

ORDINANCE 89 - 1

AN ORDINANCE ESTABLISHING A SIGN ORDINANCE FOR THE UNINCORPORATED AREAS OF AMELIA ISLAND, FLORIDA; PROVIDING PENALTIES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of county Commissioners has been made aware of the need to establish uniform standards for signs within the unincorporated areas of Amelia Island, Florida; and

WHEREAS, this ordinance will establish comprehensive sign regulations that will promote the health, safety, and well being of the citizens of Nassau County, Florida; and

WHEREAS, the Planning and Zoning Board of Nassau County has considered said ordinance and unanimously recommended its approval.

NOW, THEREFORE, BE IT ORDAINED this 11th day of OCTOBER, 1988, by the Board of County Commissioners of Nassau County, Florida, the following:

SECTION 1. TITLE.

This Ordinance shall be known as the "Amelia Island Sign Ordinance".

SECTION 2. PURPOSE AND INTENT.

The purpose of this Ordinance is to establish uniform standards for signs within the unincorporated areas of Amelia Island that are consistent with and complementary to the scale and character of the residential/resort community located on the south end of Amelia Island and the historic City of Fernandina Beach located on the north end of Amelia Island. Furthermore, it is the purpose and intent of this Ordinance to protect and preserve the health, safety, welfare, appearance, and general well being of the citizens of Nassau County and, specifically, Amelia Island through uniform regulations that:

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A. Facilitate easy and effective communication from signs to persons seeking such information.

B. Protect motorists from unduly distracting signs that could cause unsafe conditions.

C. Ensure the installation, replacement, and maintenance of all signs in compliance with the Standard Building Code as adopted by Nassau County and other applicable public safety requirements.

This Ordinance does not apply to information and directional signs erected by the Federal, State, or local governments within the public right-of-way.

SECTION 3. SIGN DISTRICTS.

This Ordinance hereby establishes the following districts for the purpose of regulating signs on Amelia Island:

A. Residential District: This District includes all lands located on Amelia Island within the following zoning districts as defined by the Zoning Atlas of Nassau County, Florida, and Ordinance 83-19, as amended:

1. Residential, Single Family Estate (RS-E)
2. Residential, Single Family 1 (RS-1)
3. Residential, Single Family 2 (RS-2)
4. Residential, Mixed (RM)
5. Residential, Townhouse (RT)
6. Residential, General 1 (RG-1)
7. Residential, General 2 (RG-2)
8. Residential, Mobile Homes (RMH)
9. Rural Open (OR)

B. Commercial and Industrial District: This District includes all lands located on Amelia Island within the following zoning districts as defined by the Zoning Atlas of Nassau County, Florida, and Ordinance 83-19, as amended:

- 1. Commercial, Neighborhood (CN)
- 2. Commercial, General (CG)
- 3. Commercial, Intensive (CI)
- 4. Commercial, Highway and Tourist (CHT)
- 5. Commercial, Professional and Office (CPO)
- 6. Industrial, Warehousing (IW)
- 7. Industrial, Heavy (IH)

C. Government Use District: This District includes all lands located on Amelia Island within the Government Use district (GU) as defined by the Zoning Atlas of Nassau County, Florida, and Ordinance 83-19, as amended.

D. Planned District: This District includes all lands located on Amelia Island within Planned Unit Development Districts (PUD) and Planned Development Districts (PDD) as defined by the Zoning Atlas of Nassau County, Florida, and Ordinance 83-19, as amended.

E. Resort Overlay District: This District includes a combination of residential, commercial, and public uses located on the south end of Amelia Island. These uses share a common orientation to the resort developments, recreational opportunities, and historic attractions of Amelia Island. Unlike the other districts defined above, the Resort Overlay District unifies the signage of different uses within different districts by regulating lighting, landscaping, character, and size. This district includes all lands located on Amelia Island within the area delineated in Exhibit "A".

SECTION 4. SIGN REGULATIONS BY DISTRICT.

The following types of signs are permitted by District:

- A. Residential District
 - 1. Real Estate Sign

(a) Real estate signs located in an RT, RG-1, RG-2, RMH, or OR zoning district shall not exceed:

(1) Sixteen (16) square feet in area, and

(2) One (1) sign for every two hundred (200) feet of frontage or portion thereof up to a maximum of four (4) real estate signs per parcel.

(b) A real estate sign located in an RS-E, RS-1, RS-2, or RM zoning district shall not exceed:

(1) Six (6) square feet in area, and

(2) One (1) sign per lot, parcel, or unit.

(c) Shall be removed from the subject premises within ten (10) business days following the real estate transaction.

(d) Shall not be illuminated.

2. Nameplate

Professional nameplate, residential nameplate, identification sign or address shall not exceed two (2) square feet.

3. Political Sign

(a) Shall be removed within two (2) weeks following the election in which the candidate (or issue) is eliminated or elected.

4. Flag

(a) No portion of any flag when extended to its maximum length shall be closer than eighteen (18) inches horizontally to a property line.

(b) No portion of any flat when extended to its maximum length or flag pole shall be closer than eight (8) feet horizontally or vertically from any electrical conduit, public utility pose, or guy wire.

5. Construction Sign

(a) Shall not exceed one (1) sign for each contractor, sub-contractor, or supplier per active construction project.

(b) Shall not be illuminated.

(c) Shall not exceed thirty-two (32) square feet in area for the general contractor, and six (6) square feet in area for any subcontractor or supplier when located in an RT, RG-1, RG-2, RMH, or OR zoning district.

(d) Shall not exceed sixteen (16) square feet in area for the general contractor, and six (6) square feet in area for any subcontractor or supplier when located in an RS-E, RS-1, RS-2, or RM zoning district.

6. Permanent Subdivision or Development Sign

(a) Shall not exceed forty-eight (48) square feet in area.

(b) Shall not exceed two (2) signs per roadway entrance to the subdivision or development.

(c) Shall not exceed eight (8) feet in height.

(d) Shall be limited to the name of the subdivision, development, address, and developer name or logo.

(e) Shall have a landscaped area around its base which extends a minimum distance of three (3) feet in all directions. Such landscaped areas shall be completely covered by ground cover and shrubs, hedges, or similar vegetative materials.

(f) May be externally illuminated.

(g) May be located within the right-of-way with approval of the County Engineer, subject to site plan or subdivision review.

7. Temporary Subdivision or Development Sign

(a) Shall not exceed one (1) sign per roadway entrance to subdivision or development.

(b) Shall not exceed thirty-two (32) square feet in area.

(c) Shall be removed when ninety-five percent (95%) of the subdivision or development is sold.

(d) Shall not be illuminated.

8. On-Site Directional or Public Service Sign

(a) May be installed as needed.

(b) Shall not exceed six (6) square feet in area.

9. Public Warning Sign

(a) Shall not exceed four (4) square feet in area when located in an RT, RG-1, RG-2, RMH, or OR zoning district.

(b) Shall not exceed two (2) square feet in area when located in an RS-E, RS-1, RS-2, or RM zoning district.

(c) Shall not exceed a reasonable number as determined by the Zoning Administrator.

10. Seasonal Display or Decoration

May be installed at the discretion of property owner or tenant without permit when otherwise consistent with this Ordinance.

11. Special Event Sign

(a) May be installed as needed with the approval of the Zoning Administrator.

(b) Shall be limited to a one (1) month period of time.

12. Memorial Sign or Tablet

(a) May be installed as needed with the approval of the Zoning Administrator.

(b) Shall not exceed sixteen (16) square feet in area.

B. Commercial and Industrial District

1. Real Estate Sign

(a) Shall not exceed more than one (1) sign for each four hundred (400) feet of frontage or portion thereof up to a maximum of two (2) signs per lot parcel, establishment, or unit.

(b) Shall be removed from the subject premises within ten (10) days after the real estate transaction.

(c) Shall not be illuminated.

(d) Shall not exceed thirty-two (32) square feet in area.

2. Political Sign

(a) Shall be posted no more than ninety (90) days before an election and removed within two (2) weeks following the election in which the candidate (or issue) is eliminated or elected.

3. Flag

(a) No portion of any flag when extended to its maximum length shall be closer than eighteen (18) inches horizontally to a property line.

(b) No portion of any flag when extended to its maximum length or flag pole shall be closer than eight (8) feet horizontally or vertically from any electrical conduit, public utility pose, or guy wire.

4. Construction Sign

(a) Shall not exceed one (1) sign per active construction project for each contractor, subcontractor, or supplier.

(b) Shall not be illuminated.

(c) Shall not exceed thirty-two (32) square feet in area for general contractor and six (6) square feet in area for any subcontractor or supplier.

5. Ground Sign

(a) One (1) sign per establishment or group of establishments with a minimum street lot frontage of sixty (60) linear feet or more.

(b) Shall not exceed a sign area equal to one (1) square foot for every two (2) linear feet of street frontage, up to a maximum of ninety (90) square feet per sign.

(c) When the lot frontage exceeds four hundred (400) linear feet, one (1) additional sign shall be permitted for each one hundred (100) linear feet, or portion thereof, up to a maximum of

three (3) signs. The total frontage shall be used to calculate the allowable sign area.

(d) Structures on out parcels with a single tenant having sixty (60) feet of frontage or more may have a separate sign subject to the restrictions above. The out parcel frontage shall not be subtracted in calculating the frontage of the group of establishments.

(e) Shall not exceed twenty-five (25) feet in height.

(f) Shall provide a vertical clearance of nine (9) feet over any pedestrian walkway or fourteen (14) feet over any vehicular driveway.

(g) Shall not be located less than eighteen (18) inches (measured horizontally from the closest part) from any public right-of-way line, adjacent property line or structure.

(h) Shall have a landscaped area around its base which extends a minimum distance of three (3) feet in all directions. Such landscaped area shall be completely covered by ground cover and shrubs, hedges, or similar vegetative materials.

6. Wall Sign

(a) One (1) sign per tenant which shall not exceed a sign area equal to fifteen percent (15%) of the wall face area fronting on the principal street.

(b) Shall not extend above the roof or parapet of the building, whichever is greater.

(c) Shall be located on the principal street wall face of the tenant or building identified except that up to fifty percent (50%) of such permitted sign area may be located on other wall faces.

(d) Projecting wall signs shall provide a vertical clearance of nine (9) feet over any pedestrian walkway of fourteen (14) feet over any vehicular driveway. No part of a

projected wall sign may be closer than eighteen (18) inches (measured horizontally to the closest part) to a property line.

7. Pedestrian Sign

- (a) One (1) sign per tenant.
- (b) Shall not exceed six (6) square feet in area.
- (c) Shall provide a vertical clearance of nine (9) feet over any walkway.

8. Rear Entrance Sign

- (a) One (1) sign per tenant.
- (b) Shall not exceed six (6) square feet in area.

9. On-Site Directional or Public Service Sign

- (a) May be installed as needed with the approval of the Zoning Administrator.
- (b) Shall not exceed six (6) square feet in area.

10. Off-premise Directional Sign - By Conditional Use

- (a) See Section 6 - Administration and Enforcement - J. Conditional Uses.

11. Public Warning Sign

- (a) Shall not exceed four (4) square feet in area.
- (b) Shall not exceed a reasonable number as determined by the Zoning Administrator.

12. Window Display Sign

- (a) May be allowed at the discretion of the property owner or tenant without permit when otherwise consistent with this Ordinance.
- (b) The area of window sign shall not be subtracted from the allowed wall sign area.

13. Credit Card Sign, Decal or Emblem

- (a) Shall not exceed two (2) square feet in area.
- (b) Shall not be subtracted from any allowable sign area.

14. Motor Fuel Price Signs

- (a) Shall not exceed two (2) square feet in area per fuel.
- (b) Shall not be subtracted from any allowable sign area.

15. Seasonal Display or Decoration

May installed at the discretion of property owner or tenant without permit when otherwise consistent with this Ordinance.

16. Special Event Sign

(a) May be installed as needed with the approval of the Zoning Administrator.

(b) Shall be limited to a one (1) month period of time.

17. Memorial Sign or Tablet

(a) May be installed as needed with the approval of the Zoning Administrator.

(b) Shall not exceed sixteen (16) square feet in area.

C. Government Use District

1. Shall conform to the sign restrictions of the adjacent sign district.

2. When adjacent to two (2) or more sign districts, the subject signs shall conform to the more restrictive regulations.

D. Planned District

1. Signage restrictions shall be recommended by the County Planning Commission and approved by the Board of County Commissioners pursuant to site plat review in accordance with Article 24 of the Zoning Ordinance of Nassau County.

2. Signs not specifically included in Site Plan Review may, at the option of the Zoning Administrator, be permitted in conformance with the restrictions of the Residential District.

E. Resort Overlay District: The regulations of the applicable sign district apply, except as provided herein.

1. Ground Sign

(a) Shall not exceed thirteen (13) feet in height.

(b) Shall have a landscaped area around its base which extends a distance in all directions equal to one-half (1/2) of the sign's height.

(c) Shall not be internally illuminated or constructed of materials normally used for internally illuminated signs.

2. Wall Sign: Shall not be internally illuminated.

SECTION 5 - Prohibited Signs or Sign Characteristics

A. Roof Signs

B. Off-Premise Signs, except valid off-premise directional signs and off-premise signs relocated pursuant to Section 6D3(c).

C. Portable or Trailer Signs

D. Sidewalk or Sandwich Signs

E. Banners, pennants and similar decorations except as may be permitted as a special event sign.

F. Flashing, moving, animated or noise making signs, except for public service signs displaying date, time, temperature and community service information.

G. Signs displaying any lewd, lascivious, obscene, indecent or immoral written or graphic message.

H. Signs which falsely simulate emergency vehicles, traffic control devices, official public signs, or otherwise constitute a traffic hazard by reason of size, location, content, coloring, or method of illumination.

I. Signs that advertise an activity, business, product, or service no longer conducted or available on the parcel of land on which the sign is located or abandoned signs.

J. Signs placed within the public right-of-way, except as allowed herein, or erected by or at the direction of the local, state or federal governments.

K. Signs attached to any tree, shrub, plant, utility pole, street light, sidewalk, fire hydrant, bridge or other similar public property.

SECTION 6 - Administration and Enforcement

A. Conformance Required: No person shall place, erect or maintain, or cause to be placed, erected or maintained, any sign or advertising structure unless it is in conformance with the provisions of this Ordinance.

B. Permits Required:

1. Application for Permit: Application for a permit shall be filed with the Building and Zoning Department on the form prescribed by the Department. Each application shall contain the following information:

(a). Name and address of the owner of the sign.

(b). Name of Contractor, firm, or individual, including name, address and telephone number installing or altering sign.

(c). Street address and legal description of building (or structure) and/or lot on which the sign is to be placed or maintained.

(d). Two (2) legible drawings to scale with description and dimensions, showing position of sign in relation to lot lines, nearby buildings or structures, other signs on the same premises, sidewalks, streets and intersections.

(e). Two (2) legible drawings or prints which contain specifications and structural details of the method of construction and installation. The specifications shall show dimensions, elevation drawing, means of support, method of illumination and any other significant aspect of the proposed sign.

(f). Statement of valuation of sign to be erected.

(g). Any other information required by the Building and Zoning Department in order to carry out the purpose and intent of this Ordinance.

2. Fee Schedule: The following fees shall be required in order to accommodate the administrative costs associated with sign permit reviews and the inspections for the installation, erection or placement of any sign requiring a permit.

<u>COST OF SIGN</u>		<u>PERMIT FEE</u>
up to	\$100.00	\$25.00
\$100.00	\$500.00	\$30.00
\$500.00	\$1000.00	\$35.00

(a). In addition, a fee of \$5.00 shall be charged for EACH ADDITIONAL \$1,000.00 or fraction thereof above \$2,000.00.

(b). No additional building permit is required, except for illuminated signs or signs requiring electrical service which shall be required to obtain an electrical permit, in addition to the fees stated above.

3. Revocation of Permit: The Building and Zoning Department may revoke a permit or approval, issued under the provisions of this Section, in case there has been any false statement, concealment or misrepresentations as to a material fact in the application or plans on which the permit or approval was based.

4. Permit and Fee Exemptions: The following types of signs shall not be required to have a permit or be subject to the above fees, but shall meet all other appropriate requirements of this Ordinance:

- a. Real Estate Sign
- b. Residential or Professional Nameplates
- c. Political Sign
- d. Construction Sign
- e. Window Display Signs
- f. Credit Card Sign, Decal or Emblem
- g. Public Warning Sign

h. Flag Emblem or Insignia of the United States, the State of Florida or other public or private entity

i. Seasonal display or decoration not advertising a product, service or establishment

j. Signs erected in the public right-of-way by the Federal, State, or local governments

k. Temporary subdivision or development signs

l. On-site directional signs, except those requiring electrical service

5. Fee Exemption: The following types of signs shall not be subject to a permit fee but shall be required to have a permit and meet all other appropriate requirements of this Ordinance:

a. Directional or public service sign.

b. Special event sign.

c. Memorial sign or tablet.

C. Construction Standards

1. Standard Building Code: All signs regulated by this Ordinance shall be constructed and installed in accordance with the Standard Building Code as adopted by Nassau County.

2. Maintenance: All signs regulated by this Ordinance shall be maintained in accordance with the Standard Building Code as adopted by Nassau County.

3. Clearance

(a). Signs shall be located in such a way that they maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with the National Electrical Code specifications. However, in no case shall a sign be installed closer than eight (8) feet horizontally or vertically from any electrical conduit, public utility pole or guy wire.

(b). On a corner lot, parcel or tract in any district, no sign or landscape material shall be allowed in such a manner

as to materially impede vision between a height of two and one-half (2-1/2) feet and eight (8) feet above the centerline grade of the intersecting public streets of such corner lots, parcels or tracts.

4. Illuminated Signs

The light from any illuminated sign or lights utilized for sign illumination shall be shaded, shielded, or directed so that the light intensity or brightness shall neither adversely affect the surrounding premises nor be so directed as to cause glare or reflection upon a public thoroughfare, street, highway, side walk, or adjacent premises that may constitute a traffic hazard or public nuisance.

D. Non-Conforming Signs

1. General

Any sign or advertising structure which by its height, area, location, landscaping, method of illumination, use, or structural support does not conform to the requirements of this ordinance shall be termed non-conforming.

2. Alterations to Non-Conforming Signs

No non-conforming sign shall be structurally altered or moved, unless brought into conformity with the requirements of this Ordinance, except that such signs may have normal maintenance including repainting or changes in copy.

3. Continuation and Removal

(a) All non-conforming on-premise signs that were properly permitted and existing before the effective date of this Ordinance, except for portable or trailer signs and side walk or sandwich signs in any district, may continue in use in accordance with the other provisions of this Ordinance.

(b) All non-conforming off-premise signs that were properly permitted and existing before the effective date of this

Ordinance except for off-premise signs within the Resort Overlay district, may continue in use in accordance with the other provisions of this Ordinance.

(c) It is the intent of the sign ordinance to allow the owners of non-conforming off-premise signs in the resort overlay district and portable or trailer signs and sidewalk or sandwich signs in any district to recover the residual economic value of the sign over a reasonable period of time. Therefore:

(1) Any non-conforming off-premise sign in the Resort Overlay district shall be removed no later than two (2) years from the date of the adoption of this Ordinance.

(2) Portable or trailer signs and sidewalk or sandwich signs in any district shall be removed no later than one (1) year from the date of the adoption of this Ordinance.

(d) Relocation standards for off-premise signs in the Resort Overlay district.

(1) May only be relocated to any commercial or industrial district as defined by this Ordinance, except Commercial Neighborhood and Commercial Professional Districts.

(2) Shall not exceed an aggregate area of three hundred (300 square feet including all trim, molding, or skirting or the area of the relocated sign whichever is smaller.

(3) Shall not exceed an exterior dimension of thirty (30) feet horizontally or twelve (12) feet vertically including all trim, molding, or skirting.

(4) Shall not exceed a total height above natural grade or ground level of twenty-five (25) feet.

(5) Shall be located a minimum of twenty-five (25) feet from any right-of-way or existing on-premise sign and five (5) feet from any other property line.

(6) Shall not be located within one thousand (1,000) feet of any other off-premise sign located on the same side of a street or highway.

(7) An off-premise sign may be single faced or double faced, providing both sides are the same size and shape, are parallel to each other and are mirror image in shape. A V-shaped sign or double-faced sign shall be considered a two (2) separate signs and each sign face shall be permitted separately.

(8) No portion of the supporting structure shall be visible above any advertising display area.

(9) Off-premise signs with a back exposed to view in whole or in part shall have the back of such sign covered, screened, or painted to blend in with the surrounding area.

(10) Shall be adequately covered and securely anchored in accordance with Section 6C1 of this Ordinance.

(11) There shall be no stacked off-premise signs. Where such signs exist in the Resort Overlay district, only one (1) sign face from a single faced stacked off-premise sign or only one (1) sign face from each side of a stacked double faced or V-shaped sign may be relocated.

(12) Where the same individual, partnership, or corporation owns two (2) or more single-faced off-premise signs, the signs may not be relocated unless combined to create one (1) double-faced or V-shaped sign structure for each two (2) single-faced signs. If only one (1) single-faced sign is owned or if a single-faced sign results from the required combining, then a single off-premise sign may be located.

4. Natural Damage

Destruction of a non-conforming sign: No sign which has been damaged by any means to an extent of more than sixty percent (60%) of the fair market value of the sign immediately prior to

damage, shall be restored, except in conformity with the regulations of this Ordinance, and all rights as a non-conforming use are terminated. If a sign is damaged by less than sixty percent (60%) of the fair market value, it may be repaired or reconstructed and used as before the time of damage, provided that such repair or reconstruction be substantially completed within twelve (12) months after the date of such damage.

E. Removal of Signs

1. Signs in violation of this Ordinance may be removed in accordance with the following provisions:

(a) Vacant Premise: A sign shall be removed by the owner or lessee of the premises when the establishment which it advertises is no longer active. If the owner or lessee fails to remove said sign, the Zoning Administrator shall give the owner thirty (30) days written notice to remove it. Upon failure to comply with said notice, the Zoning Administrator shall seek removal of the sign in accordance with the provisions of Section Six (6) (E) 2.

(b) Prohibited, Unlawful, and Non-Conforming Signs: At the termination of the time periods for which prohibited, unlawful, or non-conforming signs are permitted to remain under this Section, all such signs placed and maintained on public or private property in violation of the Section shall be given thirty (30) days written notice to remove the violation by the Zoning Administrator. Upon failure to comply with said notice, the Zoning Administrator shall seek removal of the sign in accordance with the provisions of Section Six (E) (2).

(c) Maintenance: All signs and advertising structures regulated by this Section shall be maintained in accordance with the provisions of Chapter 23 of the Standard Building Code. The owner or lessee of any sign that is unsightly because of a

deterioration or lack of maintenance shall be notified in writing and allowed thirty (30) days to correct said violations. Upon failure to comply with said notice, the Zoning Administrator shall seek removal of the sign in accordance with the provisions of Section Six (E) (2).

(d) Nuisances: Abatement: Any sign which is erected, used or maintain in violation of this Section is hereby declared to be a public and private nuisance and shall be forthwith removed.

2. Court Costs: If the owner or lessee fails to comply with the notice provided by the Zoning Administrator, as set forth herein, within thirty (30) days of the date it is mailed, the Zoning Administrator shall advise the Board of County Commissioners. The Board of County Commissioners may, in addition to the penalties provided herein, seek the removal of a sign which is in violation of this ordinance and shall be entitled to recover Court costs and attorney's fees.

F. Interpretations: In any application of this Section where a question of interpretation arises, the interpretation which most effectively accomplished the objectives stated in Section Two shall prevail.

G. Conflict with Building Code: If any conflict appears to exist in the application of this Section and Chapter 23 of the Standard Building code to the regulation of signs and advertising structures in Nassau County, the provisions of this Section shall prevail.

H. Appeals: Any person aggrieved by any decisions of the Zoning Administrator in the administration or enforcement of this Ordinance, except as to removal to a sign, may appeal such decision to the Planning Commission, providing such appeal is filed with the Secretary of the Commission within thirty (30) days of the date of the action which is the subject of such

appeal. The appeal shall be heard at the next regular meeting of the Planning Commission.

I. Variances: Not withstanding anything contained herein to the contrary, the Nassau County Planning Commission may grant a variance from the requirements hereof subject to the following criteria:

1. An application for a variance to the provisions contained herein shall be limited to variations in height, area, setback, number, amortization schedule, landscaping, and similar requirements. Nothing in this section shall permit the erection or maintenance of signs which are prohibited in Section Five - Prohibited Signs or Sign Characteristics.

2. An application for variance shall be completed in accordance with Article 5, Section 5.05, Nassau County Zoning Code.

3. An application for a variance shall be subject to the criteria established in Article 3, Section 3.04 (B), a through f, Nassau County Zoning Code.

4. In granting any variance, the Planning Commission may attach appropriate conditions and safeguards. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance.

5. The Planning Commission may establish a reasonable time limit within which the action for which the variance is required shall be started and completed.

J. Conditional Uses: Not withstanding anything contained herein to the contrary, the Nassau County Planning Commission may allow the erection and maintenance of an off-premise directional sign as a conditional use subject to the following conditions:

1. Shall be limited to lodging, eating, service, and similar establishments and attractions, including real estate developments, located on Amelia Island.

2. Shall be limited to the name of the establishment, product or service, hours of operation, location, and directions to the location. No general advertising for specific products by name shall be permitted.

3. Shall not exceed thirteen (13) feet in overall sign height, including trim or molding.

4. Shall not exceed sixty (60) square feet in sign area, including trim or molding.

5. May be externally illuminated.

6. An application for a conditional use shall be completed in accord with Article 5, Section 5.03, Nassau County Zoning Code.

7. When considering conditional use for an off-premise directional sign, the Planning Commission shall make a written finding that the conditional use satisfied the following criteria:

(a) The directional signage is required for a business, service, or establishment located on Amelia Island in order for a visitor or tourist to reasonably locate the business, service, or establishment.

(b) The establishment, maintenance, or operation of the off-premise directional sign will not be detrimental to or endanger the public health, safety, or general welfare and is not contrary to established standards, regulations, or ordinances of other governmental agencies.

(c) The off-premise directional sign will not adversely impact or unduly restrict the enjoyment of other property in the

immediate vicinity nor substantially diminish or impair property values within the area.

(d) The off-premise directional sign will not hinder the orderly and harmonious development of Amelia Island or surrounding property.

8. The Planning Commission, in granting the conditional use, may impose any conditions, limitations, or restrictions necessary to carry out the intent of this Ordinance.

9. The off-premise directional sign is granted for a specific business or establishment and shall not be transferred to any other business or establishment.

10. Existing off-premise directional signs shall be considered a conforming sign with a valid conditional use granted on the effective date of this Ordinance, if the subject sign was validly permitted as of the date of the adoption of this Ordinance.

Furthermore, such existing off-premise direction signs granted a valid conditional use on the effective date of this Ordinance, may elect to enlarge, reduce, or otherwise modify said sign within the limits of the above requirements without additional review by the Nassau County Planning Commission provided the plans for such modifications are submitted for permit approval within twelve (12) months of the effective date of this Ordinance.

SECTION 7 - DEFINITIONS

1. Abandoned Sign - A sign is abandoned if the land use or business advertised on that sign is no longer licensed, no longer has a certificate of occupancy, or is no longer doing business at the location of the sign or location noted on the sign.

2. Animated Sign - A sign with physical or light action or motion or the appearance thereof, including lenticulation, and

including wind actuated elements, rotating, oscillating, fluttering, flashing, or swinging signs, banners, but excluding allowed flags.

3. Banner - A sign made of cloth, fabric, paper, non-rigid plastic of similar material with or without printing, lettering or other graphic design. Includes streamers and pennants displayed individually or in groups, along a string or other line.

4. Billboard - See off-premise sign.

5. Construction Sign - A temporary sign identifying those engaged in or involved with construction on any building site, excluding signs at construction sites on portable toilets or construction trailers.

6. Credit Card Signs - Signs which indicate an advertiser offers credit under charge cards such as Master Charge, Carte Blanche, VISA, BankAmericard, Diners' Club, American Express, private brand labels, etc.

7. Directional Sign - A sign erected by an official government agency within a public right-of-way to denote the name of any thoroughfare; to point out the route to any City, educational institution, public buildings, historic place, or hospital; to direct and regulate traffic; and to denote any railroad crossing, bridge, or other transportation facility for the convenience and safety of the general public. A sign located on private property giving directions or information about an establishment without advertising, except that business logos are permitted. Such name and/or logo shall not exceed fifty percent (50%) of a sign area.

8. Directory Sign - A sign which lists only the names of individuals or businesses within a building, or contiguous buildings of one (1) premise.

9. Double-faced Sign - A sign with two (2) faces of equal size and shape, back to back, and parallel, each sign being a mirror image shape of the other side.

10. Flashing Sign - Any sign with a light or lights which flash, blink, cut on and off intermittently, change in intensity or otherwise create the illusion of flashing or movement, including lenticulation.

11. Flag - Emblem or insignia of the United States, State of Florida, or other organization or entity usually made of cloth or similar non-rigid material.

12. Ground Sign - Any sign including a pole sign placed upon or supported by the ground independent of any other structure.

13. Group of Establishments - Two (2) or more commercial, industrial, or public establishments that share common frontage, access points, off-street.

14. Identification Sign - A sign which contains no advertising and the message of which is limited to conveying street numbers, the name, address, and numbers of the premises, or the name of the owner or occupant of the premises.

15. Illuminated Sign - A sign which gives forth artificial light or reflects such light from an artificial source.

16. Memorial Sign - a sign or tablet indicating only the name of the building and/or the date of the construction of the building and which is an integral part of the building and is cut into a masonry surface or constructed of metal.

17. Nameplate - A sign indicating the name or address of the occupant or resident of the dwelling unit to which it is attached.

18. Non-Conforming Sign - Any sign which does not comply with the regulations of this Section or subsequent amendments.

19. Off-Premise Sign - Any sign which advertises a use, establishment, product, or service that is sold, produced, manufactured, or furnished at a place other than on the property on which said sign is located.

20. Off-Premise Directional Sign - A sign giving directions or information about an establishment.

21. Out Parcel - A parcel of property containing a single structure with one (1) tenant located within a group of establishments which may be separately owned or leased from the owner of the group of establishments.

22. Parapet - That portion of a facade that extends above the roof immediately adjacent thereto.

23. Person - Individuals, partnerships, associations, corporations, trust, company, or other entities.

24. Pedestrian Sign - A sign which is attached to the underside of a catilevered roof, portico, overhang that extends from the wall face of an establishment or use and covers a pedestrian passageway.

25. Political Sign - Any temporary sign used to influence a local, county, state, or national election.

26. Principal Street - Abutting street with the highest daily traffic volume.

27. Portable Sign - A moveable sign not secured or permanently affixed to a building, structure, or the ground (also a mobile, trailer, sidewalk, or sandwich sign).

28. Public Sign - A sign placed under the authority of duly authorized government officials, including traffic signs, legal notices, public warning signs, signs on public buildings, or public service signs.

29. Public Service Sign - A sign providing community service information or identifying the location of community facilities

or services without commercial advertising. Shall include civil clubs, churches, and similar organizations.

30. Public Warning Sign - A sign providing safety instructions, danger signs, trespassing signs, and similar information without commercial advertising.

31. Real Estate Sign - A temporary sign indicating that the lot on which the sign is located, or any building or structure located thereon, is for sale, rent, or lease, but shall not include rooming house signs.

32. Roof - The outside top covering of a building.

A. Flat - A roof which is not pitched and the surface of which is parallel to the ground.

B. Gable - A ridged roof forming a gable at both ends of the building.

C. Gambrel - A gabled roof with two (2) slopes on each side, the lower steeper than the upper (in current use, the upper slope may be flat).

D. Hip - A roof with sloping ends and sides.

E. Mansard - A roof with two slopes on each of four (4) sides, the lower steeper than the upper (in current use the upper slope may be flat).

33. Roof Line - Refers to the uppermost line of the roof, including mansard roofs, of a building or, in the case of an extended facade, the uppermost height of said facade. However, in the case of a slanted roof or A-frame type roof, roof line refers to the lower-most edge of said roof.

34. Roof Sign - Shall mean any sign erected or constructed wholly upon or over the roof of any building.

34. Seasonal Display - Signs or decorations of a temporary nature utilized during holidays or seasonal periods, providing

that no advertisement of a product, service, or establishment is permitted.

36. Sidewalk or Sandwich Sign - See portable sign.

37. Sign - Any writing (including letter, work, or numeral); pictorial representation (including illustration or decoration); emblem (including service mark, symbol, or trademark); flag (banner or pennant); any other figure or character; or any structure or part thereof on which such writing, pictorial representation, emblem, flag, or other figure or character is installed or placed (except a building to which the same may be attached) which:

A. Is used to inform, attract attention, or advertise; and

B. Is readily visible from any public place off the premises where the sign is located. Whenever the word "sign" appears in this Section, the same shall include "advertising structure".

38. Sign Area - The background area upon which the copy area is placed. Where the copy area is attached to the wall of a building, the wall shall not be construed to be the background area of the sign unless it is an integral part of the sign. The entire face of a sign including the advertising surface and any framing, trim, or molding, but not including the supporting structure.

39. Special Event Sign - A sign which calls attention to a business promotion, grand opening, civic event or meeting or other similar activity of a temporary nature. For the purposes of this Section, a banner constructed of cloth, paper, or similar material shall be considered a special event sign.

40. Stacked Sign - Also called an outdoor advertising sign or billboard, stacked or multiple billboards are two (2) or more billboards grouped vertically regardless of supporting systems.

41. Temporary Subdivision or Development Sign - A form of a real estate sign placed near the entry to a new subdivision or development providing information on the developer, sales agent, and relevant purchase information. May include a map or diagram of area identifying properties for sale.

42. V-Shaped Sign - Any sign which has two (2) faces that are not parallel, (not to include sandwich signs and "A" frame signs). A "V" shaped sign shall not have an included angle of not more than thirty (30) degrees.

43. Value of Sign - The value of a sign shall be the stated value, as listed on the permit for construction on file with the Building Official.

44. Wall Face - The entire building front, including the parapet.

45. Wall Signs - Any sign installed parallel to and flush against the face of the outside wall of a building, supported by the building and which has only one (1) advertising surface.

46. Window Signs - Any sign placed on the inside or outside of any window of any building or door and which is visible from any public right-of-way. This does not include merchandise on display.

47. Zoning Administrator - The Planning and Zoning Director or that person to whom is charged with the interpretation, administration, and enforcement of this Ordinance.

SECTION 8 - PENALTIES FOR VIOLATIONS

It shall be unlawful to violate any of the provisions of this ordinance and any violation thereof shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for a term not exceeding sixty (60) days or by both such fine and imprisonment. Each day that a violation shall continue to exist shall be considered a separate violation may be

prosecuted as such. The Zoning Administrator, after consultation with the County Attorney, shall be authorized by the County to execute Affidavits of Violations and provide same to the Office of the State Attorney.


SECTION 9 - CONFLICTING ORDINANCES

All Ordinances or parts thereof in conflict with this ordinance be and hereby are repealed to the extent of such conflict.

SECTION 10 - EFFECTIVE DATE

This Ordinance shall become effective upon adoption by the Board of County Commissioners of Nassau County, Florida.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

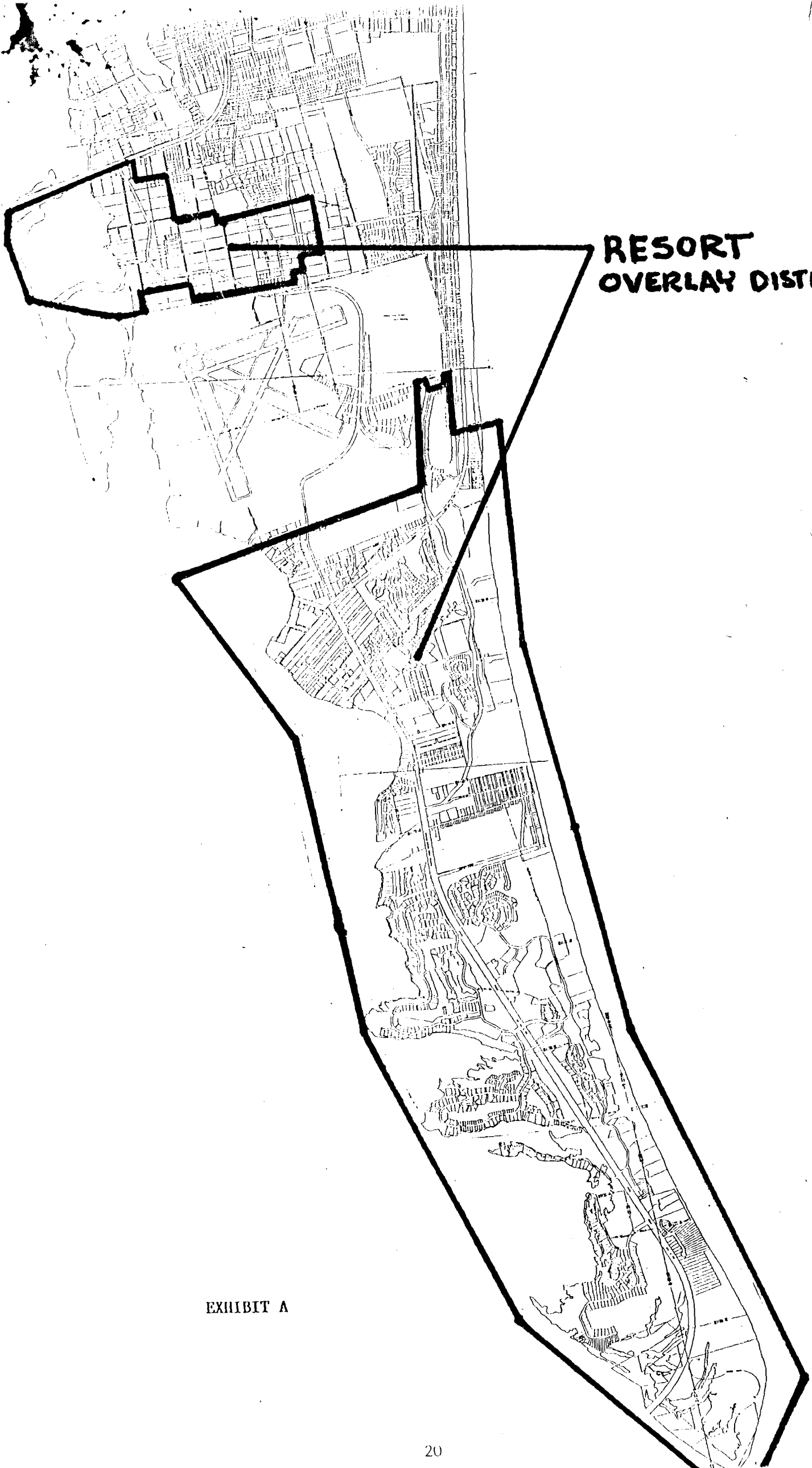


JOHN F. CLAXTON
Its: Chairman

ATTEST:



T. J. GREASON
Its: Ex-Officio Clerk



**RESORT
OVERLAY DISTRICT**

EXHIBIT A