

ARTICLE V

SIGN REGULATIONS

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Sec. 5-1. PURPOSE

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

Sec. 5-2. SCOPE

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

Sec. 5-3. DEFINITIONS

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

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

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

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

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

Banner Sign - A sign made of fabric or any nonrigid material with no enclosing framework.

Billboard - (see "Off-Premise Sign")

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

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

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

Construction Sign - A temporary sign identifying an architect, contractor, subcontractor, and/or material supplier participating in construction on the property on which the sign is located.

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

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

Double-faced Sign - A sign with two faces.

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

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

Facade - The entire building front including the parapet.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) The area around and enclosing the perimeter of each cabinet or module shall be summed and then totaled to determine total area. The perimeter of measurable area shall not include embellishments such as pole covers, framing, decorative roofing, etc., provided that there is not written advertising copy on such embellishments.

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

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

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

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

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

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

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

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

Sec. 5-4. APPLICABILITY

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

Sec. 5-5. PROHIBITED SIGNS

The following signs are prohibited in all areas of the City:

1. Abandoned signs;
2. Any non-governmental sign located within a dedicated City street right-of-way unless specifically authorized by the City;
3. Flashing, fluttering, undulating, swinging, rotating, or otherwise moving or animated signs; except for time and/or temperature signs; and,
4. Any sign which blocks or restricts the sight distance of a motor vehicle operator at any driveway or intersection.
5. Any sign for which any part of the sign extends over, across, or above any public way, including roadways and sidewalks. This shall not apply to public or governmental signs.

Sec. 5-6. PERMITS REQUIRED

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

Sec 5-7. SIGNS NOT REQUIRING PERMITS

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

- (1) Construction signs of 32 square feet or less.
- (2) Directional/Information signs of four (4) square feet or less located behind the applicable setbacks.
- (3) Holiday or special events decorations.
- (4) Nameplates of two (2) square feet or less.
- (5) Political signs.
- (6) Public signs or notices, or any sign relating to an emergency.
- (7) Real estate signs.
- (8) Window signs.
- (9) Incidental signs.
- (10) For sale signs of two (2) square feet or less.

Sec. 5-8. MAINTENANCE

All signs shall be properly maintained. Exposed surface shall be clean and painted if paint is required. Defective parts shall be replaced. The Town Council shall have the authority under subsection 5-18.5 to order the repair or removal of any sign which is defective, damaged, or substantially deteriorated.

Sec. 5-9. CHANGEABLE COPY

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

Sec. 5-10. LIGHTING/ILLUMINATION

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

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

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

5-11.1 Allowable Signs in All Districts

The following signs are allowed in all districts.

1. All signs not requiring permits.
2. One (1) construction sign for each street frontage of construction project, not to exceed 32 square feet in sign area. Such signs may be erected 120 days prior to beginning of construction and shall be removed 30 days following completion of construction.
3. One (1) nonilluminated real estate sign per lot or premises not to exceed four (4) square feet in sign area. Such signs must be removed ten (10) days following sale, rental, or lease.
4. One (1) attached nameplate per occupancy, not to exceed four (4) square feet in sign area.
5. Political signs, not to exceed six (6) square feet in residential districts and thirty-two (32) square feet in non-residential districts. All political signs shall be

- removed within fourteen (14) days after the election or runoff.
6. Four (4) directional/information signs per business, not to exceed four (4) square feet in area provided that no directional/information sign not located behind the applicable setback shall contain any name or logo, and provided that the location of any such directional/information signs is approved by the Planning Board.
 7. One (1) temporary special events-sign and decoration per premises as allowed by the Town Council for special events, grand openings, or holidays. Such signs and decoration may be erected 30 days prior to a special event or holiday and shall be removed ten (10) days following the event or holiday. For grand openings such signs may be used for no more than fourteen (14) days.
 8. Temporary banners for civic events or events of general public good extending across the public right of way at locations specified by the Planning Board. Such banners shall be up no more than fourteen (14) days.
 9. "For sale" signs advertising vehicles, boats or other similar items for sale by owner provided such sign does not exceed two (2) square feet of sign area.

5-11.2 Permitted Signs in Residential Districts

The following signs shall be permitted in Residential land use districts; all other signs are prohibited.

1. All signs permitted in subsection 5-11.1.
2. Two (2) subdivision or apartment identification signs per residential development, not to exceed thirty-two (32) square feet of sign area.
3. Signs describing a home occupation or home office of convenience provided signs are mounted flat against the wall of the building; there are no more than one (1) sign per residence; and, the sign does not exceed four (4) square feet of sign area.
4. Snipe signs for garage sales, yard sales or similar events provided that the sign is removed by the installer or owner of said sign no later than the 24-hour period following the sale or event.
5. For churches, synagogues or similar institutional uses one (1) freestanding sign not to exceed 24 square feet in sign area, and one wall sign not to exceed 24 square feet in sign area.
6. All allowed freestanding signs in Residential districts shall have a height limit of eight (8) feet and shall have a setback of ten (10) feet from any public right-of-way, provided, however, that the setback requirement shall not apply to subdivision identification signs so long as they do not create a sight obstruction.

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

The following signs shall be permitted in MU districts; all other signs are prohibited.

1. All signs permitted in subsection 5-11.2.
2. Two identification signs per apartment, townhouse, condominium or other multi-family residential development, not to exceed 32 square feet of sign area.
3. For commercial development allowed in MU districts, one (1) freestanding sign per premises not to exceed 24 square feet of sign area and one (1) wall sign not to exceed 24 square feet of sign area for businesses fronting upon arterial or collector roadways; and one (1) freestanding sign and one (1) wall sign not to exceed twelve (12) square feet in sign area for businesses fronting upon local streets.
4. All allowed freestanding signs in MU districts shall have a height limit of ten (10) feet and shall have a setback of ten (10) feet from any public right of way, except for electrified signs in areas subject to vehicular traffic which shall have a height limit of sixteen (16) feet.

5-11.4 Permitted Signs in Commercial and Industrial Districts

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

1. All signs permitted in subsection 5-11.3
2. One (1) freestanding sign per premises and street front is allowed. This sign may not exceed one (1) square foot in sign area for each linear foot of main street frontage. If the property is a shopping center only one (1) freestanding sign is allowed per street front. Where the premises is located on a corner or has more than one (1) public street frontage, one (1) additional freestanding sign will be allowed on the additional frontage, not to exceed the size of other allowed freestanding signs. If linear footage exceeds 300' a second pylon is allowed as long as total square footage of all signage does not exceed one (1) square foot per linear foot.
3. All freestanding signs shall be located at least (10) feet behind the public right-of-way line, unless the grade clearance of the sign is a minimum of ten (10) feet in which case the leading edge of the sign may extend to the right-of-way line. In no case may a sign extend over the right-of-way line or any public way. In the case of electrified signs, the bottom of the sign and the outline lighting enclosure shall not be less than sixteen (16) feet above grade in areas accessible by vehicles.

4. No part of any sign shall be located within a twenty-five (25) foot radius of the intersection of the improved surface of any two streets or the improved surface of any street and railroad unless any part of the sign extending over or into this radius has at least ten (10) feet of clearance.
5. No part of any sign shall be located within a fifteen (15) foot radius of the intersection of any driveway and the improved surface of any street unless any part of the sign extending over or into this radius has at least ten (10) feet of clearance.
6. Wall signs shall not exceed an aggregate area of one (1) square foot in sign area for each linear foot of that occupancy's building frontage.
7. Awning signs are measured by copy area only.
8. One (1) under-canopy sign per occupancy, not to exceed eight (8) square feet in sign area.
9. Incidental signs not to exceed four (4) square feet in aggregate sign area per occupancy.
10. The maximum permitted height for any on-premise sign in a non-residential district shall be fifty (50) feet above the grade of the adjacent street.
11. Projecting signs shall conform to the requirements of the Standard Building Code and shall be permitted only where a public sidewalk abuts the side of the building on which the projecting sign is affixed.

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

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

1. All government signs.
2. For any non-government use, one (1) freestanding sign not to exceed 24 square feet of sign area, and one (1) wall sign not to exceed 24 square feet of wall area.
3. All allowed freestanding signs in P/I or Recreation districts shall have a height limit of ten (10) feet and shall have a setback of ten (10) feet from any public right-of-way, except for electrified signs in areas subject to vehicular traffic which shall have a height limit of sixteen (16) feet.

Sec. 5-12. PORTABLE SIGNS

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

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

2. No portable signs shall be illuminated by or contain flashing, intermittent, rotating or moving light or lights. No portable sign shall be animated.
3. Portable signs shall be used only for on premise advertising and shall not be used on billboards.
4. Sign permits shall be required for portable signs. Permits for portable signs shall be for (6) months and may be renewed.
5. Portable signs shall be limited to one (1) per business.
6. Subject to the provisions of this Section, portable signs may be permitted in Commercial districts only.
7. In addition to any other remedies provided for in this Article, the Director shall have the authority to remove and impound any portable sign which remains on any public right of way forty-eight (48) hours after delivery of notice to remove the sign from the public right of way.

Sec. 5-13. OFF-PREMISES SIGN (BILLBOARDS)

In addition to any regulations applying to signs in general the following regulations shall apply to off-premises signs (billboards).

5-13.1 Location

1. Off-premises signs may be located, installed or constructed only in commercial and industrial districts, and only along arterial and collector roadways.
2. No off-premises sign shall be located closer than 1000 feet to any other off premises sign on the same side on any street, on the route of travel. The distance shall be measured along the nearest edge of the pavement at points directly opposite the center of the sign and located on the same side of the same street.
3. Off-premises signs shall not be located one above the other or side by side.
4. Unless otherwise provided for in this Article, off premises signs shall comply with the same height, setback and sight distance requirements as all other signs.
5. No off-premises signs shall be located closer than 100 feet to any residential district or any property used for residential purposes, unless separated from it by a street or building.
6. All off-premises signs located adjacent to state roads shall be subject to the provisions of Chapter 479, F.S. in addition to this Article.

5-13.2 Development Standards

1. The lowest portion of any billboard must be at least sixteen (16) feet above grade.
2. No billboard shall be illuminated by or contain flashing intermittent, rotating or moving light or lights used

- primarily to attract attention, excluding electronic message centers or time and temperature.
3. All billboards shall be all-metal single pole construction except for the skirt which may be of other durable materials.
 4. The maximum permitted height for any off-premise sign shall be sixty-five feet above the adjacent street or the maximum height permitted in the district within which the sign is located.
 5. Billboard portapanel may be used for temporary uses only. No animation.

Sec. 5-14. NONCONFORMING SIGNS

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

1. The City Clerk determines that such signs are properly maintained and do not in any way endanger the public.
2. Such signs are not located on any public right of way.

5-14.1 Loss of legally nonconforming status

A legal nonconforming sign shall lose this designation if:

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

5-14.2 Maintenance and repair of nonconforming signs

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

Sec. 5-15. CONSTRUCTION STANDARDS

All permanent signs shall be constructed and erected in accordance with the requirements of the Standard Building Code and the National Electrical Code, and as specified in this Section.

5-15.1 Anchoring

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

2. All freestanding signs shall have self-supporting structures erected on or permanently attached to concrete foundations.
3. All portable signs on display shall be braced or secured to prevent motion.

5-15.2 Wind Loads

All signs shall be designed and constructed to meet the wind loading requirements as set forth in the Standard Building Code. In addition, on all signs 30 feet or greater in overall height, the drawings and structural specifications submitted for permitting shall bear the seal of a Registered Engineer.

5-15.3 Additional Construction Specifications

1. No signs shall be erected, constructed, or maintained so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.
2. No sign shall be attached in any form, shape or manner which will interfere with any opening required for ventilation.
3. Signs shall be located in such a way as to maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with National Electrical Code specifications, depending on voltages concerned.
4. All signs containing electrical components shall be constructed or located according to the specifications of the National Electric Code as well as the specifications of Underwriters Laboratories or other approved testing agency. All such signs shall have a clearly visible testing agency label permanently affixed.
5. Any free-standing sign, whether for on or off-premise use, which has a sign area of 100 square feet or more shall be all-metal single pole construction except for the skirt which may be of other durable materials.

Sec. 5-16 ADMINISTRATION

5-16.1 Administration

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

The City Clerk is empowered, upon presentation of proper credentials, to enter or inspect any building, structure, or premises in the City for the purpose of inspecting a sign and its structural and electrical connections to ensure compliance with all applicable codes and ordinances. The City Clerk may be accompanied by appropriate inspectors or officials necessary to ensure compliance

with the provisions of applicable codes and ordinances. Such inspections shall be carried out during business hours unless an emergency exists.

5-16.2 Application for Permits

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

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

5-16.3 Issuance and Denial

The City Clerk shall make a recommendation to the Town Council concerning approval or denial of the permit within ten (10) days after the application for permit is received by the City. The Town Council shall act upon such recommendation at its next regularly scheduled meeting.

5-16.4 Permit Conditions

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

5-16.5 Removal of Signs

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

work and the date on which it was performed and demanding payment on the costs as certified by the City Clerk together with an additional fifteen percent for inspection and incidental costs. For the purposes of this subsection, removal of a sign shall include the removal of any embellishments, poles, and supporting structures.

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

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

Culverts - 2' on each side of driveway with limit to 20" drive

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