

**ORDINANCE NO. 1457**

**AN ORDINANCE OF THE CITY OF OVIEDO, FLORIDA, ESTABLISHING AN ECONOMIC STIMULUS PROGRAM BY PROVIDING TEMPORARY SIGNAGE OPPORTUNITIES FOR OVIEDO BUSINESSES, RESIDENTS, AND PROPERTY OWNERS; PROVIDING FOR THE ESTABLISHMENT OF ADMINISTRATIVE RULES; PROVIDING FOR CONFLICT, SEVERABILITY, EFFECTIVE DATE, AND TERMINATION DATE.**

**WHEREAS**, the City of Oviedo City Council understands that extraordinary policy decisions are needed to assist Oviedo businesses, residents, and property owners in today's economy; and

**WHEREAS**, at its July 21, 2008 meeting, the City Council received requests from members of the Oviedo/Winter Springs Regional Chamber of Commerce for relief from the City's sign regulations due to the downturn in the economy; and

**WHEREAS**, the Oviedo/Winter Springs Regional Chamber of Commerce conducted a survey of Chamber members in which eighty (80) percent of those responding supported some form of relief from the City's sign regulations; and

**WHEREAS**, it is the opinion of the members of the Oviedo/Winter Springs Regional Chamber of Commerce that that temporary signage is an inexpensive, effective way to promote a business' products or services; and

**WHEREAS**, the City Council has established a strategic priority to pursue economic development and diversification of the tax base; and

**WHEREAS**, on September 18, 2006, the City Council adopted a Strategic Economic Development Plan to guide the City's economic development program; and

**WHEREAS**, the establishment of an economic stimulus program is consistent with the City's strategic priority to pursue economic development and diversification of the tax base and the recommendations of the Strategic Economic Development Plan; and

**WHEREAS**, job growth in Florida is down 3.5% since 2005 and in 2007, job growth rose just 0.05%, down from a high of 4% in 2005 according to a study released by the Research Institute on Social and Economic Policy at Florida International University; and

**WHEREAS**, according to the U.S. Department of Labor, Bureau of Labor Statistics, the unemployment statistics for July 2008 in Oviedo shows the highest rate of unemployment since 2003 at 4%; and

**WHEREAS**, according to the U.S. Department of Labor, Bureau of Labor Statistics, the area of wholesale and retail trade continues to trend down, losing jobs at an astonishing rate; and

**WHEREAS**, according to the U.S. Department of Labor, Bureau of Labor Statistics, Florida has had one of the largest employment decreases between June 2008 and July 2008; and

**WHEREAS**, it is common economic principle that with the decrease in jobs comes a decrease in spending that is directly related to the survival of businesses; and

**WHEREAS**, the City of Oviedo Economic Development Committee reviewed the provisions of this ordinance at its Friday, August 29, 2008, regular meeting, and thereat, formulated recommendations for City Council's consideration; and

**WHEREAS**, the Economic Development Committee presented its recommendations to the City Council at the City Council's Work Session on Tuesday, September 2, 2008; and

**WHEREAS**, the City Council conducted a public hearing to consider this ordinance at its Monday, October 6, 2008, regular meeting.

**NOW, THEREFORE, BE IT ORDAINED BY** the City Council of the City of Oviedo as follows:

**SECTION 1. LEGISLATIVE FINDINGS AND INTENT.** The provisions set forth in the recitals to this Ordinance (whereas clauses) are hereby adopted by the City Council of the City of Oviedo as the legislative findings and intent pertaining to this Ordinance.

**SECTION 2.** The City Council of the City of Oviedo hereby adopts the following to establish an economic stimulus program by providing temporary signage opportunities for Oviedo businesses, residents, and property owners:

I. The following signs shall not be permitted by this ordinance:

A. Signs held by a human;

B. Signs placed in the public right-of-way; or

C. Signs attached to an existing sign, light pole, utility pole, tree, or vehicle.

II. In the O-C, C-1, C-2, I-1, I-2, and non-residential uses within the A, R-P, PUD and DMUD zoning districts:

A. Single Tenant Property

1. Freestanding Signs

a. The tenant may install one (1) freestanding sign on each street frontage for seventeen (17) consecutive days; a maximum of one (1) time per quarter. If the building's tenant changes, the new tenant may also install one (1) freestanding sign on each street frontage for seventeen (17) consecutive days; a maximum of one (1) time per quarter.

- b. Maximum Sign Area – six (6) square feet
- c. Maximum Sign Height – four (4) feet as measured from the grade of the land at the base of the sign to the highest point of the sign
- d. Signs shall be placed on-site.
  - i. Minimum Front Setback – five (5) feet
  - ii. Minimum Side Setback – ten (10) feet
- b. A temporary sign permit shall be required for each seventeen (17) day period, and each seventeen (17) period may not be consecutive to each other.
- c. The City shall advise the applicant of the need for revisions or approval or denial of the permit application within fourteen (14) days of the submittal of the application.
- d. A City issued sticker depicting at a minimum the permit number and expiration date will be affixed to each sign.
- i. Signs shall be inspected upon installation. The inspection shall be scheduled with the City upon issuance of the permit. If requested by the applicant, the City may advise the applicant regarding the location of the signs on the property.

2. Wall Signs

- a. The tenant may install one (1) wall sign on each street frontage for seventeen (17) consecutive days; a maximum of one (1) time per quarter. If the building's tenant changes, the new tenant may also install one (1) wall sign on each street frontage for seventeen (17) consecutive days; a maximum of one time per quarter.
- b. Maximum Sign Area – One (1) square foot per building front foot not to exceed thirty-two (32) square feet. Sign area is not transferable between facades.
- c. A temporary sign permit shall be required for each seventeen (17) day period, and each seventeen (17) period may not be consecutive to each other.
- d. The City shall advise the applicant of the need for revisions or approval or denial of the permit application within fourteen (14) days of the submittal of the application.
- e. A City issued sticker depicting at a minimum the permit number and expiration date will be affixed to each sign.
- f. Signs shall be inspected upon installation. The inspection shall be scheduled with the City upon issuance of the permit. If requested by the applicant, the City may advise the applicant regarding the location of the signs on the building.
- g. Signs shall not interfere with access, ingress, egress to and from building.

B. Multiple Tenant Property

1. Freestanding Signs

- a. Each tenant may install one (1) freestanding sign on each street frontage for seventeen (17) consecutive days; a maximum of one (1) time per quarter. If a unit's tenant changes, the new tenant may also install one (1) freestanding sign on each street frontage for seventeen (17) consecutive days; a maximum of one (1) time per quarter.
- b. Maximum Sign Area – six (6) square feet

- c. Maximum Sign Height – four (4) feet as measured from the grade of the land at the base of the sign to the highest point of the sign
- d. Signs shall be placed on-site.
  - a. Minimum Front Setback – five (5) feet
  - b. Minimum Side Setback – ten (10) feet
- e. A temporary sign permit shall be required for each seventeen (17) day period, and each seventeen (17) period may not be consecutive to each other.
- f. The City shall advise the applicant of the need for revisions or approval or denial of the permit application within fourteen (14) days of the submittal of the application.
- g. A City issued sticker depicting at a minimum the permit number and expiration date will be affixed to each sign.
- h. Signs shall be inspected upon installation. The inspection shall be scheduled with the City upon issuance of the permit. If requested by the applicant, the City may advise the applicant regarding the location of the signs on the property.

2. Wall Signs

- a. Each tenant may install one (1) wall sign for seventeen (17) consecutive days; a maximum of one (1) time per quarter. In the case of corner occupancies, one (1) additional wall sign may be allowed only where the same or similar façade treatments are used on both the front and side facades. If a unit's tenant changes, the new tenant may also install one (1) wall sign for seventeen (17) consecutive days; a maximum of one (1) time per quarter.
- b. Maximum Sign Area – one (1) square foot per tenant unit front foot not to exceed thirty-two (32) square feet. Sign area is not transferable between facades.
- c. A temporary sign permit shall be required for each seventeen (17) day period, and each seventeen (17) period may not be consecutive to each other.
- d. The City shall advise the applicant of the need for revisions or approval or denial of the permit application within fourteen (14) days of the submittal of the application.
- e. A City issued sticker depicting at a minimum the permit number and expiration date will be affixed to each sign.
- f. Signs shall be inspected upon installation. The inspection shall be scheduled with the City upon issuance of the permit. If requested by the applicant, the City may advise the applicant regarding the location of the signs on the building.
- g. The sign shall not interfere with access, ingress, egress to and from building.

III. In the R-CE, R-1AAA, R-1AA, R-1A, R-1, R-2, R-3, and residential uses within the A, R-P, PUD and DMUD zoning districts:

- A. Signage for residential open houses, garage sales, yard sales, estates sales, and other residential events may be permitted through the issuance of a special event permit. A separate sign permit shall not be required. The term of the special event permit shall be a maximum of fifteen (15) days. A maximum of two (2) special event permits may be issued for a single property. If a property's ownership changes, the new property owner may also be eligible to obtain two (2) special event permits.

- B. A special event permit shall be required for each weekend event. If the applicant is not the property owner, the application shall include a letter from the property owner authoring the applicant to submit the application.
- C. The City shall advise the applicant of the need for revisions or approval or denial of the permit application within fourteen (14) days of the submittal of the application provided the application does not require a policy decision by the City Council.
- D. The special event permit shall authorize the installation of a maximum one (1) on-site free standing sign and two (2) off-site directional signs. The off-site directional signs shall be placed on private property. A maximum of three (3) off-site directional signs may be placed on a single property during any one (1) weekend. The applicant shall provide a letter signed and dated from each property owner granting the applicant permission to place an off-site directional sign on the property.
- E. A City issued sticker depicting at a minimum the special event permit number and expiration date will be affixed to each sign.
- F. On-site Sign
  - 1. Maximum Sign Area – six (6) square feet
  - 2. Maximum Sign Height – four (4) feet as measured from the grade of the land at the base of the sign to the highest point of the sign
  - 3. Minimum Front Setback – five (5) feet
  - 4. Minimum Side Setback – ten (10) feet

G. Off-site Directional Signs

- 1. Maximum Sign Area for off-site directional signs – three (3) square feet
- 2. Maximum Sign Height for off-site directional signs – three (3) feet as measured from the grade of the land at the base of the sign to the highest point of the sign
- 3. Minimum Front Setback – five (5) feet
- 4. Minimum Side Setback – ten (10) feet

**SECTION 3. Adoption of Rules by City Manager.** The City Manager shall have the power and authority to promulgate administrative rules and formulate incipient City policy in order to implement the provisions of this Ordinance.

**SECTION 4. Conflict.** To the extent of any conflict between any other City regulations and ordinances and this Ordinance, this Ordinance shall be deemed to control.

**SECTION 5. Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not effect the validity of the remaining portion hereof.

**SECTION 6. Effective Date.** This Ordinance shall become effective immediately upon passage and adoption.

**SECTION 7. Termination Date.** This effectiveness of this Ordinance shall terminate six (6) months from its adoption.

**FIRST READING:**

September 15, 2008

**SECOND READING:**

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**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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**MARY LOU ANDREWS**  
**MAYOR of the City of Oviedo, Florida**

***ATTEST:***

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**BARBARA J. BARBOUR**  
**CITY CLERK**