.00
718 of this Code.
719
720 **Concurrency Review Committee:** Means a committee as designated by the County
721 Administrator.
722
723 **Concurrency Review Process:** The procedures, review time frames, and Appeals process

724 defined by this Code.
725
726 **Concurrency Requirements:** Means the provisions of the Comprehensive Plan requiring that
727 public facilities for traffic, mass transit, Wastewater, potable water, recreation/open space, solid
728 waste, and drainage are available at the Adopted Levels of Service concurrent with the impact of
729 Development.
730
731 **Confusing Sign:** See Hazardous Sign.
732
733 **Connected System:** Means a publicly-owned or privately-owned Wastewater collection system
734 that connects to and discharges into the a Wastewater System for purposes of treatment and
735 disposal.
736
737 **Connection, Vehicle Access:** Driveways, streets, turnouts or other means of providing for the
738 right of access to or from Public or Private Roadways.
739
740 **Connection, Utility:** Means the installation of a utility service connection to water or Wastewater
741 infrastructure of a central utility system owned by any Utility Provider.
742
743 **Conservation:** To minimize or limit the impact of Development to the resource sought to be
744 conserved. Conservation of the resource shall not require that the resource remain completely
745 undisturbed.
746
747 **Constrained Facility:** A roadway segment on the Major Road Network that cannot feasibly be
748 widened by at least two (2) through lanes due to physical, environmental, or policy reasons.
749
750 **Construction Bond:** An obligation to complete Construction improvements as depicted on the
751 approved Development Permit by a money forfeit.
752
753 **Construction Plans:** Means those properly detailed and dimensioned construction drawings,
754 plans, specifications and calculations prepared by an Engineer or other Registered Professional,
755 as defined herein and as prepared in accordance with County and other applicable regulations,
756 codes and standards, submitted to the County for approval of a Development Plan or Final
757 Subdivision Plat, which sets forth the specific improvements to be made in conjunction with
758 Development as they affect the existing site, its boundary conditions, topography, drainage,
759 access, and associated road and other Rights-of-Way and Easements.
760
761 **Construction Sign:** Any Sign located on Premises upon which Construction is commencing or
762 has commenced pursuant to a valid Construction Permit, ~~the Copy of which is limited to the~~
763 ~~identification of the contractor, the sub-contractors, the Owners, the project name and financing~~
764 ~~information.~~
765
766 **Construction:** Any activity which results in the modification of surface features, including but not
767 limited to grading, land clearing, or the placement or alteration of Buildings, Structures or utilities,
768 unless specifically exempted by this or any other applicable St. Johns County Ordinance. Hand
769 clearing as necessary for land surveying shall not constitute Construction.
770
771 **Contiguous Wetland:** A Wetland that has a direct hydrologic connection to waters of the state.
772
773 **Contribution-In-Aid-Of-Construction:** Any amount or item of money, services, or property
774 received by a Utility, from any Person or Governmental Authority, any portion of which is provided
775 at no cost to the Utility which represents a donation or contribution to the capital of the Utility, and
776 which is used to offset the acquisition, improvement or Construction costs of the Utility property,

777 facilities, or equipment used to provide Utility services.

778
779 **Control Zone:** Airspace extending upward from the surface of the earth which may include one
780 or more Airports and is normally a circular area of five (5) statute miles in radius, with extensions
781 where necessary to include instrument approach and departure paths.

782
783 **Convenience Store:** Any retail establishment offering for sale prepackaged food products,
784 delicatessen, household items, and other convenience goods commonly associated with the
785 same. Convenience stores may include the retail sale of motor fuel where permitted.

786
787 **Cooking Facilities:** Kitchen equipment which includes any method for enclosed cooking,
788 including an oven or microwave or toaster oven for enclosed cooking and flat heated surfaces
789 designed for open cooking, including a hotplate. For the purpose of determining a Dwelling Unit,
790 any combination that includes both enclosed cooking and open cooking would constitute a
791 separate independent living unit.

792
793 **Copy:** Any permanent or temporary text, graphics, ~~and/or~~ logo or other representation or image
794 depicted on a Sign Face.

795
796 **Corporate Undertaking:** The unqualified guarantee of a Utility to pay a refund and any interest
797 connected therewith which may be ordered by the Board of County Commissioners at such time
798 as the obligation becomes fixed and final.

799
800 **Correctional Facility:** A facility for the housing of persons convicted of or being held for a crime.

801
802 **Correctional Facility, Major:** A prison facility regulated by the Florida Department of Corrections
803 designed for maximum security to house persons convicted of a crime.

804
805 **Community Facility:** A facility designed to house persons convicted of a crime, or for the custody
806 of persons arrested for a crime and awaiting adjudication. Such facilities shall include community
807 correctional centers, probation and restitution center, vocational training centers and forestry
808 camps (all as defined by the State of Florida Department of Corrections), or local government jails
809 or detention centers.

810
811 **County:** The unincorporated areas of St. Johns County, Florida.

812
813 **County Administrator:** Means the Office of the County Administrator of St. Johns County,
814 Florida, or the County Administrator's designee.

815
816 **County Attorney:** Means the Office of the County Attorney of St. Johns County.

817
818 **County GIS:** Geographic Information System maintained by GIS Addressing.

819
820 ~~**Courtesy Message:** Messages or Copy welcoming groups, persons, etc. to St. Johns County~~
821 ~~and surrounding areas, providing thoughtful words and positive remarks and similar Copy.~~
822 ~~Courtesy Messages shall not include any form of advertising or related Advertising Messages.~~

823
824 **Covered Patio:** A solid roofed Structure attached to the primary Structure which does not contain
825 conditioned space, and which all sides not formed by the walls of the primary Structure are at
826 least fifty percent opened or composed of screening or vinyl panel windows.

827
828 **Coverage of a Lot by Buildings:** That percentage of Lot area that is or may be covered or

829 occupied by Buildings.

830

831 **Critical Transportation Link:** Any location where the existing or projected peak hour traffic
832 volume (existing traffic plus vested development traffic plus reserved Development traffic plus
833 project traffic) equals or exceeds ninety percent (90%) of the maximum service volume of the
834 adopted Level of Service standard, or other calculated segment capacity as approved by the
835 County.

836

837 **Cultural Resource:** Any prehistoric or historic site, Building, object, district or other real or
838 personal property of historical, architectural, or archaeological value. These properties or
839 resources may include, but are not limited to, monuments, memorials, Indian habitations,
840 ceremonial sites, abandoned settlements, engineering works, architectural interiors, artifacts, or
841 other objects with intrinsic historical or archaeological value, or any part thereof, relating to the
842 history, government, and culture of the County. A Cultural Resource may also be determined to
843 be a Significant Cultural Resource as provided in Article III.

844

845 **Cultural Resources Inventory:** Shall mean the list of known or potential Cultural Resources
846 within unincorporated St. Johns County which shall be mapped and periodically updated and shall
847 note those resources designated as Significant Cultural Resources, Landmarks or Landmark
848 Districts, and National Register properties or districts.

849

850 **Cultural Resource Management Plan:** A plan prepared to address preservation and
851 management of a Cultural Resource or group thereof, which is approved by the County in
852 accordance with Article III of this Code.

853

854 **Cultural Resource Review Board:** Shall mean the advisory board of unincorporated St. Johns
855 County, which shall advise the Board of County Commissioners in the establishment of policy,
856 priorities and procedures for the protection of Cultural Resources and conduct other functions
857 assigned by the Board of County Commissioners with respect to Cultural Resources.

858

859 **Cumulative Beach Illumination:** Artificial Light source that, as a group illuminate any portion of
860 the surface of the beach.

861

862 **Day Nurseries and Kindergartens:** Any service which during all or part of the day regularly
863 gives care to six (6) or more children, not of common parentage, who are under six (6) years of
864 age, whether or not it has a stated educational purpose, and whether the service is known as a
865 day care service, day nursery, day care agency, nursery school, kindergarten, play school,
866 progressive school, or by any other name. The total number of children receiving care shall be
867 counted including children or foster children of the owner or persons in charge, in determining the
868 applicability of this definition.

869

870 **Days:** Shall mean consecutive calendar days.

871

872 **Decibel (db):** A unit for describing the amplitude of sound, equal to twenty (20) times the
873 logarithm to the base ten (10) of the ration of the pressure of the sound measured to the reference
874 pressure, which is twenty (20) micronewtons per square meter.

875

876 **Decision Height:** The height at which a decision must be made, during an ILS instrument
877 approach, to either continue the approach or to execute a missed approach.

878

879 **Declaration of Land Restriction (Nonconversion Agreement).** A form provided by the

880 Floodplain Administrator to be signed by the owner and recorded on the property deed in Official
881 Records of the Clerk of Courts, for the owner to agree not to convert or modify in any manner that
882 is inconsistent with the terms of the building permit and these regulations, enclosures below
883 elevated Dwellings

884
885 Decoration: Any decoration visible from a public area that does not include lettering or text and
886 is not displayed for commercial advertising.

887
888 **Deficient Transportation Link:** Any location where the existing or projected peak hour traffic
889 volume (existing traffic plus vested Development traffic plus reserved Development traffic plus
890 project traffic) exceeds one hundred percent (100%) of the maximum service volume of the
891 adopted Level of Service standard, or other calculated segment capacity as approved by the
892 County.

893
894 **De Minimis Activity Facility** means a facility operated by an organization exempt from federal
895 taxation under Section 501(c) of the Internal Revenue Code and with five (5) or fewer electronic
896 or mechanical devices that are used to conduct a drawing by chance, sweepstakes or game
897 promotion utilizing those electronic or mechanical devices.

898
899 **Demonstration of Compliance or “DOC”:** Means data, reports, drawings, or other information
900 provided in suitable format to demonstrate that compliance with a 90-day or other governmental
901 regulatory compliance schedule has been achieved.

902
903 **Density:** Means the number of Dwelling Units per acre with respect to residential land Uses as
904 determined by the calculation methodology in the St. Johns County Comprehensive Plan as
905 amended.

906
907 **Design Flood:** The flood associated with the greater of the following two areas:

- 908 (1) Area with a floodplain subject to a 1-percent or greater chance
909 of flooding in any year; or
910 (2) Area designated as a flood hazard area on the community's
911 flood hazard map, or otherwise legally designated.

912
913 **Design Flood Elevation:** The elevation of the “design flood,” including wave height, relative to
914 the datum specified on the community’s legally designated flood hazard map. In areas designated
915 as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the
916 building’s perimeter plus the water surface depth number (in feet) specified on the flood hazard
917 map plus 1 foot of freeboard. In areas designated as Zone AO where the depth number is not
918 specified on the map, the depth number of the water surface shall be taken as being equal to 2
919 feet. The design elevation shall include an additional 1 foot of freeboard equaling 3 feet total.

920
921 **Detached Sign:** See Ground Sign.

922
923 **Detention:** A process for collecting, temporarily storing, and releasing through a controlled outlet
924 a defined amount of stormwater runoff generated from a runoff contributing area to downstream
925 and lower lying area for the purpose of providing for Flood protection through attenuation of
926 discharge rate and Flood volumes as well as detention of state regulated water quality discharges.
927 Also, the collection and temporary storage of storm water in such a manner as to provide for
928 treatment through physical, chemical, or biological processes with subsequent gradual release
929 of the stormwater.

977 by Sections 163.3220 and 163.3243, F.S., as may be amended from time to time.

978

979 **Development Area:** Means those areas depicted on the Future Land Use Map of the St. Johns
980 County Comprehensive Plan which depict the overall growth areas for the County during the
981 Comprehensive Plan's planning horizon time period.

982

983 **Development Order:** Means any Order granting, denying, or granting with conditions, an
984 application for a Development Permit.

985

986 **Development Permit:** Means any Building Permit, subdivision approval, rezoning, Special Use,
987 Variance, or any other official action of the County having the effect of permitting the Development
988 of land.

989

990 **Development Permit, Final (As it applies to Article XI of this Code):** Means County approval
991 which authorizes physical Construction for a Project which has a specific plan of Development in
992 terms of the density, intensity, use and timing of the project. A Final Development Permit is
993 approval of: engineered Construction Plans, a Final Subdivision Plat; approval of a Special Use
994 when the approval authorizes commencement of Construction; or a Building Permit for Projects
995 not requiring platting or engineered Construction Plan approval.

996

997 **Development Permit, No Impact (As it applies to Article XI of this Code):** Means a
998 Development Permit authorizing Development or other activities that do not create a demand for
999 public facilities and services. "No Impact Development Permits" include, but are not limited to: a
1000 textual amendment to the Land Use Element of the County Comprehensive Plan; conceptual or
1001 sketch plan approval; a Tree Removal Permit; Land Clearing Permit; Sign permit or any Building
1002 Permit issued solely for the erection, modification or relocation of a Sign; any Site Plan approval
1003 issued solely for the purpose of authorizing the landscaping of a paved surface area; or any
1004 Variance or Special Use approved solely for the purpose of allowing Tree removal; land clearing;
1005 the erection, modification, or relocation of a Sign; or the landscaping of a paved surface; or
1006 accessory Buildings or Structure which do not create additional impacts.

1007

1008 **Development Permit, Preliminary (As it applies to Article XI of this Code):** Means approval
1009 which does not authorize actual Construction, alterations to land or Structures or other
1010 Development. A Preliminary Development Permit may authorize a change in the allowable Use
1011 of land or a Building, and may include conceptual approvals where a series of approvals are
1012 required before authorization to commence land alteration or Construction may be given. A
1013 Preliminary Development Permit shall include, but not be limited to: an amendment to the Future
1014 Land Use Map or Land Use Element of the County Comprehensive Plan which affects land Use
1015 or Development standards; submission of preliminary sketch plans; a subdivision master plan;
1016 preliminary subdivision plan; preliminary Development Plan; Zoning Variance or Special Use
1017 when approval does not authorize commencement of Construction; a written determination of
1018 consistency with the Comprehensive Plan.

1019

1020 **Development Review Process:** The review and permitting process enacted by St. Johns County
1021 for the purpose of assessing the impacts of new Development or alterations to existing
1022 Development and ensuring that the Development has met applicable Federal, State and local
1023 regulations and permitting requirements.

1024

1025 **Diameter at Breast Height (DBH):** The standard diameter measure of a single-trunked Tree at
1026 four and one-half (4.5) feet above grade. When a Tree is Multi-Trunked, DBH shall be equal to
1027 the aggregate diameters of the individual trunks measured at four and one-half (4.5) feet above

1028 grade. Where the individual stems are less than eight (8) inches in diameter, the largest three (3)
1029 trunks will be used.

1030
1031
1032 **Direct Beach Illumination:** Illumination of the beach, or any portion thereof, by Artificial Light or
1033 reflectors, in which the light source or reflector is visible from the surface of the beach.

1034
1035 **Directional Sign:** Any Sign which solely serves to designate the location of or provides direction
1036 to any place or area.

1037
1038 **Directly Accessed Segment:** The first road segment on the Major Road Network on which traffic
1039 from the Project's site is expected to travel. If a Development has more than one (1) access point,
1040 it may be possible for two (2) or more Directly Accessed Segments to exist.

1041
1042 ~~**Directory Sign:** Any Sign located on a Business Site that lists the names, Use and location of~~
1043 ~~more than one (1) business located on the Site.~~

1044
1045 **Discharge:** Means to dispose, deposit, place, emit, unload, release, or cause or allow to be
1046 disposed, deposited, placed, emitted, unloaded, released or otherwise introduce pollutants into
1047 Wastewater facilities including the collection and transmission system, the treatment plant and
1048 the reuse or disposal system, also known as the St. Johns County Wastewater System or SJCWS.

1049
1050 **Diverted Linked Project Trips:** Project trips attracted from the traffic volume on roadways within
1051 the vicinity of the Project but that require a diversion from that roadway to the project's Directly
1052 Accessed Segment(s) to gain access to the Project. Diverted Linked Project Trips add traffic to
1053 the Project's Directly Accessed Segment(s), but may not add traffic to the roadways in the vicinity
1054 of the Project on which they were originally traveling.

1055
1056 **Division of Real Property:** As used in the definition of subdivision shall include division by sale
1057 or transfer of land, it shall include division by survey and it shall include division by use of a
1058 drawing, map or plat.

1059
1060 **Documented Onsite:** The providing of a creditable occurrence record for a species at a location
1061 within a Development Project's boundaries, based upon the provision of such evidence from the
1062 developer, local, regional, state or federal agencies, or other reliable sources, including, but not
1063 limited to, scientific publications and surveys.

1064
1065 **Domestic Waste:** Means any viscous liquid, or gaseous material derived principally from the use
1066 of sanitary conveniences of residences (including apartments and hotels), office buildings,
1067 industrial plants, institutions, or commercial establishments.

1068
1069 ~~**Door Sign:** See Window Sign.~~

1070
1071 **Double-faced Sign:** A Sign with two (2) Faces that are usually but not necessarily parallel.

1072
1073 **Drainage/Utility Easement:** A nonpossessing interest held by one person in land of another
1074 whereby the first person is accorded partial use of such land for a specific purpose. An Easement
1075 restricts but does not abridge the rights of the fee owner to the use and enjoyment of his land.

1076
1077 **Drinking Establishment:** An establishment where alcoholic beverages are obtained within or
1078 thereon and where such beverages are consumed on the premises. If the facility also sells food,

1079 and the sale of food products represents more than fifty percent (50%) of the facility's total sales,
1080 the facility shall be considered an Eating Establishment.

1081
1082 **Drip Line:** The area directly under the canopy of a Tree enclosed in an curvilinear line projected
1083 to the ground, the Drip Line, equal to the crown spread of a Tree.

1084
1085 **Drive-in Facility:** Any portion of a Building or Structure from which business is transacted, or is
1086 capable of being transacted, directly with customers located in a motor vehicle during such
1087 business transactions.

1088
1089 **Drive-In Restaurant or Refreshment Stand:** Any place or premises where provision is made
1090 on the premises for the selling, dispensing, or serving of food, refreshments, or beverages in
1091 automobiles on the premises or in other than a completely enclosed Building on the premises. A
1092 restaurant which provides drive-in facilities of any kind in connection with regular restaurant
1093 activities shall be deemed a drive-in restaurant. A barbecue stand or pit having the characteristics
1094 noted in this definition shall be deemed a drive-in restaurant.

1095
1096 **Dry Detention System:** A normally dry stormwater storage area which meets the herein defined
1097 function of "Detention". Dry detention systems are similar in function to retention systems;
1098 however, due to soil and hydrological conditions full recovery of the facility within the regulatory
1099 time period cannot be accomplished through ground infiltration alone and additional measures
1100 must be implemented through secondary controlled outlets or bleed-down devices to assure these
1101 type systems will function as designed. The secondary outlet also provides for gradual release
1102 of a defined flood protection volume if applicable.

1103
1104 **Dry Land Excavation:** A land excavation that does not extend below the water table.

1105
1106 **Dry Storage of Pleasure Watercraft:** A commercial facility for removing from the water,
1107 watercraft used for recreation and pleasure purposes and storing such craft on land or above land
1108 or water on boat lifts.

1109
1110 **Dune:** A mound or ridge of loose sediments, usually sand-sized sediments, lying landward of the
1111 beach and deposited by any natural or artificial mechanism.

1112
1113 **Durable Surface:** The surface course of a pavement constructed of concrete or bituminous
1114 material.

1115
1116 **Dwelling:** Any Building, or part thereof, occupied in whole or in part, as the residence or living
1117 quarters of one (1) or more persons, permanently or temporarily, continuously, or transiently, with
1118 Cooking Facilities.

1119
1120 **Dwelling, Accessory:** A Dwelling Unit which is clearly incidental to the primary Use of a Lot and
1121 contains no Cooking Facilities.

1122
1123 **Dwelling Unit:** A room or rooms connected together, constituting a separate, independent
1124 housekeeping establishment for a family, for owner occupancy or rental or lease on a weekly,
1125 monthly, or longer basis, and physically separated from any other rooms or Dwelling Units which
1126 may be in the same Structure, and containing sleeping facilities and Cooking Facilities.

1127
1128 **Dwelling, Multiple Family or Multi-Family:** For purposes of determining whether a Lot is in
1129 multiple dwelling Use, the following considerations shall apply:

- 1130
 1131 A. Multiple dwelling Uses shall include those in which individual Dwelling Units are
 1132 intended to be rented and maintained under central ownership and management;
 1133 those which are under collective ownership and management including
 1134 cooperative apartments, condominiums, and the like; rowhouses or townhouses in
 1135 individual ownership; and all other forms of multiple dwellings, regardless of
 1136 ownership, management taxation or other considerations, where such form does
 1137 not meet the requirements of this Code for a Single Family Dwelling.
 1138
 1139 B. Where an undivided Lot contains more than one (1) Building and the Buildings are
 1140 not so located that the Lots and Yards conforming to requirements for Single
 1141 Family Dwellings in the district could be provided, the Lot shall be considered to
 1142 be in multiple dwelling Use if there is more than one (1) Dwelling Unit on the Lot,
 1143 even though the individual Buildings may each contain only one (1) Dwelling Unit.
 1144
 1145 C. Guest Houses and household employee's quarters shall not be considered as
 1146 Dwelling Units in the computation of (B) above.
 1147
 1148 D. Any multiple dwelling in which Dwelling Units are available for periods of less than
 1149 one (1) week shall be considered a tourist home, a motel, or hotel as the case may
 1150 be.
 1151

1152 **Dwelling, One Family or Single Family:** A Building containing only one (1) Dwelling Unit. The
 1153 term is not to be construed as including mobile homes, travel trailers, housing mounted on self
 1154 propelled or drawn vehicles, tents, houseboats, or other forms of temporary or portable housing.
 1155 For the purpose of this Code, rowhouses, townhouses, condominiums, cooperative apartments
 1156 or any other form of Dwelling Units which are not in individual detached Buildings meeting all the
 1157 requirements of a Single Family Dwelling shall not be construed to be Single Family Dwellings.
 1158

1159 **Dwelling, Two Family:** A duplex or other attached Dwelling Unit providing two (2) Dwellings.
 1160

1161 **Easement:** A nonpossessing interest held by one (1) person in land of another whereby the first
 1162 person is accorded partial use of such land for a specific purpose. An Easement restricts but
 1163 does not abridge the rights of the fee owner to the use and enjoyment of his land.
 1164

1165 **Easement, Drainage/Utility:** See Drainage/Utility Easement.
 1166

1167 **Eating Establishment:** An establishment whose principal business is the sale of food, frozen
 1168 desserts or beverages to the customer in a ready to consume state.
 1169

1170 **Eaves:** The lowest horizontal line of a sloping roof.
 1171

1172 **Egress Sign:** A Sign at the exit from a parcel necessary to provide directions for vehicular traffic
 1173 and provide a warning for pedestrian and/or vehicular traffic safety. See also Directional Sign.
 1174

1175 **Electrical Sign:** Any Sign containing electrical wiring which is attached or intended to be attached
 1176 to an electrical source.
 1177

1178 **Electronic Equipment:** Any electronic or mechanical device provided by or on behalf of the
 1179 operator of an Electronic Game Promotion that is used or adapted for use to conduct and/or reveal
 1180 the results of a drawing by chance conducted in connection with the sale of a consumer product

1181 or service, sweepstakes or game promotions that display results by simulating a game or games
1182 ordinarily played on a slot machine.

1183
1184 **Electronic Game Promotion:** A sweepstakes or other game promotion which utilizes Electronic
1185 Equipment and a drawing by chance conducted in connection with the sale of a consumer product
1186 or service which utilizes Electronic Equipment.

1187
1188 **Elevated Building:** Means a non-basement Building built to have the lowest floor elevated above
1189 the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and
1190 piers), shear walls, or breakaway walls.

1191
1192 **Embellishment:** Any letters, figures, characters, or other representations in cut-outs, irregular
1193 forms, or similar designs which contain a portion of the Advertising Message and is attached or
1194 superimposed upon the Sign and extends beyond the Sign's border.

1195
1196 **Emergency Work:** Any work performed for the purpose of preventing or alleviating physical
1197 trauma or property damage threatened or caused by an existing or imminent peril.

1198
1199 **Encroachment:** An advancement beyond proper or legal limits. Some forms of encroachment
1200 may include, but are not limited to the following:

1201 a) The protrusion of a structure or building into a required setback, landscaped area
1202 or easement.

1203 b) The protrusion of a vehicle into a vehicular accessway, pedestrian way, or
1204 landscaped area.

1205 c) The placement of fill, excavation, buildings, permanent structures or other
1206 development into a flood hazard area which may impede or alter the flow capacity
1207 of riverine flood hazard areas.

1208
1209 **Endangered or Threatened Species:** See Threatened or Endangered Species.

1210
1211 **Enforcement Actions:** Means those actions taken by St. Johns County in response to violations
1212 of this Code.

1213
1214 **Enforcing Official:** The individual designated by the County Administrator of St. Johns County
1215 who shall be responsible for the administration of the provisions of this Code. The duties of the
1216 Enforcement Official may also be performed by the St. Johns County employees who work under
1217 the Enforcement Official's direction and supervision.

1218
1219 **Engineer:** A Professional Engineer registered in Florida, or other person exempted pursuant to
1220 the provisions of chapter 471, Florida Statutes, who is competent in the field of civil engineering.

1221
1222 **Environmental Protection Agency or "EPA":** Means the United States Environmental
1223 Protection Agency or where appropriate the term may also be used as a designation for the
1224 Administrator or other duly authorized official of said agency.

1225
1226 **Environmentally Sensitive Areas:** When used in this Code shall mean lands, waters or areas
1227 within the County which meet any of the following criteria:

1228
1229 A. Are Wetlands determined to be jurisdictional, and which are regulated by the FDEP

- 1230 and the SJRWMD;
- 1231
- 1232 B. Are Estuaries, or estuarine systems;
- 1233
- 1234 C. Are Outstanding Florida Waters & Natural Water Bodies;
- 1235
- 1236 D. Are areas designated pursuant to the Federal Coastal Barrier Resource Act (PL
- 1237 97-348), and those beach and dune areas seaward of the Coastal Construction
- 1238 Control Line;
- 1239
- 1240 E. Are areas designated as Conservation or Preservation;
- 1241
- 1242 F. Are Essential Habitat to Listed Species as determined by approved methodologies
- 1243 of the Florida Fish and Wildlife Conservation Commission, the Department of
- 1244 Agriculture and Consumer Services, and the U.S. Fish & Wildlife Service;
- 1245
- 1246 G. Are areas which, because of their unique ecological or environmental nature, or
- 1247 their diversity of significant potential for conservation and preservation due to
- 1248 ownership patterns, Development status, or other factors, are designated as
- 1249 Environmentally Sensitive Areas by action of the Board of County Commissioners.

1250

1251 **ERC:** Means Equivalent Residential Connection, consisting of three hundred-fifty (350) gallons

1252 per day of water or Wastewater capacity.

1253

1254 **Erect:** To build, construct, reconstruct, alter, convert, move, attach, hang, place, suspend, or

1255 affix a Sign. Erect shall not include the changing of moveable copy.

1256

1257 **Erected:** The word erected includes built, constructed, reconstructed, moved upon, or any

1258 physical operation on the premises required for building: Excavations, fill, drainage, demolition of

1259 an existing Structure, and the like.

1260

1261 **Essential Habitat:** Habitat which if lost would result in elimination of Endangered or Threatened

1262 Species or Species of Special Concern from the area in question. Essential Habitat typically

1263 provides functions for the Endangered or Threatened Species during restricted portions of that

1264 species' life cycle. Habitat includes the place or type of site where a species naturally or normally

1265 nests, feeds, resides, or migrates, including for example, characteristic topography, soils, and

1266 vegetative cover.

1267

1268 **Estuary:** A semi-enclosed, naturally existing coastal body of water which has a free connection

1269 with the open sea and within which seawater is measurably diluted with fresh water derived from

1270 riverine systems.

1271

1272 **Evaluating Departments:** Means the departments assigned to review the effect of the issuance

1273 of Development Orders on various public facilities and services, as described in this Code.

1274

1275 **Excavating:** Lowering the elevation of land to create a basin below natural land surface by

1276 digging or dredging with mechanical equipment.

1277

1278 **Excessive Amounts:** Means volumes or concentrations of materials which would create a

1279 physical hazard to a Wastewater System.

1280

1281 **Exempt Sign:** Any Sign exempted from Sign Permit requirements as described in this Code.
1282

1283 **Exempt Trees:** Means species listed by the Florida Exotic Pest Plant Council, Florida
1284 Administrative Code section 5B-57.007 "State Noxious Weed List," and all pine species. Exempt
1285 Trees may not be used for Tree inch value.
1286

1287 **Existing Construction:** For the purpose of part 3.03.00 "Flood Damage Control Regulations",
1288 any Building or Structure for which the "start of Construction" commenced before July 6th, 1973
1289 the effective date of the first Floodplain Management Ordinance
1290

1291 **Existing Manufactured Home Park or Subdivision:** Means a manufactured home park or
1292 subdivision for which the construction of facilities for servicing the Lots on which the manufactured
1293 homes are to be affixed (including at a minimum the installation of utilities, the construction of
1294 streets, and either final site grading or the pouring of concrete pads) is completed before July 6th,
1295 1973 the effective date of the first Floodplain Management Ordinance, or standard based upon
1296 specific technical base Flood elevation data which established the Area of Special Flood Hazard.
1297

1298 **Existing Source:** Means any source of discharge, the Construction or operation of which
1299 commenced prior to the publication by EPA of proposed categorical pretreatment standards,
1300 which will be applicable to such source if the standard is thereafter promulgated in accordance
1301 with Section 307 of the Clean Water Act.
1302

1303 **Expansion to an Existing Manufactured Home Park or Subdivision:** Means the preparation
1304 of additional sites by the Construction of facilities for servicing the Lots on which the manufactured
1305 homes are to be affixed (including the installation of utilities, the Construction of streets, and either
1306 final site grading or the pouring of concrete pads).
1307

1308 **Extended Stay Lodging Facility:** A Building or group of Buildings containing self-sufficient
1309 lodging units designed for rental or lease by the day or week. Common areas associated with the
1310 facility such as recreation facilities, business meeting rooms, lobby/registration areas and parking
1311 areas, are to be utilized by guests only. A common eating area for residents only may be
1312 provided. No additional services such as restaurants and convention facilities shall be provided.
1313 No retail establishments or personal services shall be permitted.
1314

1315 **External Trip Factor:** The inverse (calculated as $[1 - (\text{internal capture} / \text{gross trip ends generated by the Project land Uses})]$) of the Internal Capture Factor which is multiplied by the Gross Project
1316 Trip Ends to calculate the Net Project Trip Ends. The External Trip Factor is applied to mixed-
1317 Use Projects.
1318
1319

1320 **Face:** The part of the Sign, including trim and background, which contains the Message or
1321 informative contents.
1322

1323 **Facing:** All portions of the Sign Face and Automatic Changeable Faces displayed at the same
1324 location and facing the same direction.
1325

1326 **Family Amusement Arcade:** A business which, in addition to a food and beverage business for
1327 which it possesses state and local licenses and permits, also operates an integrated arcade
1328 business that complies with section 849.161(1)(a)l., Florida Statutes, catering primarily to families
1329 and minors.
1330

1331 **Family Day Care Home:** Means an occupied residence in which child care is regularly provided

1332 for children from at least two (2) unrelated families and which receives a payment, fee, or grant
1333 for any of the children receiving care, whether or not operated for profit. A family day care home
1334 shall be allowed to provide care for one of the following groups of children, which includes those
1335 children under thirteen (13) years of age who are related to the care giver:

- 1336
- 1337 A. A maximum of four children birth (0) to twelve (12) months of age.
- 1338
- 1339 B. A maximum of three (3) children from birth (0) to twelve (12) months of age, and
1340 other children, for a maximum total of six (6) children.
- 1341
- 1342 C. A maximum of six (6) preschool children if all are older than twelve (12) months of
1343 age.
- 1344
- 1345 D. A maximum of ten (10) children if no more than five (5) are preschool age and of
1346 those five (5), no more than two (2) are under twelve (12) months of age.
- 1347

1348 **Family Unit:** Shall include the land owner's spouse, lineal ascendants, lineal descendants,
1349 brothers and sisters and the descendants of deceased brothers and sisters.

1350

1351 **Family:** One (1) or more persons related by blood, marriage, adoption, legal guardianship, or
1352 similar formal care giving relationship recognized by Florida law, allowing for an additional group
1353 not to exceed three (3) unrelated persons; but further provided that domestic servants employed
1354 on the premises may be housed on the premises without being counted as a separate or
1355 additional family or families. The term family shall not be construed to mean a fraternity, sorority,
1356 club, monastery, or convent, or institutional group.

1357

1358 **Farm Animal:** Animal commonly associated with farm use including but not limited to domestic
1359 hoofed mammals and domestic fowl.

1360

1361 **Farm Worker Housing:** Living accommodations for farm workers or for families in which the
1362 head of household is a farm worker, including residential migrant housing and migrant labor
1363 camps as defined in Chapter 10D-25, F.A.C.

1364

1365 **Fascia Sign:** Any Sign attached to or Erected against a wall of a Building, with the parallel plane
1366 to the Building wall. Fascia Sign includes Wall Signs and Signs located on the fascia of a roof or
1367 canopy, or affixed to a roof plane.

1368

1369 **Feather Sign:** Any sign extending in a sleeve-like fashion down a telescoping or fixed pole that
1370 is mounted in the ground or on a building or stand. A Feather Sign is usually shaped like a sail or
1371 feather, and attached to the pole support on one vertical side.

1372

1373 **Federal Aviation Administration (FAA):** the federal agency charged with regulating civilian
1374 aviation and safety standards.

1375

1376 **Federal Communications Commission (FCC):** the federal agency charged with licensing and
1377 regulating wireless communications at the national level.

1378

1379 **Federal Emergency Management Agency (FEMA).** The federal agency that, in addition to
1380 carrying out other functions, administers the National Flood Insurance Program.

1381

1382 **Fence Sign:** Any Sign placed on or attached to an enclosing or dividing barrier. Fence Signs
1383 include Wall Signs.

1384
1385 **Fiber Optics:** A system of thin transparent fibers of glass or plastic that are enclosed by material
1386 of a lower index of refraction and that transmit light throughout their length by internal reflections.
1387

1388 **Filling Station:** See Service Station.
1389

1390 **Final Decision:** Means the final decision of the Board of County Commissioners on an
1391 application for Appeal.
1392

1393 **Final Inspection:** The last required inspection upon which a Certificate of Occupancy is issued.
1394

1395 **Fire Protection Break:** A natural or constructed barrier of limited fuels used to provide a control
1396 line from which to work during an active or future prescribed fire or wildfire.
1397

1398 **Fish Camp:** Places designed for passive and active recreational activities that directly involve
1399 water related and boating activities. Fish Camps normally have direct access to water and may
1400 have boat docks, boat launching facilities, and individual boat slips for transient use. Fish Camps
1401 may also include supporting facilities, such as refueling, restaurants, bait and tackle shops and
1402 retail sales of similar boating needs and specialty items, and may also include the sale of beer
1403 and wine for on or off premise consumption. Fish Camps shall not include boat repair facilities
1404 and boat storage (wet or dry) exceeding one week in length.
1405

1406 **Five Year Schedule of Capital Improvements (or Schedule):** Shall have the same meaning
1407 as the same term in the St. Johns County Comprehensive Plan, as amended from time to time.
1408

1409 **Flag:** A Sign consisting of a piece of cloth, fabric, or other non-rigid material. ~~or similar material~~
1410 ~~having a distinctive size, color, and design used as a symbol, standard, signal and other similar~~
1411 ~~items of recognition and may include Political Messages and/or insignias of governmental,~~
1412 ~~religious, charitable, fraternal or other organizations.~~ Any Flag and pole or attachment that
1413 frequently holds a Flag shall be deemed a permanent Flag.
1414

1415 **Flashing Sign:** Any Sign which utilizes an externally-mounted or internally designed intermittent
1416 flashing, in which the message changes more than once every two (2) hours, or electronic light
1417 source and devices which result in changing light intensity (including on-off-on), brightness or
1418 color or which is constructed and operated so as to create an appearance of illusion of motion or
1419 creates movement by any means. Flashing Signs include Running Lights and scrolling digital
1420 text. (also see **Automatic Changeable Message Devise**).
1421

1422 **Flea Market:** An open air market offering hand-crafted merchandise, second hand merchandise,
1423 produce, farm products, and similar items for sale in other than a completely enclosed Building.
1424

1425 **Flood damage-resistant materials:** Any construction material capable of withstanding direct and
1426 prolonged contact with floodwaters without sustaining any damage that requires more than
1427 cosmetic repair. [Also defined in FBC-B, Section 1612.2 and FBC-R Section R322.1.8.]
1428

1429 **Flood Hazard Area:** The greater of the following two areas:

- 1430 1) The area within a floodplain subject to a 1-percent or greater chance of
1431 flooding in any year.
- 1432 2) The area designated as a flood hazard area on the community's flood
1433 hazard map, or otherwise legally designated.
1434

1435 **Flood Hazard Boundary Map (FHBM):** Means an official map of a community, issued by the

1436 Federal Emergency Management Agency, where the boundaries of the Areas of Special Flood
1437 Hazard have been defined as only Approximate Zone A.
1438

1439 **Flood Insurance Rate Map (FIRM):** Means an official map of a community, issued by the Federal
1440 Emergency Management Agency, which delineated both the Areas of Special Flood Hazard and
1441 the risk premium zones applicable to the community.
1442

1443 **Flood Insurance Study (FIS):** Means the official hydrology and hydraulics report provided by
1444 FEMA. The study contains an examination, evaluation, and determination of flood hazards, and,
1445 if appropriate, corresponding water surface elevations, or an examination, evaluation, and
1446 determination of mudslide (i.e., mudflow) and other flood-related erosion hazards. The study may
1447 also contain flood profiles, as well as the FIRM, FHBM (where applicable), and other related data
1448 and information.
1449

1450 **Floodplain Administrator:** The office or position designated and charged with the administration
1451 and enforcement of this ordinance (May be referred to as the Floodplain Manager).
1452

1453 **Floodplain Development Permit or Approval:** An official document or certificate issued by the
1454 community, or other evidence of approval or concurrence, which authorizes performance of
1455 specific development activities that are located in flood hazard areas and that are determined to
1456 be compliant with this ordinance.
1457

1458
1459 **Flood Prone:** Areas shown on FEMA FIRM Maps as A or V zones.
1460

1461 **Floodproofing:** means any combination of structural and non-structural additions, changes, or
1462 adjustments to structures, which reduce or eliminate flood damage to real estate or improved real
1463 property, water and sanitary facilities, structures and their contents.
1464

1465 **Flood or Flooding:** Means a general and temporary condition of partial or complete inundation
1466 of normally dry land areas from:

- 1467 A. The overflow of inland or tidal waters.
1468
1469 B. The unusual and rapid accumulation or runoff of surface waters from any source.
1470
1471

1472 **Floodway:** The channel of a river or other riverine watercourse and the adjacent land areas that
1473 must be reserved in order to discharge the base flood without cumulatively increasing the water
1474 surface elevation more than one (1) foot.
1475

1476 **Floodway encroachment analysis:** An engineering analysis of the impact that a proposed
1477 encroachment into a floodway is expected to have on the floodway boundaries and base flood
1478 elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using
1479 standard engineering methods and models.
1480

1481
1482 **Floor Area:** Except as may be otherwise specifically indicated in relation to particular districts
1483 and Uses, floor area shall be construed as the sum of the gross horizontal areas of the several
1484 floors of a building measured from the exterior faces of the exterior walls or from the centerline of
1485 walls separating two (2) Buildings, excluding attic areas with a headroom of less than seven (7)
1486 feet, unenclosed stairs or fire escapes, elevator structures, cooling towers, areas devoted to air

1487 conditioning, ventilating or heating or other Building machinery and equipment, parking
1488 Structures, and basement space where the ceiling is not more than an average of forty-eight (48)
1489 inches above the general finished and graded level of the adjacent portion of the Lot.

1490
1491 **Floor:** Means the top surface of an enclosed area in a Building (including basement), i.e., top of
1492 slab in concrete slab Construction or top of wood flooring in wood frame construction. The term
1493 does not include the floor of a garage used solely for parking vehicles.

1494
1495 **Floor, Lowest:** The lowest floor of the lowest enclosed area of a building or structure, including
1496 basement, but excluding any unfinished or flood-resistant enclosure, other than a basement,
1497 usable solely for vehicle parking, building access or limited storage provided that such enclosure
1498 is not built so as to render the structure in violation of the non-elevation requirements of the *Florida*
1499 *Building Code* or ASCE 24.

1500
1501 **Florida Building Code.** The family of codes adopted by the Florida Building Commission,
1502 including: *Florida Building Code, Building*; *Florida Building Code, Residential*; *Florida Building*
1503 *Code, Existing Building*; *Florida Building Code, Mechanical*; *Florida Building Code, Plumbing*;
1504 *Florida Building Code, Fuel Gas*.

1505
1506 ~~**Footcandle (fc):** a measure of light falling on a surface. A footcandle is equal to the lumens of~~
1507 ~~light incident on an area divided by the total area (i.e., lumens per square foot).~~

1508
1509 **Florida Friendly:** See Xeriscape

1510
1511 **Floridan Aquifer:** The potable water zone located in the Ocala and Avon Park geological
1512 formations generally associated with the Eocene Age, which are overlain by the Hawthorne
1513 Formation of Miocene Age which varies in thickness and depth.

1514
1515 **Fluorescent:** The property of some materials to glow or to appear to glow when excited by a
1516 stimulus, such as light or an electron beam.

1517
1518 **Flutter Sign:** See Feather Sign.

1519
1520 **Food Waste:** Means any superfluous solid material produced either from the domestic or
1521 commercial preparation, cooking, consumption, or dispensing of food, or from the handling,
1522 storage, or sale of produce.

1523
1524 ~~**Footcandle (fc):** a measure of light falling on a surface. A footcandle is equal to the lumens of~~
1525 ~~light incident on an area divided by the total area (i.e., lumens per square foot).~~

1526
1527 **Force Main:** Means a conduit (pipe) that transports Wastewater under pressure.

1528
1529 **Foundation:** Structural support for exterior walls of a Building, as described in the St. Johns
1530 County Building Code.

1531
1532 **Fragmentation:** The division of a large piece of habitat into a number of smaller, isolated patches
1533 or the physical separation of like habitat by more intensive land uses.

1534
1535 **Franchise Certificate:** A privilege granted by the Board of County Commissioners authorizing a
1536 Utility to provide service in a specific Territory pursuant to this Code, and rules and regulations
1537 promulgated pursuant to this Code.

1538
1539 **Franchised Wastewater Utility:** Means a Wastewater utility providing Wastewater service to a

1540 designated service area under a Certificate of Authority issued by the St. Johns County Water
1541 and Sewer Authority or the Florida Public Service Commission.

1542
1543 **Franchised Water Utility:** Means a community Water System providing water service to a
1544 designated service area under a Certificate of Authority issued by the St. Johns County Water
1545 and Sewer Authority or the Florida Public Service Commission.

1546
1547 **Free-Standing Sign:** Any Sign not structurally secured to the ground or to any other Structure,
1548 such as, an “A Frame” Sign.

1549
1550 **Freeway:** See Roadway Classifications.

1551
1552 **Frontage:** Linear distance measured along all abutting street Rights-of-Way.

1553
1554 **Frontage (As it applies to Article VII of this Code):** For purposes of Sign placement under
1555 Article VII, frontage shall mean the length of the property line of any one premise, for which a Sign
1556 is permitted, parallel to and along each Right-of-Way it borders.

1557
1558 **Frontage, Building:** The longest linear length of a Building (one (1) side only) facing any one
1559 of the following (1) the Right-of-Way, or (2) adjacent public or private travel lanes which house
1560 the main customer entrance to the business.

1561
1562 **Frontage of a Lot:** See Lot Frontage.

1563
1564 **Functionally dependent use.** A use which cannot perform its intended purpose unless it is
1565 located or carried out in close proximity to water, including only docking facilities, port facilities
1566 that are necessary for the loading and unloading of cargo or passengers, and ship building and
1567 ship repair facilities; the term does not include long-term storage or related manufacturing
1568 facilities.

1569
1570 **Garage, Parking:** A Building or portion thereof designed or used for temporary parking of motor
1571 vehicles, and within which gasoline and oils may be sold only to parking patrons of the garage.

1572
1573 **Garage, Private:** An Accessory Structure designed or used for inside parking of private
1574 passenger vehicles by the occupants of the main building. A private garage attached to or a part
1575 of the main Structure is to be considered part of the main building. An unattached private garage
1576 is to be considered as an accessory Building.

1577
1578 **Garage, Repair:** A Building or portion thereof, other than a private storage, or parking garage or
1579 service station, designed or used for repairing, equipping, or servicing of motor vehicles. Such
1580 garages may also be used for hiring, renting, storing, or selling of motor vehicles.

1581
1582 **Garage, Storage:** A Building or portion thereof designed and used exclusively for the storage of
1583 motor vehicles, and within which temporary parking may also be permitted.

1584
1585 **General Store:** A retail establishment engaged in the selling of groceries and convenience goods
1586 to the residents of a predominantly rural or agricultural area.

1587
1588 **Generalized Planning Maximum Service Volumes:** The generalized daily, peak hour or peak
1589 hour/peak directional service volumes as defined in the Florida Department of Transportation
1590 publication entitled Level of Service Handbook, as updated from time to time, and/or as
1591 supplemented by St. Johns County.

1592
1593 **GIS Addressing:** The St. Johns County Board of County Commissioners GIS Division.
1594
1595 **Government or Non-Profit Use:** Shall mean that the occupant or user of at least sixty-five
1596 percent (65%) of the Usable Space of a site is an agency of the Federal, State or local
1597 government, or a non-profit corporation certified by the Department of State under Section
1598 617.0128, F.S.
1599
1600 **Governmental Authority:** A political subdivision as defined in Section 1.01, F.S., authorized to
1601 provide water or Wastewater service.
1602
1603 **Governmental Body:** Shall mean any agency of the County, State, or Federal Government.
1604
1605 **Grab Sample:** Means a sample which is taken from a waste stream without regard to the flow in
1606 the waste stream and over a period of time not to exceed fifteen (15) minutes.
1607
1608 **Gross Project Trip Ends:** The sum of the proposed Project trips as calculated by applying the
1609 appropriate trip end estimation method as indicated in the St. Johns County P.M. Peak Hour Trip
1610 Rate and Percent New Trips Data Table or the most recent edition of the Institute of
1611 Transportation Engineers *Trip Generation Informational Report* for each Project land Use. In the
1612 case of an existing land Use on the Parcel to be replaced or modified by the proposed Project,
1613 the Project trip ends for the proposed Project are subtracted from the existing land Use(s) trip
1614 ends to determine the Gross Project Trip Ends.
1615
1616 **Gross vehicle weight rating (GVWR):** The value specified by the manufacturer as the
1617 recommended maximum loaded weight of a single motor vehicle. In cases where trailers and
1618 tractors are separable, the gross combination weight rating (GCWR), which is the value specified
1619 by the manufacturer as the recommended maximum loaded weight of the combination vehicle,
1620 shall be used.
1621
1622 **Ground Cover:** Low growing plants planted in such a manner as to form a continuous cover over
1623 the ground.
1624
1625 **Ground Level:** The grade at the crown of road perpendicular to the location of a Sign.
1626
1627 **Ground Level Barrier:** Any vegetation, natural feature or artificial Structure rising from the
1628 ground which prevents Artificial Lighting from shining directly onto the beach/dune system.
1629
1630 **Ground Sign:** Any Sign which is incorporated into or supported by Structures or supports in or
1631 upon the ground and independent of support from any Building. Includes Pole Sign.
1632
1633 **Grubbing:** The removal or destruction of any living rooted vegetation; the denuding of a Parcel
1634 by digging, raking, or dragging, or bulldozing activities which disturb the roots of such vegetation
1635 or the soil in which such roots are located in a manner which is calculated to result, or likely to
1636 result, in the death, destruction or removal of such vegetation.
1637
1638 **Guest House, Guest Quarters, or Cottage:** A unit in a Building separate from and Accessory
1639 in Use and size to the main residential Building on a Lot, intended and used only for intermittent
1640 or temporary occupancy by a non-paying guest or family member. A Guest House may contain
1641 limited kitchen facilities such as microwave oven, bar sink, less than 10 cubic foot
1642 refrigerator/freezer, provided the unit is not occupied by the same tenant in excess of thirty (30)

1643 days within the same calendar year, and the unit shall not be rented. A Guest House shall not be
1644 considered a separate Dwelling Unit provided such conditions are met. A Guest House shall also
1645 meet the same required yards as the principal Building or Structure.

1646
1647 **Ham/CB/TV Antenna:** Non-commercial amateur radio or citizens band antennas, or antennas
1648 that are designed to receive television broadcast signals.

1649
1650 **Hatchling(s):** Any species of Marine Turtle, within or outside of a nest, that has recently hatched
1651 from an egg.

1652
1653 **Hazardous Sign:** Any Sign displaying ~~an Advertising Message~~Copy that in any way simulates
1654 emergency vehicles, traffic control Signs, or devices, or directional, informational and warning
1655 Signs that are Erected or Maintained by the State of Florida, St. Johns County, railroad, public
1656 entity or similar agency involved with the protection of the public health, safety and welfare.

1657
1658 **Height of a Building:** The vertical distance from the lowest point of the established grade
1659 surrounding the perimeter of the Building to the highest point of the roof or parapet.

1660
1661 **Height of Sign:** ~~The vertical distance measured from the adjacent street grade or upper surface~~
1662 ~~of the nearest street curb or shoulder at the crown of the road at the location of the Sign, other~~
1663 ~~than an elevated roadway, which allows the greatest height to the highest point of the Sign.~~ The
1664 Height of a Sign shall be measured from the vertical distance from the crown of the road, other
1665 than an elevated roadway, immediately adjacent to the Structure or from the existing natural grade
1666 immediately adjacent to the Structure, whichever is higher.

1667
1668 **Heliport:** An area, either at ground level or elevated on a Structure, licensed or approved for the
1669 landing and take off of helicopters, and including auxiliary facilities such as a sparking, waiting room,
1670 fueling and maintenance equipment.

1671
1672 **Helistop:** A heliport, but without auxiliary facilities such as parking, waiting room, fueling and
1673 maintenance equipment.

1674
1675 **High Volume Irrigation:** An irrigation system that does not limit the delivery of water to the root
1676 zone and typically has a minimum flow rate per emitter of more than 30 gph or higher.

1677
1678 **Highest Adjacent Grade:** The highest natural elevation of the ground surface prior to
1679 construction next to the proposed walls or foundation of a structure.

1680
1681 ~~**Cultural Resource:** Any prehistoric or historic site, Building, object, district or other real or~~
1682 ~~personal property of historical, architectural, or archaeological value. These properties or~~
1683 ~~resources may include, but are not limited to, monuments, memorials, Indian habitations,~~
1684 ~~ceremonial sites, abandoned settlements, engineering works, architectural interiors, artifacts, or~~
1685 ~~other objects with intrinsic historical or archaeological value, or any part thereof, relating to the~~
1686 ~~history, government, and culture of the County. A Cultural Resource may also be determined to~~
1687 ~~be a Significant Cultural Resource as provided in Article III.~~

1688
1689 ~~**Cultural Resources Inventory:** Shall mean the list of known or potential Cultural Resources~~
1690 ~~within unincorporated St. Johns County which shall be mapped and periodically updated and shall~~
1691 ~~note those resources designated as Significant Cultural Resources, Landmarks or Landmark~~
1692 ~~Districts, and National Register properties or districts.~~

1693

694 ~~**Cultural Resource Management Plan**— A plan prepared to address preservation and~~
695 ~~management of a Cultural Resource or group thereof, which is approved by the County in~~
696 ~~accordance with Article III of this Code.~~

697 ~~**Cultural Resource Review Board:** Shall mean the advisory board of unincorporated St. Johns~~
698 ~~County, which shall advise the Board of County Commissioners in the establishment of policy,~~
699 ~~priorities and procedures for the protection of Cultural Resources and conduct other functions~~
700 ~~assigned by the Board of County Commissioners with respect to Cultural Resources.~~

701
702 **Historical Property:** Any place, Building, or district of historical, architectural or archaeological
703 significance or value which has been officially identified in the National Register of Historic Places,
704 or by the State of Florida Department of Historic Preservation, or by the County Administrator of
705 the Cultural Resource Review Board.

706
707 **Historic Structure:** ~~—~~Means any Structure that is determined eligible for the exception to the
708 flood hazard area requirements of the *Florida Building Code, Existing Building*, Chapter 11
709 Historic Buildings.

710
711 **Historic Tree:** A Tree which has been determined by the Board of County Commissioners of St.
712 Johns County to be of notable historic interest and value to St. Johns County because of its
713 provable involvement in a County historic event, or historic association with the community. The
714 Tree which has been designated as a Historic Tree by the Board of County Commissioners of St.
715 Johns County with such designation recorded in the Official Public Records of St. Johns County
716 following a public hearing with due notice provided in advance by certified mail mailed to the
717 owner of the land upon which such Tree is located.

718
719 ~~**Holiday Sign:** Any Sign used for emphasizing the celebration of a national, State, or locally~~
720 ~~recognized holiday.~~

721
722 **Holographic Display Sign:** An advertising display that creates a three-dimensional image
723 through projection, OLED (organic light emitting diode), or any similar technology.

724
725 **Home for the Aged:** A facility for the care of the aged with routine nursing or medical care
726 provided.

727
728 **Home Occupation:** A business, profession, occupation or trade conducted entirely within a
729 residential Building or a Structure accessory thereto and carried on by the family residing therein,
730 which use is clearly accessory, incidental and secondary to the use of the Building and property
731 for dwelling purposes and does not change the essential residential character or appearance of
732 such Building or property (see Section 2.03.07).

733
734 **Home Office:** A home occupation consisting of a private office of a practitioner of a recognized
735 profession, business or trade which is located entirely within the residential Structure and does
736 not involve in office contact with clients or the public and is clearly accessory, incidental and
737 secondary to the residential Use of the Building and property (See Section 2.02.04).

738
739 **Hospital:** A Building or group of Buildings having facilities for overnight care of one or more
740 human patients, providing services to in-patients and medical care to the sick and injured, and
741 which may include as related facilities such as laboratories, out-patient services, training facilities,
742 central service facilities, and staff facilities; provided however, that any related facility shall be
743 incidental and subordinate to principal hospital use and operation. Only those Buildings licensed
744 as a hospital under the laws of the State of Florida shall be included within this definition. A

1745 hospital is an institutional Use under this Code.

1746

1747 **Hotel, Motel, Motor Hotel, Motor Lodge, or Tourist Court:** A Building or a group of Buildings
1748 in which sleeping accommodations are offered to the public and intended primarily for rental to
1749 transients with daily charge, as distinguished from Multiple Family Dwellings and Boarding or
1750 Rooming Houses, where rentals are for periods of one week or more and occupancy is generally
1751 by residents rather than transients.

1752

1753 **Household Animal:** Animal which is customarily kept for personal use or enjoyment which are
1754 not exhibited to the public, nor raised for commercial purposes. A household animal shall include
1755 domestic dogs and cats, white mice, domestic rabbits and any other animals deemed by the
1756 County Administrator to be appropriate as domestic pets.

1757

1758 **Household Employees Quarters:** Dwelling Units for domestic employees employed on the
1759 premises. Such units may be in either a principal or an accessory Building, and if in an accessory
1760 Building may be used alternatively as a guest house, but no such living quarters shall be rented,
1761 leased, or otherwise be made available for compensation of any kind except in the form of housing
1762 for employees.

1763

1764 **Housing for the Elderly:** A facility in the nature of multiple family housing, with no provision for
1765 routine nursing or medical care.

1766

1767 ~~**Identification Sign:** Any Sign which is limited to the name, address, and number of a Building,
1768 institution or Person and to the activity carried on in the Building or institution or the occupancy
1769 thereof.~~

1770

1771 **Illuminated Sign:** Any Sign illuminated in any manner by an artificial light from an interior or
1772 exterior source.

1773

1774 **Illumination:** the areal density of the luminous flux incident at a point on a surface measured in
1775 footcandles.

1776

1777 **Impact(s) of the Development:** Means and refers to the point in time at which a Development
1778 is authorized to commence Construction pursuant to the issuance of a Building Permit or any
1779 other Development Permit authorizing the erection of a Structure intended for human habitation,
1780 occupancy or use.

1781

1782 **Impacted Segment:** Any segment on the Major Road Network on which peak hour traffic
1783 generated by a Development contributes one percent (1.0%) or more of the maximum service
1784 volume of the adopted Level of Service standard, up to a maximum of four (4) miles from the
1785 project boundaries or as extended by provisions of this Code.

1786

1787 **Impervious Surfaces:** Any Building, concrete, pools, wet retention/detention areas, pavement
1788 or compacted materials utilized for parking or roadways.

1789

1790 **Impervious Surface Area (ISA):** the sum of all Impervious Surfaces within a portion or portions
1791 of a proposed Development site or Project.

1792

1793 **Impervious Surface Ratio (ISR):** the ISR shall be calculated by dividing the total Impervious
1794 Surface Area, exclusive of the surface area of any wet retention/detention areas, by the total area
1795 of the proposed Development site or Project.

1796
1797 **Improvement:** Shall mean changes in the condition of real property brought about by the
1798 expenditure of labor or money for restoration, renovation or rehabilitation of such property.
1799 Improvements include new Construction, additions and Accessory Structures (i.e. a garage)
1800 necessary for efficient contemporary use.

1801
1802 **Indirectly Illuminated Sign:** Any Sign which reflects light from a source intentionally directed
1803 upon it by a means of flood lights, goose-neck reflectors, externally mounted florescent light
1804 fixtures and similar lighting devices.

1805
1806 **Indirect Beach Illumination:** Illumination of the beach, or any portion thereof, by artificial light
1807 or reflectors, in which the light source or reflector is not visible from the surface of the beach.

1808
1809 **Indirect Discharge or Discharge:** Means the introduction of pollutants into the POTW from any
1810 nondomestic source regulated under Section 307(b), (c), or (d) of the Clean Water Act.

1811
1812 **Individually Owned Package Treatment Plant:** Means a package treatment plant owned by
1813 private investors serving proprietary uses and having a limited and constrained geographic
1814 service area.

1815
1816 **Individually Owned Water Supply System:** Means a water supply system owned by private
1817 investors serving proprietary uses and having a limited and constrained geographic service area.

1818
1819 **Industrial User or "IU":** Means any user discharging non domestic waste into a central
1820 Wastewater System or a connected system from any non domestic source regulated under
1821 Section 307(b), (c) or (d) of the Clean Water Act.

1822
1823 **Industrial Waste Surcharge:** Means an additional service charge assessed against central
1824 Wastewater System industrial users whose Wastewater characteristics exceed established
1825 surcharge limits.

1826
1827 **Industrial Waste:** Means food waste, other waste, or any superfluous solid, liquid, or gaseous
1828 material resulting from manufacturing or commercial processes, or from natural resource
1829 development, recovery, or processing.

1830
1831 **Industrial Wastewater Discharge Permit or "IWD Permit":** means written authorization from
1832 the Director to discharge industrial Wastewater to a Wastewater System or a connected system
1833 and setting conditions and/or restrictions on such discharge.

1834
1835 **Ingress Sign:** A Sign at the entrance to a parcel necessary to provide directions for vehicular
1836 traffic and provide a warning for pedestrian and/or vehicular traffic safety.

1837
1838 **Instantaneous Maximum Allowable Discharge Limit:** Means the maximum concentration of a
1839 pollutant allowed to be discharged at any time, determined from the analysis of any discrete or
1840 composited sample collected, independent of the industrial flow rate and the duration of the
1841 sampling event.

1842
1843 **Institutional Lender:** A financial intermediary such as a State or federally chartered bank, a life
1844 insurance company or other similar entity subject to regulatory oversight for the protection of
1845 depositors, investors or policy holders.

1846

1847 ~~**Instantaneous Maximum Allowable Discharge Limit:** Means the maximum concentration of a~~
1848 ~~pollutant allowed to be discharged at any time, determined from the analysis of any discrete or~~
1849 ~~composited sample collected, independent of the industrial flow rate and the duration of the~~
1850 ~~sampling event.~~

1851
1852 **Instrument Runway:** A runway having an existing or planned instrument approach procedure
1853 utilizing air navigation facilities or area type navigation equipment.

1854
1855 **Intensity:** Means the number of square feet of Development per acre by land Use type for non
1856 residential land Uses.

1857
1858 **Interference:** Means a discharge which, alone or in conjunction with a discharge or discharges
1859 from other sources which cause an inhibition or disruption of the a Wastewater System, its
1860 treatment processes or operations, or its sludge processes, use, or disposal which is a cause of,
1861 or significantly contributes to, either a violation of any requirement of a Utility Provider's National
1862 Pollution Discharge Elimination System ("NPDES") Permit or to the prevention of sludge use or
1863 disposal by the a Wastewater System in accordance with any criteria, guidelines, or regulations
1864 developed pursuant to the Clean Water Act, Solid Waste Disposal Act, the Clean Air Act, as
1865 amended (42 U.S.C. 7401 et seq.), the Toxic Substances Control Act, as amended (15 U.S.C.
1866 2601 et seq.), or more stringent state criteria applicable to the method of disposal or use employed
1867 by the Wastewater System.

1868
1869 **Interior Area:** The entire Parcel of land to be developed exclusive of the front, rear and side
1870 perimeter set-backs as required by zoning and/or landscape areas.

1871
1872 **Interior Light Fixture:** Any light fixture or point source of light which is located within an enclosed
1873 Structure.

1874
1875 **Internal Capture:** Trips generated by a mixed Use Project which travel to another on-site land
1876 Use.

1877
1878 **Internal Capture Factor:** The percentage of the total trips generated by a mixed Use Project
1879 that travel from one (1) on-site land Use to another on-site land Use.

1880
1881 **International Golf Parkway Scenic Roadway:** That portion of International Golf Parkway
1882 (formerly known as Nine Mile Road) that passes through Twelve Mile Swamp.

1883
1884 **Interior Property Line:** Any property line, other than fronting on a Public or Private Roadway
1885 Right-of-Way or Access Easement.

1886
1887 **Irreparable or Irreversible Violation:** Shall be a violation of this Code which cannot be corrected
1888 within a reasonable time. The violation shall be considered irreparable or irreversible if restoration
1889 of the property to the original condition prior to the violation cannot be achieved within five (5)
1890 years for the unpermitted removal or disturbance of a Specimen or Historic Tree, Historic
1891 Resource or Landmark, Scenic Roadway Buffer, Upland Buffer, Significant Natural Communities
1892 Habitat, or other Environmentally Sensitive Area. The restoration and replacement requirements
1893 shall be determined by the County Administrator.

1894
1895 **Intersection Analysis:** A mathematical analysis of two intersecting roadways to determine its
1896 vehicular capacity and Level of Service.

1898 **Inventory of Trees:** Inventory of Protected Trees provided by a State of Florida licensed Land
1899 Surveyor and Mapper, Landscape Architect, Architect, Engineer or a Certified Arborist. The
1900 Inventory shall include the Tree size (Diameter at Breast Height, (DBH) and Tree type on a Site
1901 Plan prepared by a State of Florida licensed Engineer or Landscape Architect.

1902
1903 **Isolated Wetland:** A Wetland that is surrounded by uplands and without a natural connection to
1904 waters of the state.

1905
1906 **Joint Use Driveway:** A single connection that serves as a driveway to more than one (1)
1907 residential or non-residential property or Development, including those of different ownership.

1908
1909 **Junk Yard:** Place, Structure, or Lot where junk, waste, discarded, salvaged, or similar materials
1910 such as old metals, wood, slush, lumber, glass, paper, rags, cloth, bagging, cordage, barrels,
1911 containers, etc., are brought, bought, sold, exchanged, baled, packed, disassembled, stored, or
1912 handled, including used lumber and Building material yards, house-wrecking yards, heavy
1913 equipment wrecking yard, and yards or places for the storage, sale, or handling of salvaged house
1914 wrecking for structural steel materials. This definition shall not include automobile wrecking for
1915 storage yards, or pawnshops, and establishments for the sale, purchase, or storage of second
1916 hand cars, clothing, salvaged machinery, furniture, radios, stoves, refrigerators, or similar
1917 household goods and appliances, all of which shall be usable, nor shall it apply to the processing
1918 of used, discarded or salvaged materials incident to manufacturing activity. However,
1919 establishments for the sale, purchase or storage of second hand refrigerators, stoves, plumbing
1920 fixtures, and similar merchandise shall be considered a junk yard for the sole purpose of requiring
1921 that such establishments display their merchandise behind a visual barrier as required for junk
1922 yards in this Code.

1923
1924 **Kennel:** Any place or premises where four (4) or more dogs over four (4) months of age are kept
1925 for pay or for sale. This definition shall not apply to veterinarians operating under license from the
1926 State of Florida who board dogs.

1927
1928 **Kindergarten:** See Day Nurseries.

1929
1930 **Lake:** A body of standing water occupying a natural basin or man-made depression in the earth's
1931 surface.

1932
1933 **Lake Cleaning:** Land excavation to restore a lake, as defined in this Code, to its natural or
1934 artificially constructed depth; and/or its natural or artificially constructed shape by the removal of
1935 land excavation materials.

1936
1937 **Lake Creation:** The land excavation which will result in the creation or enlargement of a lake as
1938 defined.

1939
1940 **Land Alteration:** Land Alteration is any activity which removes vegetation or changes the
1941 topography of the land by Grubbing, Protected Tree removal, clearing, grading, filling, or
1942 excavating, except for activities undertaken to maintain existing grounds.

1943
1944 **Land Clearing:** See Land Alteration.

1945
1946 **Land Development Code (LDC), St. Johns County:** Means those regulations adopted by St.
1947 Johns County governing the Development of land within the unincorporated area of the County.

1948

1949 **Land Development Regulations:** Shall have the same meaning as the same term in
1950 Section 163.3164, F.S., as amended.

1951
1952 **Land Development Traffic Assessment:** A traffic impact study that is required for all major
1953 Developments generating thirty (30.0) or more average peak hour trips. The Land Development
1954 Traffic Assessment (LDTA) summarizes existing conditions in the Development's impact area;
1955 estimates the traffic that will be generated by the proposed Development; projects the future traffic
1956 conditions with the proposed Development traffic; and outlines roadway Improvements which are
1957 needed to maintain the adopted Level of Service standards on the Major Road Network.

1958
1959 **Land Excavation:** The excavation and offsite hauling of sand, peat, clay, stone, shell, and the
1960 like, disturbing one thousand (1000) square feet or more of land.

1961
1962 **Landmark:** A Cultural Resource or a group of Cultural Resources of archaeological, architectural
1963 or historic significance to St. Johns County which meets one or more of the criteria for designation
1964 and has been officially designated by the Board of County Commissioners through the approved
1965 process. A landmark may include an historical site which was the location of a significant historical
1966 event. References to Landmarks shall include any or all designated Landmarks, Landmark Sites,
1967 and Landmark Districts.

1968
1969 **Landmark Site:** The land on which a Landmark and its associated Structures, grounds, premises
1970 and settings are located. A Landmark Site shall only be designated in conjunction with the
1971 designation of a Landmark and shall be identified through its legal description. A Landmark Site
1972 may include part of one or more Parcels.

1973
1974 **Leachate:** Means a liquid waste as a result of chemical and biochemical reactions of the landfilled
1975 waste and the percolation of liquids through solid waste while it simultaneously extracts dissolved
1976 or suspended materials. The sources of the liquid include moisture contained in the landfilled
1977 solid waste, rainfall, and surface groundwater infiltration.

1978
1979 **Legal Positive Outfall:** An outfall to a Natural Water Body such as the ocean, a river or a creek,
1980 or State of Florida jurisdictional Wetlands contiguous to a Natural Water Body or to some other
1981 legally established drainage way which has the hydraulic capacity to accept and convey the
1982 proposed stormwater discharge. "Legally established drainage way" refers to a drainage way
1983 within a public Right-of-Way, a recorded or platted Easement, or an implied Easement or
1984 servitude under Florida law.

1985
1986 **Legally Documented Unrecorded Subdivision:** Shall mean a legally documented unrecorded
1987 residential division of property depicted by a drawing, plat or sketch that was in existence as of
1988 June 19, 1978, filed and documented in the public records of St. Johns County, and defined as
1989 an "Unrecorded Subdivision."

1990
1991 **Level 1 Development Review:** This review is intended to be for Projects considered minor in
1992 nature which can be handled at the counter level; do not require in-depth reviews, are subject to
1993 a minimum of inter-departmental involvement, and are not subject to State and/or federal
1994 permitting requirements.

1995
1996 **Level 2 Development Review:** This review category is an in-depth inter-departmental review for
1997 all private and public projects which are not subject to action or approval from the St. Johns
1998 County Planning & Zoning Agency or St. Johns County Board of County Commissioners.

1999
2000 **Level 3 Development Review:** This review category is an in-depth inter-departmental review for
2001 all private and public Projects which are subject to action or approval from the St. Johns County

2002 Planning & Zoning Agency or St. Johns County Board of County Commissioners.

2003

2004 **Level of Service:** Shall have the same meaning as the same term in Chapter 9J-5, Florida
2005 Administrative Code.

2006

2007 **Letter of Map Change (LOMC):** An official determination issued by FEMA that amends or revises
2008 an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

2009

A. Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

2010

2011

2012

2013

2014

B. Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

2015

2016

2017

C. Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

2018

2019

2020

2021

2022

D. Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

2023

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2025

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2027

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2029

2030

2031 **Licensed Sign Contractor:** Any Person certified by the State of Florida as a Sign Contractor
2032 and/or licensed by St. Johns County and registered with the State of Florida to build, Erect,
2033 Maintain or install Signs within St. Johns County, Florida.

2034

2035 **Life Care Center:** A facility which provides one or more levels of personal care services to
2036 residents but which provides an independent or semi-independent lifestyle to its residents and
2037 which is not licensed as an Adult Congregate Living Facility or Community Residential Home by
2038 the Florida Department of Children and Families. A life care treatment facility may be built in
2039 combination with a congregate living facility or a nursing convalescent and extended care facility.

2040

2041 **Light-duty truck.** As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds
2042 Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or
2043 less and which has a basic vehicle frontal area of 45 square feet or less, which is:

2044

A. Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or

2045

2046

2047

B. Designed primarily for transportation of persons and has a capacity of more than 12 persons; or

2048

2049

2050

2051
2052 C. Available with special features enabling off-street or off-highway operation and
2053 use.
2054
2055

2056 **Light Fixture:** A stationary artificial light source composed of lamp(s), reflectors(s), globe(s), and
2057 other elements necessary to produce and direct light.
2058

2059 **Link Improvement:** A change in the physical or operating characteristics of a portion of a
2060 roadway segment that results in increased capacity and/or improvements to the general quality,
2061 Level of Service and safety characteristics of the link.
2062

2063 **Link:** A portion of a roadway segment located on the Major Road Network defined by two
2064 consecutive intersecting roadways.
2065

2066 **Listed Species:** Species so listed as Threatened or Endangered Species and Species of Special
2067 Concern by the Florida Fish and Wildlife Conservation Commission, Florida Department of
2068 Agriculture and Consumer Services, and U.S. Fish & Wildlife Service.
2069

2070 **Liquor Store:** An establishment engaged in the retail sale of packaged alcoholic beverages for
2071 consumption off-premises.
2072

2073 **Loading Space, Off-Street:** Space logically and conveniently located for pickups or deliveries
2074 or for loading or unloading, scaled to deliver vehicles expected to be used, and accessible to such
2075 vehicles when required off-street parking spaces are filled.
2076

2077 **Location:** Any Lot, Premise, Building, Structure, wall or other places that a Sign is attached,
2078 Erected or otherwise placed or may be attached, Erected or otherwise placed.
2079

2080 **Lot:** Shall have the same meaning as the same term in Chapter 177, F.S.
2081

2082 **Lot Frontage:** The front of an interior Lot shall be construed to be the portion nearest the street.
2083 Where a thirty (30) feet Easement is used to access no more than two (2) Dwelling Units, the front
2084 shall be construed to be the portion nearest the street from which the Easement extends. For the
2085 purpose of determining Yard requirements on corner Lots and through Lots, all sides of a Lot
2086 adjacent to street shall be considered frontage, and Yards shall be provided as set out in this
2087 Code.
2088

2089 **Lot Frontage (As it applies to Article VII of this Code):** For purposes of Sign placement under
2090 Article VII, Lot Frontage shall be the linear frontage of an individual Lot or Lots or Business Site
2091 on the street or streets serving the business or businesses constructed or located thereon, as
2092 measured along a straight line extending between the two points where property corners intersect
2093 street Right-of-Way lines.
2094

2095 **Lot Measurement, Depth:** Depth of a Lot shall be considered to be the distance between the
2096 midpoints of straight lines connecting the foremost points of the Side Lot lines in front and
2097 rearmost points of the Side Lot lines in the rear.
2098

2099 **Lot Measurement, Width:** Width of a Lot shall be considered to be the distance between straight
2100 lines connecting Front and Rear Lot lines at each side of the Lot, measured across the rear of the
2101 required Front Yard, provided, however, that the width between Side Lot lines at their foremost

2102 points (where they intersect with the Street Line) shall not be less than eighty percent (80%) of
2103 the required Lot width except in the case of Lots on the turning curve of a road or the circle of a
2104 cul-de-sac, where the eighty percent (80%) requirements shall not apply. The minimum Lot
2105 widths of Lots on the turning curve of a road or the circle of a cul-de-sac shall be twenty-five (25)
2106 feet at the Street Line.

2107

2108 **Lot of Record:** Means:

2109

2110 A. A Lot which is part of a subdivision which has been recorded in the Office of the
2111 Clerk of the Circuit Court of the County, or

2112

2113 B. A Lot, Parcel or tract described by metes and bounds, the description of which has
2114 been so recorded in the Office of the Clerk of the Circuit Court of St. Johns County
2115 consistent with the Land Development Regulations in effect at that time, or

2116

2117 C. A Lot, Parcel or tract described by metes and bounds, the division of which
2118 complies with the Land Development Regulations in effect on the date of
2119 conveyance creating the division as evidenced by reasonably reliable
2120 documentation substantiating such conveyance.

2121

2122 **Low Impact/Stealth Tower:** A tapered monopole that is equipped with visually low impact
2123 antenna mounts of wireless communication service providers. Examples include, but are not
2124 limited to, low-profile mounts, closed-mounts, cobra-mounts and side-arm antennas.

2125

2126 **Low Profile Light Fixture:** Any light fixture, set on a base, where the point source of light is no
2127 higher than forty-eight (48) inches off the ground, and is designed in such a way that light is
2128 directed downward from a hooded light source.

2129

2130 **Low Volume Irrigation:** An irrigation system designed to eliminate overspray and runoff by
2131 limiting the delivery of water to within the root zone and measured thirty (30) gallons per hour or
2132 less per emitter. Examples include drip, micro, trickle and soaker systems.

2133

2134 **Maintain:** To cause or allow any Sign, Sign Structure, or any part of either, to continue in
2135 existence; or to replace, repair or refurbish less than one-sixth of the Sign Structure annually.

2136

2137 **Maintenance Bond:** An obligation for timely maintenance as a guarantee against faulty
2138 workmanship, construction and materials by a money forfeit.

2139

2140 **Major Intersection:** The location at which two (2) roadway segments located on the Major Road
2141 Network cross or intersect each other.

2142

2143 **Major Road Network Map:** A map illustrating all existing and planned roadway segments within
2144 St. Johns County that comprise the roadway network to be used when evaluating the traffic
2145 impacts of proposed Development.

2146

2147 **Major Road Network:** A listing of all existing and planned roadway segments within St. Johns
2148 County that comprise the roadway network to be used when evaluating the traffic impacts of
2149 proposed Development.

2150

2151 **Management Plan:** A plan prepared to address conservation and management of
2152 Environmentally Sensitive Areas, which is approved by the County in accordance with Article IV

2153 of this Code. The Management Plan describes and depicts the location of areas to be conserved
2154 or preserved, including any protective buffers. The Management Plan indicates the location of
2155 Significant Natural Communities Habitat, Listed Species, and Essential Habitat. The plan
2156 identifies habitat management activities and contains an action plan with specific implementation
2157 activities, schedules, and assignments of responsibilities.

2158

2159 **Manual Changeable Copy Sign:** Any Sign on which copy is changed manually.

2160

2161 **Manufactured/Modular Building:** Means a closed Structure, Building assembly, or system of
2162 subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other
2163 service systems manufactured in manufacturing facilities for installation or erection, with or
2164 without other specified components, as a finished Building or as part of a finished Building, which
2165 shall include, but not be limited to, residential, commercial, institutional, storage, and industrial
2166 structures. This definition does not apply to Manufactured/Mobile Homes. Manufactured/Modular
2167 Building may also mean, at the option of the manufacturer, any Building of open Construction
2168 made or assembled in manufacturing facilities away from the Building site for installation, or
2169 assembly and installation, on the Building site.

2170

2171 **Manufactured Home:** A structure, transportable in one or more sections, which is eight (8) feet
2172 or more in width and greater than four hundred (400) square feet, and which is built on a
2173 permanent, integral chassis and is designed for use with or without a permanent foundation
2174 when attached to the required utilities and constructed to the standards promulgated by the
2175 United States Department of Housing and Urban Development. The term "manufactured home"
2176 does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

2177

2178 **Manufactured Home Park:** Means a development as described in Chapter 723, F.S.

2179

2180 **Manufactured Home Subdivision:** A manufactured home subdivision is a Parcel of land set
2181 aside where Lots are sold or leased to manufactured home owners for the purpose of placing
2182 manufactured homes thereon for living and sleeping purpose, including any land, Building,
2183 Structure or facilities used by occupants of manufactured homes on such premises.

2184

2185 **Manufactured/Mobile Home:** A residential Dwelling Unit constructed to standards promulgated
2186 by the United States Department of Housing and Urban Development.

2187

2188

2189 **Manufacturing, Agricultural:** This Use involves establishments primarily engaged in the
2190 grading, sorting, packing, refining and processing of raw agricultural Projects. The processed
2191 material is typically grown, cultivated or produced onsite and is an integral part of the agricultural
2192 enterprise.

2193

2194 **Marine Turtle(s):** Any specimen belonging to the species *Caretta caretta* (loggerhead turtle),
2195 *Chelonia mydas* (green turtle), *Dermochelys coriacea* (leatherback turtle), *Eretmochelys*
2196 *imbricata* (hawksbill turtle), or any other Marine Turtle using St. Johns County Beaches as a
2197 nesting habitat.

2198

2199 **Marina, Community:** Establishments intended to serve the immediate surrounding community
2200 for the docking of vessels for pleasure purposes only. Activities include boat slip rental, boat
2201 storage and incidental food or fishing supply sales. Activities are limited to sub-regional intensity
2202 including limiting hours of operation, limiting the number of wet slips and dry berths combined to
2203 no more than 75 boats and prohibiting Commercial watercraft activities such as Charter Fishing

2204 or Sightseeing. Prohibited activities include watercraft cleaning services, watercraft repair
2205 services, watercraft sales and retail activities such as motels and fueling. A watercraft pump-out
2206 facility is required. (Also see **Marina**).

2207
2208 **Marina:** Establishments used for the docking or storage of watercraft used for pleasure purposes
2209 or Limited Commercial Purposes including Charter fishing or sightseeing, minor watercraft repair
2210 services, watercraft cleaning services, watercraft wet or dry berthing or storage, fueling, parking,
2211 sale of watercraft, retail, restaurant, motel, launching facilities and other customary accessory
2212 facilities. A watercraft pump-out facility is required. (Also see **Marina, Community**),
2213

2214 **Maritime Hammock:** See Significant Natural Communities Habitat.
2215

2216 **Market value.** The price at which a property will change hands between a willing buyer and a
2217 willing seller, neither party being under compulsion to buy or sell and both having reasonable
2218 knowledge of relevant facts. As used in this ordinance, the term refers to the market value of
2219 buildings and structures, excluding the land and other improvements on the parcel. Market value
2220 may be established by a qualified independent appraiser, assessed value adjusted to
2221 approximate market value by a factor provided by the Property Appraiser, or Actual Cash Value
2222 (replacement cost depreciated for age and quality of construction). Any appraisal used for
2223 permitting purposes must be within (1) one year of the permit application.
2224

2225 **Marquee:** Any permanent roof-like Structure projecting beyond a Building wall at an entrance to
2226 a building or extending along and projecting beyond the Building wall and generally designed and
2227 constructed to provide protections against the weather.
2228

2229 **Marquee Sign:** Any Sign attached to or hung from a Marquee.
2230

2231 **Mean Sea Level:** Means the average height of the sea for all stages of the tide. It is used as a
2232 reference for establishing various elevations within the floodplain. For purposes of this Code, the
2233 term is synonymous with National Geodetic Vertical Datum (NGVD).
2234

2235 **Medical Waste:** Means isolation wastes, infectious agents, human blood and blood products,
2236 pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially
2237 contaminated laboratory wastes, and dialysis wastes.
2238

2239 **Minimum Descent Altitude:** The lowest altitude, expressed in feet above mean level, to which
2240 descent is authorized on final approach or during circle-to-land maneuvering in execution of a
2241 standard instrument approach procedure, where no electronic glide slope is provided.
2242

2243 **Minimum Enroute Altitude:** The altitude in effect between radio fixes which assures acceptable
2244 navigational signal coverage and meets obstruction clearance requirements between those fixes.
2245

2246 **Minimum Obstruction Clearance Altitude:** The specified altitude in effect between radio fixes
2247 on VOR airways, off-airway routes, or route segments which meets obstruction clearance
2248 requirements for the entire route segment and which assures acceptable navigational signal
2249 coverage only within twenty-two (22) miles of a VOR.
2250

2251 **Minimum Requirements (As it applies to Article XI of this Code):** Means the criteria for
2252 determining whether adequate public facilities are available to accommodate the impacts of a
2253 Project, or will be available when the impacts of the Project occur. The minimum requirements
2254 refer to the point in time at which facilities must be available at the Adopted Level of Service in
2255 order to satisfy the adequate public facilities review in accordance with this Code or, if otherwise
2256 provided, the mechanism for ensuring that such facilities will be adequate concurrent with the
2257 impacts of Development.

2258
2259 **Minimum Specifications:** To determine minimum specifications for all plant material for which
2260 credit will be given in complying with the requirements of this Code.
2261
2262 **Mining:** Any surface excavation for the principal purpose of removing material from the site and
2263 transporting to another site for sale, processing, refining, filling, Construction or disposal. Mining
2264 includes the operation of "Borrow Pits" for soil, shell, clay, rock, and similar materials. Projects
2265 which remove material for sale as a secondary function in the creation of a storm water
2266 management system within the scope of a Site Plan shall be exempted from the provisions of this
2267 Code pertaining to Mining and Borrow Pit Operations.
2268
2269 **Mobile Sign:** See Portable Sign.
2270
2271 **Monument Sign:** Sign placed upon the ground independent of support from the face of a Building
2272 and constructed of solid material and Construction design.
2273
2274 **Motel:** See Hotel, etc.
2275
2276 **Motor Hotel or Motor Lodge:** See Hotel, etc.
2277
2278 **Motor Vehicle:** Any vehicle which is propelled or drawn on land by a motor, such as, but not
2279 limited to, passenger cars, trucks, truck-trailers, semi-trailers, campers, go-carts, amphibious craft
2280 on land, dune buggies, or racing vehicles, but not including motorcycles.
2281
2282 **Moving Copy:** See Animated Copy.
2283
2284 **Multi-Family Dwelling:** See Dwelling, Multiple Dwelling.
2285
2286 **Multi-message:** Any Sign Face that contains more than one Advertising Display Area, when
2287 viewed from one direction.
2288
2289 **Multi-Prism Sign:** See Automatic Changeable Message Sign.
2290
2291 **Multi-Trunked Tree:** Any Tree that grows with two (2) or more trunks. For survey purposes, an
2292 existing Multi-Trunked Tree shall branch at a minimum of one (1) foot above grade and the DBH
2293 of all trunks shall be added together to obtain the total DBH.
2294
2295 **National Categorical Pretreatment Standard:** Means any regulation containing pollutant
2296 discharge limits promulgated by the EPA in accordance with Sections 307(b) and (c) of the Clean
2297 Water Act (33 U.S.C. 1347) which applies to a specific category of Industrial Users.
2298
2299 **National Geodetic Vertical Datum (NGVD):** As corrected in 1929 is a vertical control used as
2300 a reference for establishing varying elevations within the floodplain.
2301
2302 **National Pollutant Discharge Elimination System Permit or "NPDES Permit":** Means a
2303 Permit issued pursuant to Section 402 of the Clean Water Act (33 U.S.C. 1342).
2304
2305 **National Register of Historic Places:** Shall mean the list of historic properties significant in
2306 American history, architecture, archaeology, engineering and culture, maintained by the
2307 Secretary of the Interior, as established by the National Historic Preservation Act of 1966, as
2308 amended.

2309
2310 **Native Tree:** Means any tree species with a geographic distribution indigenous to St. Johns
2311 County and may include those species listed in *The Atlas of Florida Vascular Plants*, published
2312 by the Institute for Systematic Botany.

2313
2314 **Natural Preserves:** Publicly or privately owned lands or waters set aside for preservation in their
2315 natural state.

2316
2317 **Natural Water Body:** Includes rivers, streams, lakes, navigable waters and associated
2318 tributaries, canals, meandered lakes, enclosed water systems, and other surface waters owned
2319 by the State of Florida.

2320
2321 **Natural Wetland Hydroperiod:** The normal seasonal fluctuations in the surface and ground
2322 water levels of Wetlands and the resulting duration of surface flooding in response to seasonal
2323 rainfall.

2324
2325 **Neon Sign:** A Sign using neon gas or similar substance for lighting.

2326
2327 **Nest (As it applies to Marine Turtles):** An area where Marine Turtle eggs have been naturally
2328 deposited of subsequently relocated.

2329
2330 **Nesting Season (As it applies to Marine Turtles):** The period from May 1st through October
2331 31st of each year.

2332
2333 **Net New Project Trip Ends:** The result of the New Project Trip Ends multiplied by the Percent
2334 New Trips Factor. The Net New Project Trip Ends are the Project trips assigned to the Major
2335 Road Network.

2336
2337 **Net Project Trip Ends:** The result of the Gross Project Trip Ends multiplied by the appropriate
2338 External Trip Factor.

2339
2340 **New Construction:** For the purposes of administration of Part 3.03.00 and the flood resistant
2341 construction requirements of the *Florida Building Code*, structures for which the “start of
2342 construction” commenced on or after July 6, 1973 and includes any subsequent improvements
2343 to such structures.

2344
2345 **New Manufactured Home Park or Subdivision:** A manufactured home park or subdivision for
2346 which the construction of facilities for servicing the lots on which the manufactured homes are to
2347 be affixed (including at a minimum, the installation of utilities, the construction of streets, and
2348 either final site grading or the pouring of concrete pads) is completed on or after July 6, 1973,
2349 the effective date of the first floodplain management ordinance or standard.

2350
2351 **New Source:** Means:

2352
2353 A. Any Building, Structure, facility, or installation from which there is (or may be) a
2354 discharge or pollutants, the Construction of which commenced after the publication
2355 of proposed pretreatment standards under Section 307(c) of the Clean Water Act
2356 (33 U.S.C. 1347) which will be applicable to such source if such standards are
2357 thereafter promulgated in accordance with that Section, provided that:

2358
2359 1. The Building, Structure, facility, or installation is constructed at a site at

- 2360 which no other source is located; or
- 2361
- 2362 2. The Building, Structure, facility, or installation totally replaces the process
- 2363 or production equipment that causes the discharge of pollutants at an
- 2364 existing source; or
- 2365
- 2366 3. The production or Wastewater generation processes of the Building,
- 2367 Structure, facility, or installation are substantially independent of an existing
- 2368 source at the same site. In determining whether these are substantially
- 2369 independent, factors such as the extent to which the new facility is
- 2370 integrated with the existing plant, and the extent to which the new facility is
- 2371 engaged in the same general type of activity as the existing source, should
- 2372 be considered.
- 2373
- 2374 B. Construction on a site at which an existing source is located results in a
- 2375 modification rather than a new source if the Construction does not create a new
- 2376 Building, Structure, facility, or installation meeting the criteria of Section (1) (b) or
- 2377 (c) above but otherwise alters, replaces, or adds to existing process or production
- 2378 equipment.
- 2379
- 2380 C. Construction of a new source as defined under this paragraph has commenced if
- 2381 the owner or operator has:
- 2382
- 2383 1. Begun, or caused to begin, as part of a continuous onsite Construction
- 2384 program; or
- 2385
- 2386 2. Any placement, assembly, or installation of facilities or equipment; or
- 2387
- 2388 3. Significant site preparation work including clearing, excavation, or removal
- 2389 of existing Building, Structures, or facilities which is necessary for the
- 2390 placement, assembly, or installation of new source facilities or equipment;
- 2391 or
- 2392
- 2393 4. Entered into a binding contractual obligation for the purchase of facilities or
- 2394 equipment which are intended to be used in its operation within a
- 2395 reasonable time. Options to purchase or contracts which can be
- 2396 terminated or modified without substantial loss, and contracts for feasibility,
- 2397 engineering, and design studies do not constitute a contractual obligation
- 2398 under this paragraph.
- 2399

2400 **Night-time or Night:** The period between sunset and sunrise as published in The St. Augustine

2401 Record newspaper.

2402

2403 **Non-Commercial Message:** Any message which is not a Commercial Message.

2404

2405 **Non-Conforming Sign:** Any Sign which was lawfully erected but which does not comply with the

2406 land Use, setback, size, spacing, and lighting provisions of State or local law, rule, regulation, or

2407 Ordinance passed at a later date or a Sign which was lawfully erected but which later fails to

2408 comply with State or local law, rule, regulation, or Ordinance due to changed conditions.

2409

2410 **Non-Conforming Use:** Any preexisting Structure or use of land which is inconsistent with the

2411 provisions of this Code or any amendments thereto.

2412
2413 **Non-Contact Cooling Water:** Means water used for cooling which does not come into direct
2414 contact with any raw material, intermediate produce, waste produce, or finished product of the
2415 factory or facility using such water.

2416
2417 **Non-Electrical Sign:** Any Sign that does not contain electrical wiring or is not attached or
2418 intended to be attached, to any electrical energy source.

2419
2420 **Notice of Significant Violation or “NOSV” (As it applies to Wastewater Systems):** Means a
2421 written notice provided by the County when it has been determined that a significant violation has
2422 occurred.

2423
2424 **Notice to Show Cause or “NSC” (As it applies to Wastewater Systems):** Means a written
2425 notice issued by the County giving a Person or an industry opportunity to demonstrate to the
2426 County why a Permit should not be revoked or service terminated.

2427
2428 **Nursery, Plant:** An enterprise that conducts the retail and/or wholesale of plant, Trees and
2429 shrubs grown on the premises, as well as accessory items directly related to their care and
2430 maintenance, excluding power equipment such as gas or electric lawn mowers and farm
2431 implements.

2432
2433 **Nursing Home:** A public or private facility, institution, Building, residence, or other place, profit
2434 or non-profit, which undertakes through its ownership or management to provide for a period
2435 exceeding twenty-four (24) hours, maintenance, personal care or nursing for three (3) or more
2436 persons not related by blood or marriage to the operator, who by reason of illness or physical
2437 infirmity or advanced age are unable to care for themselves, as defined in Chapter 464, F.S.;

2438 provided that this definition shall include homes offering services for less than three persons when
2439 the homes are held out to the public to be establishments which regularly provide nursing and
2440 custodial services. Only those homes, Buildings or places licensed under the laws of the State of
2441 Florida as Nursing Homes shall be included within this definition.

2442
2443 **Obscene Sign:** Any Sign containing statements, words, pictures or symbols of an obscene
2444 nature. The word Obscene shall be as defined in Section 847.001, F.S., as amended from time
2445 to time.

2446
2447 **Obstruction:** Any existing or proposed manmade object or object of natural growth or terrain
2448 that violates that federal obstruction standards contained in 14 C.F.R. ss. 77.21, 77.23, 77.25,
2449 77.28, and 77.29.

2450
2451 **Occupied:** The word occupied includes arranged, designed, built, altered, converted to, or
2452 intended to be used or occupied.

2453
2454 **Office, Business or Professional:** An office for such operations as real estate agencies,
2455 advertising agencies (but not Sign shop), insurance agencies, travel agencies and ticket sales,
2456 chamber of commerce, credit bureau (but not finance company), abstract and title insurance
2457 companies, management consultants, stockbroker, and the like; or an office for the use of a
2458 person or persons generally classified as professionals such as architects, engineers, attorneys,
2459 accountants, doctors, lawyers, dentists, veterinarians (but not including treatment or boarding of
2460 animals on the premises), psychiatrists, psychologists, and the like. For the purpose of this Code,
2461 a barber or beauty shop shall not be deemed a business or professional office.

2462
2463 **Official Date of Filing:** The date upon which it has been determined by the County Administrator,
2464 that the Applicant has filed the minimum filing requirements as established by this Code.

2465
2466 **Official Zoning Atlas:** See Zoning Atlas, Official.

2467
2468 **Off-premise Sign:** Any Sign ~~whose purpose is to advertise, display, identify, which~~ directs
2469 attention to ~~or in any other way present to the public a Message that relates to a Person;~~ product;
2470 business;
2471 merchandise;
2472 service;
2473 institution;
2474 residential area;
2475 entertainment;
2476 attraction;
2477 charitable organization, religious organization or any other organization; or any activity conducted
2478 by any company, Person, or organization, ~~which is~~ not located, sold, purchased, rented, based,
2479 offered, furnished, existing, or otherwise associated with the property on which the Sign is located.
2480 For purpose of clarification, a Sign (i) ~~that does not so direct attention but which available to do~~
2481 so and (ii) that is not an On-premise sign and (ii) that does not convey such a message but which
2482 is available to convey such a message shall also be defined as being an Off-premise Sign. ~~Each~~
2483 ~~Off-premise Sign may also contain one or more Political Messages in lieu of or along with the~~
2484 ~~messages described above.~~

2485
2486 **Offsite Conservation Land Bank:** An area of land approved by the County that is appropriate
2487 for off-site conservation or preservation of Environmentally Sensitive Areas as provided in Article
2488 IV of this Code and which is in either public or private ownership or has been acquired by a
2489 nonprofit conservation organization for the purpose of being used as a land bank for the
2490 conservation, preservation or restoration of land.

2491
2492 **Off-site Sign:** See Off-~~p~~Premise Sign.

2493
2494 **On-premise Sign:** Any Sign which directs attention to a Person; product; business; merchandise;
2495 service; institution; residential area; entertainment; attraction; charitable, religious, or other
2496 organization; or any activity conducted by any company, Person, or organization located, sold,
2497 purchased, rented, based, offered, furnished, existing, or otherwise associated with the property
2498 on which the Sign is located ~~Sign identifying or advertising a business, Person, activity, goods,~~
2499 ~~product, commodity, service or entertainment located on the Premises where the Sign is installed~~
2500 ~~and Maintained. Any Sign used for the purpose of identifying or advertising a business, Person,~~
2501 ~~activity, goods, product, commodity, service, or entertainment located off the Premises where the~~
2502 ~~Sign is installed shall not be considered an On-premise Sign. Each On-premise Sign may also~~
2503 ~~contain one or more Political Messages in lieu of or along with other Advertising Messages.~~

2504
2505 **On-site Construction Sign:** ~~A Sign identifying the developer, architect, contractor or Realtor~~
2506 ~~and which is located on property upon which there is active Construction or upon which a~~
2507 ~~Development Permit is issued.~~

2508
2509 **On-site Sign:** See On-~~p~~Premise Sign.

2510
2511 **Orders of the Authority:**

- 2512 A. Final Order
- 2513 Any order of the Authority disposing of procedural matters issued in conjunction
2514 with proceedings or hearings.
- 2515 B. Preliminary Order
- 2516 1. Recommends the issuance, modification, denial, transfer or revocation of
2517 a Franchise Certificate.

2516
2517 2. Fixes or changes a rate or a charge, service availability charges or
2518 conditions, or matters of service, quality or quantity. All Preliminary Orders
2519 are subject to confirmation by the Board.

2520
2521 C. Recommended Order
2522
2523 Any Order of the Authority recommending an interim rate, and also any other Order
2524 of the Authority resulting from a hearing held pursuant to a Combined Notice.
2525

2526 **Origin/Destination Survey:** The collection of data at a land Use resulting from an on-site
2527 interview to determine characteristics about travel to and from the land Use.

2528
2529 **Other Waste:** Means municipal refuse, decayed wood, sawdust, shavings, bark, lime, sand,
2530 ashes, offal, oil, tar, chemicals, and all other substances as distinct from domestic waste,
2531 Industrial Waste, or food waste.

2532
2533 **Outdoor Seasonal Sales:** Are temporary seasonal uses, which include but are not limited to
2534 Christmas tree sales, pumpkin sales, fireworks, plant sales, and similar fresh produce sales
2535 including u-pick farms. Outdoor seasonal sales are not intended to include periodic retail sales
2536 events (on premise or off-premise) or the sale of manufactured items such as furniture, bedding,
2537 automobile parts, household goods, spas, pools, or other similar items.

2538
2539 **Owner:** Means the Owner of the freehold estate, as appears by deed of record, agreement for
2540 deed, or properly executed contract for purchase.

2541
2542 **Package Store:** A place where alcoholic beverages with an alcoholic content in excess of
2543 fourteen percent are dispensed or sold in containers for consumption off the premises.

2544
2545 **Parapet or Parapet Wall:** That portion of a Building wall that rises above the lowest level of the
2546 eaves.

2547
2548 **Parcel:** Means a tract of land or group of contiguous, compact Lots under single ownership,
2549 identified as a Parcel on the Property Appraiser's maps.

2550
2551 **Park, Community:** Shall have the same meaning as described in the Comprehensive Plan.

2552
2553 **Park, Neighborhood:** Shall have the same meaning as described in the Comprehensive Plan.

2554
2555 **Park, Regional / Open Space:** Shall have the same meaning as described in the Comprehensive
2556 Plan.

2557
2558 **Park, Urban:** Means a County-wide park designed to serve the needs of the entire County.

2559
2560 **Park trailer.** Means a transportable unit which has a body width not exceeding 14 feet and which
2561 is built on a single chassis and is designed to provide seasonal or temporary living quarters when
2562 connected to utilities necessary for operation of installed fixtures and appliances. The total area
2563 of the unit in a setup mode, when measured from the exterior surface of the exterior stud walls at
2564 the level of maximum dimensions, not including any bay window, does not exceed 400 square
2565 feet when constructed to ANSI A-119.5 standards, and 500 square feet when constructed to
2566 United States Department of Housing and Urban Development Standards. The length of a park

2567 trailer means the distance from the exterior of the front of the body (nearest to the drawbar and
2568 coupling mechanism) to the exterior of the rear of the body (at the opposite end of the body),
2569 including any protrusions. [Defined in 320.01, F.S.]
2570

2571 **Parking Area:** A paved ground surface area used for the temporary parking of vehicles by
2572 employees or customers, either for compensation, or to provide an accessory service to a
2573 commercial, industrial, or residential Use.
2574

2575 **Parking Bays:** Parking areas subdivided into uninterrupted rows of Parking Spaces which are
2576 generally separated by only single or double painted lines.
2577

2578 **Parking, Off-Site:** An area for the parking of personal vehicles separated from the main use
2579 parcel for which the area is serving.
2580

2581 **Parking Space, Off-Street:** An unobstructed area for the temporary parking of a personal motor
2582 vehicle located totally outside of a street, alley or Right-of-Way. Each parking space must have
2583 a means of access from a public street and be located in a manner that does not require backing
2584 onto a street, alley or Right-of-Way.
2585

2586 **Parking Spaces:** A paved ground surface area used for the temporary storage of a single vehicle
2587 to serve a primary use. Groups of spaces and abutting Accessways are called Parking Bays.
2588

2589 **Party:** Any Person having an identifiable interest in an agency proceeding of St. Johns County.
2590

2591 **Pass Through:** Means the discharge of pollutants through a central Wastewater System in
2592 quantities or concentrations which, alone or in conjunction with the discharge or discharges from
2593 other sources, cause the effluent there from, to violate any of the requirements of the Wastewater
2594 treatment facility Permit, or applicable State or federal standards (including any increase in the
2595 magnitude or duration of a violation).
2596

2597 **Passerby Trips:** Trips that enter and exit a site that would have been traveling on the street
2598 adjacent to the site regardless of whether they enter or exit the site.
2599

2600 **Patio:** An open courtyard used for either passive recreation or relaxation located with the house
2601 or immediately adjoining the house.
2602

2603 **Paved Ground Surface Area:** Any paved ground surface area (excepting public Right-of-Way)
2604 used for the purpose of driving, parking, storing or display of vehicles, boats, trailers and mobile
2605 homes, including new and used car lots and other open-lot Uses. Parking Structures, covered
2606 drive-in parking areas to the drip line of the covering or garages, shall not be considered as paved
2607 ground surface areas.
2608

2609 **Pavement:** The subgrade, base and surface course installed within the roadbed to specific
2610 design criteria which, in combination, constitute the roadway.
2611

2612 **Peak Hour Volume:** The number of vehicles that pass a point on a roadway segment during the
2613 highest one (1) hour traffic volume on a typical day in the peak season.
2614

2615 **Pennants:** Any lightweight plastic, fabric, or other material whether or not containing a message
2616 of any kind, suspended from a rope, wire, or string, usually in a series, which will flutter or swing
2617 in the wind, single flag-like piece of cloth, plastic or paper attached to any staff, cord, building, or
2618 other structure at only one (1) or two (2) edges, the remaining hanging loosely; lacking insignia of

2619 ~~a-Flag.~~

2620
2621 **Percent New Trips Factor:** A factor by which the trip rate is multiplied to calculate only those
2622 new trips that are added to the roadway by new Development. This factor is calculated by the
2623 formula [1 minus (passerby trips/total trips generated by the land use)]. Factors for each land use
2624 are contained in the St. Johns County P.M. Peak Hour Trip Rate and Percent New Trips Data
2625 Table in Appendix A of this Code.

2626
2627 **Permanent Sign:** Any Sign which is intended to be and is so constructed as to be of lasting and
2628 enduring condition, remaining unchanged in character, condition (beyond normal wear and tear)
2629 and position and in a permanent manner affixed to the ground, wall, or building. Unless otherwise
2630 provided for herein, a Sign other than a Temporary Sign shall be deemed a Permanent Sign
2631 unless otherwise indicated elsewhere in this Code.

2632
2633 **Permit:** Means written approval by a County agency that allows a person to proceed with
2634 something regulated by this Code.

2635
2636 **Person:** Means individual, corporation, firm, company, joint venture, partnership, sole
2637 proprietorship, association, or any other business entity, any State or political subdivision thereof,
2638 any municipality, any interstate body and any department, agency, or instrumentality of the United
2639 States and any officer, agent, or employee thereof, and any organized group of Persons whether
2640 incorporated or not.

2641
2642 **pH:** means the logarithm of the reciprocal of the hydrogen ion concentration. The concentration
2643 is the weight of hydrogen ions, in grams per liter (g/l) of solution. Neutral water, for example, has
2644 a pH value of seven (7) and a hydrogen ion concentration of 10⁻⁷.

2645
2646 **Place of Assembly:** A place designed to accommodate the assembly of persons attending
2647 athletic events, musical performances, dramatic or dance performances, speeches or
2648 ceremonies, and other such entertainment events, and including but not limited to coliseums,
2649 athletic centers, concert halls, and auditoriums.

2650
2651 **Place of Assembly, Large:** A place or premise designed to accommodate the assembly of
2652 persons attending large athletic events, musical performances, dramatic or dance performances,
2653 speeches or ceremonies, and other cultural or entertainment events. The Use includes but is not
2654 limited to arenas, auditoriums, conference facilities, convention centers, exhibition halls, major
2655 sports facilities, theaters and performing arts centers, churches, and other facilities designed for
2656 assembly. For the purposes of determining whether a place or premise is a Large Place of
2657 Assembly Use, the following considerations shall apply:

2658
2659 A. The Use is capable of holding more than 1,000 people as determined by the intent of the
2660 Florida Building Code for Individual Assembly Occupancies; or

2661
2662 B. The Use has more than 350 paved or unpaved parking spaces, including all spaces
2663 reserved for its use. Parking spaces are considered reserved if owned, leased, or used by
2664 agreement; or are adjacent to the Use so that it is reasonably foreseeable persons visiting
2665 the Use will park there. This will include temporary or permanent arrangements, and
2666 applies regardless of the distance between, or the method of access to the parking spaces
2667 and the Large Place of Assembly.

2668
2669 **Plan, Preliminary Subdivision:** Includes the Site Plan; Protected Tree Survey or Inventory
2670 location map; preliminary engineering plans, specifications and calculations; and other necessary
2671 materials for a Development or Project phase or the entirety.

2672
2673 **Plat, Final Subdivision:** Includes the plat to be recorded; final engineering plans, specifications

2674 and calculations; certification of Improvements, as built drawings, or performance guarantee; and
2675 other required certifications, bonds, agreements, approvals, and materials for a Development or
2676 Project phase or the entirety of a Parcel of land.

2677
2678 **Plot:** See Lot.

2679
2680 **Point Source of Light:** The actual light source such as the bulb, fluorescent tube, lamp, etc.,
2681 from which light emanates.

2682
2683 **Pole Light:** Any light fixture, set on a base or pole where the point source of light is higher than
2684 forty-eight (48) inches off the ground.

2685
2686 **Pole Sign:** See Ground Sign.

2687
2688 ~~**Political Campaign Sign:** Any Sign containing one or more Political Messages with no~~
2689 ~~commercial or other messages.~~

2690
2691 ~~**Political Message:** Any legal non-commercial Copy that is protected under the First~~
2692 ~~Amendment of the United States Constitution and/or under Section 4 of Article I of the Constitution~~
2693 ~~of the State of Florida.~~

2694
2695 ~~**Political Message Sign:** Any Sign containing a non-commercial opinion or endorsement~~
2696 ~~message and not containing a commercial message.~~

2697
2698 **Pollution:** Means the man-made or man-induced alteration of the chemical, physical, biological,
2699 and radiological integrity of water.

2700
2701 **Porch:** A roofed-over space, with the roof impervious to weather, attached to the outside of an
2702 exterior wall of a Building, which has no enclosure other than the exterior walls of such Buildings.
2703 Open mesh screening shall not be considered an enclosure.

2704
2705 **Port:** Establishments used primarily for the docking of watercraft used for Commercial Purposes
2706 including Commercial fishing, cruises, tugs, barges, dredges, providing repair and cleaning
2707 services for such watercraft, providing wet or dry berthing or storage of watercraft, the sale of
2708 watercraft, fueling, restaurant, motel, launching facilities and other customary accessory facilities.
2709 A Watercraft pump-out facility is required.

2710
2711 **Portable Housing Unit:** Means those units defined as Recreational Vehicle, and also Park
2712 Models as defined in Florida Statutes and Florida Administrative Code.

2713
2714 **Portable Sign:** A Sign that has no permanent attachment to a Building or to the ground by means
2715 of a footing, including but not limited to, an A-frame Sign, Sign with wheels designed to be pulled
2716 or towed on a trailer or similar device, pull attachments.

2717
2718 **Power Generation Facility:** A facility that generates electricity by means of geothermal power,
2719 burning of coal, oil, or gas, or by hydropower. Accessory generators for hospitals, schools, and
2720 other similar Uses shall not be considered a power generation facility.

2721
2722 **Potable Water Facilities:** The same as defined in the St. Johns County Comprehensive Plan.

2723
2724 **Poultry:** Any chickens, turkeys, ducks, geese, guineas, or other fowl.

2725
2726 **PRD:** For the purposes of this Code, a Planned Rural Development (PRD) shall mean a
2727 development proposed within the areas designated as Agricultural-Intensive (A-I) or
2728 Rural/Silviculture (R/S) on the Future Land Use Map of the Comprehensive Plan. Such
2729 development shall proceed under unified control and pursuant to a unified plan of Development.
2730 Residential, Agricultural and Silvicultural Uses, and Uses ancillary to and supportive of said Uses
2731 may be allowed within PRD's. PRD's consisting of greater than one hundred (100) Dwelling Units
2732 may include Neighborhood Business and Commercial Uses within the PRD.

2733
2734 **Premise:** See Lot.

2735
2736 **Preservation:** To prevent Development's impact on the resource sought to be preserved.
2737 "Preservation" of the resource shall require that the resource remain completely undisturbed.

2738
2739 **Pretreatment Requirements:** Means any substantive or procedural requirement related to
2740 pretreatment, other than a Pretreatment Standard, imposed on an Industrial User under any
2741 federal or State law, rule, or regulation, or this Code, or any orders issued by the County.

2742
2743 **Pretreatment Standards:** Means the Prohibited Discharge Standards, the State of Florida's
2744 Pretreatment Standards contained in Title 62 of the F.A.C., the National Categorical Pretreatment
2745 Standards, and the pollutant discharge limits for any specified pollutant contained in this Code,
2746 whichever standard is the most stringent.

2747
2748 **Pretreatment:** Means the reduction of the amount of pollutants, the elimination of pollutants, or
2749 the alteration of the nature of pollutant properties in Wastewater to a less harmful state prior to or
2750 in lieu of discharging or otherwise introducing such pollutants into a Wastewater System. The
2751 reduction or alteration can be obtained by physical, chemical or biological processes, process
2752 changes or by other means, except as prohibited by Rule 62-625.410(5), F.A.C.

2753
2754 **Principal Building:** The structure in which the principal use of the parcel is conducted on which
2755 such structure is situated.

2756
2757 **Primary Dune:** The first natural or man-made mound or bluff of sand which is located landward
2758 of the beach and which has substantial vegetation, height, continuity and configuration.

2759
2760 **Primitive Campground:** Places designed for passive outdoor recreational activities, that may
2761 include tents and/or outdoor campsites. Primitive Campgrounds may also include park-like
2762 amenities such as picnic tables, grills, open shelters, restroom facilities, nature trails and similar
2763 passive recreational uses. Primitive Campgrounds shall not include Recreational Vehicle
2764 Campgrounds.

2765
2766 **Private Pleasure Craft:** A vessel which is privately owned or leased primarily for aquatic
2767 recreational purposes. Private pleasure craft do not include commercial, official, or scientific
2768 vessels. Private pleasure craft may or may not contain facilities qualifying them as Dwelling or
2769 lodging Units.

2770
2771 **Professional Engineer:** An engineer registered in the State of Florida in good standing with the
2772 Florida Board of Engineers as defined by Florida Statutes, Chapter 471.

2773
2774 **Prohibited Discharge Standards or Prohibited Discharges:** Means the absolute prohibitions
2775 against the discharge of certain substances under this Code.

2776
2777 **Project:** Means the proposed Development of a particular Parcel or Parcels of land involving a
2778 land Use or group of land Uses at a particular density and/or intensity pursuant to a Development
2779 Order.

2780
2781 **Projecting Sign:** Any Sign which is affixed to any Building, wall or Structure and extends beyond
2782 the Building wall, Structure, Building line, or property line more than thirty (30) inches.

2783
2784 **Proposed Development:** See Project.

2785
2786 **Protected Area:** An area surrounding a Protected Tree, a Historic Tree, or a Specimen Tree
2787 within which physical intrusion is prohibited in order to prevent damage to the Protected Tree and
2788 the roots and soil around the Protected Tree base; the dimensions of which shall be the Drip Line,
2789 centered at the Protected Tree.

2790
2791 **Protected Tree:** Any Tree having a Diameter at Breast Height of eight (8) inches or greater,
2792 excluding Exempt Trees. Native Southern Red Cedar (*Juniperous silicicola*) with a DBH greater
2793 than two (2) inches shall be a Protected Tree whenever it occurs within three (3) miles of the
2794 Atlantic Ocean and any Endangered Trees are to be Protected Trees. Any Tree preserved or
2795 planted to meet the requirements of this Code becomes a Protected Tree, regardless of size.

2796
2797 **Provider (As it applies to Antenna Towers):** An individual or entity, authorized to do business
2798 in the County, who offers commercial mobile services, Unlicensed Wireless Services, common
2799 carrier wireless exchange access services, as defined in Title 47, United States Code, Section
2800 332(c)(7)(C), or the holder of a valid FCC broadcast license.

2801
2802 **Public Facilities and Services:** Means the following types of facilities:

2803
2804 A. Roadways and roadway intersections, including Freeways, Arterials and
2805 Collectors within the jurisdiction of St. Johns County, or Freeways, Arterials and
2806 Collectors within the jurisdiction of the Florida Department of Transportation that
2807 are located within the boundaries of the unincorporated area.

2808
2809 B. Wastewater facilities, as defined in Section 9J 5.003(87), F.A.C., or any successor
2810 provisions thereto, and any central Wastewater System.

2811
2812 C. Potable water facilities, as defined in Section 9J 5.003(71), F.A.C., or any
2813 successor provisions thereto.

2814
2815 D. Drainage facilities, as defined in Section 9J 5.003(28), F.A.C., or any successor
2816 provisions thereto.

2817
2818 E. Solid waste facilities, as defined in Section 9J 5.003(94), F.A.C., or any successor
2819 provisions thereto.

2820
2821 F. Parks and open space acreage, including neighborhood, community, and
2822 regional/open space parks.

2823
2824 G. Mass transit facilities, which shall refer to transportation disadvantaged services.

2825
2826 **Public Sign:** Any Permanent or Temporary Sign Erected by or on the order of a public official or
2827 quasi-public entity at the federal, state, or local government level in the performance of any duty
2828 including, but not limited to, noncommercial Signs identifying a government building or service,
2829 traffic control Signs, street name Signs, street address Signs, Warning Signs, Safety Signs,
2830 informational Signs, traffic or other directional Signs, public notices of events, public notice of

2831 ~~government actions, proposed changes of land use, any proposed rezoning, or any other~~
2832 ~~government speech~~Any Sign Erected and Maintained by St. Johns County, the State of Florida,
2833 ~~the United States Government, any municipalities in St. Johns County, railroad, public utility,~~
2834 ~~School District, or other public agency doing work in St. Johns County. Public Signs include public~~
2835 ~~information Signs, public identification Signs, public Directional Signs, Traffic Control Signs, and~~
2836 ~~Warning Signs.~~

2837
2838 ~~Public Directional Sign: See Public Sign.~~

2839
2840 ~~Public Identification Sign: See Public Sign.~~

2841
2842 ~~Public Informational Sign: See Public Sign.~~

2843
2844 **Publicly Owned Treatment Works or POTW:** Means a “treatment works,” as defined by Section
2845 212 of the Act (33 U.S.C. § 1292) which is owned by the County, the City of St. Augustine, the
2846 Town of Hastings, or any other governmental entity. This definition includes any devices or
2847 systems used in the collection, storage, treatment, recycling, and reclamation of Wastewater or
2848 industrial wastes of a liquid nature and any conveyances which convey Wastewater to a
2849 Treatment Plant.

2850
2851 **Publicly Owned Wastewater Treatment Plant:** Means any Wastewater Treatment Plant owned
2852 or operated by the County, the City of St. Augustine, the Town of Hastings, or any other
2853 governmental entity.

2854
2855 **Publicly Owned Water Supply System:** Means any water supply system owned or operated
2856 by the County, the City of St. Augustine, the Town of Hastings, or any other governmental entity.

2857
2858 **PUD:** For the purposes of this Code, a Planned Unit Development (PUD) shall mean the
2859 Development of land under unified control which is planned and developed as a whole in a single
2860 or programmed series of operations with Uses and Structures substantially related to the
2861 character of the entire Development. Permissible Uses may include any Use which is permitted
2862 or permissible by Special Use in any zoning district.

2863
2864 **Qualifying Property:** Shall mean any real property in the County which, at the time the
2865 preconstruction application is submitted, (a) is Historic Property or (b) for the purpose of receiving
2866 the exemption on one hundred percent (100%) of the Assessed Value of the improvements under
2867 the criteria set forth in Section 5 hereof, the property is either (I) Historic Property or (ii) the Florida
2868 Division of Historical Resources or the Cultural Resources Review Board has determined that the
2869 property meets the criteria established in rules adopted by the Florida Department of State
2870 pursuant to Section 196.1996, F.S.

2871
2872 **Raw Classification Points:** The rating system for proposed new and/or existing Billboards
2873 nominated for Swapdown. Such Points are based upon the physical characteristics of the
2874 Billboard Face, the supporting Structure, and the site location. Such Raw Classification Points
2875 may also be termed “Classification Points”, “Raw Points” or “Points” within Article VII.

2876
2877 ~~Real Estate Sign: A Sign installed by the Owner or his agent, which advertises that a particular~~
2878 ~~Lot or a Building or Structure thereon is for sale, rent or lease. Real Estate Signs shall include~~
2879 ~~real estate “directional,” “open house” and “model home” Signs.~~

2880
2881 **Reasonable Collocation Terms:** Terms, including but not limited to, monetary compensation,
2882 duration and renewability of lease, and facilities provided, that are consistent with industry and

2883 local customs.

2884

2885 **Reclaimed Water:** Treated wastewater.

2886

2887 **Reconstruction:** Rehabilitation or replacement of a Structure or Structures which either have
2888 been removed or damaged, or altered to an extent of seventy percent (70%) or more of the
2889 assessed valuation of such Structure or Structures or seventy percent (70%) of the combined
2890 assessed valuation of such Structures and land as shown on the most recent tax roll of St. Johns
2891 County, Florida.

2892

2893 **Reconstruction (as it pertains to Historic Preservation):** For Historic preservation purposes,
2894 reconstruction means the process of reproducing by new construction the exact form and detail
2895 of a demolished or significantly altered building, structure or object as it appeared at a certain
2896 point in time.

2897

2898 **Recreational Vehicle:** A vehicle, including a park trailer, which is: [See section 320.01, F.S.)

2899

(1) Built on a single chassis;

2900

Four hundred 400 square feet when constructed to ANSI A-119.5 standards, and
2901 500 square feet when constructed to United States Department of Housing and
2902 Urban Development Standards;

2903

(2) Designed to be self-propelled or permanently towable by a light-duty truck; and

2904

(3) Designed primarily not for use as a permanent dwelling but as temporary living
2905 quarters for recreational, camping, travel, or seasonal use.

2906

2907 **Recreational Vehicle Campground:** Places designed for passive outdoor recreational activities
2908 that include individual sites for the parking and accommodation of a Recreational Vehicle.
2909 Recreational Vehicle Campgrounds may include supporting facilities, which may include but are
2910 not limited to, an area for Primitive Camping, such as picnic tables, grills, open shelters, swimming
2911 pool, restroom facilities, restaurant facilities and camp store with limited retail sales, nature trails
2912 and similar passive recreational uses.

2913

2914 **Recyclable Household Goods:** Small household goods which are utilized in residential units
2915 and can be recycled and reused. Such items include but are not limited to aluminum cans, glass
2916 bottles, old newspapers, and used clothing.

2917

2918 **Recyclable Household Goods Collection Facilities:** A facility where recyclable household
2919 goods are collected for recycling. Such facilities do not recycle the goods or distribute them as
2920 new products; they are just points of collection.

2921 **Recyclable Material Recovery Facilities:** A facility where recovered materials (generally
2922 newspapers, plastics, metals, glass and paper) are delivered for further processing (sorting,
2923 bailing, condensing, etc.) for shipment to recovered material markets.

2924

2925 **Recyclable Metal Recovery Facilities:** A facility for the recovery of various metal material or
2926 parts of items whose value is in the salvage of scrap metals for future reduction to its raw state.
2927 Such items include but are not limited to inoperable machinery, appliances, automotive vehicles,
2928 etc., excluding small household items such as aluminum cans and similar items.

2929

2930 **Reflective:** Any substance or material capable of reflecting light or images.

2931

2932 **Registered Professional:** Means a professional registered in the State of Florida and regulated
2933 by the Florida Department of Business and Professional Regulation according to his/her field of
2934 licensure with the respective regulatory boards. Examples of Registered Professionals may
2935 include professional engineers licensed under Chapter 471, F.S., professional landscape
2936 architects licensed under Chapter 481, F.S., and professional geologists licensed under Chapter
2937 492, F.S., who have the requisite skills.

2938
2939 **Regularly and Frequently Open to Public:** Shall mean a property in which public access to the
2940 property is provided not less than fifty-two (52) days a year on an equitably spaced basis, and at
2941 other times by appointment. Owners of such property are not prohibited from charging a
2942 reasonable nondiscriminating admission fee.

2943
2944 **Regulatory Floodway:** The channel of a river or other watercourse and the adjacent land areas
2945 that must be reserved in order to discharge the one hundred (100) year base Flood without
2946 cumulatively increasing the water surface elevation more than the designated height. The
2947 location and extent of Regulatory Floodways are defined in the Flood Insurance Study for St.
2948 Johns County, September 18, 1985, published by the Federal Emergency Management Agency,
2949 as may be updated or amended from time to time.

2950
2951 **Remove or Removal:** The actual physical removal of a Tree or plant or the effective removal
2952 through damaging, poisoning or other direct or indirect action resulting in or likely to result in, the
2953 death of a Tree or plant. Protected Trees that have been planted or preserved shall not be
2954 damaged by excessive pruning, shearing or topping of trees into round balls, topping, lion's tailing,
2955 over raising, or any other pruning which results in a tree structure that will be susceptible to blow-
2956 over. All pruning shall be done following the American National Standard (ANSI 300) for Tree
2957 Care Operations "Tree, Shrub and Other Woody Plant Maintenance - Standard Practices."

2958
2959 **Renovation or Rehabilitation:** Shall mean the act or process of returning a property to a state
2960 of utility through repair or alteration which makes possible an efficient contemporary use while
2961 preserving those portions or features of the property which are significant to its historical,
2962 architectural, cultural and archaeological significance or are severely deteriorated, "Renovation"
2963 or Rehabilitation" means the act or process of applying measures designed to sustain and protect
2964 the existing form and integrity of a property, or reestablish the stability of an unsafe or deteriorated
2965 property while maintaining the essential form of the property as it presently exists.

2966
2967 **Repetitive Loss:** Means flood-related damage sustained by a structure on two separate
2968 occasions during a 10-year period for which the cost of repairs at the time of each such flood
2969 event, on the average, equals or exceeds 25 percent of the market value of the structure before
2970 the damage occurred.

2971
2972 **Required Improvements Bond:** An obligation to complete Construction Improvements as
2973 depicted on approved plans, to provide for the application of final Wearing Surface Course, and
2974 for publicly-dedicated roadways only provide repairs to infrastructure related to faulty
2975 workmanship, construction, materials, and third party damage during the bonding period.

2976
2977 **Reservation Fee:** Means the impact fee applicable to a public facility or service, which may be
2978 paid by an Applicant in order to extend the expiration of the Final Certificate of Concurrency.

2979
2980 **Reserved Development:** All Development Projects approved after the effective date of the
2981 Concurrency Management Ordinance for which a Certificate of Concurrency has been issued.

2982

2983 **Resource Recovery Facility:** A facility in which garbage, minerals, glass, tin cans, paper, rags,
2984 and other materials are reclaimed or converted into energy.
2985

2986 **Restaurant:** An establishment where food is ordered from a menu, prepared, and served for pay
2987 primarily for consumption on the premises in a completely enclosed room, under the roof of the
2988 main Structure, or in an anterior court. A Drive-In Restaurant or Take-Out Restaurant as defined
2989 here is not a Restaurant. A cafeteria shall be deemed a Restaurant as defined herein.
2990

2991 **Restoration:** Shall mean the act or process of accurately recovering the form and details of a
2992 property and its setting as it appeared at a particular period of time by means of removal of later
2993 work or by the replacement of missing earlier work.
2994

2995 **Retention:** A process for collecting and permanently storing with subsequent release through
2996 ground infiltration or evaporation a defined amount of storm water runoff from a runoff contributing
2997 area without release to downstream and lower lying areas.
2998

2999 **Retention System:** A normally dry stormwater storage area which meets the herein defined
3000 function of "Retention". In general, retention systems are limited to areas where soil and
3001 hydrological conditions do not influence the systems infiltrative capacity and/or recovery rates. In
3002 general, these systems are shallow and/or limited to areas where the seasonal high groundwater
3003 table is well below the ground surface such as in areas consisting of Hydrological Soil Group A
3004 (see definition of Stormwater Management System).
3005

3006 **Retreat:** A place designed to provide privacy and promote well-being through relaxation,
3007 meditation, study, or prayer. Retreats may include overnight lodging and restaurant facilities for
3008 guests only. Retreat does not include health clubs, gyms, spas, or similar places.
3009

3010 **Revolving Sign:** A Sign so erected or constructed as to periodically change the direction toward
3011 which any plane containing part of the Sign Area is oriented, whether power-driven or propelled
3012 by the force of wind or air.
3013

3014 **Rezoning Petition:** Means a request to amend the Zoning Atlas.
3015

3016 **RF Engineer:** An individual who; is a Professional Engineer or, is retained and designated a
3017 radio frequency engineer by a firm regulated by the FCC or, holds an FCC General
3018 Radiotelephone license or equivalent.
3019

3020 **Right-of-Way:** Any strip or area of land, including surface, overhead, or underground, granted
3021 by deed for fee ownership, for construction and maintenance according to designated Use, such
3022 as for drainage and irrigation canals and ditches; electric power, telegraph, and telephone lines;
3023 gas, oil, water, and other pipe lines; retention and detention; highways, and other roadways,
3024 including right of portage; sewers; flowage or impoundment of surface water; and tunnels.
3025

3026 **Right-of-Way Width:** The shortest distance across a public Right-of-Way, measured from one
3027 side to the other, perpendicular to the centerline thereof.
3028

3029 **Roadway:** Means Arterials, Collectors (Major and Minor), and Local Roads, except that for the
3030 purposes of Section 6.02.03, roadway shall mean a public or private traffic-carrying way set aside
3031 for vehicular traffic regardless of size or designation.
3032

3033 **Roadway Classifications:**

3034
3035 **Arterial:** A part of the roadway system serving as a principal network for through traffic
3036 flow, including all State Roads and any other roadway serving a similar function as
3037 designated by the St. Johns County Board of County Commissioners.
3038

3039 **Major Collector:** A part of the roadway system serving as a principal network for through
3040 traffic flow. The routes connect areas of principle traffic generators (See Roadway
3041 Functional Classifications in Appendix E of this Code).
3042

3043 **Minor Collector:** A distributor and collector roadway servicing traffic between Major
3044 Collectors and Local Roads (See Roadway Functional Classifications in Appendix E of
3045 this Code). In addition, roadways serving as major entrances to residential or commercial
3046 Developments will be classified as Minor Collectors when the traffic volume is projected
3047 to exceed two thousand (2000) vehicles per day (VPD) at build out.
3048

3049 **Local Road:** Roadway used primarily for direct access to Residential Driveways,
3050 Commercial Driveways, or other abutting roads.
3051

3052 **State Road:** Any Street, road, highway or other way open to travel by the public generally
3053 and dedicated to public use according to law or by prescription and designated by the
3054 Florida Department of Transportation, as provided by law, including Freeways, Principal
3055 Arterials, and Minor Arterials, as part of the State Highway System.
3056

3057 **Commercial Driveway:** Roadways used for direct access from Local Roads or Collector
3058 Roadways to commercial, office, industrial, institutional Uses, or multi-family residential
3059 Projects.
3060

3061 **Residential Driveway:** A cleared or improved driveway located on a privately owned
3062 Parcel or located within a Right-of-Way or Easement owned by property owners adjoining
3063 the driveway. The Right-of-Way or Easement must be recorded. A residential driveway
3064 located entirely within a single Parcel need not be located within an Easement. A
3065 residential driveway does not serve more than two (2) Dwelling Units and does not extend
3066 beyond property lines of those units served.
3067

3068 **Roadway, Private:** An improved street or road located within a Right-of-Way or access
3069 Easement owned by a Property Owners' Association, private individuals or any entity other than
3070 St. Johns County, the State of Florida, or another local government. Ownership of Private
3071 Roadways serving residential Development shall be vested jointly by all abutting land owners or
3072 in a Property Owners' Association whose voting members include such abutting land owners. A
3073 developer retaining ownership of Private Roadways after construction and approval shall grant a
3074 recorded Easement to all abutting properties which will provide for the use of the Private
3075 Roadways by all future Lot owners, their guests, invitees, successors and assigns. The grant of
3076 Easement may be accomplished by recorded plat.
3077

3078 **Roadway, Public:** A street or road located within a Right-of-Way owned by St. Johns County,
3079 the Florida Department of Transportation, or another local governmental entity. The roadway
3080 must have been dedicated or deeded to, and accepted by, the governmental entity.
3081

3082 **Roof Line:** The top edge of the roof or the top of a parapet, whichever forms the top line of the
3083 Building silhouette.
3084

3085 **Roof Sign:** A Sign painted on or affixed to the roof of a Building and primarily supported by that
3086 roof Structure and extending above the ridge of the roof, except Fascia Signs, as defined herein.

3087
3088 **Rotating Sign:** See Revolving Sign.
3089

3090 **Rule of the Board:** A regulation approved by the St. Johns County Board of County
3091 Commissioners by Ordinance or Resolution as may be hereafter enacted or amended.

3092
3093 **Runway:** A defined area on an Airport prepared for landing and take-off of aircraft along its
3094 length.

3095
3096 **Rural Area (As it applies to Article VII of this Code):** Any area predominantly developed with
3097 low density and characterized by social, economic, and institutional activities which may be largely
3098 based on Agricultural Uses or the extraction of natural resources in unprocessed form, or areas
3099 containing large proportions of undeveloped, unimproved or low density property.

3100
3101 **Rural Home Industry:** An occupation conducted as an Accessory Use in the Open Rural zoning
3102 district which is incidental and accessory to the Agricultural and/or residential Use.

3103
3104 **Running Lights:** See Flashing Sign.

3105
3106 **Sand Dunes:** Means naturally occurring accumulations of sand in ridges or mounds landward of
3107 the beach.

3108
3109 **Sandhill:** See Significant Natural Communities Habitat.

3110
3111 **Sanitarium:** A facility for the recuperation and treatment of physical or mental disorders, without
3112 provision for major surgery.

3113
3114 **Sanitary Convenience:** Means facilities such as toilets, sinks, and drains which are used to
3115 convey sanitary Wastewater.

3116
3117 **Sanitary Landfill:** Means the places set aside by the Board of County Commissioners for the
3118 reception of solid waste or sludge, including the County Solid Waste Complex or any successor
3119 or additional facilities needed to attain the solid waste Adopted Level of Service.

3120
3121 **Satellite dish antenna:** Used for receiving satellite television signals, of a size greater than two
3122 and one-half (2.5) feet in diameter.

3123
3124 **Search Ring:** The area in which the antenna of a wireless communication service provider must
3125 be located in order to provide the provider's designed wireless communication service to a
3126 defined geographical area.

3127
3128 **Seasonal High Groundwater Level (SHGL):** the observed elevations of groundwater
3129 determined by a geotechnical engineering investigation, and adjusted in accordance with
3130 seasonal and subsurface conditions, influences and factors.

3131
3132 **SBC:** "Standard Building Code" latest edition of the technical detailed regulations for Structures
3133 as promulgated by the Southern Building Code Congress, Inc. and adopted by St. Johns County
3134 in accordance with Chapter 553, F.S.

3135

3136 **Scenic Highway:** Any road or highway, so designated by the St. Johns County Board of County
3137 Commissioners, the Federal or State government.
3138

3139 **Scenic Highway or Scenic Roadway (As it applies to Antenna Towers):** Means SR 13/CR 13
3140 from Duval County line to SR 207 (William Bartram Scenic Highway); SR A1A from Duval County
3141 line to Flagler County line (Buccaneer Trail); or any highway designated by an Act of Florida
3142 Legislature or the St. Johns County Board of County Commissioners as a Scenic Highway or
3143 Scenic Roadway.
3144

3145 **Scenic Resources:** Natural and manmade features that give remarkable character to the visual
3146 landscape. These resources are striking in appearance and provide a pleasing and memorable
3147 experience for viewers.
3148

3149 **Scenic Vistas:** Specific points and areas along a roadway that have beauty due to the natural
3150 environment, topography, cultural and Historic Resources.
3151

3152 **Scintillating:** See Flashing Sign.
3153

3154 **Scrub:** See Significant Natural Communities Habitat.
3155

3156 **Search Area:** A geographic area in which a Provider's Antenna is intended to be located to serve
3157 all or part of the Provider's coverage area as certified by the Provider's RF Engineer.
3158

3159 ~~**Seasonal Sign:** See Holiday Sign.~~
3160

3161 **Security Sign:** Signs measuring no larger than three (3) square feet in size and indicating that
3162 the premises are protected by security.
3163

3164 **Segment:** A series of sequential links identified on the Major Road Network in which the
3165 beginning and ending points are defined by the County using criteria that includes changes in
3166 roadway operating characteristics, locations of signalized intersections and municipal boundaries.
3167

3168 **Septic Tank Waste:** Means any sewage from holding tanks such as vessels, chemical toilets,
3169 campers, trailers, and septic tanks.
3170

3171 ~~**Serial Sign:** A series of Signs occurring in a row, following one after the other, providing a single
3172 Advertising Message. Serial Signs shall not include legally Erected Billboards placed in
3173 succession with a single Advertising Message.~~
3174

3175 **Service Area, Potable Water:** Means the geographic area served by a franchised water supply
3176 system, an individually owned water supply system, or a publicly owned water treatment.
3177

3178 **Service Area, Wastewater:** Means the geographic area served by an individually owned
3179 package treatment plant, a franchised Wastewater Treatment Plant, or a publicly owned
3180 Wastewater Treatment Plant.
3181

3182 **Service Station:** An establishment for the dispensing of motor fuels and related products at retail
3183 and having pumps, underground storage tanks and other facilities for such activity and which may
3184 include the retail sale and service of minor automobile parts and accessories, and which may also
3185 include the inspection, servicing or minor repair of motor vehicles in not more than three (3)
3186 enclosed service bays or stalls. These services shall not include body repair and painting,

3187 welding, or tire recapping and vulcanizing.

3188

3189 **Service:** The readiness and ability on the part of Utility to furnish and maintain water and/or
3190 wastewater service to the point of delivery for each Lot or tract (pursuant to applicable rules and
3191 regulations of applicable regulatory agencies).

3192

3193 **Sewage:** Means human excrement and gray water (household showers, dishwashing operations,
3194 etc.).

3195

3196 **Shall:** Designates a mandatory condition. Where certain requirements in design or application
3197 are described with the "shall" stipulation, it is mandatory that these requirements be met.

3198

3199 **Shopping Center:** A group of commercial establishments, with a common parking lot and/or
3200 using a common name.

3201

3202 **Should:** Designates an advisory condition. Where the word "should" is used, it is considered to
3203 be advisable usage, recommended but not mandatory.

3204

3205 **Shrubs:** Self-supporting woody species of plants characterized by persistent stems and
3206 branches originating from the base.

3207

3208 **Sign:** Any device, fixture, placard, or structure, including its component parts, which draws
3209 attention to an object, product, place, activity, opinion, Person, institution, organization, or place
3210 of business, or which identifies or promotes the interests of any Person and which is viewable or
3211 to be viewed from any public street, road, highway, right-of-way, or parking area (collectively
3212 referred to as a "public area"). For the purposes of these regulations, the term "Sign" shall include
3213 all structural members. A Sign shall be construed to be a display surface or device containing
3214 organized and related elements composed to form a single unit. In cases where matter is
3215 displayed in a random or unconnected manner without organized relationship of the components,
3216 each such component shall be considered to be a single Sign. The term "Sign " for regulatory
3217 purposes shall not include the following objects: graveyard and cemetery markers visible from a
3218 public area; vending machines or express mail drop-off boxes visible from a public area, not
3219 including any Sign extending outside or above the vending machine or express mail drop-off box;
3220 decorations that do not constitute advertising visible from a public area; artwork that does not
3221 constitute advertising or a building's architectural features visible from a public area; a
3222 manufacturer's or seller's markings on machinery or equipment visible from a public area; Any
3223 identification, description, illustration, or device illuminated or non-illuminated, which is visible
3224 from any outdoor place, open to the public and which directs attention to a product, service, place,
3225 activity, person, institution, or business thereof, including any permanently installed or situated
3226 merchandise; or any emblem, painting, banner pennant, placard, or Special Event Sign designed
3227 to advertise, identify, or convey information, with the exception of Window Displays, official public
3228 notices and court markers required by Federal, State, or local regulations; also excepting,
3229 newspapers, leaflets and or books intended for individual distribution to members of the public;
3230 and attire that is being worn, badges, and similar personal gear. The foregoing are not Signs for
3231 purposes of these regulations.

3232

3233 **Sign Contractor:** Any Person authorized to Erect Signs within St. Johns County.

3234

3235 **Sign Label:** A label affixed either on the Face or the channel of a Sign denoting the name of the
3236 manufacturer or designated servicing company for purpose of identification by County officials.

3237

3238 **Sign Legend:** See Copy.

3239

3240 **Sign Structure:** Any Structure which supports, has supported, or is capable of supporting a Sign,
3241 including decorative cover.

3242

3243 **Sign Walker:** Persons who walk, pace, jog, run or otherwise move, along Right-of-Ways wearing
3244 boards, costumes, clothes, or other forms of advertising for the purpose of advertising a product
3245 or products, business or businesses.

3246

3247 **Significant Industrial User:** Means, except as provided in (C) below, the following:

3248

3249 A. All dischargers subject to Categorical Pretreatment Standards under 40 CFR
3250 Section 403.6 and 40 CFR Chapter I, Subchapter N and adopted by reference in
3251 Chapter 62-660 F.A.C.

3252

3253 B. All noncategorical Discharges (those discharges not included under 40 CFR
3254 Section 403.6 and/or 40 CFR Chapter I, Subsection N) that have a reasonable
3255 potential to violate any pretreatment standard or requirement, or to adversely affect
3256 the operation of a central Utility Provider, or that contribute a process waste stream
3257 which makes up five percent (5) or more of the average dry weather hydraulic or
3258 organic capacity of a central Wastewater System treatment plant, or that discharge
3259 an average of twenty-five thousand (25,000) gallons per day or more of
3260 Wastewater to the Wastewater System of a central Utility Provider.

3261

3262 C. The County need not designate any noncategorical Industrial User meeting the
3263 criteria in (B) above as a Significant Industrial User when:

3264

3265 1. With the agreement of the FDEP, such noncategorical Industrial User has
3266 no potential for adversely affecting a central Wastewater System's
3267 operation or for violating any Pretreatment standard or requirement. The
3268 agreement of FDEP is not necessary in cases where the noncategorical
3269 Industrial User discharger would have been designated as a Significant
3270 Industrial User only because of an average discharge of twenty-five
3271 thousand (25,000) gallons per day or more of process Wastewater; or

3272

3273 2. Such noncategorical Industrial User has successfully petitioned the County
3274 to be deleted from the list of Significant Industrial Users on the grounds that
3275 it has no potential for adversely affecting a central Wastewater System's
3276 operation or violating any Pretreatment standard or requirement.

3277

3278 **Significant Natural Communities Habitat:** The following natural communities are established
3279 as Significant Natural Communities Habitat:

3280

3281 **Beach Dune:** Beach Dune is characterized as a wind-deposited, foredune and wave-
3282 deposited upper beach that are sparsely to densely vegetated with pioneer species,
3283 especially sea oats. Other typical pioneer species include beach cordgrass, sand spur,
3284 coastal or bitter panic grass, railroad vine, beach morning glory, seashore paspalum,
3285 beach elder, dune sunflower, sea purslane, and sea rocket. Beach Dune, especially along
3286 its ecotone with the unvegetated beach, is also the primary nesting habitat for numerous
3287 shorebirds and marine turtles, including many rare and endangered species. Beach Dune
3288 may also be referred to as: sand dunes, pioneer zone, upper beach, sea oats zone, and

3289 coastal strand.

3290

3291 **Coastal Grassland/Coastal Strand:** Coastal Grassland is characterized as a treeless
3292 flat land or gently undulating land with barren sand or a sparse to dense ground cover of
3293 grasses, prostrate vines, and other herbaceous or shrubby species that are adapted to
3294 harsh maritime conditions. Coastal grassland is the primary nesting ground for some
3295 shorebirds including some rare and endangered species. Coastal Grasslands may also
3296 be referred to as: overwash plain, deflation plain, salt flat, and coastal savannah. Coastal
3297 Strand is characterized as stabilized, wind-deposited Coastal Dunes that are vegetated
3298 with a dense thicket of salt-tolerant shrubs, especially saw palmetto. Other typical plants
3299 include sand live oak, cabbage palm, myrtle oak, yaupon holly, wax myrtle, southern red
3300 cedar, greenbrier, pinweed, Spanish bayonet, goldenrod sea oxeye. Coastal Strand may
3301 also be referred to as: scrub zone, maritime thicket, and coastal scrub.

3302

3303 **Maritime Hammock:** Maritime Hammock is characterized as a narrow band of hardwood
3304 forest lying just inland of the Coastal Strand community. Live Oak, cabbage palm, and
3305 redbay generally combine to form a dense, wind-pruned canopy whose streamlined profile
3306 deflects winds and generally prevents hurricanes from uprooting the trees. Other typical
3307 plants include American holly, southern magnolia, southern red cedar, wild olive, saw
3308 palmetto, beautyberry, poison ivy, prickly ash, and ferns. Migrating birds rely on these
3309 forests for food and shelter following trans-oceanic or trans-gulf migrations. Maritime
3310 Hammock may also be referred to as: coastal hammock, maritime forest, sub-tropical
3311 hammock.

3312

3313 **Sandhill:** Sandhills are characterized as a forest of widely spaced pine trees with a sparse
3314 understory of deciduous oaks and a fairly dense ground cover of grasses and herbs on
3315 rolling hills of sand. The most typical associations are dominated by longleaf pine, turkey
3316 oak, and wiregrass. Other typical plants include bluejack oak, sand post oak,
3317 sparkleberry, persimmon, winged sumac, dropseed, Indian grass, foxglove, bracken fern,
3318 partridge pea, gopher apple, and golden-aster. Sandhill may also be characterized by
3319 longleaf pine - turkey oak, longleaf pine - xerophytic oak, or longleaf pine - deciduous oak
3320 associations, or high pine woodlands.

3321

3322 **Scrub:** Scrub occurs in many forms, but is often characterized as a closed to open canopy
3323 forest of sand pines with dense clumps or vast thickets of scrub oaks and other shrubs
3324 dominating the understory. The ground cover is generally very sparse, being dominated
3325 by ground lichens or, rarely, herbs. Open patches of barren sand are common. Where
3326 the overstory of sand pines are exposed to more intense sunlight. Typical plants include
3327 sand pine, sand live oak, myrtle oak, Chapman's oak, scrub oak, tree lyonia, saw palmetto,
3328 flatwoods plum, red bay, and fetterbush. Scrub may also be referred to as: sand pine
3329 scrub, Florida scrub, sand scrub, oak scrub.

3330

3331 **Xeric Hammock:** Xeric hammock typically develops on well-drained sandy soils where
3332 fire-exclusion allows for the establishment of an oak canopy. The canopy is more or less
3333 closed and dominated by sand live oak, Chapman's oak, turkey oak, bluejack oak,
3334 southern live oak, or sand post oak. An emergent canopy of pine may be present. The
3335 understory is usually open and consists of shrubs characteristic of either sandhill or scrub
3336 and may include saw palmetto, myrtle oak, rusty staggerbush, fetterbush, sparkleberry,
3337 deerberry, American beautyberry, wild olive, Florida rosemary, or yaupon holly. The
3338 groundcover is generally sparse or absent, but may contain some scattered wiregrass,
3339 beaksedge, witchgrass, and goldenrod.

- 3391 of Agriculture and Consumer Services, Division of Forestry.
3392
3393 B. Comply with the requirements of Chapters 373 and 403, F.S.
3394
3395 C. Comply with the St. Johns River Water Management District Silviculture Rule,
3396 Chapter 40C-400.500, F.A.C.
3397

3398 **Single Family Dwelling Unit:** See Dwelling, One Family
3399

3400 **Single Family:** Pertains to Single Family constructed housing unit or mobile home unit.
3401

3402 **Site Plan:** The maps or drawings accompanying a Development Application showing the specific
3403 location and design of Improvements to be installed in accordance with the requirements of this
3404 Code.
3405

3406 **SJSO E-911:** The St. Johns County Sheriff's' Office E911 Section.
3407

3408 **Slaughterhouse:** An establishment where animals are killed, butchered and prepared for further
3409 processing.
3410

3411 **Sludge:** Means any solid or semisolid waste generated from a municipal, commercial, or
3412 industrial Wastewater Treatment Plant, water supply treatment plant, or air pollution control facility
3413 exclusive of the treated effluent from a Wastewater Treatment Plant.
3414

3415 **Slug:** Means any discharge of water, Wastewater, or industrial waste which in concentration of
3416 any given constituent or in quantity of flow could cause Interference with the performance of a
3417 central Wastewater System or a violation of the prohibited discharge standard.
3418

3419 **Small Project:** Means Projects which generate less than fifty (50) Average Daily Trips or less
3420 than five (5) peak hour trips.
3421

3422 **Snipe Sign:** Any Sign of any material, including paper, cardboard, wood, or metal, when tacked,
3423 nailed, stapled, posted, pasted, glued, or otherwise attached in any way to Trees, poles, stakes,
3424 fences, utility boxes, street furniture, fire hydrants or other objects ~~where such Sign may or may~~
3425 ~~not be applicable to the present use of the Premises upon which Sign is located.~~
3426

3427 **Solid Waste Facility:** Shall have the same meaning as Solid Waste Management Facility in Rule
3428 62-701, F.A.C.
3429

3430 **Special Cabaret:** Any bar, dance hall, restaurant, or other place of business which features
3431 persons who display or expose Specified Anatomical Areas to others, or any such establishment
3432 advertising for, or a Sign or Signs identifying which, use the words, "adult", "topless", "nude",
3433 "bottomless", or other words of similar import.
3434

3435 **Special Care Housing:** Housing that provides a family living environment and may provide
3436 limited care and supervision to meet the physical, emotional and social needs of one or more
3437 individuals. Special Care Housing includes group homes, congregate care homes, assisted living
3438 facilities, and foster homes. Special Care Housing does not include Nursing Homes, except as
3439 accessory to congregate care homes and assisted living facilities. Further, Special Care Housing
3440 does not include out-patient treatment or rehabilitation centers, medical clinics, or psychiatric care
3441 treatment facilities.

3442
3443 **Special Event:** ~~A Temporary sales, activities, and or promotions, whether~~ (commercial or non-
3444 commercial, ~~or political~~) that require requesting special advertising ~~for to~~ the public.

3445
3446 **Special Flood Hazard:** Is the land in the floodplain within a community subject to a one
3447 percent (1%) or greater chance of Flooding in any given year. This term is synonymous with the
3448 phrase “special flood hazard area.”

3449
3450 **Special Flood Hazard Area.** An area in the floodplain subject to a 1 percent or greater chance
3451 of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO,
3452 A1-A30, AE, A99, AH, V1-V30, VE or V.

3453
3454
3455 **Special Event Sign:** A Sign which carries a message advertising or otherwise indicating a
3456 Special Event.

3457
3458 **Special Use:** Means a Use that would not be appropriate generally or without restriction
3459 throughout a zoning division or district but which if controlled as to number, area, location, or in
3460 relation to the neighborhood, would promote the public health, safety, welfare, morals, order,
3461 comfort, convenience, appearance, prosperity, or the general welfare. Such Uses may be
3462 permissible in a zoning classification or district upon the granting of a Special Use and meeting
3463 the requirements of this Code.

3464
3465 **Species of Special Concern:** Species so listed by the Florida Fish and Wildlife Conservation
3466 Commission.

3467
3468 **Specifications:** Means the specifications contained in the S&D or W&WW Manual.

3469
3470 **Specified Anatomical Areas:** Less than completely and opaquely covered: human genitals or
3471 pubic region; buttock; female breast below a point immediately above the top of the areola; human
3472 male genitals in a discernibly turgid state, even if completely and opaquely covered.

3473
3474 **Specified Sexual Activity:** Human genitals in a state of sexual stimulation or arousal; acts of
3475 human masturbation, sexual intercourse, or sodomy, whether actual or simulated; fondling or
3476 other erotic touching of human genitals, pubic region, buttock, or female breast.

3477
3478 **Specimen Tree:** A Protected Tree proven by measurements documenting the Protected Tree
3479 by species, height, crown spread, D-B-H, and overall condition or its species equal to or exceeding
3480 seventy percent (70%) of the current Florida State Champion Tree as published in “Big Trees of
3481 the Florida Register” for all species except fifty percent (50%) for Live Oak, Laurel Oak, Southern
3482 Magnolia and Southern Red Cedar.

3483
3484 **Spinner:** Any device used to attract attention to the Premises on which it is located through
3485 mechanical means or by the atmosphere.

3486
3487 **Spot Light:** See Beacon.

3488
3489 **Stable:** A Building, Structure or area for the housing of Farm Animals including accessory
3490 facilities.

3491
3492 **Stabilized Drive:** A minimum twenty (20) foot wide compacted surface which can support an

3493 eighty thousand (80,000) pound fire truck.

3494

3495 **Standard Drawings:** Means the detailed drawings in the S&D or W&WW Manual.

3496

3497 **Standard Industrial Classification (SIC) Code:** Means a classification pursuant to the *Standard*
3498 *Industrial Classification Manual* issued by the United States Office of Management and Budget.

3499

3500 **Standards and Detail Manual (S&D Manual):** The detailed criteria and standards which
3501 graphically depict typical roadway and drainage design for Construction including exhibits, within
3502 unincorporated St. Johns County, and which are consistent with the objectives and standards of
3503 this Code.

3504

3505 **Start of Construction:** Means the date of issuance of a building permit for new construction
3506 and substantial improvements to existing structures, provided the actual start of construction,
3507 repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180
3508 days of the date of the issuance. The actual start of construction means either the first
3509 placement of permanent construction of a building (including a manufactured home) on a site,
3510 such as the pouring of slab or footings, the installation of piles, the construction of columns, any
3511 work beyond the stage of excavation, or the placement of a manufactured home on a
3512 foundation.

3513 Permanent construction does not include land preparation (such as clearing, grading, or filling),
3514 the installation of streets or walkways, excavation for a basement, footings, piers, or
3515 foundations, the erection of temporary forms or the installation of accessory buildings such as
3516 garages or sheds not occupied as dwelling units or not part of the main buildings. For a
3517 substantial improvement, the actual "start of construction" means the first alteration of any wall,
3518 ceiling, floor or other structural part of a building, whether or not that alteration affects the
3519 external dimensions of the building.

3520

3521 **Statutory Sign:** A Sign the County is required to Erect by any state or federal statute for safety,
3522 directional, or traffic control purposes.

3523

3524 **Stormwater Management System:** A system designed and constructed or implemented to
3525 control discharges which are necessitated by rainfall events. These systems incorporate methods
3526 to collect, convey, store, absorb, inhibit, treat, use or reuse stormwater to prevent or reduce
3527 Flooding, overdrainage, environmental degradation and water pollution or otherwise affect the
3528 quantity and quality of the discharges from a Project to downstream and lower lying areas. In
3529 general, all stormwater management systems within St. Johns County, unless exempt from the
3530 discharge requirements in this Code, will function as "Detention" or combination of "Retention"
3531 and "Detention" as defined herein.

3532

3533 **Stormwater:** The flow of water which results from, and which occurs immediately following a
3534 rainfall event.

3535

3536 **Streamer:** See Spinner.

3537

3538 **Street:** A public highway, road, or thoroughfare which affords the principal means of access to
3539 adjacent premises.

3540

3541 **Street Line:** That line limiting the Right-of-Way of the street and being identical with the property
3542 line of persons owning property fronting on the street.

3543

3544 **Structural Maintenance (As it applies to Antenna Towers):** The performance of work as
3545 required for the continued safe operation of the Structure. Repairs must comply with all structural
3546 Code requirements in effect at the time the Structure was built. The replacement of an existing
3547 Antenna Tower with a new Antenna Tower of like design, of the same or lesser height, on the
3548 same site, built to current Code, shall be considered Structural Maintenance. Structural
3549 Maintenance for the purpose of this definition shall mean work that strengthens a weakened
3550 element or prolongs the tower's life by mechanical means.

3551
3552 **Structural Modification (As it applies to Antenna Towers):** Addition or deletion of structural
3553 members, guys, or guy hardware, as well as, cutting, grinding, drilling, welding, bolting, unbolting,
3554 riveting or bending of any structural component of a Structure, or any like action that is likely to
3555 have a significant effect on the integrity of that Structure. The addition or removal of non-structural
3556 antennas, transmission lines and/or appurtenances using accepted industry standards and
3557 practices shall not be considered a Structural Modification.

3558
3559 **Structure:** Means a walled and roofed Building that is principally above ground, including
3560 screened enclosures, a Manufactured/Mobile Home, a gas or liquid storage tank, or other man-
3561 made facilities or infrastructures including, but not limited to, towers, smokestacks, utility poles,
3562 and overhead transmission lines.

3563 **Structure Analysis (As it applies to Antenna Towers):** An analysis performed, reported and
3564 sealed by a Professional Engineer in accordance with the applicable provisions of the Building
3565 Code.

3566
3567 **Study Area:** Means a geographical area analyzed through the Land Development Traffic
3568 Assessment which assesses the transportation needs of a Development Project. For single
3569 phase Projects, the Study Area and Traffic Impact Area are equivalent. For multi-phase Projects,
3570 the Study Area is defined by the Traffic Impact Area for the total build out of the Project. However,
3571 the phase(s) of the Project seeking a Certificate of Concurrency will be evaluated for
3572 transportation concurrency based only on the Traffic Impact Area for the phase(s) seeking a
3573 Certificate of Concurrency and shall include the Development for which a Certificate of
3574 Concurrency is being sought and the cumulative Development within the project for which a
3575 Certificate of Concurrency has been issued subsequent to March 4, 1991.

3576
3577 **Subdivider:** Any person, partnership or corporation, or duly authorized agent who undertakes
3578 the subdivision of land as defined herein.

3579
3580 **Subdivision (verb form: Subdivide, Subdivided):** Any land, vacant or improved, which is
3581 divided into two (2) or more Lots, Parcels, sites, Plots, tracts, or interests for the purpose of
3582 Development. Subdivision includes resubdivision.

3583
3584 **Subdivision Entrance Sign:** Any Sign ~~which is designed to identify~~ located at or near the
3585 entrance to a subdivision, neighborhood, or multi-family Project.

3586
3587 **Subgrade:** The portion of a Private or Public Roadway, which has been prepared as specified,
3588 upon which the base course is to be placed.

3589
3590 **Substantial Damage:** Means damage of any origin sustained by a structure whereby the cost of
3591 restoring the structure to its before damaged condition would equal or exceed 50 percent of the
3592 market value of the structure before the damage occurred. Substantial damage also means flood-
3593 related damage sustained by a structure on two separate occasions during a 10-year period for
3594 which the cost of repairs at the time of each such flood event, on the average, equals or exceeds
3595 25 percent of the market value of the structure before the damage occurred.

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Substantial Improvement—Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a five (5)-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. For each building or structure, the five-year period begins on the date of the first improvement or repair of that building or structure subsequent to **January 1st, 2009**. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. This term includes structures which have incurred “repetitive loss” or “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either:

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1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided:
 - a. The alteration will not preclude the structure’s continued designation as a historic structure and shall be reviewed by the County’s Cultural Resources Review Board following Section 3.01.03 (E) of the Land Development Code in order to insure continued historic designation.
 - b. The building improvements should include all appropriate flood damage reduction measures possible, as approved by the Floodplain Administrator.

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Suburban Area (As it applies to Article VII of this Code): Any area located outside Urban Areas and characterized by social, economic and institutional activities which are predominantly based on the manufacture, production, distribution, or provision of goods and services in an area which may include residential and non-residential uses typically in a low to medium density setting, and may include a mixture of rural and urban Development patterns.

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3629

Sufficient Application: See Application, Sufficient.

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3632

Surface Course: An asphalt or concrete wear surface of specified thickness and quality placed over the base course.

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3635

Surficial Aquifer: The potable water zone located 50 to 100 feet below the land surface otherwise known as the water table aquifer.

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3637
3638

Suspended Solids: Means tiny particles of solids disbursed but undissolved in a solid, liquid, or gas, which are removable by laboratory filtration.

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Swapdown: The procedure detailed in Article VII of this Code under which existing Billboards are voluntarily removed by Owners in exchange for new Billboard Permits.

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3643

Swale: A manmade trench which:

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- A. Has a top width-to-depth ratio of the cross-section equal to or greater than six-to-one (6:1), or side slopes equal to or greater than three (3) feet horizontal to one (1) foot vertical: and,
- B. Contains contiguous areas of standing or flowing water only following a rainfall event: and,

3651 C. Is planted with or has stabilized vegetation suitable for soil stabilization, stormwater
3652 treatment, and nutrient uptake: and,

3653
3654 D. Is designed to take into account the soil erodibility, soil percolation, slopes, slope
3655 length, and drainage area so as to prevent erosion and reduce pollutant
3656 concentration of any discharge.
3657

3658 **Swimming Club:** A recreational facility containing one (1) or more swimming pools and may
3659 contain Accessory Uses such as diving facilities, administrative offices, or locker room.
3660

3661 **Swing Sign:** Any Sign installed on an arm or spar that is not simultaneously permanently
3662 fastened to an adjacent wall or upright pole.
3663

3664 **Sworn Statement:** Means an affidavit properly executed and notarized stating that all
3665 information, included in the application or provided by the declarant is true and correct to the best
3666 of the declarant's knowledge.
3667

3668 **Take-Out Restaurant:** An establishment where food is ordered through a walk-up window from
3669 a permanent Structure for consumption off the premises shall be deemed a Take-Out Restaurant.
3670 A Restaurant with an accessory take-out window shall not be deemed a Take-Out Restaurant as
3671 defined herein.
3672

3673 **Telecommunications:** The transmission, between or among points specified by the user, of
3674 information of the user's choosing, without change in the form or content of the information as
3675 sent and received.
3676

3677 **Temporary Antenna Support Facility:** A facility that is designed and constructed to serve, on
3678 a temporary basis, as a means of supporting Antennas and is used typically to provide emergency
3679 wireless communications service or to provide wireless communications service to special events.
3680

3681 **Temporary Medical Hardship Mobile Home:** A mobile home, located on the same zoning Lot
3682 as an existing principal residence, which is used as a principal residence in cases of medical
3683 hardship in which the infirm resident requires continuous supervision.
3684

3685 **Temporary Mobile Home While Constructing:** A mobile home to be used as the principal
3686 residence of the property owner who is constructing, or having constructed, a conventional Single-
3687 Family Dwelling on the same property.
3688

3689 Temporary Sign: A Sign intended for a use not permanent in nature. Unless otherwise provided
3690 for in this Code, a Sign with an intended use for a period of time related to an event shall be
3691 deemed a Temporary Sign.
3692

3693 **Territory:** The geographical area described in a Franchise Certificate.
3694

3695 **Threatened or Endangered Species:** Species so listed by the Florida Fish and Wildlife
3696 Conservation Commission, Florida Department of Agriculture and Consumer Services, and U.S.
3697 Fish & Wildlife Service.
3698

3699 **Tinted Glass:** Any glass treated to achieve an industry approved inside to outside light
3700 transmittance value of forty-five percent (45%) or less. Such transmittance is limited to the visible
3701 spectrum (400 - 700 nanometers) and measured as the percentage of light that is transmitted
3702 through the glass.

3703
3704 **Title Certification:** Every plat of a subdivision submitted to the Board of County Commissioners
3705 must be accompanied by a title opinion of an attorney-at-law, licensed in Florida, or a title
3706 insurance company policy confirming that the lands as described and shown on the plat are titled
3707 in the name of the person, persons or organization executing the dedication as it is shown on the
3708 plat and that the developer has title to the lands. The title opinion or policy shall also show all
3709 liens, mortgages and other encumbrances on the land to be platted.

3710
3711 **Tourist Home:** A Building, or part thereof, other than a motel or hotel, where sleeping
3712 accommodations only are provided for transient guests with daily charge, without service of
3713 meals, and which also serves as the residence of the operator or owner.

3714
3715 **Tower:** Any structure designed primarily to support a wireless provider's antennae.

3716
3717 **Tower Site:** A Parcel of land, or portion of a Parcel, which may be smaller than the minimum Lot
3718 size required in the zoning district completely contained within a Lot meeting the requirements of
3719 the zoning district (or which is legally non-conforming) for the purposes of locating an Antenna
3720 Tower.

3721
3722 **Townhouse or Townhome:** A Single Family dwelling unit constructed in a group of three or more
3723 attached units with property lines separating each unit in which each unit extends from foundation
3724 to roof and with open space on at least two sides.

3725
3726 **Tracker Light:** A system of lights that shine upwards and move independently of each other and
3727 normally portable.

3728
3729 **Traffic Analysis Zone:** A geographic sub-area of the County used to tabulate socio-economic
3730 and trip characteristic information used in transportation modeling and traffic impact studies.

3731
3732 **Traffic Assignment::** The procedure of estimating the extent to which trips to a specific segment
3733 on the Major Road Network as travel occurs from a proposed Development to other locations.

3734
3735 **Traffic Control Sign:** See Public Sign means any Public Sign located within the right-of-way that
3736 is used as a traffic control device and that is described and identified in the Manual on Uniform
3737 Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the
3738 National Standard. A Traffic Control Device Sign includes those Public Signs that are classified
3739 and defined by their function as regulatory Signs (that give notice of traffic laws or regulations),
3740 Warning Signs (that give notice of a situation that might not readily be apparent), and guide Signs
3741 (that show route designations, directions, distances, services, points of interest, and other
3742 geographical, recreational, or cultural information).

3743
3744 **Traffic Count Station:** A location established by the County where periodic traffic counts are
3745 recorded by the Florida Department of Transportation, St. Johns County, or local jurisdiction; and
3746 where additional traffic counts may be required as part of the submission requirements of a traffic
3747 impact study.

3748
3749 **Traffic Impact Study Methodology and Procedures:** Means a document prescribing the
3750 procedures for evaluating the potential impacts of a Project on the Major Road Network, and for
3751 determining whether roadway facilities will be available at the Adopted Levels of Service
3752 concurrent with the impacts of the Project consistent with Article XI of this Code.

3753

3754 **Traffic Pre-Application Conference:** A meeting between the Applicant and the County that
3755 occurs prior to conducting a traffic impact study for the purposes of identifying key issues, unique
3756 considerations, review of assumptions and procedures to be used in a traffic impact study.
3757

3758 **Trailer, Boat:** A conveyance drawn by other motor power and used for transporting a boat.
3759

3760 **Trailer, Horse:** A conveyance drawn by other motor power and used for transporting horses or
3761 other animals.
3762

3763 **Trailer, Luggage or Utility:** A conveyance drawn by other motor power and used for the primary
3764 purpose of transporting general goods or luggage or household furnishings.
3765

3766 **Trailer Sign:** See Portable Signs.
3767

3768 **Trailer, Travel or Camping:** See Recreational Vehicle.
3769

3770 **Transfer of Sale:** Shall include the change in ownership or either legal title, an equitable interest,
3771 or the beneficial interest, of a Lot or Parcel within a subdivision and shall include but not be limited
3772 to contracts for sale and agreements for deeds; provided, however, it shall not include any
3773 contract for sale that specifically provides in bold print that the sale is contingent upon the
3774 recordation of a subdivision plat pursuant to this Code.
3775

3776 **Transportation Disadvantaged Services:** Means passenger vehicles operated by the St. Johns
3777 County Council on Aging designed to meet the needs of the transportation disadvantaged.
3778

3779 **Transportation Disadvantaged:** Shall have the same meaning as the same term in Chapter 9J-
3780 5, F.A.C.
3781

3782 **Treated:** Means reducing the pollution content in Wastewater.
3783

3784 **Tree:** A woody plant with a well-defined stem and crown capable of attaining a height of at least
3785 fifteen (15) feet with a trunk diameter of not less than two (2) inches, or a cluster of main stems
3786 having an aggregate diameter of not less than two (2) inches, at a point four and one-half (4 ½)
3787 feet above ground.
3788

3789 **Tree Locations:** The location, types, and sizes of Protected Trees provided by a licensed Land
3790 Surveyor and Mapper under the provisions of Chapter 472 F.S. and incorporated on a Site Plan
3791 prepared by a State of Florida licensed Engineer or Landscape Architect.
3792

3793 **Tree Protection Barricade:** Any Structure or device which protects preserved Trees and is to
3794 be installed at the Drip Line unless shown otherwise on the approved Construction Plans.
3795

3796 **Trip Generation Rate:** The number of vehicular trips generated by a unit of land use as defined
3797 in the St. Johns County P.M. Peak Hour Trip Rate and Percent New Trips Data Table; the Institute
3798 of Transportation Engineers, *Trip Generation Informational Report*, as updated; site specific data
3799 collected according to the procedures in this Code; or other professionally accepted methodology.
3800

3801 **Truck Stop:** An establishment where the principal Use is primarily for the refueling and servicing
3802 of trucks and tractor-trailer rigs. Such establishments may have restaurants or snack bars and
3803 sleeping accommodations for the drivers of such over-the-road equipment and may provide
3804 facilities for the repair and maintenance of such equipment.

3805
3806 **Turning Movement Count:** The collection of data at an intersection which determines the
3807 volume and direction of vehicles entering and exiting the intersection during the peak periods of
3808 7:00 a.m. to 9:00 a.m., and 4:00 to 6:00 p.m., or as otherwise specified by the County.
3809

3810 **Two Family Dwelling Unit:** See Dwelling, Two Family.
3811

3812 **Ultralight Flightpark:** Land designed and used or intended to be used as a take off and landing
3813 area exclusively by ultralight vehicles involved in sport and recreational activities, including related
3814 support activities such as sales or rental of ultralight vehicles, fuels and other support materials.
3815

3816 **Under Canopy or Marquee Sign:** Any Sign suspended below the ceiling or roof of a canopy or
3817 marquee.
3818

3819 **Understory:** A layer of low native vegetation usually associated with and developing under
3820 Trees.
3821

3822 [Unified Sign Plan: A signage plan within a Planned Unit Development describing the number,](#)
3823 [location, height, color, materials, type, architecture, lighting, and advertising display area of signs,](#)
3824 [and structures associated with signs. A Unified Sign Plan shall provide templates and renderings](#)
3825 [or sufficient descriptions of the treatment and control of signs within a Planned Unit Development.](#)

3826 ~~**Unlawful Sign:** Any Sign Erected or Maintained in violation of the terms of this Code or which~~
3827 ~~the County Administrator may declare as unlawful, if dangerous to public safety by reason of~~
3828 ~~dilapidation or Abandonment; except that Non-conforming Signs are not Unlawful Signs unless~~
3829 ~~the County Administrator declares any such Sign as dangerous to public safety by reason of~~
3830 ~~dilapidation or Abandonment.~~
3831

3832 **Unlicensed Wireless Service:** The offering of telecommunications services using duly
3833 authorized devices which do not require individual licenses, but not the provision of direct-to-home
3834 satellite services.
3835

3836 **Unsafe Sign:** Any Sign which poses a -threat to the health, safety, or welfare of public.
3837

3838 **Untreated:** Means Wastewater which does not receive any treatment prior to discharge.
3839

3840 **Upland Buffer:** An upland area adjoining a Wetland area managed for the protection of Wetland
3841 habitats. This buffer is measured from the state defined Wetland jurisdictional line landward.
3842

3843 **Urban Area (As it applies to Article VII of this Code):** An area of or for Development
3844 characterized by social, economic and institutional activities which are predominantly based on
3845 the manufacture, production, distribution, or provision of goods and services in a setting which
3846 typically includes residential and non-residential Development Uses other than those which are
3847 characteristic of rural Uses.
3848

3849 **Usable Space:** Shall mean that portion of the space within a Building which is available for
3850 assignment or rental to an occupant, including every type of space available for use of the
3851 occupant.
3852

3853 **Use of Land:** Includes use of land, water surface, and land under water to the extent covered by
3854 zoning districts, and over which the County has jurisdiction.
3855

3856 **Use:** The purpose for which land or water or a Structure thereon is designated, arranged, or
3857 intended to be occupied or utilized or for which it is occupied or maintained by the Owner,
3858 occupant, lessee, or trustee.
3859

3860 **User:** Means any person that discharges, causes, or allows the discharge of Wastewater into a
3861 central Wastewater System or any connected system.
3862

3863 **Utility:** Any Person or business entity of any kind, lessee, trustee, or receiver owning, operating,
3864 managing, or controlling a system, or proposing Construction of a system, who is providing, or
3865 proposes to provide, water, including non-potable water, Wastewater services, or a bulk water
3866 utility within the unincorporated area of St. Johns County, to the public for compensation, but it
3867 shall not include:
3868

- 3869 A. The sale, distribution, or furnishing of bottled water;
- 3870
- 3871 B. Systems owned, operated, managed, or controlled by Governmental Authorities;
- 3872
- 3873 C. Manufacturers providing service solely in connection with their operations;
- 3874
- 3875 D. Public lodging establishments providing service solely in connection with service
3876 to their guests;
- 3877
- 3878 E. Landlords providing service to their tenants without specific compensation for the
3879 service; and
- 3880
- 3881 F. Property Owners Associations providing reuse or surface water for irrigation.
3882

3883 **Utility Provider:** Any franchised water or Wastewater utility or System owned and operated by
3884 the St. Johns County Board of County Commissioners or other utility systems operated by
3885 municipalities or private utilities within St. Johns County.
3886

3887 **Utility, Stormwater:** Means any person, business entity, association or unit of local government
3888 owning or operating a Water System, Wastewater System or stormwater management system,
3889 or proposing Construction of a system, who is providing, or proposes to provide water,
3890 Wastewater, or storm water management service to the public within the unincorporated area of
3891 St. Johns County.
3892

3893 **Variance:** A deviation to the provisions of this Code.
3894

3895 **Variance, Non-Zoning:** A case-by-case deviation to the rules of this Code, when it is
3896 demonstrated that compliance with the Code would be a practical impossibility, and/or upon
3897 showing of good cause, an alternative to the Code is provided that conforms to the general intent
3898 and spirit of the Code. The Board of County Commissioners may require such conditions that
3899 will, in its judgement, substantially secure the same objectives of the standards or requirements
3900 so varied or modified.
3901

3902 **Variance, Zoning:** Variance is a relaxation of the terms of this Code where; i) such Variance will
3903 not be contrary to the public interest, and where; ii) by reason of the exceptional narrowness,
3904 shallowness, or unusual shape of a specific piece of property, or by reason of exceptional
3905 topographic conditions, or other extraordinary situation or condition of such piece of property, or
3906 by reason of the Use or Development of property immediately adjoining the piece of property in

3907 question, iii) the literal enforcement of the requirements of this Code would cause undue hardship
3908 to carry out the spirit and purpose of this Code, and iv) the Variance would not be contrary to the
3909 spirit and purpose of this Code. In this context personal, family or financial difficulties, loss of
3910 prospective profits, neighboring violations, or hardships created by any act of the owner, are not
3911 considered hardships justifying a Variance.

3912
3913 **Variance, Floodplain:** For the purpose of Section 3.03.07 (flood hazard areas), a grant of relief
3914 from the requirements of this ordinance, or the flood resistant construction requirements of the
3915 Florida Building Code, which permits construction in a manner that would otherwise be permitted
3916 by this ordinance or the Florida Building Code. Floodplain Variance criteria pertain to a piece of
3917 property and are not personal in nature. A hardship must be exceptional, unusual, and peculiar
3918 to the property involved. Mere economic or financial hardship alone is not exceptional.
3919 Inconvenience, aesthetic considerations, physical handicaps, personal references, or the
3920 disapproval of neighbors cannot, as a rule, qualify as exceptional hardships.

3921
3922 Vehicle: A form of transportation, including motorized and non-motorized vehicles designed and
3923 required to be licensed for use upon a highway in the State of Florida.

3924
3925 **Vehicle Auction:** The sale of vehicles where the method of sale is through competitive bidding
3926 and the price is determined by the highest bid offered.

3927
3928 **Vehicle Recycling:** Land Use for the recycling of inoperable vehicles for parts such as engines,
3929 transmissions, body parts, etc., including the storage, stripping, compacting rebuilding, sales and
3930 shipping of vehicles or parts thereof.

3931
3932 ~~Vehicle Sign: Any Sign on or affixed to a motorized vehicle, other than a registered logo,~~
3933 ~~trademark or service mark.~~

3934
3935 ~~Vehicle: A form of transportation, including motorized and non-motorized vehicles designed and~~
3936 ~~required to be licensed for use upon a highway in the State of Florida.~~

3937
3938 **Vehicle Sign:** Any Sign with an Advertising Display Area in excess of twenty (20) square feet of
3939 a vehicle, which identifies a business, products, or services, and which is attached, affixed, or
3940 adhered to, or mounted, pasted, painted, or drawn on on or affixed to a motorized a motorized or
3941 drawn vehicle, and is parked and visible from the public right-of-way; unless said vehicle is used
3942 for transporting people or materials in the normal day-to-day operation of the business, other
3943 than a registered logo, trademark or service mark.

3944
3945 **Vehicular Use Area:** An area used for the display or parking of any and all type of vehicles and
3946 equipment, whether self-propelled or not, and all land upon which vehicles traverse the property
3947 as a function of the principal Use.

3948
3949 **Vendor:** An individual selling products from a temporary location on private, commercially-zoned
3950 property.

3951
3952 **Vested Development:** Development Projects which are exempt from some or all of the
3953 provisions of this Code.

3954
3955 **Violation:** Means the failure of a structure or other development to be fully compliant with the
3956 requirements of this ordinance. A structure or other development without the elevation certificate,
3957 other certifications, or other evidence of compliance required in this ordinance is presumed to be

3958 in violation until such time as that documentation is provided.

3959

3960 **Visual Runway:** A runway intended solely for the operation of aircraft using visual approach
3961 procedures with no straight-in instrument approach procedure and no instrument designation
3962 indicated on a FAA approved Airport layout plan, a military services approved military Airport
3963 layout plan, a military services approved military Airport layout plan, or by any planning document
3964 submitted to the FAA by competent authority.

3965

3966 **Volume (Traffic):** Means the number of vehicles to pass a predetermined location during a
3967 specified period of time.

3968

3969 **Volume Sensitive:** Land locked, closed-basin with insufficient or no outlet.

3970

3971 **Wall Sign:** See Fascia Sign.

3972

3973 **Warning Sign:** A Sign which provides warning of a dangerous condition or situation that might
3974 not be readily apparent or that poses a threat of serious injury (e.g., gas line, high voltage,
3975 condemned building, etc.) or that provides warning of a violation of law (e.g., no trespassing, no
3976 hunting allowed, etc.); See Public Sign.

3977

3978 **Wastewater Line:** A gravity collection system or pressurized Wastewater force mains that collect
3979 and convey Wastewater to a central Wastewater Treatment Plant.

3980

3981 **Wastewater System:** Wastewater System shall mean and shall include any plant, system, facility
3982 or property, and additions, extensions and Improvements thereto at any future time constructed
3983 to acquire as part thereof, useful or necessary or having a present capacity for future Use in
3984 connection with the collection, treatment, purification and disposal of Wastewater of any nature
3985 or originating from any source, and without limiting the generality of the foregoing definition, shall
3986 embrace treatment plants, pumping stations, lift stations, valves, force mains, intercepting sewers,
3987 laterals, pressure lines, mains and all necessary appurtenances and equipment, all Wastewater
3988 mains and laterals for the reception and collection of Wastewater from premises connected
3989 therewith, and shall include all real and personal property and any interest therein, rights,
3990 easements and franchises of any nature whatsoever relating to any such system and necessary
3991 or convenient for the operation thereof.

3992

3993 **Wastewater Treatment Plant or Treatment Plant:** Means that portion of the POTW which is
3994 designed to provide treatment of municipal Wastewater and industrial waste.

3995

3996 **Wastewater:** Means the combination of the liquid and water-carried pollutants from a residence,
3997 commercial Building, industrial plant, or institution, together with any groundwater surface runoff,
3998 or leachate that may be present.

3999

4000 **Water and/or Wastewater Treatment Capacity:** Means the maximum demand that can be
4001 accommodated by the central Utility System without exceeding the Adopted Level of Service.

4002

4003 **Watercourse:** a river, creek, stream, channel or other topographic feature in, on, through, or over
4004 which water flows at least periodically.

4005

4006 **Water Line:** Means a water transmission or distribution line.

4007

4008 **Water System:** Water System shall mean and include any plant, system, facility or property, and

4009 additions, extensions and Improvements thereto at future times, constructed or acquired as part
4010 thereof, useful or necessary or having the present capacity for future Use in connection with the
4011 Development of sources, treatment or purification and distribution of water, and, without limiting
4012 the generality of the foregoing, shall include dams, reservoirs, storage tanks, mains, lines, valves,
4013 pumping stations, laterals and pipes for the purpose of carrying water to the premises connected
4014 with such system, and shall include all real and personal property and any interest therein, rights,
4015 Easements and franchises of any nature whatsoever relating to any such system and necessary
4016 or convenient for the operation thereof.

4017
4018 **Water System, Community:** Means a central Water System which serves at least fifteen (15)
4019 service connections used by year-round residents or regularly serves at least twenty-five (25)
4020 year-round residents.

4021
4022 **Wearing Surface Course:** An asphalt or concrete wear surface of specified thickness and quality
4023 placed over the base course.

4024
4025 **Wellhead Resource Protection Areas:** The areas around public potable water supply wells
4026 which were established to give some degree of protection from identified sources of potential
4027 ground water contamination.

4028
4029 **Wet Detention System:** A permanently wet stormwater detention storage area normally used in
4030 areas where soil and hydrological conditions are not conducive to “Dry Detention” or “Retention”
4031 systems as defined herein. In addition to the herein defined function of “Detention”, these systems
4032 provide through a secondary controlled outlet or bleed-down device, detention of a defined
4033 stormwater treatment volume per state regulations for removal of dissolved and suspended
4034 pollutants by taking advantage of physical, chemical, and biological processes within the pond.
4035 The secondary outlet also provides for detention of a defined flood protection volume if applicable
4036 under Article X of this Code.

4037
4038 **Wetland Dependent Wildlife:** Wildlife species that are reliant on both Wetland and adjacent
4039 upland habitats for portions of their life cycle. This includes but is not limited to behaviors such
4040 as nesting, denning, foraging, reproduction, and roosting.

4041
4042 **Wetlands:** Those areas that are inundated or saturated by surface water or ground water at a
4043 frequency and a duration sufficient to support, and under normal circumstances do support, a
4044 prevalence of vegetation typically adapted for life in saturated soils. Soils present in Wetlands
4045 generally are classified as hydric or alluvial, or possess characteristics that are associated with
4046 reducing soil conditions. The prevalent vegetation in Wetlands generally consists of facultative
4047 or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions
4048 described above. These species, due to morphological, physiological, or reproductive adaptations,
4049 have the ability to grow, reproduce or persist in aquatic environments or anaerobic soil conditions.
4050 Florida Wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and
4051 strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal
4052 marshes, mangrove swamps and other similar areas. Florida Wetlands generally do not include
4053 longleaf or slash pine flatwoods with an understory dominated by saw palmetto. The delineation
4054 of actual Wetland boundaries may be made by professionally accepted methodology consistent
4055 with the type of Wetlands being delineated but shall be consistent with any unified statewide
4056 methodology for the delineation of the extent of Wetlands ratified by the Legislature.

4057
4058 **Wildlife:** Any member of the animal kingdom, with the exception of man and domestic animals,
4059 including but not limited to any animal to any mammal, fish, bird, amphibian, reptile, mollusk,

4060 crustacean, arthropod, or other invertebrate.

4061
4062 **Wildlife Corridor:** Contiguous stands of wildlife habitat which facilitate the natural migratory
4063 patterns, as well as other habitat requirements of wildlife.

4064
4065 **William Bartram Scenic Highway:** State Road 13/County Road 13 between Duval County Line
4066 and State Road 207.

4067
4068 **Wind Sign:** Any Sign which uses objects or material fastened in such a manner as to move upon
4069 being subjected to pressure by wind, including Pennants, ribbons, spinners, streamers, or
4070 Anchored Balloons, but excluding Flags.

4071
4072 **Window Display:** The exhibition or demonstration of merchandise in a store window.

4073
4074 **Window Sign:** Any Sign placed inside a window of a building, facing the outside and which is
4075 intended to be seen from the exterior or any sign visible from the exterior of a building or structure
4076 which is painted, attached, glued, adhered, or otherwise affixed to a window or door. A Window
4077 Sign does not apply to a Window Display.

4078
4079 **Window Treatment:** Any type of material that prevents or reduces the amount of interior light
4080 escaping outside, including, but not limited to, curtains, drapes, blinds, solar screens, non-
4081 reflective film and storm shutters.

4082
4083 **Window Tint or Film:** A material applied to the entire glass area of a window or door which
4084 attains a shading coefficient comparable to that prescribed for tinted glass.

4085
4086 **Working Days:** Normal working days for St. Johns County to include Monday through Friday
4087 except County holidays.

4088
4089 **Xeric Hammock:** See Significant Natural Communities Habitat.

4090
4091 **Xeriscape or Florida Friendly:** Water conserving landscaping utilizing native or drought tolerant
4092 vegetation and water efficient irrigation systems.

4093
4094 **Yard:** A required open space other than a court unoccupied and unobstructed by a Structure or
4095 portion of a Structure from thirty (30) inches above the general ground level of the graded Lot
4096 upward; provided, however, that fences, walls, poles, posts, and other customary yard
4097 accessories, ornaments, and furniture may be permitted in any Yard subject to height limitations
4098 and requirements limiting obstruction of visibility.

4099
4100 **Yard, Front:** A required Yard extending between Side Lot lines across the front of a Lot adjoining
4101 a public or private street.

4102
4103 **Yard, Rear:** A required Yard extending across the rear of the Lot between inner side Yard lines.
4104 In the case of through Lots and corner Lots, there will be no Rear Yards, but only Front and Side
4105 Yards.

4106
4107 **Yard, Side:** A required Yard extending from the rear line of the required Front Yard to the Rear
4108 Lot line, or in the absence of any clearly defined Rear Lot line to the point of the farthest from the
4109 intersection of the Lot line involved in the public street. In the case of through Lots, Side Yards
4110 are from the rear lines of Front Yards required. In the case of corner Lots, Yards remaining after

4111 Front Yards have been established on both frontages are considered Side Yards. In the case of
4112 Lots abutting an Easement thirty (30) feet in width that serves no more than two (2) Dwelling
4113 Units, the Yard adjacent to the Easement shall be considered a Side Yard.
4114

4115 **Yard, Special:** A Yard behind any required Yard adjacent to a public or private street required to
4116 perform the same functions as a Side or Rear Yard, but adjacent to a Lot line and so placed or
4117 oriented that neither the term "Side Yard" nor the term "Rear Yard" clearly applies.
4118

4119 **Yard Waste Composting Facility:** A central facility where the yard trash and wood fraction of
4120 solid waste for multiple residential properties is processed by natural or mechanical means to aid
4121 the microbial decomposition of the organic material.
4122

4123 **Yard Waste Air Curtain Incinerator:** A low technology facility for the burning of yard trash and
4124 wood waste.
4125

4126 **Yard Waste Transfer Facility:** A facility where yard trash and wood waste from several relatively
4127 small vehicles is placed into a large vehicle before being transferred to a yard waste composting
4128 or disposal facility.
4129

4130 **Year:** See Calendar Year.
4131

4132 **Zoning Atlas, Official:** The official record of St. Johns County depicting the zoning districts on
4133 property in the unincorporated area of St. Johns County.

History: Ord. 2012-2; Ord. 2015-9; Ord. 2015-14; Ord. 2016-36; Ord. 2017-

END OF DOCUMENTS TO BE
RECORDED

Attachment 2
Current Article VII

ARTICLE VII SIGNS

PART 7.00.00 GENERALLY

The provisions of this Article shall apply to all Signs that are Erected, in the County, unless exempted as provided herein.

Sec.7.00.001 Index to Article VII

- 7.00.001 Index to Article VII
 - 7.00.002 Free Speech Provision and Substitution Clause
 - 7.00.003 Severability
 - A. Generally
 - B. Effect of severance which could result in a restriction of speech
 - C. Effect of severance on provisions pertaining to prohibited signs.
 - D. Effect of severance on provisions pertaining to Billboards
 - 7.00.004 Effect of Ordinance3s 2002-61 and 2002-72
 - 7.00.005 Reasons for Denial Of Sign Permit Application
 - 7.00.01 Sign Permit Required
 - A. Application
 - B. Applicants
 - C. Time allowed for processing a Sign Permit Application
 - D. Failure to obtain a required Sign Permit on a Non-conforming Sign.
 - 7.00.02 Zoning and Comprehensive Plan
 - A. Billboards
 - B. On-premise
 - 7.00.03 Structural Requirements
 - 7.00.04 Illumination
 - 7.00.05 General Maintenance
 - 7.00.06 Causes for Removal
 - 7.00.07 Interpretation
 - 7.00.08 Appeals
 - 7.00.09 Other Regulations
 - 7.00.10 Enforcement and Penalties
-
- 7.01.01 Intent and Future Billboards
 - 7.01.02 Types of Billboards Allowed
 - 7.01.03 General Requirements (Billboards)
 - 7.01.04 Established Setbacks and Spacing (Billboards)
 - 7.01.05 Swapdown Requirement for New Permits (Billboards)
-
- 7.02.01 On-Premise Sign Provisions – Non Interstate
 - 7.02.02 On-Premise Sign Provisions – Interstate
-
- 7.03.01 Special Use Signs – Exemptions
-
- 7.04.01 Political Campaign Signs

- 7.05.01 Special Event Signs
- 7.06.01 Development Signs
- 7.07.01 Scenic Highway Signs and Antennas
- 7.08.01 Prohibited Signs
- 7.09.01 Non-Conforming Signs
- 7.10.01 Race Track Road Signs

Sec. 7.00.002 Free Speech Provisions and Substitution Clause

- A. Any other provision of Article VII notwithstanding, any Sign that is authorized in an unincorporated area of St. Johns County, Florida under Article II of the St. Johns County Land Development Code is allowed to contain any Political Message or Political Messages, in lieu of, in addition to, and/or up to the same size as any other Copy for such Sign. Section 7.01.03(G) of Article VII shall not apply to Billboards whose Copy consists solely of one or more Political Messages. Other than as set forth above, the placement of a Political Message on a Sign will not alter or change any other regulation that would otherwise apply to such Sign. In the event there is a conflict between this Section 7.00.002 and any other section or portion of Article VII of the St. Johns County Land Development Code, this Section 7.00.002 shall control.
- B. Substitution Clause. Any other provision of Article VII notwithstanding, a noncommercial message may be substituted for a commercial message or another noncommercial message on any sign lawfully erected and maintained under this Article VII.

Sec. 7.00.003 Severability

- A. Generally. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article VII is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article VII.
- B. Effect of severance which could result in a restriction of speech. Without diminishing or limiting in any way the declaration of severability set forth in subsection (a) above, or elsewhere in this Article VII, this code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article VII is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause term, or word of this Article VII if the severance of the unconstitutional provision would result in a situation where there would be less speech.
- C. Effect of severance on provisions pertaining to prohibited Signs. Without diminishing or limiting in any way the declaration of severability set forth in subsection (a) above, or elsewhere in this Article VII, this code, or any adopting ordinance, if any part, section,

subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article VII other than part 7.08.00 (Prohibited Signs) or any other law of St. Johns County is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article VII that pertains to prohibited Signs, including specifically those Signs and Sign-types prohibited and not allowed under Section 7.08.00 of this Article VII. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Section 7.08.00 is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of part 7.08.00.

- D. Effect of severance of provisions pertaining to Billboards. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article VII other than part 7.01.00 (Billboard Sign Provisions) and/or any other code provisions and/or ordinances are declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the regulation of Billboards as contained in this Article VII. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of part 7.01.00 is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Section 7.01.00.

Sec. 7.00.004 Reenactment and Effect of Ordinances 2002-61 and 2002-72 as amended.

It is hereby confirmed, declared and established that St. Johns County Ordinance 2002-61 was intended to, and did in fact, replace the Article VII of the County's Land Development Code that was created by St. Johns County Ordinance 1999-51. It is further confirmed, declared and established that St. Johns County Ordinance 2002-72 amended the Article VII of the County's Land Development Code that was created by Ordinance 2002-61. St. Johns County Ordinance 2002-61, as amended by Ordinance 2002-72 and St. Johns County Ordinance 2002-72 are both amended by this ordinance and as so amended, are hereby reenacted and ratified.

Sec. 7.00.005 Reasons For Denial Of Sign Permit Application

A Sign Permit Application will be denied if the Application is not Complete and Sufficient and if the Applicant does not meet the requirements contained in Section 7.00.01 of the St. Johns County Land Development Code.

Sec. 7.00.01 Sign Permit Required

A Sign permit must be obtained in advance of Erection of any new such Sign not exempted herein and before any repair, replacement or reinforcement of more than one-sixth (1/6) of an existing Sign Structure annually. Any permit applications for new Billboards shall be complete with Swapdown proposals from the applicant in accordance with procedures detailed in Part 7.01.00. No permit shall be required for Message or Face replacement. Any Permit applications for On-premise Signs shall comply with Part 7.02.00 of this Article.

(Notice: Section 125.56, Florida Statutes authorizes the counties of Florida to enforce the

Florida Building Code (FBC) as provided in Section 553.80, Florida Statutes. The FBC also regulates Signs and requires permits. St. Johns County enforces the FBC. Section 125.56(4), Florida Statutes provides that any person, firm or corporation that violates the FBC is guilty of a misdemeanor of the second degree. Please be aware that Article VII of the St. Johns County Land Development Code does not include all of the Sign requirements that are contained in the FBC and are enforced by St. Johns County.)

A. Application

The Sign Permit Application form, must contain information as provided by Section 713.135, F.S., shall be completed in its entirety and signed by the applicant. Each Sign permit application shall be reviewed by the County Administrator. Each application shall include the following:

1. Completed Clearance Sheet.
2. A completed Sign Permit Application, which provides the following information:
 - a. Type of proposed sign: ground, pylon, wall or awning
 - b. Square footage of all proposed signs and number and square footage of existing signs
 - c. Height of proposed ground or pylon signs
 - d. Proposed lighting information when signs are to be illuminated
 - e. Information to determine if on-premise message relates to the premises on which the sign will be located
 - f. Elevation of wall sign depicting the location of the Sign in relation to any other store or office fronts
 - g. Site plan indicating location of sign to existing buildings, streets and other existing signage, and location of sign if within 500 feet or ½ mile of the interstate system
 - h. Billboard application will be reviewed to determine sufficient Swapdown credits
3. Site Plan, (3 copies)
4. Three (3) sets of construction plans showing proposed signs at ¼" per foot minimum scale. Method of design for ground supported signs must be shown using American Society Civil Engineering Manual methodology. These plans must include:
 - a. All structural details including foundation cross-section and attachment details;

- b. All proposed electrical work including fixtures;
 - c. Indicate if internally illuminated signage is listed with approved testing agency.
5. Supporting structural calculations, 2 copies
 6. Building permit fee, if applicable
 7. Clearance Sheet fee
 8. A Comprehensive Design Plan, drawn to a scale and detailed to demonstrate compliance with this Code. Such Comprehensive Design Plan shall include the Sign's maximum height, maximum square footage, exact dimensions, the type of construction material, footers and construction designs, full structural details and calculations which shall be by a Florida Professional Engineer (P.E.) on Billboards and also on Ground Signs over twelve (12) feet in height or over one hundred (100) square feet Advertising Display Area, and any Signs with internal and external lighting designs with designed wattage and electrical wiring. A detailed scaled Site Plan (3 copies) shall also be required showing exact Sign placement related to Lot lines and buildings within a distance equal to the Sign's height.
 9. Applications for Signs to be located in special overlay districts with more restrictive Sign regulations than this Code, shall be submitted complete with plans and details, approved in writing, by the applicable special overlay district architectural review process.
 10. On Billboard applications, the Swapdown Classification point rating of the new Sign shall be calculated and transmitted to the applicant within three (3) business days by the County Administrator so the applicant's Swapdown nominations or banked credit may be considered by the applicant to add to the application packet. The applicant's Swapdown nominations or sufficiently banked credits shall be required for a complete Billboard application. The following information is required to nominate a Billboard Swapdown:
 - a. Type of Support, i.e. wood, steel, monopole
 - b. Height to Top Edge of Billboard
 - c. Size of Advertising Fact
 - d. Location, i.e. Urban, Rural, Suburban
 - e. Location within a Scenic Vista or Scenic Highway
 - f. Roadway Classification
 - g. Zoning Classification

- h. Lighting, if any
 - i. Proximity of Buildings
11. The Applicant shall designate whether the application is for a Billboard, On-premise, Special Use or Development Sign.
 12. If the application is for an On-premise Sign, the Applicant shall provide documentation evidencing that the Sign will identify or advertise a business, person, activity, goods, product, commodity, service, or entertainment located on the Premises or Advertising Message connected with the Premises, where the Sign is to be installed and Maintained.
 13. If the Sign is to be illuminated, a completed electrical Permit application shall be submitted.
 14. The legal description of the property on which the sign is to be erected

B. Applicants

Permits shall only be issued to:

1. Persons licensed as Sign contractors to include the following:
 - a. Certified Contractors (structural and/or electrical),
 - b. State Registered Contractors (structural and/or electrical),
 - c. County Authorized Contractors (structural only, no electrical work allowed with this license).
2. Owners of property acting as their own Sign contractor, provided:
 - a. The property is held in the Owner's private personal name, by solely owned proprietorship or a partnership of individuals so that a human may appear to claim the state authorized exemption from contracting laws. No corporation, even a solely owned one, can personally appear to claim an exemption from contractor licensing,
 - b. The property to benefit from the Sign is personally used by the Owner, not leased, rented or used by another Person,
 - c. The Sign total is less than \$25,000.00,
 - d. That any electrical work is permitted only after the Owner/applicant successfully completes an open Code book questionnaire on technical basics of electrical work.

- C. Applications for Sign Permits shall be approved or denied in writing, by the County Administrator, within ten (10) working days of submittal of a fully Completed Application as specified in Section 7.00.01.A, unless the sign is to be located in an Overlay District. If the Sign Permit application is for a sign in an Overlay District, the Administrator shall approve or deny the application in writing within 30 days.

Should the County Administrator not approve or deny the Application in writing within the ten working day period or for overlay districts within the thirty (30) day time period, the Application shall be deemed denied and the Applicant may appeal the denial as provided by Florida Law to the circuit court of the Seventh Judicial Circuit in and for St. Johns county, Florida.

- D. Failure to obtain a required Sign permit prior to any work, exceeding Maintenance, on a Non-conforming Sign shall be a violation of this Code and shall automatically and immediately result in loss of Non-conforming status.

Sec. 7.00.02 Zoning and Comprehensive Plan

Compliance with the Comprehensive Plan and applicable Land Development Regulations is required and evidence of compliance with both shall be provided to the County with the permit application and shall be in accordance with the provisions below.

A. Billboards

1. Billboards, within the requirements of this Code, shall be allowed within the Commercial Highway Tourist (CHT) Zoning District, Commercial Intensive (CI) Zoning District, Industrial Warehouse (IW) Zoning District, and Heavy Industrial (HI) Zoning District that exist within the Mixed Use, Industrial or Commercial land Use designations, as designated on the Comprehensive Plan Future Land Use Map.
2. Billboards, within the requirements of this Code, shall be allowed on parcels of land being requested for new Planned Unit Development (PUD) zoning that contain a minimum five acres of land for Uses as those allowed in CHT, CI, IW, or HI zoning and subject to the PUD development plan stating such Signs shall be allowed as a Use within the PUD and that such Signs be integrated into the overall unified development plan. Billboards Erected within the PUD zoning districts shall be subject to the requirements of this Code.

Any applicant within an existing approved PUD that proposes to Erect a Billboard within the existing approved PUD and has not specifically listed Billboards as a permitted Use within the PUD, shall be subject to obtaining major modification approval, prior to the Erection of the Billboard. Such major modification shall be processed through the standard major modification process, as established in this Code and may only be approved by the Board of County Commissioners. All Billboard signage provided in PUD zoning districts shall comply with the requirements of this Code, unless more stringent Sign requirements apply.

3. Billboards, within the requirements of this Code, may be allowed on property zoned to allow Billboards, as provided herein, on any Business Site that contains

an existing business that uses On-premise Signs. Any Billboard permitted for Off-premise advertising that displays On-premise advertising messages shall thereby be deemed to be an On-premise Sign and shall meet all requirements for such as established herein.

B. On-premise Signs

1. On-premise Signs, within the requirements of the Code, may be located on any Business Site, in Commercial or Industrial districts, zoned to allow such business per Part 7.02.00 of this Code. Such Signs on Business Sites in Open Rural (OR) and residential zoning districts shall not exceed thirty-two (32) square feet of area per side or ten (10) feet in height. In addition to the requirements for a request for a Non-Zoning Variance of this Code as indicated in Section 10.04.03, the Applicant must prove that the Advertising Message would not be effectively viewable from the nearest road or street right-of-way, and the Board of County Commissioners may approve such request after considering the following:
 - a. The distance of the Sign or Signs from the road or street right-of-way, and
 - b. The speed limit on the road or street right-of-way, and
 - c. The visible impact of the Sign or Signs from the nearest road or street right-of-way, and
 - d. The integration of the Sign or Signs into the architecture of the Building.
2. On-premise Signs, within the requirements of this Code, may be located on parcels of land zoned Planned Unit Development (PUD), subject to the PUD Master Development Plan stating such Signs shall be allowed as a Use within the PUD and that such Signs be integrated into the unified development plan of the Project. All Signage provided in PUD zoning classifications shall comply with the requirements of this Code, except that for Fascia, Marquee, Canopy, Roof, Building, Wall and similar Sign Structures. For Fascia, Marquee, Canopy, Roof, Building, Wall and similar Sign Structures, the applicant for the PUD or the Owner of the PUD, or any designated agent of the applicant or Owner may request, with the submittal of the PUD application, a waiver in accordance with Section 5.03.02.G. of this Code of such Sign requirements to accommodate the Project, except there shall be no increase in the gross maximum Advertising Display Area.

In any PUD, approved on or before the effective date of this Code, any request to modify the height, size, or square footage of the approved Signage shall be deemed a major modification, pursuant to the requirements of this Code.

The design of such Sign or Signs shall be submitted with the PUD application and shall be reviewed with the PUD application or major modification.

Sec. 7.00.03 Structural Requirements

All Signs requiring permits shall be constructed in accordance with the FBC.

Sec. 7.00.04 Illumination

All Signs, except those Signs where the top of Sign is not greater than eight (8) feet from the top of established grade and greater than sixty-four (64) square feet in size, shall comply with the following lighting and illumination requirements.

- A. Signs shall be top-lighted with the point light source facing downward.
- B. No Sign shall be Erected, or any existing Sign operated, where Illumination is not shielded to prevent beams or rays of light from being directed at any portion of the traveled right-of-way, including Interstate and federal-aid primary highways and other right-of-ways, so as to prevent any driver seeing a Sign's point light source.
- C. No Sign shall be Erected, or any existing Sign operated, where Illumination is not shielded to prevent beams of light from being directed at any residential Use property. No Sign's point light source shall be located so that it may be seen from residential Use property.
- D. No Sign shall be Erected, or any existing Sign be operated, where Illumination is of such intensity or brilliance as to cause glare or impair the vision of any driver of any motor vehicle or which interferes with any driver's operation of a motor vehicle. The limits of Illumination shall be determined by the County Administrator with the assistance of the Building Department.

Sec. 7.00.05 General Maintenance

All Signs requiring permits shall be Maintained in accordance with the FBC and those not Maintained may be removed in accordance with the FBC. No permit shall be required for Message or Face replacement, or Maintenance, unless replacing, repairing, disassembling or refurbishing more than one-sixth (1/6) of a Sign Structure annually by any action, other than painting, such action shall require a permit in advance of such work and shall be in full compliance with this Code.

Sec. 7.00.06 Causes For Removal

Causes for removal shall be as described in the FBC, to wit.

A. Unsafe Signs

Should any Sign become insecure or in danger of falling or otherwise unsafe in the opinion of the Building Official, the Owner thereof, or the Person or firm maintaining the same, shall upon written notice from the Building Official, forthwith in the case of immediate danger and in any case within ten (10) days, remove such Sign or secure the same in a manner to be approved by the Building Official, in conformity with the provisions of the FBC. If such order is not complied within in ten (10) days, the Building Official shall remove such Sign at the expense of the Owner or Lessee thereof.

B. Lack of Maintenance

All Signs for which a permit is required, together with its supports, braces, guys, and anchors shall be kept in repair and, unless of galvanized or noncorroding metal, shall be

Painted at least once every two (2) years. The Building Official may order the removal of any Sign that is not Maintained in accordance with the provision of the FBC. Such removal shall be at the expense of the Owner or Lessee.

C. Unlawful Signs

In case any Sign shall be installed, Erected, or constructed in violation of any of the terms of this Code, the Building Official shall notify, by registered mail or written notice served personally, the Owner or Lessee thereof to alter such Sign so as to comply with the FBC or the zoning regulations and to secure the necessary permit there to for, or to remove the Sign. If such order is not complied within ten (10) days, the Building Official shall remove such Sign at the expense of the Owner or Lessee thereof.

Sec. 7.00.07 Interpretation

The County Administrator shall interpret the provisions of this Article VII. When making such interpretation, the County Administrator shall use the word definitions that are provided in the County's Land Development Code. If there is an ambiguity, dispute or conflict concerning the interpretation of this Article VII that involves words that are not defined in the County's Land Development Code, the County Administrator shall interpret the ambiguity, dispute or conflict by utilizing dictionaries, the Florida Building Code, the County's zoning regulations, County ordinances and/or Florida Statutes pertaining to building codes, or Signs or other governmental or professional references pertaining to building or structural standards. The County Administrator may also use rules of statutory construction. In the event that there is a dispute concerning the interpretation of this Article VII or of the words that are defined in Article XII and used in this Article VII, the interpretive decision of the County Administrator shall be final and shall, if requested, be in writing with reasons that support the decision. Such requested written decision shall be rendered within five (5) business days of the actual decision.

Sec. 7.00.08 Appeals

Any decision of the County Administrator, pertaining to Sign permitting, may be appealed to the Board of County Commissioners within ten (10) days of the decision. A notice of appeal from the County Administrator decision shall be filed in writing by the Applicant to the County Administrator and shall include all pertinent information and shall include the appeal fee paid upon submittal by the appellant/Applicant. The County Administrator shall, upon receipt of such appeal, set a time for hearing (not to exceed twenty (20) days from filing) and shall give notice of time and place of the hearing to the appellant/Applicant. A decision of the Board of County Commissioners, pertaining to the appeal hearing, shall be rendered as a written order within five (5) days of the appeal hearing. If an order is not rendered within fifteen days the appeal hearing, the appeal shall be deemed denied. Decisions of the Board of County Commissioners may be appealed to the Circuit Court by the appellant within thirty (30) days of the Board's rendered decision and injunctive relief may be sought. An appeal shall stay all administrative proceedings in furtherance of the action appealed until such time as a final determination by the Board of County Commissioners or Circuit Court has been made on such appeal, provided that no such action shall be taken by the applicant or the County Administrator during such time which would change the status of the matter being appealed except when in the opinion of the Building Official there exists and immediate and significant safety hazard. The appeal fee shall be established by Resolution of the Board of County Commissioners.

Sec. 7.00.09 Other Regulations

All applications for Signs in special overlay districts shall be complete with plan details approved by the applicable architectural review committee when such review is required under such overlay district. All Signs that are legal for use in special districts shall be allowed to contain one or more Political messages. The County also enforces the Florida Building Code, the National Electrical Code, other Articles of the St. Johns County Land Development Code and other laws when they are applicable to Signs.

Sec. 7.00.10 Enforcement and Penalties

As provided by Section 125.69, F.S., any person violating any of the provisions of this Article may be prosecuted in the same manner as misdemeanors are prosecuted, upon conviction, be punished for each offense by a fine not to exceed \$500.00 or by imprisonment in the County jail not to exceed sixty (60) days or both fine and imprisonment. Each day that an offense or violation of this article continues may be deemed a separate offense. Alternatively, this Article may be enforced by any method prescribed by law, including injunctive relief and any of the provisions of Chapter 162, including Part II, F.S., and any County Ordinances enacted thereunder.

PART 7.01.00 BILLBOARD SIGN PROVISIONS

Sec. 7.01.01 Intent and Future Billboards

A. Control on Additional Total Faces

No increase in the total number of Billboard Faces in St. Johns County shall be permitted and no new Billboard Faces shall be hereinafter permitted or Erected unless fully compliant with this Code. All Billboards and Faces not fully in conformance with this article are hereby declared Nonconforming; however, existing Billboards and Faces may continue in Use until destroyed, abandoned, or removed. Notwithstanding said prohibition on an increase in the total number of Billboards, the Billboard reduction and compliance program outlined below allows compliant new Billboards. The program includes:

1. It is the voluntary action of the Billboard Owner, and
2. Remodels an existing Billboard into greater conformity with this Code, such as decreasing size or reducing height, or
3. Allows a totally conforming new Billboard in exchange for removal of an existing Nonconforming one of similar style and construction, or
4. Reduces the total Billboard Face count by removal of multiple existing Billboard Faces by the Swapdown methodology detailed below in exchange for a permit to build a new conforming Billboard Face.

B. Future Billboard Locations

Billboards may be only be allowed on certain property and sites, as provided in Section 7.00.02, of this Code.

C. Severance

If any of the provisions of this Code, including Swapdown procedures, pertaining to permitting new Billboards is found unconstitutional or otherwise void by a court of competent jurisdiction, all provisions pertaining to allowing and permitting new Billboards shall be deemed voided in totality and no new Billboards shall be allowed.

Sec. 7.01.02 Types Of Billboards Allowed

A Billboard Structure may be single or multifaced, provided any multifaced Billboard Structure shall have advertising surfaces of equal size and shape, excluding Embellishments. For purposes of this Ordinance, the following shall be considered multifaced Billboards.

- A. A Billboard Structure where two (2) Facings are placed parallel back-to-back within six (6) feet of each other, or
- B. A Billboard Structure with two or more Faces when constructed in the form of a "V" as viewed from above, provided the internal angle at the apex is not greater than sixty (60)

degrees and the Billboard Facings are not separated by more than thirty-six (36) inches at the apex on the "V", or

- C. A Billboard Structure with three (3) Faces forming a triangle "Δ" shape when viewed from above, with the Faces each within three (3) feet of the adjacent Face at the corners.

Sec. 7.01.03 General Requirements

- A. Height

Billboards shall not exceed thirty-five (35) feet in height; except those on Interstate 95 may rise to forty (40) foot maximum height. The height of a Billboard shall be measured from the crown of the road immediately adjacent to the structure; or from the existing natural grade immediately adjacent to the structure, whichever is higher.

- B. Size

A Billboard Facing area shall not exceed three hundred seventy-eight (378) square feet, exclusive of Embellishments; except those on Interstate 95 may be five hundred sixty (560) square feet, maximum area, excluding Embellishments.

- C. Materials

Billboards may be constructed upon wood poles, steel I-Beams or monopoles.

- D. Sign Structure

No portion of the Sign Structure shall be visible above any Advertising Display Area, excluding Embellishments; and no Billboard or supporting structure shall be above a building. No new building shall be hereafter permitted when any portion would be beneath any part of an existing Billboard.

- E. Movement

No Billboard shall be Erected, or any existing Billboard modified or operated, that incorporates Flashing, Scintillating, Beacon or Running Lights, Animated Copy, or any Automatic Changeable Message Device.

- F. Embellishments

Embellishments may be added to Billboard Facings, provided, however, such Embellishments shall not exceed ten percent (10%) of the total Advertising Display Area.

- G. Owner Identification

All Billboards Erected, operated and maintained within the County shall carry, and have displayed upon them, the Owner's name information displayed in such a manner as to provide clear readable visibility from the abutting road right-of-way during daylight hours.

- H. Multi-Message Faces

Nothing herein shall prohibit a Billboard Face displaying no more than two (2) horizontal side-by-side Advertising Messages of the same size and shape, excluding Embellishments, facing the same direction.

I. Building Standards

Billboards shall be subject to the requirements of the Occupational Safety and Health Administration (OSHA) and the FBC.

J. Lighting

Billboards may be lighted in accordance with Section 7.00.04 of this Article.

K. Non-conforming Billboards

Any Billboard Face or structure failing to meet all requirements of this Article on the effective date of this Code shall become Non-conforming.

Sec. 7.01.04 Established Setbacks and Spacing (See Appendix D for Illustration)

A. Right-of-ways

No part of a Billboard or supporting structure shall be Erected within fifteen (15) feet of the right-of-way of an interstate highway, federal-aid primary highway, or other right-of-way.

B. Separation from Residential Property

No part of a Billboard or supporting structure shall be Erected within one hundred (100) feet of any property zoned to allow residential Use as a principal Use.

C. Public Facilities

No part of a Billboard or supporting structure shall be located within one hundred (100) feet of the nearest property lines of any public park, municipal, county, state or federal building, religious institution or any public or private school.

D. Corner Lots

On any corner lot, no Billboard shall be Erected or project within the triangular area formed by the street right-of-way lines and a line connecting them at points fifty (50) feet from the corner formed by the intersection of the street right-of-way lines.

E. Spacing

No part of a Billboard or an On-Premise Sign exceeding three hundred (300) square feet, or their supporting structures shall be permitted or Erected unless all the required distances to the nearest existing Billboard and/or to the nearest existing On-Premise Sign that exceeds three hundred square feet is assured as provided herein. For the purposes of the following subsections to this subsection E, the word Billboard shall be deemed to mean and shall include Billboards and On-Premise Signs that exceed three

hundred (300) square feet.

1. Along Interstates

No Billboard structure shall be Erected closer than one thousand, five hundred (1,500) feet to the nearest Billboard structure on the same side of the highway.

2. Along Federal-Aid Primary Highways or Other Right-of-Way

No Billboard structure shall be Erected closer than one thousand (1,000) feet to the nearest Billboard structure on the same side of the highway.

3. Measurement Along Same Side of Highway

Distance between Billboard structures on the same side of the roadway shall be measured linearly along the center line of the roadway abutting the Billboards, between points directly opposite that part of the Sign nearest the roadway; or in the case of parallel Billboards, from a point opposite the center of the Billboards.

4. Radial Spacing

Excluding street intersections, no Billboard structure shall be permitted or Erected within a five hundred (500) foot radius from an existing Billboard structure. The distance between such Billboard structures shall be measured as the shortest horizontal distance between any part of the structures or Faces.

5. Intersections

No more than two (2) Billboard structures may be located at a road or street intersection, and such Billboard structures (if more than one) shall be located at diagonal corners of the intersection. The minimum separation distance between the nearest parts of the diagonally placed Billboards shall be two hundred (200) feet. For the purpose of this paragraph, intersection shall mean within five hundred (500) feet of the point where the roadway center lines intersect. For the purpose of determining Non-conforming existing Billboards, the order in time of Billboard Erection shall determine if the spacing is Non-conforming.

6. Proximity to Scenic Highways

No Billboards are allowed within six hundred (600) feet of the right-of-way along either side of any designated Scenic Highway, as measured from the edge of right-of-way; and any Billboard Erected outside the six hundred (600) foot designation, shall not be visible from the Scenic Highway at the time of permitting or immediately after Erection, except Real Estate Signs as provided herein. For purposes of this paragraph, visible shall mean human eye visibility from six (6) feet above the centerline of the Scenic Highway. Any Off-premise Signs greater than two thousand, five hundred (2,500) feet from the centerline shall be deemed not visible.

7. Utility Lines

No Signs shall be Erected that interferes with any underground and over-head utility lines in compliance with the National Electric Code (NEC) and OSHA regulations.

Sec. 7.01.05 Swapdown Requirement For New Permits

A. Swapdown Billboard Removal Prerequisite

Prior to issuance of a Billboard building permit for a new Billboard conforming to this Article, the applicant shall remove Swapdown Billboard(s), as detailed herein or utilize credits from prior permitted removal of Billboard(s) which were classified under the procedures detailed herein. Written confirmation of Swapdown Billboard(s) removal via onsite inspection by the County Administrator or designee shall be on file in the Building Department prior to the actual issuance of the permit when the applicant has proposed such removal.

B. Classification Information on Swapdown Billboards

To nominate a Billboard Swapdown, the Owner shall provide full adequate written detail on Billboard characteristics so the Billboard may be rated by the Classification procedures, established in this Part which shall provide information to determine.

1. Type of Support, i.e. wood, steel, monopole
2. Height to Top Edge of Billboard
3. Size of Advertising Face
4. Location, i.e. Urban, Rural, Suburban
5. Location within a Scenic Vista or Scenic Highway
6. Roadway Classification
7. Zoning Classification
8. Lighting, if any
9. Proximity of Buildings

C. Swapdown and Classification Procedure at Permitting

Applicants for Billboard Permits shall nominate Swapdown Billboards with the aforesaid Classification Information, or banked credits to be utilized in permitting any new Billboard. The County Administrator, or designee, shall inspect each existing Swapdown Billboard to confirm Classification Information and rate the Signs following details established in this Part. The Building Department shall notify the applicant in writing of

the tentative Swapdown ratings within fourteen (14) days of receiving a completed application including Swapdown nominations and issue a written "Intent to Permit" letter when only removal of any specified existing Swapdown Billboards is required for permit issuance.

D. Registration of Existing Billboards

All Billboards located within the County shall be registered as follows:

1. A master registry of all existing Billboards shall be created to provide details on Billboard location and characteristics.

E. Classification Points for Swapdown Permitting

Each Face of a proposed new and/or an existing nominated Swapdown Billboard shall be rated in accordance with the physical characteristics of the Billboard Face, the structure supporting it, and the site location. Such classification points are termed "Raw Classification Points" and shall be determined and assigned from the table below:

Billboard Characteristics	Raw Points
STRUCTURAL SUPPORT	
(a) Wooden Poles	1
(b) Metal Framework	2
(c) Monopoles	6
HEIGHT TO TOP OF FACE	
(a) Up to 20 feet in height	1
(b) Over 20 to 25 feet in height	2
(c) Over 25 to 30 feet in height	3
(d) Over 30 to 35 feet in height	4
(e) Over 35 feet in height	5
ADVERTISING DISPLAY AREA	
(a) Up to 200 square feet	1
(b) Over 200 to 400 square feet	2
(c) Over 400 square feet	3
LIGHTED FOR NIGHT VISIBILITY	
(a) Not lighted	0
(b) Lighted from top only	2
(c) Ground or bottom lighted	3
PLACEMENT OF BILLBOARD	
(a) Any part of the Billboard is above a building	4
(b) Any part of the Billboard is within a Scenic Highway or Vista	8
SITE LOCATION PROXIMITY	
(a) In Rural area	1
(b) In Suburban area	2
(c) In Urban developed area	3

F. Adjustments for Compliance Factors

To determine Classification Points of various Billboard Faces, the Raw Points from Section 7.01.05 E. above shall be adjusted based upon use of the one most severe applicable compliance factors below:

1. Proposed Faces fully compliant with this Code shall have Classification Points equal to the Raw Point total.
2. Existing Faces:
 - a. Still fully compliant with this Code shall have Classification Points equal to the Raw Point total.
 - b. Now noncompliant by virtue of excess height or size only, shall have the Raw Point total reduced by a 0.75 multiplier to determine Classification Points.
 - c. Now noncompliant by virtue of existence in land Use (zoning) category not allowing Billboards in this Code, shall have the Raw Point total reduced by a 0.62 multiplier to determine Classification Points.

G. Application Methodology:

1. After nominations of registered Billboards by Owners seeking a new Billboard permit or Billboard removal permit, the Classification Point information on Registered Swapdown Billboards shall be provided to the Owners or applicant or designee in accordance with Section 7.01.05 E and F. Joint onsite visits to nominated Swapdown Billboards shall be made or scheduled within three (3) working days of the Owner's request to the County Administrator to resolve questioned Classification decisions. The final Classification Points shall be those utilized in Swapdowns for new permitted Billboard Faces. Appeals on Classification Points shall be heard by the Adjustment and Appeals Board under the FBC for technical matters within fourteen (14) days of the applicant's written request to the County Administrator. No Classification Points shall be allowed on unregistered Billboards.
2. Owners of existing Billboards may apply for County building permits to voluntarily remove Billboards before submitting an application for a new conforming Billboard. Classification Points for such early removals shall be credited to the Billboard Owner for future Swapdown use. Said building permit numbers shall be the tracking numbers used by the County Administrator and by Owners to determine and monitor Classification Points credited and banked for future use by the Owner. Such banked points shall expire two (2) years after the date of the permit authorizing Billboard removal for removals completed after the date of the permit authorizing Billboard removal thereafter, if not used in Swapdown on a new Billboard permit.
3. No Classification Points shall be earned or assigned to any Billboard lost by abandonment, removal pursuant to development approval, or adversely affected by any means so that fifty percent (50%) or more of uprights supporting

advertising Faces are not longer serviceable. Furthermore, no Classification Points shall be given for removals required when a Billboard land lease is not renewed by the land Owner.

4. Nothing herein shall prohibit one Owner assigning or conveying by any notarized written means its unused credited Classification Points to another Billboard Owner for Swapdown use by the subsequent Owner.
 5. Via certified mail to the Owner, the County Administrator shall document, for the Owner's credit, any excess points from Swapdown Billboard removal, should the new proposed Billboard require fewer Classification Points that those removed.
- H. Examples of Billboards rated by Raw Points, Classification Points, and Swapdown use are detailed in Appendix G.

PART 7.02.00 ON-PREMISE SIGN PROVISIONS

Sec. 7.02.01 On-Premise Sign Provisions - Non-Interstate

The following standards, criteria and provisions shall apply to all On-premise Signs throughout the County in commercial and industrial zoning districts, as defined in this Code, except sites located along the Interstate System, which are granted additional Signage pursuant to Section 7.02.02, sites located along a designated Scenic Highway or within a Scenic Vista, or sites located within special overlay districts, or sites located within open rural and residential zoning districts, or sites zoned PUD that have an approved overall master Sign design plan, or sites located along Racetrack Road. Such excepted sites have more restrictive limits as detailed in applicable regulations and PUD zoning approvals.

A. Number and size

The following table describes Sign types, the maximum number allowed and maximum Advertising Display Area.

Sign Type	Maximum Number Signs Related To Frontage on Street	Maximum Square Footage Per Sign, Advertising Display Area
Ground Signs such as: Pole, Monument, and similar type Sign Structures	1	Up to 100 feet
	2	Over 100 to 200 feet
	3	Over 200 to 500 feet
	4	Over 500 feet
Building Signs such as: Fascia, Marquee, Canopy, Building, Wall and similar Sign Structures	Number Not Limited	1.5 square feet per linear footage of Building Frontage. Maximum 150 square feet per Sign, not to exceed 200 square feet of Sign area per business (See Appendix C)

B. Maximum size

In no case, shall any individual Sign as described above, exceed one hundred fifty (150) square feet in size of Advertising Display Area. Each building is allowed up to a maximum of two hundred (200) square feet of signage related to building frontage per business.

C. Height Limits

Maximum height for On-premise Signs is based upon the Roadway Functional Classification, as provided in Appendix E, as may be amended, and except as otherwise provided in this Section, shall not exceed the maximum height as provided below.

Roadway Functional Classification	Maximum Height (feet)
State Roads (except SR 13)*	30
Major Collector (except International Golf Parkway and Race Track Road)*	25
Local Roads*	20
Minor Collector*	20

Note: Portions of SR/CR 13 and International Golf Parkway are designated as a Scenic Highway; Race Track Road has overlay sign requirements as adopted by the Board of County Commissioners

* Roads within overlay zones have overlay sign requirements as adopted by the Board of County Commissioners

During permitting, the Sign applicant may request, in writing, an exception for an additional ten (10) feet of height on State Roads and Major Collectors and an additional five (5) feet of height on Local Roads and Minor Collectors when visibility of the Sign is obstructed by other Signs, buildings, trees, topographical and other natural features and similar obstructions. The Sign Contractor may request the exception to increase the height of an existing Sign when existing circumstances or conditions change that create an obstruction. The County Administrator shall visit the site and shall approve or deny the request in writing within fourteen (14) days. The decision of the County Administrator may be appealed to the Board of County Commissioners within thirty (30) days of the decision, per Section 7.00.08 of this Article.

D. Street Numbers

At least one On-premise Sign on each property having such a Sign shall include street address numbers. All such street address numbers shall be visible and legible from the Street or road right-of-way. Such numbers shall be a minimum of three (3) inches in height and one and one-half (1.5) inches in width. Street address numbers shall be excluded from the calculation of Advertising Display Area.

E. Spacing

Adjacent On-premise Signs shall be separated by a distance at least equal to the width of the two Signs added together measured from the maximum width at any point of each sign.

Sec. 7.02.02 On-Premise Signs Provisions - Interstate

The following standards, criteria and provisions shall apply to all On-premise Signs throughout St. Johns County on all sites located within the interstate system interchanges, as described

below.

A. Standard Allowance

Each Business Site shall be allowed Signage, designed in compliance with Section 7.02.01 of this Article.

B. Additional Allowance

Each non-residential Business Site shall be allowed one (1) additional Pole Sign placed onsite for primary visibility from the Interstate and designed in compliance with the following:

1. Business Sites situated within five hundred (500) feet of the interstate system interchange right-of-way shall be allowed one (1) Pole Sign measuring one hundred twenty (120) feet in height with no more than three hundred (300) square feet of Advertising Display Area.
2. Business Sites situated between five hundred (500) feet and one-half (0.5) mile of the interstate system interchange right-of-way shall be allowed one (1) Pole Sign measuring eighty-five (85) feet in height with a maximum Advertising Display Area of two hundred fifty (250) square feet.

Sec. 7.02.03 Setbacks/Placement Limits (depicted in Appendix D)

All On-premise Signs shall be subject to the following setbacks.

A. Setbacks

On-premise Signs including Special Event devices shall be setback five (5) feet from the front, ten (10) feet from the side and ten (10) feet from the rear. All setbacks are measured from the property line to the pole of the Sign. No portion of the Sign may extend into the right-of-way.

B. Corner

Signs Erected on Corner Lots shall not project within the triangular area formed by the street right-of-way and a line connecting such points twenty-five (25) feet from the corner formed by the intersection of the street right-of-way line.

C. Traffic

No Sign shall be Erected, that interferes or obstructs traffic flow or interferes or obstructs vehicular vision, such as within an intersecting right-of-way.

D. Utility Lines

No Sign shall be Erected that interferes with any underground and over-head utility lines in compliance with the National Electric Code (NEC) and OSHA regulations.

PART 7.03.00 SPECIAL USE SIGNS

Sec. 7.03.01 Special Use Signs - Exemptions

The Signs listed in this Section 7.03.01 shall be allowed without a Sign Permit. Nothing in this Section 7.03.01 shall be deemed to effect or to limit the size or any other aspect of other Signs that are regulated by Article VII of the County Land Development Code when the permit provisions contained in Section 7.00.01 and other applicable provisions of Article VII that pertain to such other Signs are met.

- A. Public Information, Public Identification, Public Directional and Traffic Control Signs and devices or Directional Information and warning Signs which are Erected or Maintained by St. Johns County, the State of Florida or by any railroad, public utility, St. Johns County School Board or public agency. Such Signs may remain as long as warranted. Only such Signs may be allowed within the public right-of-way.

- B. On-site construction Signage provided:
 - 1. Maximum one Sign each Lot, denoting one or more of the Owner, architect, financial institution, general contractor, subcontractors and any statement pertaining to a building or project under construction upon Lots or Parcels of land where a building permit has been secured for construction of a building or project on such Lot or Parcel of land.
 - 2. Such Signs shall not be installed sooner than thirty (30) days prior to construction and shall be removed within thirty (30) days after completion of the building or project, prior to the issuance of certificate of occupancy (CO) or within fifteen (15) days after construction operation has ceased whichever is earlier.
 - 3. Such Signs shall not exceed thirty-two (32) square feet, except those in residential zoning districts which shall not exceed six (6) square feet in area.
 - 4. Such Signs shall be setback a minimum of five (5) feet from the front and ten (10) feet from all property lines in residential districts, and be setback at least twenty-five (25) feet from the intersection of road Right-of-ways.
 - 5. Such Signs located on golf course Lots, Lots along navigable waters, and similar Lots with dual visibility shall be permitted one additional (1) on-site construction Sign placed along the frontage of such golf course, navigable water and similar frontages.

- C. Real estate Signage provided:
 - 1. Signs with copy on one or both sides shall be allowed in all zoning districts.
 - 2. One Sign shall be allowed for each street frontage of the parcel of property or unit offered for sale, lease or rent.
 - 3. Sign is limited to a maximum six (6) square feet, including the Sign Structure, in area in residential districts.

4. Sign is limited to a maximum thirty-two (32) square feet Advertising Display Area, in non-residential districts.
5. Sign shall be removed within five (5) days of the day the property changes ownership, or is rented or leased.
6. Signs located on golf course Lots, Lots along navigable waters, and similar Lots with dual visibility shall be permitted one (1) additional real estate Sign placed along the frontage of such golf course, navigable water and similar frontages.
7. Banners may be used in compliance with the criteria established in this Code, and with the size and number as provided in Part 7.05.00.
8. "Open House" Signs shall be allowed off-premise when Erected on private property, with the property owner's consent. No such Sign shall be placed on public right-of-way. Real Estate Signs announcing and directing to new subdivisions, model homes and similar new projects may be allowed off-premise during such times as these such new projects are being advertised and open for inspection. These are limited to six (6) square feet and shall not exceed three (3) per the property advertised. These Signs shall be removed immediately after Realtors or other sales personnel have left or closed the premises.
9. "Open House" Signs shall be allowed on property that is open for inspection at the time an owner or representative is on the premises.
10. "Open House" Signs are limited to a maximum six (6) square feet, including the Sign Structure.
11. "Open House" Signs shall be setback a minimum of fifteen (15) feet from adjoining side yard property lines and setback a minimum five (5) feet from the front property line.

D. Flags provided:

1. Maximum of three (3) permanent Flags may be flown per site concurrently.
2. The maximum distance from top to bottom of all Flags situated on a single flag pole shall be twenty percent (20%) of the total height of the flag pole.
3. For Flags situated without a flag pole, the maximum distance from top to bottom of all Flags shall be twenty percent (20%) of the distance from the top of the flag or insignia to the ground.
4. The Height of a Flag pole that is located in a commercial or industrial zoning district shall not exceed the maximum Sign Height that is allowed for On-premise Signs that are located in such zoning districts.
5. Subsection D.1. above and Section 7.05.01(C) shall not apply to Flags of the United States of America. Flags of the United States of America may be flown in unrestricted numbers without a Sign Permit and without being registered as a

Special Event Sign. In the event that this subsection D.5. is found to be unconstitutional or is found to cause any other portion of Article VII of the County Land Development Code to be found unconstitutional by a court of competent jurisdiction, then in such event, this subsection D.5. shall automatically be deleted and of no effect.

E. Private Directional Signage provided:

1. Each commercial business and similar Uses shall be allowed one (1) private directional sign at each access drive, depicting the name and location of the said Use or business, and shall not be located in the right-of-way. Private directional Signage shall not exceed three (3) square feet in size or three (3) feet in height. However, upon approval by the County Administrator, additional directional Signage may be located throughout parking and traffic flow areas to direct traffic as necessary. Such Signs may only direct motorists to the location of individual entrances, parking areas and similar traffic flow patterns.
2. Each agricultural business and similar Use properties zoned Open Rural (OR) may display one (1) Identification or Directional Sign, at each major access points. Such Signs shall not exceed thirty-two (32) square feet and three (3) feet in height.

F. Agricultural Fair Signage, community festival, public community events Signage and similar Signage, limited to thirty-two (32) square feet. The number and approximate location of such Signs shall be registered with County, prior to Erection. Such Signage shall only be Erected on private or County owned property, not to include Rights-of-Way, with the property Owners permission and shall be removed immediately after the event is over. When such Signs are registered with the County, the event's contact person name, address and telephone number shall be provided. Such Signs may be Erected thirty (30) days prior to the event and shall be removed within fifteen (15) days thereafter.

G. Seasonal and Holiday Signs

1. Such Signs shall be Erected for no longer than a four (4) week period of time, with the exception of November through January, in which Seasonal and Holiday Signs may be Erected forty-five (45) days prior to the holiday and removed fifteen (15) days thereafter.
2. Such Signs shall not exceed six (6) square feet in residential districts or thirty-two (32) square feet in non-residential districts.
3. Seasonal and Holiday Signs do not include traditional decorations, such as ornaments, lights, wreaths, trees and similar items, which shall not be governed by the provisions of this Code.

H. Address and street numbers and name plates limited to two (2) square feet, except as provided in Section 7.02.01.D.

I. Memorial Signs, historical markers, name plates depicting the names of buildings, date of Erection, builder and other Significant aspects of the building. Such Signs may be cut

into brick or masonry surface, inlaid to be part of the building or bronze or other hard surface material plaque directly attached to the building, limited to six (6) square feet.

- J. No trespassing Signs, no dumping Signs and similar warning Signage.
 - 1. Such Sign is limited to six (6) square feet in size.
 - 2. Such Signs shall be posted at the entrance to the property and subsequent Signs shall be placed no more than one Sign per two hundred fifty (250) feet of property boundary.
 - 3. For Lots fronting more than one street or roadway, such as Corner Lots and Through Lots, such Signs may be placed on each street or roadway frontage.
- K. Garage sale Signs, limited to four (4) square feet in size, two (2) per site and located at the location of the garage sale. Garage sale Signs may be placed one (1) day before the sale and shall be removed immediately after the sale. No garage sale Signs may be Erected upon the right-of-way.
- L. Political Message Signs will be allowed up to 32 square feet, except in residential districts, which shall not exceed six square feet. Political Messages are allowed in larger Copy on any permanent Sign if the Sign has been lawfully erected. In other words, Political Messages, including campaign messages, on other Signs authorized by other provisions of this Code shall not be restricted or affected by this subsection.
- M. Signs placed upon vending machines. Such Signs shall not extend outside or above the vending machine.
- N. Signs Erected within interior courtyards or the inside fence line of ball and multi-purpose playing fields, stadiums, arenas, racetracks, within gated communities and similar places, visible only to those Persons visiting such place. Such Signs shall not be Erected along or upon the outside of such area, except in compliance with this Code.
- O. Concise Messages, under eight (8) square feet at business service doors or bays to identify services therein.

PART 7.04.00 POLITICAL CAMPAIGN SIGNS

Sec. 7.04.01 Political Campaign Signs

Political Campaign Signs shall be subject to the following provisions and limitations. Political Messages, including campaign messages, on other Signs authorized by other provisions of this Code shall not be restricted or affected by this section.

A. Size

Political Campaign Signs shall not exceed thirty-two (32) square feet of Advertising Display Area, except in residential zoning districts which shall not exceed six (6) square feet.

B. Duration

Political Campaign Signs may be Erected prior to the election to which the Political Campaign Signs pertains and shall be removed within seven (7) days after the election. The winning candidate in a primary election may continue to Maintain applicable Political Campaign Signs until seven (7) days after the general election. If such Signs are not removed within the specified period, the County may remove such Signs and may charge the candidate the actual cost for such removal. Collected funds shall be deposited into the County general revenue fund.

C. Location

Political Campaign Signs shall be placed on private property only with the consent of the property owners. Political Campaign Signs that are placed within the public-right-of-way are prohibited and shall be removed by County Code Enforcement Officers without notice.

D. Political Campaign Signs shall be constructed and placed in a manner that will not harm any person that approaches or touches the Political Campaign Sign.

PART 7.05.00 SPECIAL EVENT SIGNS

Sec. 7.05.01 Special Event Signs

Special Event Signs are exempt from prohibition, when registered with County Administration and used as herein detailed. Political Messages are allowed on Special Event signs. Political Messages on other Signs authorized by other provisions of this code shall not be restricted or affected by this Section. Special Event Signs may be allowed on any nonresidential Property. Special Events shall include temporary activities, sales and promotions (commercial, non commercial or political). Special Events for each Property may be used for a cumulative total of one hundred twenty (120) days per calendar year. Each Person that uses Special Event Signs shall register the Special Event Signs with the County Administration, at least one business day prior to initially using the Special Event Signs. Each such Person shall also maintain an accumulative log of all such Signs per calendar year for comparison to County Event records as necessary. No Special Event Signs shall be located on the right-of-way. All Special Event Signs shall be removed immediately after the Special Event. The applicant shall state the type of Special Use Signage that will be used during the Special Event when registering the Special Event. Upon registering, the following listed Special Event Signs shall be allowed.

A. Banners or Pennants

Each Banner or Pennant shall not exceed one hundred twenty (120) square feet in size and no more than three (3) total shall be used per Special Event. Any Banner or Pennant not registered in advance shall be prohibited.

B. Anchored Balloons

Anchored Balloons may be many shapes and shall be anchored to and have contact with the ground at all times during display. Anchored Balloons shall not exceed thirty (30) feet in height when anchored from the ground. Any Anchored Balloon not registered in advance shall be prohibited.

C. Flags when flown on poles

Any Flag not registered in advance shall be prohibited, except those allowed in Section 7.03.01.D.

If any provision of this Part 7.05.01 is found unconstitutional or otherwise void by a court of competent jurisdiction, provisions for Special Event Signs under this Code shall be deemed voided in totality and no Special Event Signage shall be allowed.

PART 7.06.00 DEVELOPMENT SIGNS

Sec. 7.06.01 Development Signs

A. Residential Subdivisions

Each residential subdivision entrance shall be allowed two (2) Subdivision Entrance Signs, located and Erected at or near the subdivision entrance. Such Signs shall provide the name of the subdivision and be located outside of public-right-of-ways. Subdivision Entrance Signs may be internally or externally lighted and shall be landscaped. Subdivision Entrance Signs shall not exceed thirty-two (32) square feet in size of Advertising Display Area, shall be designed as a Monument or Ground Sign and shall not exceed fifteen (15) feet in height. Such Signs may be incorporated into a wall, fence or other structure that conforms to the maximum height requirements. Such designs shall be submitted on the Comprehensive Design Plan.

B. Mixed Use Projects

Each subdivision, multi-family complex or non-residential development located within a mixed Use project, is allowed Identification Signage; such Signage is subject to the requirements provided in this Code. In addition, such mixed Use project, as a whole, shall be allowed one (1) Identification Sign Erected at major access points of the mixed Use project. Such Sign shall not exceed one hundred (100) square feet of Advertising Display Area, shall be designed as a Monument or Ground Sign and shall not exceed fifteen (15) feet in height. Such Sign may be incorporated into a wall, fence or other structure that conforms to the maximum height requirements. Such design shall be submitted on the Comprehensive Design Plan.

PART 7.07.00 SCENIC HIGHWAY SIGNS AND ANTENNAS

Sec. 7.07.01 Scenic Highway Signs and Antennas

A. Designation

There are roads within St. Johns County that the Board of County Commissioners, the State of Florida and the Federal governments have determined to be scenic, due to natural, manmade, cultural, historic, archeological, and recreational resources that give the physical landscape its character and significance. For purposes of this Article, these areas are designated as Scenic Highways or Scenic Roadways designated in Appendix B of this Code, and include SR 13/CR 13, also known as the William Bartram Scenic Highway, SR A-1-A and that portion of International Golf Parkway (formally known as Nine-Mile Road) that passes through Twelve-Mile Swamp. Scenic Highways require compatible Signage requirements that enhance scenic qualities. The following regulations pertain to these designated Scenic Highways or Scenic Roadways and supersede, where applicable, the other criteria provided in this Code. Appendix B, provides characteristics, findings of fact, and Declaration of Policy for Scenic Highways.

1. Regulations

In addition to the other provisions established in this Code, areas designated as Scenic Highways or Scenic Roadways designated in Appendix B of this Code are subject to the following requirements.

- a. No Off-premise Signs are allowed within six hundred (600) feet of the right-of-way along either side of any designated Scenic Highway or Scenic Roadway, as measured from the edge of right-of-way; and any Off-premise Signs Erected outside the six hundred (600) foot designation, shall not be visible from the Scenic Highway at the time of permitting or immediately after Erection, except Real Estate Signs as provided herein. For purposes of this paragraph, visible shall mean human eye visibility from six (6) feet above the centerline of the Scenic Highway. Any Signs greater than two thousand five hundred (2,500) feet from the centerline shall be deemed not visible.
- b. No Off-premise Signs are allowed within six hundred (600) feet of the right-of-way along either side of the road intersecting or abutting a designated Scenic Highway or Scenic Roadway for a distance of two thousand five hundred (2,500) feet from the Scenic Highway, measured from the centerline of the intersection, except Real Estate Signs as provided herein.
- c. On-premise Signs includes all commercial business and subdivision Identification Signage and only may be designed as a Ground Sign, Pole Sign, Monument Sign, Building Sign, Canopy Sign, Fascia Sign, subdivision Sign, Wall Sign and Window Sign and similar Signage types described in this Code.
- d. Each Business Site using Signage to identify, a multi-family complex,

commercial project, shopping center, shopping mall, strip mall, professional business and office center, and similar Use sites shall be allowed a maximum of two (2) On-premise entrance Signs, designed as a Ground Sign, Monument Sign or Pole Sign. No entrance Sign shall exceed the maximum area, maximum width, and maximum height, provided in (h) below of this Section. Such entrance Sign Structures shall be constructed of wood, masonry, brick, or stone (excluding Pole Signs). The Sign Structure shall be a natural or earthtone color. The Advertising Display Area shall be designed within the Sign Structure. The Signs may be lighted internally or externally and all back-lighting or appearance of lighting shall be white in color. In addition to the entrance Signs, each individual business located within a multi-Use complex shall be allowed store or Business Identification Signage, not exceeding one square foot per linear store frontage. All back-lighting or appearance of lighting shall be white in color.

- e. Each Subdivision entrance, mobile home park entrance and similar residential projects shall be allowed two (2) On-premise entrance Signs, designated as a Ground Sign, Monument Sign or Pole Sign. No entrance Sign shall exceed the maximum area, maximum width, and maximum height, provided in (h) of this Section. Such entrance Sign Structures shall be constructed of wood, masonry, brick, or stone, excluding Pole Signs. The Sign Structure shall be a natural or earthtone color. The Advertising Display Area shall be designed within the Sign Structure. The Signs may be lighted internally or externally and all back-lighting or appearance of lighting shall be white in color. Back-lighting or appearance of lighting shall be white in color. Entrance Signs may be incorporated into a wall, fence, landscape design, or other entrance feature.
- f. Signs placed, painted or otherwise Erected upon walls, buildings, Canopies, and similar structures shall be consistent with and complement the building, with respect to color, materials, and design. Back-lighting or appearance of lighting shall be white in color.
- g. Window Signs shall be legible only from the Premises on which located or from inside the Business. Window Signs shall not be used for Advertising Messages, products, or services. Window Signs, as described herein, shall not be defined to include merchandise, material or object display within the window or Signs offering information or direction.
- h. Maximum advertising display area, maximum width, and maximum height for Ground Signs, Monument Signs, Pole Signs, and similar Signage types described in this Code shall be limited to the following maximum square footage and height. The standards in this subsection shall not apply to properties applicable to an overlay district, as denoted in Sections 3.06.03, 3.07.03, 3.08.03, and 3.09.03.

Distance from Road Right-Of-Way (feet)	Maximum Area (square feet) Advertising Display Area	Maximum Width (feet) (includes Sign Structure)	Maximum Height (feet) (includes Sign Structure)
0-24	30	6	6
25-49	36	6	6
50-99	42	8	8
100-149	48	8	8
150-199	54	10	10
200 or greater	60	10	10

NOTE: Ground signs within an overlay district, as denoted in Article III, have separate standards.

- i. All Prohibited Signs, listed in Part 7.08.00 are prohibited along designated Scenic Highways. In addition to the Prohibited Signs listed in Part 7.08.00 the following Signs are also prohibited along Scenic Highways.
 - (1) Snipe Signs
 - (2) Banners, except as provided in Sections 3.07.00, 3.08.00, 3.09.00, and 3.10.00.
 - (3) Balloons, except as provided in Sections 3.07.00, 3.08.00, 3.09.00, and 3.10.00.
 - (4) Animated Signs, Changing Copy Signs, Changing Message Devices, Revolving Signs, and any Signs that move, spin, and/or rotate, in any manner.
 - (5) Pennants
 - (6) Billboards
 - (7) Any Antenna or satellite dish, greater than one (1) meter in diameter, used for receiving satellite television signals, visible from the Scenic Highway right-of-way.

B. Scenic Vistas

Scenic Vistas are areas that have beauty due to the natural environment, topography, cultural and historic resources. These areas give shape, character, significance to the County and provide natural or cultural views of the County to the traveling public. These vistas provide views of the Intracoastal waterway, estuaries, the ocean, upland hammocks, historic resources and a combination of these natural settings.

The Board of County Commissioners may designate Scenic Vistas, after a public hearing. Any area within St. Johns County designated as a Scenic Vista shall at a minimum, comply with the Signage criteria, required for Scenic Highways, except that Off-premise Signs may be allowed within six hundred (600) feet of the right-of-way along either side of the abutting road the Scenic Vista. All other Scenic Highway criteria, as provided in this Code shall apply to Scenic Vistas. The Board of County Commissioners may provide additional criteria and regulation to these areas, when designated.

PART 7.08.00 PROHIBITED SIGNS

Sec. 7.08.01 Prohibited Signs

The following Signs are prohibited in the jurisdiction governed by this Code and said prohibition shall supercede any conflicting provision of this or other County Codes.

- A. Portable, mobile and Freestanding Signs.
- B. Roof Signs when the Signs exceeds the highest part of the Roof Line or when the Roof Sign results in Signage which exceeds the maximum height of On-premise Signs.
- C. Banners except for Special Events as defined herein.
- D. Flashing Signs
- E. Obscene Signs
- F. Serial Signs unless otherwise allowed within this Code. Serial Signs shall not include legally Erected Billboards placed in succession with or related Advertising Messages.
- G. Hazardous or confusing Signs.
- H. Any private Signs placed on public property including, but not limited to, right-of-ways and medians, except Public use Signs as provided in Section 7.03.01.A of this Code. Any private Signs placed on public property including right-of-ways and medians shall be deemed a public nuisance and shall be removed by a County Code Enforcement Officer or designee without notice to the Owner or public hearing.
- I. Any Sign which incorporates or consists of pennants, ribbons, streamers or wind operated devices except for Special Events as defined herein.
- J. Signs on vehicles with the following exceptions:
 - 1. Vehicles parked on private property when parked within the confines of a building or in some manner which provides for effective screening that does not allow the Sign or Signs on the vehicles to be viewed from any street.
 - 2. Any vehicle upon which a Sign is placed identifying the firm or its principal products, if such vehicle is one which is used during operating hours of the business; provided that no such vehicle shall be repeatedly parked in a location where it serves as or constitutes additional Signage.
 - 3. Buses, taxicabs and similar common carrier vehicles which are licensed or certified by the City, County and/or the Florida Public Service Commission.
 - 4. Bumper stickers, license plates, parking identification Signs, beach pass Signs, press Signs, vehicle manufacturing Signs and dealer identification Signs and logos and other similar Signs.

- 5. Vehicles that are traveling through St. Johns County and not remaining in the County more than twenty-four (24) hours at a time.
- K. Snipe Signs, unless otherwise allowed by this Code. Snipe Signs shall include any Signs of any material, including paper, cardboard, wood or metal when tacked, nailed or attached in any way to Trees, poles, stakes, fences or other objects where such Sign may or may not be applicable to the present use of the Premises upon which Sign is located. Upon seeing any Snipe Signs, the Code Enforcement Officer is allowed to remove the Signs.
- L. Fluorescent paints and materials; Reflective Signs, except for those Signs that use *ScotchLite* and similar pressure sensitive materials that are accepted by outdoor advertising and nation-wide transportation departments; and also prohibiting mirror, and similar Signs.
- M. Any Signs that does not comply with the Code requirements.
- N. Abandoned Signs, or Signs devoid of Maintenance.
- O. Beacon Lights, Tracker Lights and similar lighting systems.
- P. All Signs prohibited by Chapter 479.11, F.S.
- Q. Balloons, except for Special Events as defined herein.
- R. Off-premise Signs except Billboards and Special Use Signs as provided herein.
- S. Automatic Changeable Message Devices, except Special Use Signs permitted under Section 7.03.01.A and N.
- T. Sign Walkers.

PART 7.09.00 NON-COMFORMING SIGNS

Sec. 7.09.01 Non-conforming Signs

All Non-conforming Signs shall:

- A. Remain substantially unchanged from the date of becoming Non-conforming, actions listed below shall be prohibited on a Non-conforming Signs.
 - 1. Change structural supporting materials from existing type to another.
 - 2. Enlarging Advertising Display Area, excluding Embellishments.
 - 3. Increase in Sign height.
 - 4. Addition of any methods to provide an Automatic Message Change.
 - 5. Improvement or addition of lighting to increase illumination of the Signs.
 - 6. Relocate, move, or re-Erect the upright supports and framework supporting the Sign Face in excess of annual Maintenance limits, unless such is permitted in advance as a requirement solely for OSHA conformance in accordance with State Outdoor Advertising Sign Regulations, Florida Administrative Code, Section 14-10, as amended.

B. Not be Re-Erected or Rebuilt

No Nonconforming Signs shall remain or be restored to use when one-half (0.5) or more than one-half (0.5) of the upright supports of the Sign assembly supporting the Advertising Display Area are physically in any condition, caused by any means, such that wooden supports are replaced or supplemented by structural attachments equal to one-half (0.5) or more original wood structural capacity, or in the case of metal upright supports, so that one-quarter (0.25) or more of the linear footage above ground is broken, bent or twisted from the original shape.

However nothing herein shall prohibit repairs to a Nonconforming Sign when more than one-half (0.5) of the original upright supports remain in original structural strength and physical condition provided a building permit for such repairs shall be issued in advance of any work (except temporary emergency bracing that may be utilized to stabilize a damaged Sign) and all permitted work thereafter completed within six (6) months of damage. Any such work undertaken before issuance of the required building permit shall create an irrefutable presumption that damage or adverse conditions exceeded the limit recited above and thereby all future Nonconforming rights shall cease to exist, the Sign thereafter being illegal and a violation of the Code.

C. Remain in Use

No Non-conforming Sign which is discontinued in Use for one (1) full calendar year shall be expanded, enlarged, repaired or put back into Use except in compliance with this Code.

D. Exceptions

Approved PUD, PRD and Development of Regional Impact (DRI) projects that have commenced construction and have provided for Signs as part of the overall unified development plan, prior to the adoption of this Code, shall be allowed to continue with the approved Sign design, including, but not limited to, height, size, number and location. Such Signs may also be replaced if destroyed or damaged by more than fifty percent (50%), according to the approved unified Sign design. Major modifications to PUD and PRD projects that affect Signage in any manner shall terminate the existing approval and shall be subject to the requirements of this Code. The applicant for such projects may request, in writing, that the County Administrator review such project and issue in writing whether the approved Sign may continue.

PART 7.10.00 RACE TRACK ROAD SIGNS

Sec. 7.10.01 Race Track Road Signs

Race Track Road, a Major Collector roadway, within St. Johns County is located at the Duval County Line and connects SR 13 to US 1. The Board of County Commissioners have found that Race Track Road, due to its intersection with the William Bartram Scenic Highway, its location along the St. Johns County and Duval County Line, its transitioning rural to urban character, and its location within a developing area of St. Johns County; that Race Track Road deserves individual Sign requirements. These Sign requirements shall constitute a sign overlay district for Race Track Road.

A. Regulations

In addition to the other provisions established in this Code, signage along Race Track Road is subject to the following requirements. In the event of a conflict between this Section, and other Sections of this Code, the more restrictive shall apply.

1. No Off-premise Signs are allowed within six hundred (600) feet of the right-of-way along either side of Race Track Road, as measured from the edge of right-of-way; and any Off-premise Signs Erected outside the six hundred (600) foot designation, shall not be visible from Race Track Road at the time of permitting or immediately after Erection, except Real Estate Signs as provided herein. For purposes of this paragraph, visible shall mean human eye visibility from six (6) feet above the centerline of Race Track Road. Any Signs greater than two thousand five hundred (2,500) feet from the centerline shall be deemed not visible.
2. No Off-premise Signs are allowed within six hundred (600) feet of the right-of-way along either side of the road intersecting or abutting Race Track Road, for a distance of two thousand five hundred (2,500) feet from Race Track Road, measured from the centerline of the intersection, except Real Estate Signs as provided herein. US 1 shall be exempt from this Part.
3. On-premise Signs includes all commercial business and subdivision identification Signage and only may be designed as a Ground Sign, Pole Sign, Monument Sign, Building Sign, Canopy Sign, Fascia Sign, subdivision Sign, Wall Sign and Window Sign and similar Signage types described in this Code.
4. Each Business Site using Signage to identify, a multi-family complex, commercial project, shopping center, shopping mall, strip mall, professional business and office center, and similar Use sites shall be allowed a maximum of two (2) On-premise entrance Signs, designed as a Ground Sign, Monument Sign or Pole Sign. No entrance Sign shall exceed the maximum area, maximum width, and maximum height, provided in this Section. Such entrance Sign Structures shall be constructed of wood, masonry, brick, or stone (excluding Pole Signs). The Sign Structure shall be a natural or earthtone color. The Advertising Display Area shall be designed within the Sign Structure. The Signs may be lighted internally or externally and all back-lighting or appearance of lighting shall be white in color. In addition to the entrance Signs, each individual business located

within a multi-Use complex shall be allowed store or Business Identification Signage, not exceeding one square foot per linear store frontage. All back-lighting or appearance of lighting shall be white in color.

5. Each Subdivision entrance, mobile home park entrance and similar residential projects shall be allowed two On-premise entrance Signs, designated as a Ground Sign, Monument Sign or Pole Sign. No entrance Sign shall exceed the maximum area, maximum width, and maximum height, provided in this Section. Such entrance Sign Structures shall be constructed of wood, masonry, brick, or stone, excluding Pole Signs. The Sign Structure shall be a natural or earthtone color. The Advertising Display Area shall be designed within the Sign Structure. The Signs may be lighted internally or externally and all back-lighting or appearance of lighting shall be white in color. Back-lighting or appearance of lighting shall be white in color. Entrance Signs may be incorporated into a wall, fence, landscape design, or other entrance feature.
6. Signs placed, painted or otherwise Erected upon walls, buildings, Canopies, and similar structures shall be consistent with and complement the building, with respect to color, materials, and design. Back-lighting or appearance of lighting shall be white in color.
7. Window Signs shall be legible only from the Premises on which located or from inside the Business. Window Signs shall not be used for Advertising Messages, products, or services. Window Signs, as described herein, shall not be defined to include merchandise, material or object display within the window or Signs offering information or direction.
8. Maximum square footage for Ground Signs, Monument Signs, Pole Signs, and similar Signage types described in this Code shall be limited to the following maximum square footage and height.

Distance from Road Right-Of-Way (feet)	Maximum Area (square feet) Advertising Display Area	Maximum Width (feet) (includes Sign Structure)	Maximum Height (feet) (includes Sign Structure)
0-24	30	6	6
25-49	36	6	6
50-99	42	8	8
100-149	48	8	8
150-199	54	10	10
200 or greater	60	10	10

9. All Prohibited Signs, listed in Part 7.08.00 are prohibited along Race Track Road. In addition to the Prohibited Signs listed in Part 7.08.00, the following Signs are also prohibited along Race Track Road.
 - a. Snipe Signs
 - b. Banners
 - c. Balloons
 - d. Animated Signs, Changing Copy Signs, Changing Message Devices, Revolving Signs, and any Signs that moves, spins, rotates, in any manner
 - e. Pennants
 - f. Billboards
 - g. Any Antenna or satellite dish, greater than one (1) meter in diameter, used for receiving satellite television signals, visible from Race Track Road.

Attachment 3

Correspondence