

PROPOSED ORDINANCE # 11-29

ORDINANCE NO. 2820

AN ORDINANCE AMENDING THE CODE OF THE CITY OF KISSIMMEE, FLORIDA TITLE XIV PLANNING AND ZONING CHAPTER 14-2 CITY OF KISSIMMEE LAND DEVELOPMENT CODE, AMENDING SECTION 14-2-54 VINE OVERLAY DISTRICT (VO) - AMENDING SIGN REGULATIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KISSIMMEE, FLORIDA THAT CHAPTER 14-2 IS AMENDED TO READ AS FOLLOWS:

SECTION 1.

14-2-54 VINE OVERLAY

(N) Signs. All new signs shall be uniform to the development and consistent with the standards below. Freestanding and/or ground signs shall be limited to monument signs or post-style signs. Signs erected or required by government agencies are exempt from these standards.

(1) Sign Allocation:

(a) One monument or post-style sign per street frontage, per lot. However, if the lot has more than 600 feet of street frontage on an A or B street, 2 (two) ground signs shall be permitted. When two ground signs are located on the same property, a minimum 100-foot separation, measured parallel to the property line, shall be provided between signs.

(b) Wall Signs shall be limited to:

1. One sign per ground floor unit fronting on a public right-of-way.

2. One sign per ground floor unit within an entrance facing internally to a parking area or courtyard.

3. One sign per second floor unit with a dedicated entrance on the ground floor.

(c) Building Identification signs shall be permitted on each façade of a building a minimum of three stories in height with frontage on a public right-of-way.

(d) One projecting or under canopy sign shall be permitted per ground floor establishment meeting the criteria for wall signs above.

(e) One window sign shall be permitted per ground floor establishment.

(f) One awning sign shall be permitted per ground floor establishment.

(g) When multiple businesses occupy the same building on different floors, a flat, wall mounted Directory Sign or a Window Sign maybe included at the primary entrance. Primary entrances include separate doorways or lobby entrances. A Directory Sign may be used in combination with other signs. Sign directories shall not exceed four square feet. Text size, color and font shall be standardized between different businesses listed on the same sign.

(h) Unlit wall signs a maximum of 4 square feet in size shall be permitted where not visible from adjacent right(s) of way.

(2) Sign Location:

(a) Wall Signs shall not be located above the first floor elevation.

(b) Building Identification Signs may be located above the first floor, but shall not protrude above the roof line or roof cornice.

(c) No sign shall obscure any architectural element of the building façade.

(d) No primary ground sign (monument) shall be located in any sight triangle, required landscape island or parking space and shall be located so as to avoid the unnecessary removal or hatracking of trees.

(e) Projecting Signs or Under Canopy Signs shall be mounted above or below an awning, providing a minimum eight feet of vertical clearance as measured from the sidewalk. There shall be a minimum of three feet of horizontal clearance from the back of the curb to the front edge of the sign.

Table 14-2-54-2 Sign Size by Street Type

Sign Type	A Street	B Street	C Street
Wall	1.5 square feet for each 1 linear foot of unit frontage.	1 square foot for each 1 linear foot of unit frontage.	1 square foot for each 1 linear foot of unit frontage.
Building	1 square foot for each 1 linear foot of building frontage on a public right		

Identification	of way. May be divided between multiple signs.		
Primary Ground Sign (Monument)	100 square feet. No more than 10 feet in height.	36 square feet. No more than 7 feet in height.	Not permitted.
Projecting/Under Canopy	4 square feet. Area deducted from permitted wall sign area.		
Post-Style	Not applicable.	Not applicable.	6 square feet. No more than 4 feet high.
Window	4 square feet. Not exceeding 20% of window area.		
Awning	Area deducted from permitted wall sign area.		
Temporary Window	No more than one-third (33%) of the transparent glass area of the window.		
Directory Sign	4 square feet. Must be mounted to building wall.		

(3) Sign Illumination:

(a) All signs shall be illuminated by external means only, except for the following:

1. Building Identification signs may include internally illuminated channel lettering.

2. Establishments within an existing multitenant center located on an A or B street may utilize internally illuminated channel lettering for wall signs. This does not apply to stand-alone buildings within an outparcel of an existing development or properties located on a C street.

3. Properties located on an A or B street may utilize internally illuminated cabinet signs for any ground signs provided that said cabinets utilize opaque panels where only the lettering appears to be lighted. The use of cabinet signs with translucent backlit panels is prohibited. The use of cabinets for wall signs or for ground signs located on C street frontages shall also be prohibited.

(b) Backlighting is permitted.

(c) The light from any illuminated sign, or from any light source, shall be shaded, shielded, or directed so that the light intensity or brightness shall

neither adversely affect the surrounding premises nor impede safe vision of operators of vehicles moving on streets or parking areas.

- (d) Internal illumination is permitted only for window signs. Internal illumination shall not consist of blinking or moving copy.

(4) **Creative Sign Bonus.** An applicant may request approval of a sign permit for a creative sign to authorize on-site permanent signs that employ standards that differ from the other provisions of this chapter. Creative signs may the heights and/or sizes outlined in §14-2-54 up to but no more than 25%, as determined by the Architectural Review Committee (ARC), and shall not be construed to increase the number of signs or allow different sign types permitted by Code.

- (a) *Purpose.* This section establishes standards and procedures for the design, review, and approval of creative signs and master sign themes. The purposes of this creative sign program are to:

1. Encourage signs of unique design, and that exhibit a high degree of thoughtfulness, imagination, inventiveness, and spirit; and
2. Provide a process for the application of sign regulations in ways that will allow creatively designed signs that make a positive visual contribution to the overall image of the city, while mitigating the impacts of large or unusually designed signs.

- (b) *Procedure.* A sign permit application for a creative sign shall be subject to approval by the Development Services Director, after recommendation by the ARC.

- (c) *Design Criteria.* In approving an application for a creative sign, the review authority shall ensure that a proposed sign meets the following design criteria:

1. Design Quality. The sign shall:

- (d) Constitute a substantial aesthetic improvement to the site and shall have a positive visual impact on the surrounding area;
- (e) Be of unique design, and exhibit a high degree of thoughtfulness, imagination, inventiveness, and spirit; and
- (f) Provide strong graphic character through the imaginative use of graphics, color, texture, quality materials, scale, and proportion.

2. Architectural Criteria. The sign shall:

- a. Employ a classic historic design style, a creative image reflecting current or historic character of the city or an inventive representation of the use, name, or logo of the structure or business.
 - b. Utilize or enhance the architectural elements of the building; and
 - c. Be placed in a logical location in relation to the overall composition of the building's façade and not cover any key architectural features and details of the façade.
3. Neighborhood Impacts. The sign shall be located and designed not to cause light and glare impacts on neighboring residential uses.

(5) Administrative Variance. The Development Services Director (or Designee) shall have the ability to provide variances from criteria outlined in §14-2-54(N) on a case by case basis when appropriate. Applicants requesting variances to these sections shall adhere to the following:

(a) *Request.* The applicant must submit the variance request in writing at the time of permit application which outlines those criteria for which the variance is being requested and reasons why the variance is necessary.

(b) *Verification of Hardship.* The request and proposed sign shall exhibit all of the following:

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the surrounding area;
2. That the special conditions and circumstances do not result from the actions of the applicant;
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district;
4. That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would create unnecessary and undue hardship on the applicant;
5. That the variance granted is the minimum variance that will provide reasonable visibility to the business or property requesting the variance;

6. That the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare;

(c) *Procedure and Approval.* The ARC shall review the request for adherence to the criteria above and make a recommendation to the Director based on their findings. The Director shall determine whether to approve or deny said request and may impose conditions on the approval that will lessen potential negative impacts of the sign and/or increase conformity to this chapter.

(d) *Appeal.* Appeals to the Director's decision shall be reviewed by the Board of Adjustment, in accordance with §2-3-12(C).

(6) Where not expressly outlined above, refer to §§14-2-150 through 163 for all other sign requirements.

SECTION 2.

All Ordinances in conflict herewith are repealed.

SECTION 3.

This ordinance shall take effect immediately upon its passage.

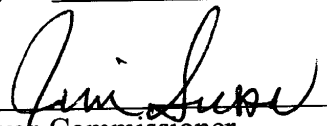
Commissioner Gemskie moved to passage and adoption of the above and foregoing Ordinance. Motion was seconded by Commissioner Otero and upon roll call on the motion the vote was as follows:

AYES

NAYS



Commissioner Otero	AYE
Commissioner Rentas	AYE
Commissioner Gemskie	AYE
Commissioner Grieb	AYE
Mayor Swan	AYE

Said motion having been duly carried, thereupon, Mayor Jim Swan
declared said Ordinance duly passed and adopted this 7th day of February 2012.



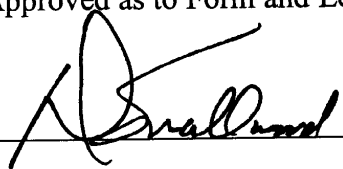
Mayor-Commissioner

ATTEST:

Desiree Matthews
Assistant City Manager/City Clerk

Approved as to Form and Legality:



Donald T. Smallwood
City Attorney