

WORKSHOP
APALACHICOLA CITY COMMISSION
WEDNESDAY, JULY 19, 2023 – 5:00PM
BATTERY PARK COMMUNITY CENTER
1 BAY AVE., APALACHICOLA, FLORIDA 32320

Agenda

You are welcome to comment on any matter under consideration by the Apalachicola City Commission when recognized to do so by the Mayor. Once recognized please rise to the podium, state your name for the record and adhere to the three minute time limit for public comment. Comments may also be sent by email to the City Manager or to Commissioners.

- I. Agenda Adoption**
- II. Public Comment**
- III. ARPA Projects Discussion**
- IV. Sign Ordinance Discussion**

Any person who desires to appeal any decision at this meeting will need a record of the proceeding and for this purpose, may need to ensure that a verbatim record of the proceeding is made which includes testimony and evidence upon which the appeal is based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office 48 hours in advance of the meeting.

Chapter 113 SIGN REGULATIONS

ARTICLE I. IN GENERAL

Sec. 113-1. General provisions.

All signs within the city shall be erected, constructed, maintained or permitted in accordance with the provisions of this chapter, and only those signs allowed in this chapter shall be erected within the city.

(LDC, art. V, § A)

Sec. 113-2. Definitions.

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

Frontage means the length of the property line of any one parcel along a street on which it borders.

Blade or bracket signs: A small, pedestrian-oriented, double-faced sign, less than four (4) square feet, that projects perpendicular from a structure (blade sign) or is hung beneath a marquee (bracket sign).

Building Façade: That portion of any exterior elevation of a building extending from grade to the top of the parapet wall or eaves and the entire width of the building elevation, including window areas.

Building Façade Sign: A sign attached to the building facades and include, but not necessarily be limited to, wall signs, painted signs, marquee signs, projecting signs, blade signs, and awning signs.

Election Sign: A temporary sign related to an election or voter referendum.

Other sign definitions relative to Article 113 Sign Regulations may be found in Sec. 101-8 Definitions of the Apalachicola Land Development Code.

(LDC, art. V, § C)

Sec. 113-3. Computations.

The following principles shall control the computation of sign area and sign height:

- (1) *Computation of sign area.* The area of a sign shall be computed by means of the smallest rectilinear figure (but which shall have a continuous perimeter of not more than eight straight lines) which encompasses all lettering, wording, frame, design or symbols, together with any background and any illuminated part of the sign on which the sign is located, if such background or such illuminated part of the sign is designed as an integral part of and related to the sign. Support and bracing which are not intended as part of the sign and which contain no message, shall be excluded. In the case of a multi-faced sign, the area of the sign shall be considered to include all faces visible from one direction, and the area shall be considered to include all lettering, wording and accompanying designs or symbols together with any background of different color than the natural color of the building. The surface area of a sign shall be computed as including the entire area within a regular geometric form comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of surface

area. Where a sign has two or more faces, the area of all faces shall be combined in determining the area of the sign.

- (2) ~~Computation of height.~~ The height of the sign shall be computed as the distance from the ground directly below the center of the sign or from the grade of the closest point in the traveled way of the road or street the sign is located along, whichever is higher, to the sign or sign structure's highest point.

(LDC, art. V, § D)

Secs. 113-4 Purpose and Scope of Sign Regulations

The requirements of this chapter are the minimum necessary to promote the public health, safety, and welfare, including traffic safety, and to protect the character and aesthetics of residential, commercial, and business areas throughout the City. Therefore, the display of signs should be appropriate to the land, building, structure, or use to which they are appurtenant and be adequate, but not excessive, for their intended purpose.

It is the intent of this chapter that signs be accessory and incidental to their respective land, building, structure, or use.

Secs. 113-~~5~~—113-26. Reserved.

ARTICLE II. APPLICABILITY

Sec. 113-27. Exempt signs.

The following signs are exempt from the application of these sign regulations and from the requirements in this article that a permit be obtained for the erection of permanent signs, provided they are not placed within the right-of-way of any road or constructed as to create a hazard of any kind:

- (1) Legal notices and instruments. This may include temporary political signs announcing a campaign drive or event, provided such signs are not erected in a public right-of-way and are removed within five days following a campaign drive or event.
- (2) Signs necessary to promote health, safety and welfare and other regulatory, statutory, traffic control or directional signs erected on public property with permission from the United States, the state, the county or the city.
- (3) Decorative flags and bunting for a celebration, convention or commemoration of significance to the entire community when authorized by the city council for a prescribed period of time.
- (4) Temporary holiday lights and decorations.
- (5) Merchandise displays behind storefront windows so long as no part of the display contains flashing lights.
- (6) Memorial signs or tablets, names of buildings and dates of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials and attached to the surface of a building.
- (7) Signs incorporated into machinery or equipment by a manufacturer or distributor, which identify or advertise only the product or service dispensed by the machine or equipment, such signs customarily affixed to vending machines, newspaper racks, ~~telephone booths~~ and gasoline pumps.

-
- (8) Public warning signs no larger than four square feet to indicate the dangers of trespassing, unfriendly animals or similar hazards.
 - (9) Signs carried by a person.
 - (10) One sign per residential use indicating a resident's name, street address of the premises and/or an accessory use sign for an allowed home occupation, and/or such sign for a permitted professional activity, provided that such sign shall not exceed an area of two square feet.
 - (11) Bulletin boards for public, charitable, educational or religious institutions not to exceed 15 square feet of sign area, provided such sign is located on the premises of said institution. Such sign shall be placed flat against the principal use structure or not less than five feet from the property line.
 - (12) One temporary non-illuminated real estate sign advertising only the sale, lease or rental of the premises or property upon which said sign is located, or one non-illuminated sign indicating a building is open for public inspection. For residential zoned districts, such signs shall not exceed four square feet in sign area or exceed four feet in height. Such signs shall be placed no closer than five feet from the street right-of-way line or shall be attached to the principal use structure. For nonresidential zoned districts such signs shall not exceed 12 square feet in area and shall be placed no closer than ten feet from the street right-of-way line or shall be attached to the principal structure. All such signs shall be removed within five days after the property has been sold, leased or rented.

(LDC, art. V, § F)

Sec. 113-28. Signs regulated but not requiring permits.

The following types of signs are exempted from sign permit requirements, and shall not be considered in determining the allowable size or number of signs on a zoned lot; provided, however, that they must comply with all other applicable sections of this article. The erection of any sign not listed in this section or exempted by Sec. 113-27 shall require a permit.

- (1) Window signs on or within windows relating to the business conducted within; or to nonprofit civic or charitable organizations provided that no more than 25 percent of any window area is utilized for such signs.
- (2) Temporary signs as defined in section 113-30.
- (3) Signs required by law, statute or ordinance.

(LDC, art. V, § G)

Sec. 113-29. Signs permitted in all zones.

The signs enumerated in sections 113-27 and 113-28, but not requiring permits, apply to all zones, except where restricted by zoning codes applicable for each zone.

(LDC, art. V, § L)

Sec. 113-30. Permitted temporary signs.

- (a) *Where allowed.* Temporary signs are allowed throughout the city, subject to the restrictions imposed by this section and other relevant parts of this article.
- (b) *Sign types allowed.* A temporary sign may be a ground or building sign but may not be an electric sign.

-
- (c) *Removal of illegal temporary signs.* Any temporary sign not complying with the requirements of this section is illegal and subject to immediate removal by the city. Any fee incurred by the city for removal of illegal signs will be charged to the owner. Fees shall be a minimum of \$20.00, but not to exceed \$200.00.
- (d) *Restrictions on content of temporary signs.* A temporary sign may display any message so long as it does not contain any of the following:
- (1) Language, pictures or any other content that is harmful to minors.
 - (2) Offensive words, pictures, nudity or profanity.
 - (3) Advertising, except that advertising for the following purposes may be displayed:
 - a. To indicate the grand opening of a business or other activity. Such message may be displayed for a period not exceeding 14 days.
 - b. To indicate the existence of a new business or a business in a new location, if such business has no permanent signs. Such message may be displayed for a period of not more than 30 days or until installation of permanent signs, whichever shall occur first.
 - c. To announce or advertise such temporary uses as fairs, carnivals, circuses, revivals, sporting events, flea markets or any public, charitable, educational or religious event or function. Such message shall be removed within five days after the special event.

(LDC, art. V, § H)

Sec. 113-31. Signs prohibited within city limits.

All signs not expressly permitted under this article or exempt from regulation hereunder in accordance with this section are prohibited within the city limits. Such signs include, but are not limited to:

- (1) Banners, streamers, pennants, festoons and other wind signs, except as exempted herein.
 - (2) Temporary signs, except as exempted under the provisions of this article.
 - (3) Portable, trailer, ~~sidewalk, sandwich,~~ and curb signs.
 - (4) Searchlights, strobe or flashing lights (except as required for public safety by state or local regulation).
 - (5) Strings of lights not permanently mounted to a rigid background, except those exempted under the provisions of this article.
 - (6) Illuminated tubing outlining property lines, open sale areas, doors, windows, or wall edges of any building.
 - ~~(7) Internally illuminated signs.~~
 - (8) Animated signs.
 - (9) Bench signs (unless approved by the city commission).
 - (10) Snipe signs.
 - (11) Roof signs of all types.
 - (12) Signs that emit audible sound, odor or visible matter such as smoke or steam.
 - (13) Signs that are painted, pasted, or printed on any curbstone, flagstone, pavement or any portion of any sidewalk or street.
-

-
- (14) Signs erected on public property, or on private property (such as private utility poles) located on public property, other than signs erected by public authority for public purposes and signs authorized in writing pursuant to FS § 337.407.
 - (15) Signs displaying copy that is harmful to minors.
 - (16) Inflatable signs and tethered balloons.
 - (17) Any abandoned sign or sign structure.
 - (18) Signs that are in violation of the building or electrical code adopted by the city.
 - (19) Any sign that, when determined by the city building inspector, does or may constitute a safety hazard. Such signs include those which may create a vision impairment by obstructing the vision of pedestrians, cyclists or motorists traveling on or entering onto public streets.
 - (20) Signs that involve the use of live animals intended to attract attention.
 - (21) Signs or sign structures that interfere in any way with free use of any fire escape, emergency exit or standpipe, or that obstruct any window to such an extent that light or ventilation is reduced to a point below that required by any provision of this chapter or other ordinance of the city.
 - (22) Signs that resemble any official sign or marker erected by any governmental agency, or that by reason of position, shape or color would conflict with the proper functioning of any traffic sign or signal or be of a size, location, movement, content, color or illumination that may be reasonably confused with or construed as, or conceal a traffic control device.
 - (23) Nongovernmental signs that use the words "stop," "look," "danger" or any similar word, phrase or symbol.
 - (24) Signs within ten feet of any public right-of-way or 100 feet of traffic control lights that contain red or green lights that might be confused with traffic control lights.
 - (25) Signs that are of such intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist or pedestrian using or entering a public way or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics.
 - (26) Signs that contain any lighting or control mechanism that causes unreasonable interference with radio, television or other communication signals.
 - (27) Signs erected over or across any public street except as otherwise may be expressly authorized by this article and exempt governmental signs erected by or on the order of a public officer.
 - (28) Signs placed within public rights-of-way, except publicly-owned, authorized or maintained signs which serve an official public purpose.
 - ~~(29) Any sign placed or erected on property without permission of the owner.~~
 - (30) Signs which advertise any activity, service or product prohibited by the laws and regulations of the United States or the state or by ordinances or resolutions of the city.
 - (31) Dilapidated or neglected signs. A sign (including sign structure) will be dilapidated or neglected if it does not present a neat and orderly appearance, which may be manifested by the following: rust or holes on or in the sign or sign structure, or broken, missing, loose or bent parts, faded or flaking paint, non-operative or partially non-operative illuminating or mechanical devices or missing letters in sign copy.
 - (32) Outdoor advertising signs.
 - (33) Off-premises advertising signs.
-

Secs. 113-32—113-50. Reserved.

ARTICLE III. PERMITS

Sec. 113-51. Permitting.

Except as specifically exempted or prohibited in this section, all signs constructed or modified shall require a permit in accordance with the provisions of this article.

(LDC, art. V, § E)

Sec. 113-52. Permits required.

- (a) If a sign requiring a permit under the provisions of this article is to be placed, constructed, erected or modified, the person or entity proposing the sign shall secure a sign permit prior to the construction, placement, erection or modification of such a sign in accordance with the requirements of section 113-54.
- (b) No permit of any kind shall be issued for a proposed sign unless such sign is consistent with the requirements of this article (including those protecting existing signs) in every respect.
- (c) A sign permit shall expire if the sign for which the permit was issued has not been erected, installed or completed within six months after the date of permit issuance.

(LDC, art. V, § J)

Sec. 113-53. Compliance and building code review; permit issuance.

No sign except those listed in section 113-27 and section 113-28 shall be constructed, erected or modified without a compliance and building code review by the building inspector, or his designee. The building inspector shall issue a permit only for a proposed sign that meets the requirements of this article.

(LDC, art. V, § R)

Sec. 113-54. Sign permit applications.

Sign permit application forms shall be obtained from the building inspector. Each application shall be accompanied by the following information:

- (1) Name of business and address where work is to be performed.
- (2) Name and title of applicant.
- (3) Name, address and telephone number of the firm doing installation work.
- (4) Name and address of the sign owner if other than business installing sign.
- (5) A complete list describing each existing sign on the premises, including sign type, copy, sign area, location on premises and date installed.
- (6) A site plan showing the location of the affected lot, buildings and signs showing both existing and proposed signs.

-
- (7) A scale drawing of each proposed sign or sign revision, including location, size, height, copy, structural and footing details, material, method of attachment, illumination, front and end views of canopies and any other information required to ensure compliance with appropriate laws.
 - (8) Written consent of the owner of the building, structure, or property where the sign is to be erected.
 - (9) Owner must provide to the code enforcement officer photographs of completed sign placement on premises within 30 days of issuance of permit.

Each applicant for a sign permit shall, upon request of the code enforcement officer, submit any additional information deemed necessary.

(LDC, art. V, § S)

Secs. 113-55—113-81. Reserved.

ARTICLE IV. STANDARDS

Sec. 113-82. Design, construction and maintenance.

All signs requiring a permit shall be designed, constructed and maintained in accordance with the following standards:

- (1) All signs shall comply with applicable provisions of the Florida Building Code at all times.
- (2) All signs requiring permits shall be constructed of permanent materials and shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame or structure.
- (3) Signs that are illuminated shall only be illuminated in accordance with the following additional standards:
 - a. Full cutoff fixtures must be used. Up-lighting is prohibited. ~~No sign shall have internal illumination.~~
 - ~~b. Illumination shall be with white light only.~~
 - b. Any external lighting used to illuminate signs shall be shielded so that the light source cannot be seen from abutting roads or properties.
 - ~~c. Illumination shall be with fluorescent bulbs or lamps only. Fluorescent fixtures shall be of the enclosed type with a gasketed lens and a wet location label.~~
 - ~~1. One fixture allowed per sign face for signs up to four feet wide, two fixtures for signs up to six feet wide and three fixtures for signs up to eight feet wide.~~
 - ~~2. The maximum wattage, for all fixtures combined, shall not exceed 36 watts per sign face.~~
 - c. Illuminated signs shall not have lighting mechanisms that project more than 18 inches perpendicularly from any surface.
 - d. ~~A full cutoff fixture for lighting a sign face shall be designed and positioned no higher than the top edge of the sign face.~~
 - ~~d. Illuminated signs shall have luminance no greater than 140 foot-candles as measured one (1) foot from the sign. (One foot-candle is equal to 10.76 lumens; one lumen is equal to .001496 watts.~~

140 foot-candles is equal to approximately 1500 lumens and 2-3 watts, according to Illuminating Engineering Society (IES).

- (4) All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this code at all times. The building inspector shall have the right to order the repair or removal of any sign which is defective, damaged or substantially deteriorated as defined in the Florida Building Code.
- (5) "A"-frame or sandwich signs shall be no larger than 24 by 40 inches and shall only be displayed during business hours. Only one such sign shall be allowed per storefront. Each business shall have a valid sidewalk permit to display a sandwich or A-frame sign, renewed annually as required by Sec. 36-54 of the LDC.
 - a. All persons involved in maintenance, installation, alteration or relocation of signs near or upon any public right-of-way shall agree to hold harmless and indemnify the city, its officers, agents and employees against any and all claims of negligence resulting from such work.
 - b. All persons involved in maintenance, installation, alteration or relocation of signs, for a fee, shall maintain all required insurance and shall file with the state a satisfactory certificate of insurance to indemnify the state, county or city against any form of liability in accordance with city, county and state regulations.

(LDC, art. V, § K)

Sec. 113-83. Signs permitted in residential zones.

For the purposes of this section, the following shall be considered residential districts: R1, R2, R3, R4 and OR. Signs are permitted in these districts as follows:

- (1) For home occupations: one non-illuminated wall sign, not to exceed three square feet in size is permitted.
- (2) For permitted nonresidential uses other than home occupations, including churches and synagogues: one freestanding monument sign not to exceed 12 square feet in area or eight feet in height, no internally lighted signs.
 - a. External lighting fixtures shall be fully shielded and directed down.
 - b. Individual halo-lit letters with solid opaque faces that do not permit any light to come through the face and that are silhouetted against the illuminated wall.

(LDC, art. V, § M)

Sec. 113-84. Signs permitted in commercial zones.

Signs in these zones may be illuminated in accordance with section 113-82. Signs are permitted in these districts as follows:

	<u>Maximum Number</u>	<u>Maximum Area (Total)</u>	<u>Maximum Area (Individual signs)</u>	<u>Maximum Height</u>
<u>Building façade sign (wall and awning signs)</u>	<u>Up to 3 signs per façade</u>	<u>10% of total building façade area (includes any Marquee sign)</u>	<u>20% of frontage street façade; 10% of side or rear building façade</u>	<u>The roofline</u>

<u>Marquee Sign</u>	<u>1 per building</u>	<u>10% of building façade area (includes any Building façade sign as defined above)</u>	<u>200 square feet</u>	
<u>Blade or bracket sign</u>	<u>1 per façade</u>		<u>4 sq feet</u>	<u>N/A</u>
<u>Window Signs</u>	<u>N/A</u>	<u>N/A</u>	<u>25% of total window area</u>	<u>N/A</u>
<u>Sandwich or Board Sign*</u>	<u>1 per ground floor building façade frontage</u>	<u>N/A</u>	<u>8 sq. feet</u>	<u>3 feet</u>
<u>Freestanding Sign</u>	<u>Street Frontage: 0-100' = 1</u> <u>Greater than 100' = 2</u>	<u>N/A</u>	<u>200 square feet</u>	<u>The roofline</u>

***Notes:**

One Sandwich or sidewalk sign may be placed in the public right-of-way with a permit issued from the Code Enforcement Officer provided the proposed sign meets the standards for Sandwich or sidewalk signs in this Chapter.

- ~~(1) The total maximum allowable square footage of signage per business per street frontage shall not exceed 24 square feet.~~
- (1) In addition to the above maximum total signage allowances, each business with an off-street entrance may have one non-illuminated, attached directory sign per occupancy, not to exceed three square feet.
- (2) Computation of height. The height of the sign shall be computed as the distance from the ground directly below the center of the sign or from the grade of the closest point in the traveled way of the road or street the sign is located along, whichever is higher, to the sign or sign structure's highest point.

All freestanding signs shall be setback from the property line such that there is at every intersection a clear view between heights of three to ten feet in a triangle formed by the corner and points of the curb 30 feet from the intersection or entranceway.

(LDC, art. V, § N)

Sec. 113-85. Projecting signs.

- (a) Such signs shall be hung at a 90-degree angle from the building face.
- (b) Each sign face shall not exceed eight square feet of sign area.
- (c) The bottom of said sign shall allow an eight-foot pedestrian clearance from the sidewalk level.
- (d) The top of the sign may be suspended no higher than the bottom of the sills of the first level of windows above the first story in a multi-story building.

(LDC, art. V, § O)

Sec. 113-86. Murals. Original Artwork Murals on Private Property

- (1) Definitions.

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

"Maintenance" with respect to artwork, means the required repairs or cleaning to keep a work of art in its intended condition, including preventative maintenance at scheduled intervals to curtail future deterioration, and ordinary repairs or maintenance, including but not limited to, painting, repair, or replacement.

"Original Artwork Mural" means a painting or artwork temporarily or permanently affixed to a privately owned building, distinguished from signage in that it does not include any words, numbers, symbols or letters. An "Original Artwork Mural" is not a "sign" under this Chapter. An "Original Artwork Mural" which is not visible from a public right of way is not regulated by this section or by any other section in this Chapter.

(b) Location of original artwork murals.

Installation of original artwork murals shall be limited to business and commercial zones C-1, C-2, C-3, C-4 and RF.

(c) Purpose:

1. This section is intended to permit and encourage Original Artwork Murals on a content neutral basis that: (i) are sufficiently durable and will be properly maintained; (ii) are located on appropriate places on buildings and constitute a particular scale of the building façade; (iii) do not include any unsafe features or would not pose any unsafe conditions to vehicular or pedestrian traffic; (iv) provide avenues for artistic expression, and (v) are assets to the community.

2. The regulations and permit requirements set forth in this chapter are also intended to promote public safety and welfare by establishing the following:

a. That the design, construction, installation, repair, and maintenance of the displays will not interfere with traffic safety or otherwise endanger public safety.

b. That this regulation will provide reasonable protection by controlling the size and locations of such displays.

c. That the public will enjoy the aesthetic benefits of viewing such displays in numbers and sizes that are reasonably and objectively regulated.

d. There will be no cost to the City.

e. That the City will not consider the content of the mural in the permitting process.

(d) Mural permit application.

1. No person, firm, corporation, or other entity may authorize, erect, construct, maintain, move, alter, change, place, suspend, or attach any Original Artwork Mural within the City prior to obtaining a permit as set forth herein. Such permit shall be known as a mural permit.

2. An application for a mural permit shall be filed jointly by a building owner and an artist with the planning department by way of a form prepared by the planning department and shall include the following:

a. Name of the artist and the owner. Street address and location of the proposed mural.

b. Examples of previous work done by the artist, with references.

c. Description of the materials to comprise the proposed mural and manner of application.

d. Statement regarding durability of the materials considering the location and positioning of the proposed mural.

e. Plans and specifications for the proposed mural including an exact picture graphic and other description. The application should include clear and legible drawings with description showing the location of the mural. Drawings should show the dimensions and materials. Color photos of the building must accompany the mural sketch, showing the wall to be painted in relation to adjacent streets and buildings.

f. Statement that the proposed mural will remain in place for at least two years.

g. Statement that no compensation will be given or received for the right to display the mural or the right to place the mural on the property. The artist may be compensated for the completion of the mural, however.

h. Artist and building owner shall pay all costs associated with public hearing notifications.

i. Artist must waive and release, in favor of the City and the building owner, the right of attribution or integrity which Artist has in the mural under 17 U.S.C. §§ 106A and 113(d)(Visual Artist Rights Act).

j. Artist's agreement to allow the City or the building owner to remove the mural with 90 days' notice to the Artist at the address provided in the application and building owner if the mural is not maintained, or if it becomes a safety hazard.

k. Signed acknowledgement by artist and business owner to abide by all mural requirements and execute all necessary documents.

(e) Mural permit application review.

1. The mural permit application shall be submitted to the planning department for review and then to the City Commission for final decision. The planning department review shall be completed within 10 days; provided, however, that the planning department is authorized to utilize additional time for good cause, with notice to the applicant stating the basis for the delay. The City Commission must complete its review in 60 days.

2. Review Criteria. The application shall be reviewed using the following criteria:

a. The mural must be durable, permanent, and easily protected from vandalism and weathering; consideration shall be given to the structural and surface integrity and stability of the building façade, the permanence and durability of the mural, and the mural's resistance to weathering, theft, and vandalism.

b. The mural must not have any unsafe features or conditions that may affect public safety.

c. The mural must not disrupt traffic nor create any unsafe conditions or distractions to motorists or pedestrians.

d. The mural surface must be prepared with an outdoor primer to ensure good adhesion for the artwork.

e. Clear, anti-graffiti coating must be applied over the completed artwork.

f. The mural must not extend more than six inches from the plane of the wall to which it is attached.

g. The mural should enhance the aesthetic beauty of the area of its proposed location.

h. The mural must be located on only one façade of a building. The mural may not be placed on the primary façade of the structure. Exceptions from this Paragraph h can be applied for, reviewed by the City Planning Department, and approved by the City Commission, when the nature of the business is creative, artistic or some other special circumstance is presented.

i. The mural must be compatible with the character of the surrounding area (particularly when near residential areas) in terms of its size, style, colors, materials, general appearance, and location.

j. Any licensed, copyrighted, or trademarked characters or likenesses used on murals must have permission from the holder or owner of the license, copyright, or trademark.

k. No approval shall be issued for mural installation if there are outstanding code enforcement violations charged by the City on the property where the mural is to be located. Outstanding debts to the City must be paid in full prior to issuance of the mural permit.

3. The City Commission will review the recommendation of the Planning Department and make the final decision based on the criteria in Paragraph (2) of this Section.

4. Persons aggrieved by the decision of the City Commission may appeal that decision to a court of competent jurisdiction.

(f) Prohibited murals.

The following are prohibited in the city:

1. A mural that covers more than one single façade of a building.
2. A mural that violates federal, state, or local law.

(g) Permit expiration and extension.

1. Except as provided in subsection (2). below, if installation of the permitted original artwork mural has not taken place within twelve (12) months of the date of issuance of the mural permit, the permit is void and no further work on the mural may be done at the site until a new permit has been approved and new fee paid.
2. An approved mural permit may be extended by the planning department for an additional period of no more than twelve (12) months upon the planning department finding that the applicant was unable to begin or continue the installation of the approved mural for reasons beyond his or her control. A request for permit extension must be in writing and must be received by the Planning Department before the original permit expiration date.

(h) Maintenance.

1. The property owner is responsible for ensuring that a permitted original artwork mural is maintained in good condition and fully repaired in the case of vandalism or accidental destruction.
2. Failure to maintain the Original Artwork Mural is declared to be a public nuisance and may be summarily abated or repaired by the City. The City may pursue additional remedies to obtain compliance with this section as appropriate, including removal of the mural.
3. In addition to other remedies provided by law, in the event the property owner fails to maintain the mural, the City may perform all necessary repairs or removal of the mural, and all costs incurred by the City shall become a lien against the property.

(i) Mural alterations.

In order to make alterations to an original artwork mural, the artist and building owner must obtain a new mural permit.

(j) Removal or replacement of murals; violations; enforcement

1. Murals installed in accordance with this section shall remain on site in the approved location and cannot be altered, replaced or removed except as provided in this section, or when deemed to be unsafe by the city building official, or when the City determines replacement is necessary due to damage from natural disasters. The seller of property containing a mural installed in compliance with this article shall include restrictions by deed or other instrument that requires the buyer to agree to retain and maintain the mural in compliance with this article.
2. Removal of murals; violations, enforcement. This Section 113-32 may be enforced in accordance with the code enforcement guidelines in the Land Development Code of the City of Apalachicola. Should an approved mural become deteriorated, or otherwise no longer satisfy the terms of the permit, enforcement shall include the City's right to enter upon the property and abate by such reasonable action as necessary to remove or restore the mural, in the City's discretion.
 - a. Costs of abatement by the City. Upon the City's abatement of the mural, the costs, including the administrative costs incurred by the City, shall be assessed against the real property from which the mural was removed, together with any fine imposed by code enforcement, all of which shall become a lien against the real property.
 - b. Alternative remedies. Nothing in this section shall in any way limit the City to the remedy listed above. This remedy shall be in addition to any other remedy which the City can legally pursue, including, but not limited to, code enforcement measures of the Land Development Code of the City of Apalachicola.
3. Recording requirements. The mural permit and the determination of removal shall be recorded in the records of the City and may be recorded in the official records of Franklin County, and shall be binding upon the heirs, personal representatives, grantees, heirs and successors of the parties.

Secs. 113-87—113-113. Reserved.

ARTICLE V. NONCONFORMING SIGNS

Sec. 113-114. Nonconforming permanent signs.

Subject to the following conditions, all permanent signs made nonconforming by the passage of this article or by any subsequent amendment, may be continued in operation and maintained. Such signs shall not be:

- (1) Replaced with another nonconforming sign.
- (2) Enlarged, extended, constructed, reconstructed, moved or structurally altered except to bring the sign into conformance with all provisions of this article.
- (3) Re-established after damage or destruction if such damage to the sign exceeds 50 percent of its total surface area. The extent of the damage shall be determined by the building inspector.
- (4) Re-established after it has been removed or has been abandoned for 60 days or more.

Any change in use shall require the sign be brought into conformance.

(LDC, art. V, § P)

Sec. 113-115. Nonconforming portable, temporary or wind signs.

Any portable, temporary or wind signs which are made nonconforming as a result of this article, or from any subsequent amendment to this article, shall be removed within 60 days of the effective date of the ordinance creating the nonconforming status.

(LDC, art. V, § Q)

Secs. 113-116—113-143. Reserved.

ARTICLE VI. APPEALS, INTERPRETATIONS AND ENFORCEMENT

Sec. 113-144. Appeal.

Any aggrieved person may appeal the decision of the enforcement officer by filing a written request for appeal to the city board of adjustment within 15 days of notification of inspectors' decision.

(LDC, art. V, § T)

Sec. 113-145. Interpretations.

Where there is any dispute concerning the interpretation of this article, the decision of the enforcement officer shall prevail, subject to appeal to the board as provided above.

(LDC, art. V, § U)

Sec. 113-146. Enforcement and penalties.

- (a) This article shall be administered and enforced by the city enforcement officer or his designee.
- (b) The enforcement officer or his designee may issue a citation for violation of this article by any person, including, if applicable, the owner, manager or tenant of the lot on which a sign is located; for a sign erected, altered, maintained, converted, or used in violation of this article; or in violation of any other applicable ordinance, including, but not limited to, building and electrical codes.
- (c) Any person who shall violate any of the provisions of this article or fail to comply with any of its requirements shall be subject to fines not to exceed \$500.00 per day.
- (d) Every violation of this article shall constitute a misdemeanor and be punishable as such, but nothing herein contained shall prevent the city from taking such other action as is necessary to prevent or remedy any violation.
- (e) The enforcement officer or his designee may remove any sign or structure illegally placed upon a public right-of-way without any notice and may dispose of said sign or structure at owner's expense. Such removal and disposal of illegally placed signs shall not preclude the prosecution of any person for illegally placing such signs in the public right-of-way.

(LDC, art. V, § V)

Sec. 113-147. Removal of signs.

- (a) Abandoned signs shall be removed by the owner or lessee of the premises upon which the sign is located within 60 days after the business or services advertised by the sign is no longer conducted on the premises.
- (b) The enforcement officer may order the removal of any sign erected, installed or allowed to remain in violation of this article. He shall give at least 30 days' notice in writing, to the owner of such sign or of the building, structure or premises on which the sign is located to remove the sign or to bring it into compliance with this article. The enforcement officer may order the removal of the sign at the expense of the owner of the premises if compliance with the written order is not obtained. Notice to the owner shall be deemed to be given as of the date of deposit in U.S. certified mail addressed to the address of record at the office of the county property appraiser or the city water and sewer department.

(LDC, art. V, § W)

ESTIMATED

Sign Proportions and Percentages

Hwy 98:

- 1. Piggly Wiggly**
- 2. Izzy's Cafe**
- 3. Car Quest**

Downtown/Market:

- 1. Bottoms Up**
- 2. Go Fish**
- 3. Apalachicola Chocolate & Coffee Company**
- 4. The Grady Market**
- 5. Old Time Soda Fountain**
- 6. 13 Mile Seafood Market**
- 7. Apalach Outfitters**
- 8. Scipio Creek Marina**

***Each building width was measured and then hand scaled for building dimensions, sign sizes, and percentages of building face. These are not 100% accurate and are not meant to be a standard, but they are very very close. ***



Hwy 98 Side:

Signage SF:	Facade SF:
157	2,667.9
21.21	
23	
23	
<hr/>	
224.21 SF or = 8.4%	

Hwy 98 Freestanding

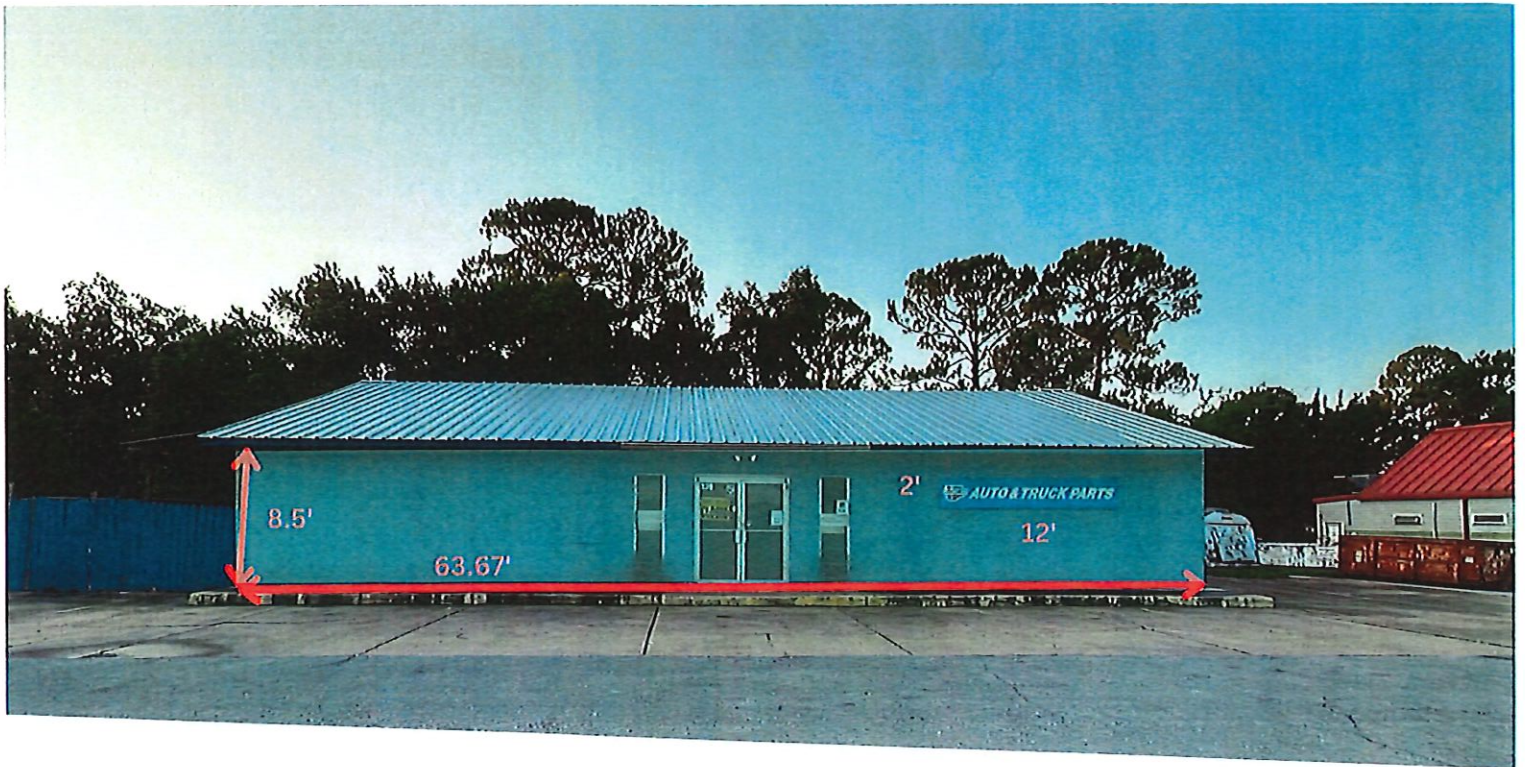
Signage SF:	Facade SF:
	2,667.9
<hr/>	
SF or = 2.5%	

Over 24SF? Yes.
Under suggested 10%? Yes.



Facade SF:	Signage SF:
53.95	32
335	_____
_____	= 8%
389SF	

Over 24SF? Yes.
Under suggested 10%? Yes.



Hwy 98 Side:

Signage SF:
24 (front)

Facade SF:
541.195

24 SF or = 4.4%

Over 24SF? No.
Under suggested 10%? Yes.



Ave D Side:

Signage SF:

14.5 SF (far right)
 3.9 SF (hanging)
 3.9 SF (^ double side)
 10.88 SF (corner)

33.18 SF or = 1.7%

Facade SF:

1,959.92

Market Street Side:

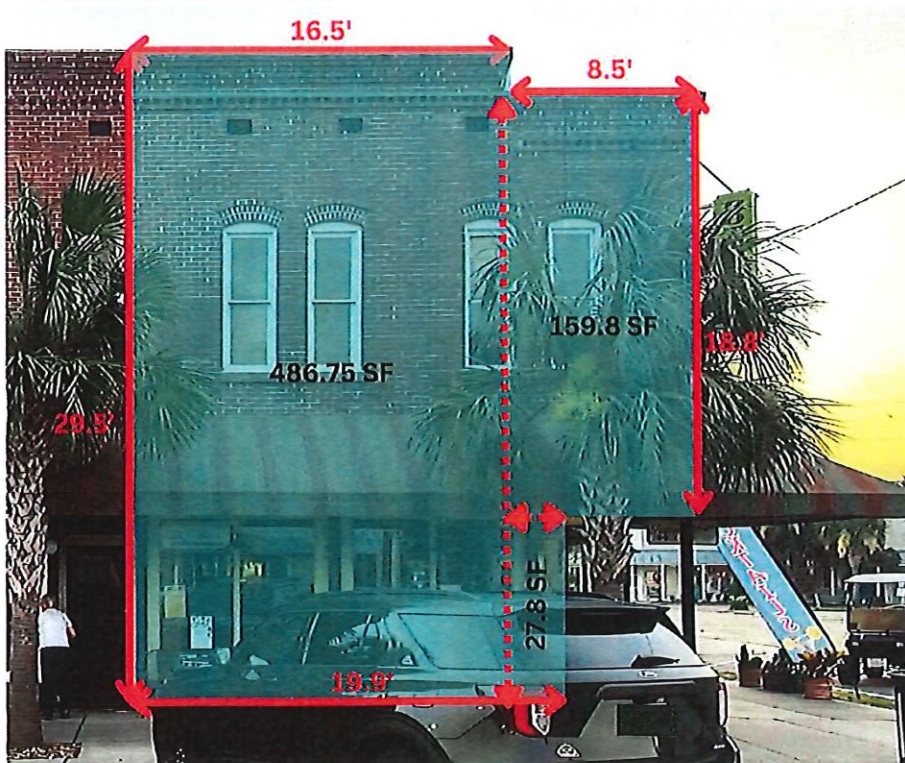
Signage SF:

3.9 SF (hanging)
 3.9 SF (^ double side)
 10.88 SF (corner)

Facade SF:

764.35

18.68 SF or = 2.4%



Over 24SF? Yes.
Under suggested 10%? Yes.



Market Street Side:

Signage SF:

10.2 (front)

2.8 (hanging)

2.8 (double side hanging)

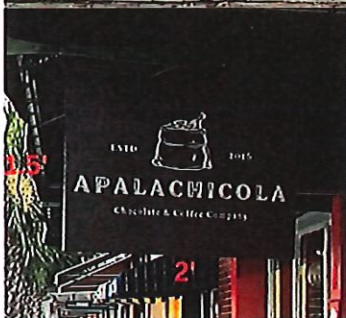
15.8 SF or = 2.4%

Facade SF:

649.11

Over 24SF? No.

Under suggested 10%? Yes.



Market Street Side:

Signage SF:

- 30 (front)
- 3 (hanging)
- 3 (double side hanging)

Facade SF:

467.04

36 SF or = 7.7%

Over 24SF? Yes.

Under suggested 10%? Yes.



Water Street Side:

Signage SF:
23.23 (front)

Facade SF:
1,716.55

23.23 SF or = 1.4%

Over 24SF? No.
Under suggested 10%? Yes.



Market Street Side:

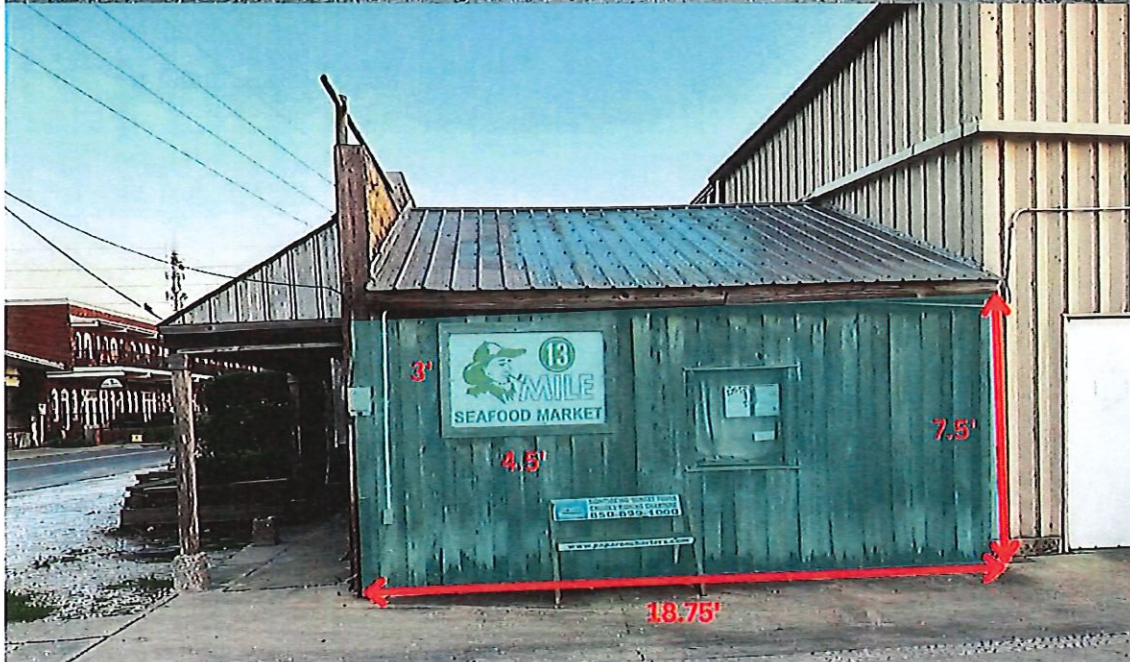
Signage SF:
46.2 (front)

Facade SF:
748.3

Over 24SF? Yes.

Under suggested 10%? Yes.

46.2 SF or = 6.2%



Water Street Side (Front):

Signage SF:
6 (front 2'x3')

Facade SF:
366.3

6 SF or = 1.6%

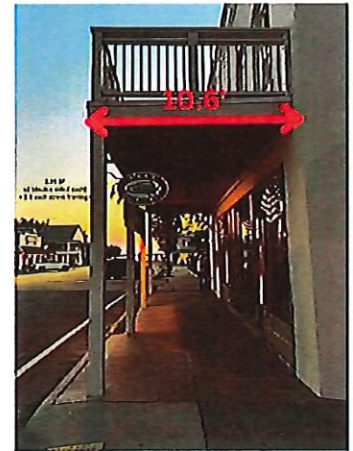
Water Street Side:

Signage SF:
13.5

Facade SF:
140.6

13.5 SF or = 9.6%

Over 24SF? No.
Under suggested 10%? Yes.



Avenue D Side (Front):

Signage SF:

5.9 (hanging signs)
40.5 (main)

46.4 SF or = 4%

Facade SF:

1,163.65

Market Street Side:

5.9 (hanging signs)

111

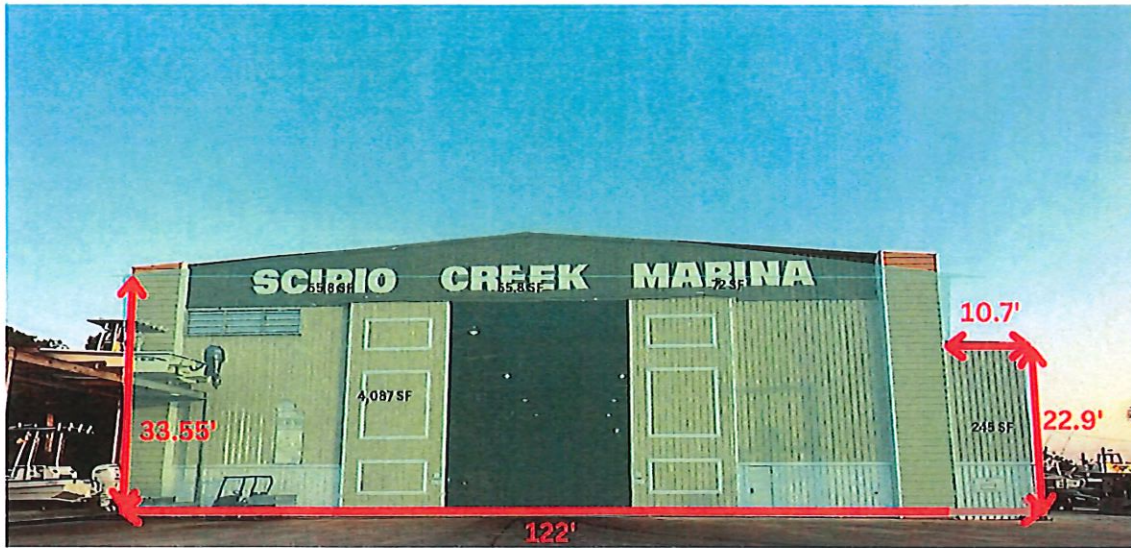
Facade SF:

2,213.75

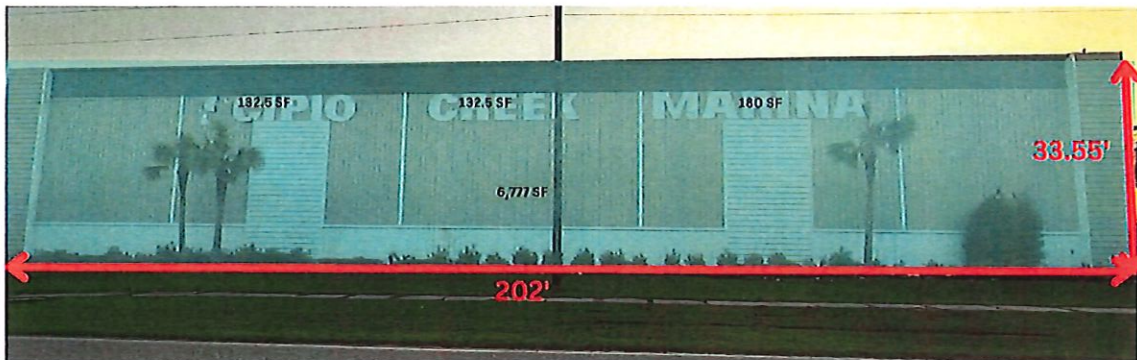
117 SF or = 5.3%

Over 24SF? Yes.

Under suggested 10%? Yes.



Front



Front Side:

Signage SF:	Facade SF:
55.8	4,332
55.8	
72	

183.6 SF or = 4.2%

Market Street Side:

Signage SF:	Facade SF:
132.5	6,777
132.5	
180	

445 SF or = 6.6%

Front Side Freestanding

Signage SF:	Facade SF:
52	4,332
55	

107 SF or = 2.5%



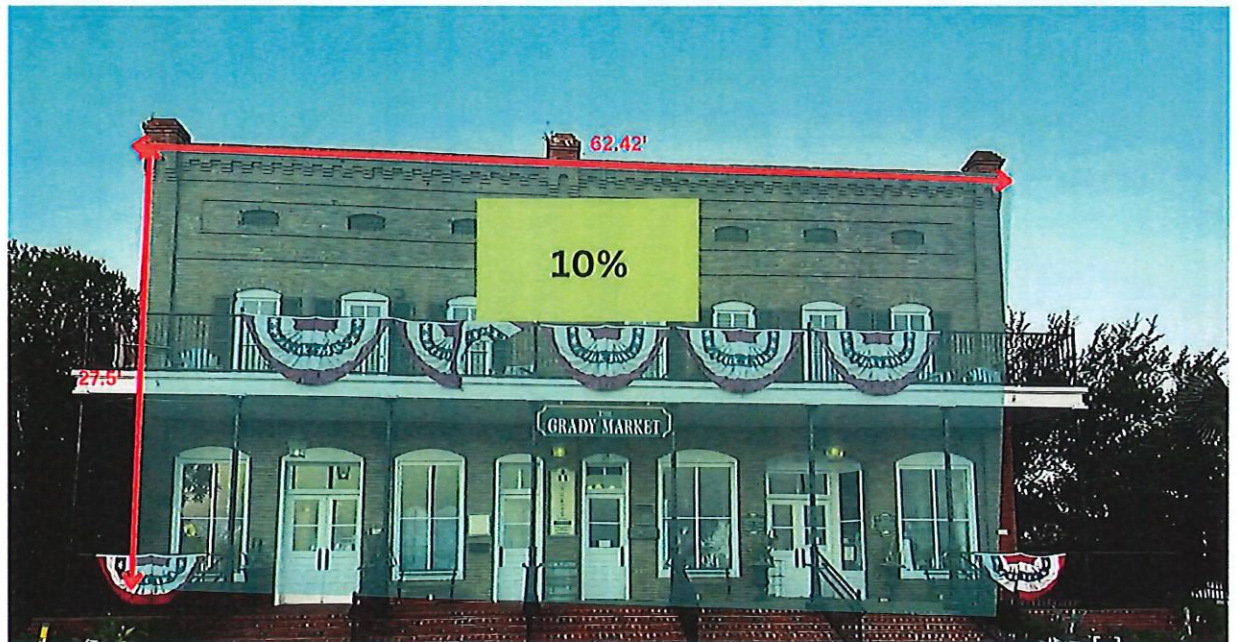
Over 24SF? Yes.
Under suggested 10%? Yes.

Building
facade
frontage:
1,716.55SF

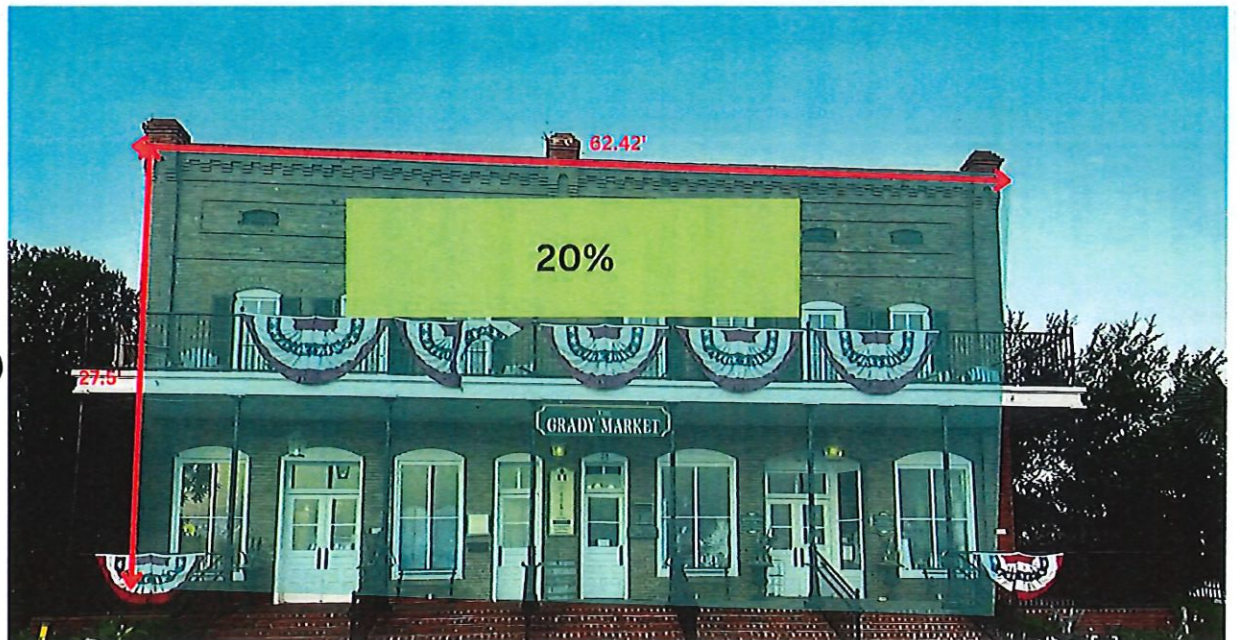
5% allowance:
86SF (8.6'x10')



10% allowance:
172 SF (17.2' x10')



20% allowance:
343 SF (34.3 x 10')



TYPES OF SIGNS

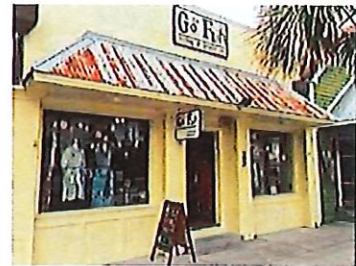
Building Façade Sign: Building sign means a sign displayed upon or attached to any part of the exterior of a building, including walls, windows, doors, parapets, marquees and roof slopes of 45 degrees or steeper.



Marquee Sign: *Marquee* means a structure projecting from and supported by a building which extends beyond the building line or property line and fully or partially covers a sidewalk, public entrance or other pedestrian way.



Blade or Bracket Sign: *Blade or bracket signs* means a small, pedestrian-oriented, double-faced sign, less than four (4) square feet, that projects perpendicular from a structure (blade sign) or is hung beneath a marquee (bracket sign).

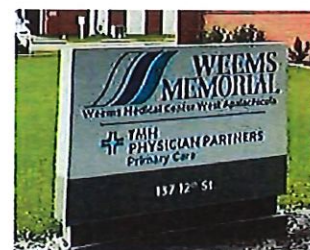


Sandwich or Board Sign: *"A" frame or sandwich sign* means a sign so named because of the inverted "v"-shaped structure and utilization of copy on both sides, facing opposite directions. These signs are usually painted on wood or metal surfaces, usually resting on the ground with no permanent attachment.



Freestanding Sign: *Freestanding sign* means any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structures. The term "freestanding sign" includes ground and monument signs.

Monument Sign: *Monument sign* means a permanent ground sign designed so that the base of the sign face is flush with the supporting base, and the supporting base is flush with the ground and extends the full width of the sign face.



100' wide 25' height building with 40' sides

WITH A 5/10/5% (see chart on pgs 8-9)

The façade front = 2500 sq ft (this is the street frontage)

Back façade = 2500 sq ft

Side 1 = 1000 sq ft

Side 2 = 1000 sq ft

Total of building façade coverage = 7000 sf

Based on chart on pgs 8-9 of draft ordinance, this building would be allowed:

1. 350 sq ft of building façade signage (e.g. 5% = 350 sq ft (total))
2. 250 sq ft for signage on the front side of the building façade (10% of street frontage), leaving 100 sq ft for other facades.
3. Business owner could choose to place greater signage on sides, up to 50 sq ft on each side, with the balance on front and back.
4. Business owner could choose to place greater signage on the back, up to 125 sq ft, with the balance on the other sides.
5. Marquee signs are included in the 5% of all building façade calculation.
6. All other signs allowed are not included in the building façade calculations.

Marquee sign= limited to 200 sf but must be included in 350 sf total

WITH A 10/20/10% (see chart on pgs 8-9)

The façade front = 2500 sq ft (this is the street frontage)

Back façade = 2500 sq ft

Side 1 = 1000 sq ft

Side 2 = 1000 sq ft

Total of building façade coverage = 7000 sf

Based on chart on pgs 8-9 of draft ordinance, this building would be allowed:

1. 700 sq ft of building façade signage e.g. 10% = 700 sq ft
2. 500 sq ft for signage on the front side of the building façade (20% of street frontage), leaving 200 sq ft for other facades.
3. Business owner could choose to place greater signage on sides, up to 100 sq ft on each side, with the balance on front and back.
4. Business owner could choose to place greater signage on the back, up to 250 sq ft, with the balance on the other sides.
5. Marquee signs are included in the 10% of all building façade calculation.
6. All other signs allowed are not included in the building façade calculations.

Marquee sign= limited to 200 sf but must be included in 700 sf total

I was asked to answer the following questions for the ARPA workshop on July 19, 2023. Answers are below and/or attached.

1. Confirm how much is available in the cemetery budget line that can be used.

There is \$10,000 available in the cemetery budget for things other than lawn care for the 2022-2023 budget year. However, we will need to add \$9,200 to the cemetery lawn care budget because the bids were a little higher than anticipated.

2. Identify the top priorities and costs.

I added a column to my ARPA spreadsheet listing all of the priorities I am aware of.

3. If it's decided that reducing the loan is a top priority, identify the budget line items and amounts that can be transferred to the ARPA column.

I added a column to my ARPA spreadsheet moving three projects to ARPA

4. If the top priorities do not include the loan reduction, how much will be available to reduce the debt?

If we do not include the loan reduction we can still direct all of the approximately \$650,000 that will be budgeted next year in Sewer Usage Fee revenue. There will also be a carryover amount in the budget that will be projected in the coming months.

ARPA

ACCOUNT NUMBER	DESCRIPTION	Budget	Actual	Budget and Proposed Projects	Loan Payment Proposal
INCOME					
ARPA		1,179,010	1,179,010	1,179,010	1,179,010
TOTAL INCOME		\$1,179,010	\$1,179,010	\$1,179,010	\$1,179,010
PROJECTS					
CATERPILLAR TRACTOR		131,776	131,776	131,776	131,776
DRINKING WATER CONSULTING FEES		150,000	34,643	150,000	34,643
SCIPIO CREEK		250,000	0	0	0
OLD CITY HALL GRANT MATCH		25,000	25,000	25,000	25,000
OLD LIBRARY RENOVATION		50,000	2,911	50,000	50,000
CITY HALL PHASE III		25,000	25,000	25,000	25,000
FIRE HYDRANTS		0	0	0	445,000
WATER TOWER		0	0	0	224,293
FLOVAC		0	0	0	243,298
ELECTRICAL ENGINEERING SCIPIO CREEK		0	0	25,000	0
COMMUNITY CENTER AC'S		0	0	21,000	0
CITY HALL OFFICES IN OLD LIBRARY		0	0	40,000	0
HARBORMASTER A/C		0	0	21,000	0
HARBORMASTER MOLD REMEDIATION		0	0	10,000	0
BAY AVENUE SEAWALL REPAIRS		0	0	285,000	0
GRANT MATCHING FUNDS		0	0	250,000	0
STUDY OF PROCEDURES AND POLICIES		0	0	?	0
TOTAL PROJECTS		\$631,776	\$219,330	\$1,033,776	\$1,179,010
TOTAL ARPA SURPLUS(DEFICIT)		\$547,234	\$959,681	\$145,234	\$0