



**AGENDA  
LOCAL PLANNING AGENCY  
THURSDAY, APRIL 16, 2026  
5:30 PM  
ANNEX COUNCIL CHAMBERS**

- 1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE**
- 2. AGENDA APPROVAL**
- 3. APPROVAL OF MINUTES**
- 4. CURRENT BUSINESS**
  - A. An Ordinance of the City of Destin, Florida, renumbering and renaming Article 16 "Signs", of the Land Development Code to a new Article 8 "Sign Regulations"; Modifying, amending and updating the City sign regulations as provided herein; providing for authority; providing for findings of fact; providing for incorporation into the Land Development Code; providing for conflicting provisions; providing for severability; and providing for an effective date.**
- 5. PUBLIC COMMENTS**
- 6. NEXT MEETING DATE: TBD**

**Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the City Clerk at (850) 837-4242 at least 48 hours prior to the hearing. If a person decides to appeal any decision made with respect to any matter considered at such meeting, such person will need a record of the proceeding and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. (Sec. 286.0105, Florida Statutes)**

## CITY OF DESTIN – COMMUNITY DEVELOPMENT



# AGENDA ITEM

**MEETING DATE:** April 16, 2026  
**BOARD/COMMITTEE:** Local Planning Agency  
**TYPE OF AGENDA ITEM:** Ordinance  
**OUTLINE NUMBER:** 4.A.

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**TO:** Local Planning Agency

**THRU:** Kimberly Kopp, City Attorney  
Tina Deater, Community Development Director

**FROM:** Daniel Butler, Principal Planner

**DATE:** April 10, 2026

**SUBJECT:** An Ordinance of the City of Destin, Florida, renumbering and renaming Article 16 "Signs", of the Land Development Code to a new Article 8 "Sign Regulations"; Modifying, amending and updating the City sign regulations as provided herein; providing for authority; providing for findings of fact; providing for incorporation into the Land Development Code; providing for conflicting provisions; providing for severability; and providing for an effective date.

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## **I. BACKGROUND:**

On April 5, 2021, City Council unanimously approved the scope of work and budget to completely rewrite the Land Development Code (LDC). Since then, Staff has worked with the consultants of 3TP to diligently and systematically move forward with drafting the new LDC. This work involved the following:

- **Review of Comprehensive Plan Policies**
- **Developing Planning Areas and their associated Intent Statements**
- **Review of the LDC text chapter by chapter**

Following extensive internal and public review since April 2024, Staff's draft of Article 8 was presented to City Council at its workshop on December 3, 2024. Public comments and recommendations from the Local Planning Agency (LPA) have also been incorporated. Staff used the discussion and guidance provided at the Council workshop to incorporate changes as well. Further refinements have been made to better organize and clarify the regulations. The specific changes are discussed below.

**II. DISCUSSION:**

**What to expect in the New LDC:** Staff has been working with the City's selected consultant, 3TP Ventures, LLC, to modernize and simplify the LDC. The updated code emphasizes clearer language, improved organization, and streamlined processes. The most notable improvements include revisions to language, format, organization, and consolidation.

Drafts of *Article 8 – Sign Regulations* have now been for public review since April 2024. Staff's draft of Article 8 was presented to City Council at its workshop on December 3, 2024. The draft had gone through several review iterations with Community Development Staff, several other Departments and the City's Land Use Attorney, initial public review, and discussion at the October LPA meeting. Review criteria was based on the new LDC's purpose and intent, feedback from the LPA, other boards or committees, City Council workshop, and for compliance with the City's adopted Comprehensive Plan and State Statutes. Below is a brief synopsis of what to expect from the draft language of Article 7.

*Article 8 – Sign Regulations* intends to establish regulations that are focused on promoting health safety, general and economic welfare while providing the minimal controls and regulations to meet the intent. These regulations focus on mitigating and minimizing any conflicts between pedestrian and vehicular traffic while preventing unsightly and detrimental sign development.

**Language:** Currently, the main challenge with the LDC is that it is cumbersome to read, which has often led to inconsistent interpretations and challenges in enforcement. One of the main purposes of the LDC rewrite project was to make the LDC easier to read and interpret. Therefore, the proposed language of the new LDC has been rewritten in manner that allows ease of readability. This makes it easier for users to read and understand the regulations without having to ask Staff to interpret or have an attorney involved for a majority of questions and inquiries.

**Format:** At first glance you will notice a significant deviation from the current LDC format and in general an easier to read and flowing document. The multi-sentence run-on paragraphs have been eliminated to the extent possible while maintaining the integrity of the regulations. Further, when using the documents online, the sections are bookmarked and there are hyperlinks within the use charts that take you to the sections referenced for ease of reference. Also, newly included, is the use of graphics, as much as, possible and where appropriate, to reinforce the regulations and visually represent the minimum standards of the LDC.

**Organization:** Another major shift for the LDC is an overhaul of the organization. The current organization is not exactly the easiest to work with and takes quite some time for users, new staff and even seasoned staff to filter through and find specific regulations. Specifically concerning current Article 8, it is easier to discern what type and how much signage is allowed on a property. This is accomplished by the development of charts displaying allowances by zoning districts.

**Consolidation:** Another proposed change is the consolidation, and reduction of twenty (20) LDC Articles to eleven (11) Articles, plus a **Design Manual**. Some of the consolidation is due to the proposed relocation of some current regulations from the LDC to the Code of Ordinances (CoO), due to the this being the more appropriate location.

**American Planning Association Guidance**

The Supreme Court Case *Reed v. Town of Gilbert, AZ (2015)* changed the way municipalities need to think about and develop their sign regulations. Since this ruling, the American Planning Association (APA) has provided guidance on how to be compliant with the ruling. The

guidance is as follows:

1. Focus on type not message (Permanent/Temporary or Attached/detached)
2. Craft a compelling purpose statement
3. Review and update definitions of signs to remove any reference to content/message based
4. Exemptions need to avoid content-based exemptions

### **Commercial & Non-commercial speech**

The ruling does allow municipalities to identify signs as commercial or non-commercial speech to be able to distinguish and allow differing regulations for both types of speech. However, the regulations for non-commercial speech should be narrowed and focused. The regulations for commercial speech can be more stringent but still consistent.

### **Permanent & Temporary Signs**

Establishing clear regulations for the differentiation of permanent and temporary regulations is critical. The current code does a good job of differentiating; however, the regulations are based on content and are not consistent throughout.

### **Sign Classification & Type Charts:**

Based on the guidance provided by the APA and clear guidance provided in Justice Alito's concurring opinion of *Reed v. Town of Gilbert, AZ*, Staff developed the Sign Classification and Type Charts found in the two Permanent and Temporary Permitted signs. The charts are a one stop shop to determine how much square footage, number of signs, and where the sign can be located, based on zoning district. This method was reviewed by several outside parties, that included sign companies, and Staff received positive feedback on the charts ease of use.

### **Permanent Commercial Signage in Residential Zones:**

Right now, the current sign regulations allow for permanent signage, whether attached or detached, in residential districts. You can get 50 sq.ft. for any lot that has 50 linear feet of street frontage, or 1 sq.ft. per 1' of linear street frontage up to 150 sq.ft. for properties with 50 – 350 linear feet of street frontage. Based on feedback, the draft currently prohibits permanent commercial signage within any residential district.

### **Sign Height:**

Signs have been a hot topic over the last few years. With the undergrounding discussion, there was talk about signage cluttering our roadways. Therefore, staff has provided in the chart for permanent "Free Standing" signs different sign heights to show that we can regulate this differently by zoning district. As drafted, all free-standing signs are allowed up to 26'. In draft, the maximum sign height in mixed use districts is 8 feet (8'), with an allowance for 15% of the sign width to go up to twelve feet (12'). Properties within commercial and industrial zoning districts would be allowed to continue to build to 26'. This difference was again to highlight the ability to develop different regulations based on the zoning districts rather than a one-height-fits-all sign code.

### **Digital Signs:**

Digital signs are currently allowed in the City, per today's LDC. However, through discussion with the LPA and City Council, Staff has proposed prohibiting new digital signs, with the existing ones becoming non-conforming and subject to removal within ten (10) years, with the exception of institutional uses within the Institutional zoning district.

**Vehicle Signs:**

In the past, the City has had issues with enforcing the prohibition of vehicle signs. This is partly due to the way the current prohibition reads, where it has exceptions and lists what it does not apply to, as a vehicle sign. Further, the current definition leaves the door open to interpretation.

**Prohibition per LDC Section 16.03.02.T:**

*Vehicle signs with a total sign area on any vehicle in excess of ten square feet, when the vehicle is not regularly used in the conduct of the business advertised on the vehicle. A vehicle used primarily for advertising, or for the purpose of providing transportation for owners or employees of the occupancy advertised on the vehicle, shall not be considered a vehicle used in the conduct of the business.*

**Definition:**

Vehicle sign: Any sign affixed to a vehicle.

**The proposed definition is:**

Any sign on a vehicle more than four (4) square feet that is not either painted or affixed and flush with the vehicle’s body in wrap form. Any form of signage that protrudes from or in which the vehicle body, shell, bed, trunk, fascia, windows, doors, or other integral part of the vehicle is altered by welding, bolting, or similar fastening is prohibited.

This definition has been added to draft Article 11 – Glossary, and may warrant further discussion as this Article is presented to LPA in the future.

**Changes since Thursday, April 2, 2026 LPA Meeting:**

- Consolidated sign support(s) and structure(s) to ‘signs’ to cover all aspects of a sign.
- Reduced/Aligned the allowances for permanent and temporary non-commercial signage for residential zoning districts.
- Removed a redundant section (8.04.01.B.1).
- Added footnotes to the applicable sign allowance tables stating that individual signs (not exceeding the allowable individual sign area) may be utilized to achieve the maximum sign area allowed per the zoning district.
- Replaced ‘obscene signs’ under prohibited sign types.
- Minor formatting changes (capitalization)
- Staff maintained the section regarding 'Residential Commercial Signs' (8.03.04.F), as it is necessary to detail the regulations for neighborhood entrance signs to be constructed for subdivisions, townhome developments, apartments etc.in residential districts.

**A. Link to Strategic Goals / Objectives:** II. Enhanced quality of life and safety for families

III. Economic development and revitalization

IV. Effective, efficient, and aesthetically pleasing infrastructure

V. Improve mobility and connectivity

VI. A green and sustainable environment

**B. Effect on Budget (EOB):** N/A

**C. Level of Service (LOS):** N/A

**D. Legislative Sponsor:**

**E. Business Impact Statement:**

**III. CONCLUSION:**

In conclusion, there are two kinds of messages, commercial and non-commercial. There are two types of signs, attached and detached. Lastly, there two time periods for signs, permanent and temporary. We can only differentiate the regulations by zoning district and must remain consistent in the application of these regulations. Meaning, for example, all temporary detached non-commercial speech must be treated equally by the zoning district, and the regulations can only change when in a different zoning district. The sign regulations, as drafted, are about as simplified as Staff can determine them to be to remain compliant with Reed v. Gilbert among other precedent setting regulations over the years.

**IV. RECOMMENDED MOTION:**

I move that the LPA recommend approval to City Council for proposed Ordinance 26-07-LC.

Attachments:

1. Ord. 26-07-LC - LDC Rewrite Article 8
2. Exhibit A to Ordinance 26-07-LC
3. Background Working Draft
4. Article 8 Workshop Minutes
5. LDC Approval Timeline\_03.26.26
6. Business Impact Statement - Ord. 26-07-LC

**ORDINANCE NO. 26-07-LC**

**AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, DELETING ARTICLE 8 SIGNS, OF THE LAND DEVELOPMENT CODE BY CREATING A NEW ARTICLE 16 - SIGN REGULATIONS, PROVIDING FOR A BUSINESS IMPACT ESTIMATE; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**SECTION 1. AUTHORITY.**

The authority for enactment of this Ordinance is Article 1, Section 1.01 (b) of the City Charter, Section 166.021, Florida Statutes and Chapter 163, Part II, Florida Statutes.

**SECTION 2. FINDINGS OF FACT.**

**WHEREAS**, Chapter 163, Part II, of Florida Statutes, entitled the Community Planning Act ("Act"), empowers and requires the City Council to plan for the City's future development and growth and to adopt and amend its Land Development Code, or elements of portions thereof, to guide the future growth and development of the City; and

**WHEREAS**, a comprehensive review of the entire Land Development Code has not taken place in some time; and

**WHEREAS**, the City Council has a goal of updating the Land Development Code to promote consistency with the latest state and federal laws, as well as best practices for land development in Florida; and

**WHEREAS**, the City Council has undertaken an effort to rewrite portions of its Land Development Code ("LDC") to improve usability, implement missing elements of the Comprehensive Plan, and modernize development standards; and

**WHEREAS**, the City Council desires to clean up items in the LDC related to inconsistencies in the existing code, problems identified in the course of everyday implementation, or items that were missing or outdated due to changes in the City's practices or development typologies; and

**WHEREAS**, the City Council endeavors to modernize the LDC by addressing items that will result in structural improvements to the LDC or areas where best practices have changed

significantly since the relevant regulations were last updated; and

**WHEREAS**, the City Council desires to improve areas of development and land use that are insufficiently addressed by the current code; and

**WHEREAS**, the City Council desires to maintain the quality of life for City residents by protecting environmental resources, protecting existing neighborhoods, and protecting wildlife areas and natural amenities; and

**WHEREAS**, the City Council seeks to discourage sprawl development and provide guidance for infill development; and

**WHEREAS**, the City Council retained 3TP Ventures as a consultant to assist City staff with a comprehensive rewrite of the Land Development Code (“LDC”); and

**WHEREAS**, City Staff has presented various versions of Article 8 of the LDC to the City’s Local Planning Agency (LPA) and incorporated recommendations from the LPA into the proposed Article 8; and

**WHEREAS**, City Staff has held multiple workshops before the City Council and incorporated policies discussed at the City Council workshops into the proposed LDC; and

**WHEREAS**, the City Council desires to provide for the health, safety and welfare of its citizens by modernizing and simplifying the LDC; and

**WHEREAS**, the City Council has determined that this ordinance is consistent with the adopted comprehensive plan and is in the best interests of the City and its citizens; and

**WHEREAS**, the Local Planning Agency held a public hearing, with all required public notice on April 2, 2026, for the purpose of providing recommendations to the City Council with regard to this Ordinance amending the Land development Code and recommended that the City Council adopt the Ordinance amending the Land Development Code; and

**WHEREAS**, a public hearing has been conducted by the City Council after due public notice.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:**

**SECTION 3.** Article 16 - Signs of the Land Development Code is deleted in its entirety and replaced with the new Article 8 – Sign Regulations as shown in Exhibit “A” to this Ordinance, attached hereto and fully incorporated herein by this reference. Exhibit “A” to this Ordinance constitutes Article 8 of the City of Destin’s Land Development Code as of the effective date of this Ordinance.

**SECTION 4. BUSINESS IMPACT ESTIMATE.** Prior to enactment of this Ordinance, a business impact estimate was prepared and posted in accordance with section 166.041, Florida Statutes.

**SECTION 5. INCORPORATION INTO LAND DEVELOPMENT CODE.** This ordinance shall be incorporated into the City of Destin's Land Development Code and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

**SECTION 6. CONFLICTING PROVISIONS.** Special Acts of the Florida Legislature applicable to the incorporated area of the City of Destin, City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superseded by this ordinance to the extent of such conflict.

**SECTION 7. SEVERABILITY.** If any section, phase, sentence, 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 affect the validity of the remaining portions thereof.

**SECTION 8. EFFECTIVE DATE.** This ordinance shall become effective on October 1, 2026, provided it is adopted by the City Council and signed by the Mayor prior to October 1, 2026.

**ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_,  
2026.**

By: \_\_\_\_\_  
Bobby Wagner, Mayor

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Attorney for the City of Destin, only.

DRAFT

\_\_\_\_\_  
Rey Bailey, City Clerk

\_\_\_\_\_  
Kimberly Romano Kopp, City Attorney

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

# EXHIBIT A

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City of Destin, FL

## ARTICLE 8 – SIGN REGULATIONS

### SECTION 8.01 PURPOSE AND INTENT

#### SECTION 8.01.01 PURPOSE AND INTENT

The purpose of this Article is to provide the minimum control of signs necessary to promote the health, safety, general and economic welfare of the public. This Article intends to lessen hazards and conflicts to pedestrians and vehicular traffic, preserve property values and community character, and prevent unsightly and detrimental development that would detract from the tourist resort appeal of the community. Further, it is the intention of these regulations to prevent and mitigate economic decline and blight by preventing signs from reaching such excessive size or numbers that they obscure one another to the detriment of all concerned by using certain fundamentals of design that strengthen the community's economic base and preserve the right of free speech. This Article regulates signs in a content-neutral manner and is intended to regulate the time, place, and manner of signage, not the content of speech.

### SECTION 8.02 GENERAL PROVISIONS

#### SECTION 8.02.01 GENERAL REQUIREMENTS

- A. No sign, whether permanent or temporary, shall be allowed within any right-of-way (ROW), including but not limited to the foundation, sign supports, or any portion of the sign face or leading edge.
  1. Exceptions: Signs required for public safety, traffic control, construction activity, or other similar hazards, approved by the City, state, or other federal agency, meant to alert, direct, or warn drivers, cyclists, pedestrians, or other users of the ROW.
  2. Other explicit allowances per this Article.
- B. It shall be unlawful to erect or construct, or cause to be erected or constructed, maintain or cause to be maintained, any sign not expressly authorized and permitted by, or exempted from, these regulations.
- C. These sign regulations are intended to complement the requirements of the Florida building and electrical codes, and the requirements of the City. Wherever there is inconsistency between these regulations and the Florida Building Code (FBC), the FBC shall apply.
- D. Compliance with the requirements of these regulations shall not constitute a defense to an action brought to abate a nuisance under the common law.
- E. All signs, including their supports, braces, guys and anchors, electrical parts and lighting fixtures, and all painted and display areas, shall be maintained in accordance with this Article and the building and electrical codes of the City, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near the sign.
- F. All permanent signs, and the illumination thereof, shall be designed, constructed, and maintained in conformity with applicable provisions of the building code and electrical codes of the City.

#### SECTION 8.02.02 PERMITS REQUIRED

- A. No person shall erect, construct, alter, repair, or relocate any sign that requires a permit without first obtaining a building permit for such work from the City, unless exempt per Section 8.06 Exempt Signs or otherwise expressly exempted per this Article.

## EXHIBIT A

### City of Destin, FL

- B. No permit shall be issued until the City determines that such work is in accordance with the requirements contained in this ordinance, and such work will not violate any building, electrical or other adopted codes of the City.
- C. All required building or sign permit applications shall be submitted to the Community Development Department for review.
- D. The application shall contain all the information required for a proper review of the proposed sign, and includes but is not limited to the documents required below and shall be accompanied by the required permit fee.
  - 1. Agent Affidavit
  - 2. Site Plan
  - 3. Sign renderings
  - 4. Square footage calculations of signs and façade, if applicable
  - 5. Total number of signs
  - 6. Electrical plans if applicable
  - 7. Any previously approved and valid agreements for signage
  - 8. Other documents deemed necessary by the Community Development Director or designee.

#### SECTION 8.02.03 ILLUMINATION STANDARDS

- A. Sign lighting may not be designed or located to cause confusion with traffic lights.
- B. Illumination by floodlights or spotlights shall comply with the lighting regulations located within Article 6 of this Code.
- C. Illuminated signs shall not have lighting mechanisms that project more than 18 inches perpendicularly from any surface of the sign over public space.
- D. All sign lighting shall be continuous lighting and shall not have any lighting element that flashes, flickers, fades, or other similar non continuous lighting scheme.

#### SECTION 8.02.04 PLACEMENT AND CLEARANCE STANDARDS

- A. Near Street and Driveway Intersections
  - 1. Signs located within the clear visibility triangle near street and driveway intersections shall meet all standards of the latest edition of the Florida Greenbook.
- B. In or Over Public or Private Right-of-Way
  - 1. Signs shall not be placed in, upon, or project over a public or private ROW or easement, except as allowed by this Article in specific situations.
- C. Blocking Emergency Access
  - 1. No sign or sign structure shall be erected that impedes use of any fire escape, emergency exit or standpipe, or any other emergency ingress or egress.
- D. Relationship to Building Features
  - 1. A building sign shall not extend more than six inches (6") beyond any edge of the surface to which it is attached, nor disrupt a major architectural feature of the building.
- E. Maximum Projection
  - 1. A projecting building sign that is oriented perpendicularly to the building façade may extend no more than four feet perpendicularly from the surface to which it is attached.

#### SECTION 8.03 PERMITTED PERMANENT SIGNS

# EXHIBIT A

## City of Destin, FL

### SECTION 8.03.01 GENERAL PROVISIONS

- A. All permanent signs require a permit unless expressly exempted by this Article.
- B. The sign face area of any non-conforming sign located on the premises shall be included for purposes of determining the maximum allowable building or free-standing sign face area.
- C. All signage shall be constructed of material that is rigid or in a manner that it is permanently affixed to a rigid material, in the case of a vinyl wrap, and shall not require tie downs.
  - 1. The intent of this section is to prevent permanent signs that are made in a banner material or style or tied down or wrapped around a permanent sign structure.
- D. Free Standing or Ground Signs
  - 1. Multiple street frontages: Any premises with multiple street frontages may allocate its total allowable ground sign face area among its permitted ground signs on any street frontage, provided each street frontage is allowed only one ground sign which shall not exceed a maximum square foot allowed per the appropriate district as identified in Table 8.03-1.

### SECTION 8.03.02 PERMANENT SIGN CLASSIFICATIONS AND TYPES

- A. The following permanent sign classifications are adopted by the City of Destin to regulate signage within the jurisdiction of the city limits.
  - 1. Permanent Commercial - a sign that is constructed or used for ninety-one (91) days or more, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes, advertises, or attracts attention to any type of commerce or non-ideological message.
  - 2. Permanent Non-Commercial - a sign that is constructed or used for ninety-one (91) days or more, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes an ideal, belief, or other thought.
- B. The following types of signs are allowed as designated in this Article.
  - 1. Attached, i.e., a "building sign" or a sign that is attached to a structure that is occupiable or useable.
  - 2. Free Standing, i.e., a "ground sign" that is independent of another structure.

### SECTION 8.03.03. PERMANENT SIGN ALLOWANCES

Table 8.03-1 Sign Dimension Allowance				
	Permanent Commercial		Permanent Non-Commercial	
	Free Standing	Attached	Free Standing	Attached
Residential Districts				
Total sq. ft.			32 sq. ft.	
Max individual Sign sq. ft.	See Section 8.03.04.F.	Permanent Commercial Signage is not allowed in any Residential District.	16 sq. ft.	
Max Height			6'	Footnote 2
Front Setbacks			10'	N/A
Mixed Use Districts				
Total sq. ft.	See Table 8.03-2	Footnote 3 & 4	60 sq. ft.	60 sq. ft. / Footnote 3 & 4
Max individual Sign sq. ft.	150 sq. ft.	100 sq. ft.	60 sq. ft.	
Max Height	8' / Footnote 1	Footnote 2	8'	Footnote 2
Front Setbacks	10'	N/A	10'	N/A
SHMU & NHMU District				

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Total sq. ft.	See Table 8.03-2	Footnote 3 & 4	60 sq. ft.	Footnote 3 & 4
Max individual Sign sq. ft.		100 sq. ft.	10 sq. ft.	15 sq. ft.
Max Height	8' / Footnote 1	Footnote 2	8'	Footnote 2
Front Setbacks	10' / Footnote 5	N/A	10'	N/A
Waterfront Sign	See Table 8.03-2	N/A	See Table 8.03-2	N/A
<b>CG, CTS, IN, INST, A Districts</b>				
Total sq. ft.	See Table 8.03-2	Footnote 3 & 4	150 sq. ft.	Footnote 3 & 4
Max individual Sign sq. ft.		100 sq. ft.	10 sq. ft.	15 sq. ft.
Max Height	26'	Footnote 2	26'	Footnote 2
Front Setbacks	10'	N/A	10'	N/A
<b>REC &amp; CON Districts</b>				
Total sq. ft.	60 sq. ft.		Permanent Non-commercial signage is not allowed in the Recreation or Conservation Districts.	
Max individual Sign sq. ft.	60 sq. ft.			
Max Height	8'	Footnote 2		
Front Setbacks	10'	N/A		

*Note: Multiple individual signs (not exceeding the max. individual sign area) may be used to achieve the maximum sign area (square footage) outlined above.*

1. Fifteen percent (15%) of the sign width, based on width of the sign face, may exceed the eight feet (8') limit to a maximum height of twelve feet (12').
2. In no case shall a sign protrude above the roofline, cornice line, parapet, or the highest point of a façade of any structure, whichever is lower.
3. Single-occupancy Building: Fifteen percent (15%) of the façade not to exceed 150 sq. ft.
4. Multi-occupancy Building: Fifteen percent (15%) of the lease space/unit façade, not to exceed 150 sq. ft. in the aggregate, whichever is less. All occupants or units shall have a right to a minimum of 25 sq. ft. of signage.
5. Signs shall be set back ten feet from all property lines. However, if the property is located along U.S. Highway 98 in the South Harbor Mixed Use or North Harbor Mixed Use districts, the sign support structure shall be set back ten feet from the front property line, and the sign face area may extend into the setback area by four feet. In no instance may a sign impede the sight vision triangle, clear vision triangle, pedestrian or vehicular movement/access.

All Districts	Face square footage	1 sq. ft. per linear foot of street frontage not to exceed 150'		
	Number of signs per street frontage	Less than 500' of street frontage	1 sign	
		500' or more	2 signs	
	Sign spacing	Minimum of 150' within the same property		
SHMU	Number of signs	1 sign fronting the Destin Harbor per property		
Waterfront signs	Sign face square footage	0.5 sq. ft. per linear foot of water frontage not to exceed 80 sq. ft.		

#### SECTION 8.03.04 SPECIAL SIGNS

- A. Lifeguard Station Signs
  1. Each lifeguard station may display one sign of not more than nine (9) square feet.
    - a. These signs do not require a sign permit.
- B. Utility Signs:

## EXHIBIT A

### City of Destin, FL

1. Signs placed by public utilities on or near the location of underground utility lines and facilities, high voltage lines and facilities, and other utility facilities and appurtenances shall be permitted not to exceed three (3) feet in height, and four (4) square feet in area.
  - a. These signs do not require a sign permit.
  - b. This section does not apply to buried utility line markers.
- C. Public Traffic Controls Signs
  1. These signs do not require a sign permit when placed by or required by the governing authority with jurisdictional authority.
- D. Signs placed on public/private right-of-ways or accessways shall meet the standards and minimums outlined in the MUTCD.
  1. These signs do not require a sign permit.
- E. Off-street Directional Signage
  1. For public safety purposes, a maximum of one (1), four (4) square foot sign may be placed per access point of a property with multiple accesses to enhance traffic flow and shall:
    - a. Not contain any branding, logos, or other commercially identifiable features.
    - b. Not count towards any square footage limitation of ground signs.
    - c. Be no closer than five feet (5') to the property boundary.
  2. The signs shall require a sign permit to review for compliance with setbacks and the criteria listed above.
- F. Residential Commercial Signs
  1. In residential districts a free-standing sign may be permitted if the following criteria are met.
    - a. Time: A permanent sign
    - b. Place:
      - i. Located on common property owned by the homeowners, property, or condominium, or other owners association or group at the entrance to a residential development.
      - ii. Setback a minimum ten feet (10') from the ROW/property line.
    - c. Manner: not to exceed sixty (60) square feet and no taller than eight feet (8') high as measured from grade.

**Commented [DK1]:** @Robert Tomasek Check state laws on this

**Commented [DK2R1]:** Added (b.)

### SECTION 8.04 PERMITTED TEMPORARY SIGNS

#### SECTION 8.04.01 GENERAL PROVISIONS

- A. Temporary signs may not require a permit from the City, if they satisfy the restrictions imposed by this section and other relevant parts of this Article.
  1. The City Manager or designee may require a temporary sign permit review and regulations that pertain to permanent signage based on potential or real community impact of the signage.
- B. A temporary sign may:
  1. Be a light source, such as a search light or laser, if approved in conjunction with a special event permit and shall have a letter of approval from the Eglin Air Force Base commander or designee.
  2. A temporary sign other than a light source must be:
    - a. Constructed of rigid material; and
    - b. Secured at all corners or edges to prevent wave action or from moving due to wind forces.
  3. Not be an electric/digital sign.

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### City of Destin, FL

- C. Any temporary sign not complying with the requirements of this section is illegal and subject to immediate removal.

#### SECTION 8.04.02 TEMPORARY SIGN CLASSIFICATION AND TYPES

- A. The following temporary sign classifications are adopted by the City of Destin to regulate signage within the jurisdiction of the city limits.
1. Temporary Commercial - a sign that is not constructed in a manner as to be permanent and shall not be used for more than ninety (90) days, whether consecutively or not within a calendar year, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes, advertises, or attracts attention to any type of commerce.
  2. Temporary Non-Commercial - a sign that is not constructed in a manner as to be permanent and shall not be used for more than ninety (90) days, whether consecutively or not within a calendar year, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes an ideal, belief, or other thought.
- B. The following types of signs are allowed as designated in this Article.
1. Attached, i.e., a “building sign” or a sign that is attached to a structure that is occupiable by or useable.
  2. Free Standing, i.e., a “ground sign” that is independent of another structure.

#### SECTION 8.04.03 TEMPORARY SIGN ALLOWANCES

Table 8.04-1 Temporary Sign Dimension Allowance				
	Temporary Commercial		Temporary Non-Commercial	
	Free Standing	Attached	Free Standing	Attached
Residential Districts				
Total sq. ft.	12 sq. ft.	12 sq. ft.	32 sq. ft.	32 sq. ft.
Max. Individual Sign sq. ft.	6 sq. ft.	6 sq. ft.	16 sq. ft.	16 sq. ft.
Max. Height	6'	Footnote 1	6'	Footnote 1
Front Setbacks	10'	N/A	10'	N/A
Mixed Use Districts				
Total sq. ft.	12 sq. ft.	12 sq. ft.	32 sq. ft.	32 sq. ft.
Max. Individual Sign sq. ft.	12 sq. ft.	12 sq. ft.	16 sq. ft.	16 sq. ft.
Max. Height	8'	Footnote 1	6'	Footnote 1
Front Setbacks	10'	N/A	10'	N/A
SHMU & NHMU District				
Total sq. ft.	32 sq. ft.	32 sq. ft.	32 sq. ft.	32 sq. ft.
Max. Individual Sign sq. ft.	32 sq. ft.	32 sq. ft.	16 sq. ft.	16 sq. ft.
Max. Height	8'	Footnote 1	6'	Footnote 1
Front Setbacks	10'	N/A	10'	N/A
Waterfront Sign	Prohibited	Prohibited	Prohibited	Prohibited
CG, CTS, IN, INST, A Districts				
Total sq. ft.	32 sq. ft.	32 sq. ft.	32 sq. ft.	32 sq. ft.
Max. Individual Sign sq. ft.	32 sq. ft.	32 sq. ft.	16 sq. ft.	16 sq. ft.
Max. Height	8'	Footnote 1	6'	Footnote 1
Front Setbacks	10'	N/A	10'	N/A
REC & CON Districts				
Total sq. ft.	32 sq. ft.	32 sq. ft.	Temporary non-commercial signage is not allowed in the	
Max. individual Sign sq. ft.	32 sq. ft.	32 sq. ft.		
Max. Height	8'	Footnote 1		

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Front Setbacks	10'	N/A	Recreation or Conservation Districts.
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*Note: Multiple individual signs (not exceeding the max. individual sign area) may be used to achieve the maximum sign area (square footage) outlined above.*

1. In no case shall a sign protrude above the roofline, cornice line, parapet, or the highest point of a façade of any structure, whichever is lower.

### SECTION 8.04.04 TEMPORARY EVENT SIGNAGE

- A. During a special event, temporary signage, whether free-standing or attached, may be allowed according to the following regulations and Table 8.04-2
- B. Commercial Special Event Signage
  1. All commercial special events proposing to utilize temporary signage shall apply for a special event sign permit.
  2. All commercial special event sign permits are valid for no more than 40 calendar days a year per event.
  3. No property may have more than two (2) special event sign permits issued within any calendar year.
  4. Signage shall not go up earlier than ten (10) days prior to the event start.
  5. Signage shall be removed no later than thirty (30) days after the first day of the event.
- C. Non-Commercial Special Event Signage
  1. No non-commercial special event requires a special event sign permit.
  2. Signage shall only be allowed forty-five (45) days prior to the event.
  3. Signage shall be removed within ten (10) days after conclusion of the event.

	Temporary Commercial Event	Temporary Non-Commercial Event
Total sq. ft.	100 sq. ft.	100 sq. ft.
Max individual Sign sq. ft.	10sq. ft.	10 sq. ft.
Max Height	See Table 8.04-1	See Table 8.04-1
Front Setbacks		

*Note: Multiple individual signs (not exceeding the max. individual sign area) may be used to achieve the maximum sign area (square footage) outlined above.*

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## EXHIBIT A

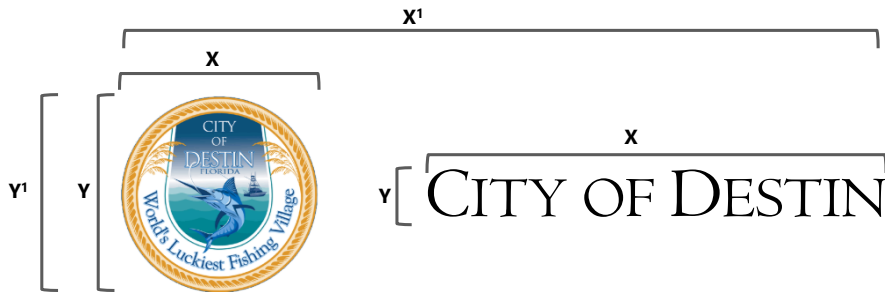
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## SECTION 8.05 MEASUREMENT DETERMINATIONS

### SECTION 8.05.01 SIGN FACE AREA

- A. The sign face area of a sign shall be measured as the area enclosed by straight lines drawn to the extremities of the letters, numbers, recognizable symbols, trademarks, or brands. (See Figure 8.04-3 Sign Measurements)
- B. Special Situations:
  - 1. Where a sign is composed of letters, pictures, symbols, or logos attached directly to a facade, window, door or marquee, and the letters, pictures, symbols, or logos are not enclosed by a border or trimming, the sign face area shall be the area within the smallest square or rectangle, the sides of which touch the extreme points of any letters, pictures, symbols, or logos.
  - 2. Where two sign face areas are placed back-to-back on a single sign structure, and the faces are at no point more than four feet apart, the area of the sign shall be counted as the area of one of the faces.
  - 3. Where four sign face areas are arranged in a square, rectangle or diamond, the area of the sign shall be the area of the two largest faces. Where a sign is in the form of a three-dimensional object, the area shall be determined by drawing a square or rectangle, the sides of which touch the extreme point or edges of the projected image of the sign and multiplying that area by two. The "projected image" is that image created by tracing the largest possible two-dimensional outline of the sign. See Figure 8.04.-3 below.



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**'X' x 'Y' = square footage of sign face  
(X' x Y') used if using both elements as one (1) sign per 8.05.01.A**

*Figure 8.04-3 - Sign Measurements*

### SECTION 8.06 EXEMPT SIGNS

#### SECTION 8.06.01 EXEMPT SIGN TYPES

- A. The following signs are exempt from the permitting requirements of this Code provided they still meet all other applicable Code requirements and provided further they are not placed or constructed to create an immediate threat to the public health, safety, or welfare:
1. Address numbering for properties or buildings provided they meet Fire and building codes.
  2. Signs of two square feet or less provided that such sign, or combination of signs, do not constitute a sign prohibited by this Article.
  3. Signs less than three square feet when required by any local state or federal law or regulation.
  4. Holiday lights and decorations.
  5. Signs authorized by statute or ordinance when erected on public property by governmental agencies that have jurisdiction.
  6. Legal notices or official instruments when required by law.
  7. One sign or tablet per building, of four-square feet or less when cut into any masonry surface or when constructed of bronze or other incombustible materials and attached to the surface of a building.
  8. Signs incorporated into machinery, material, or equipment by a manufacturer.
  9. Signs carried by a person not exceeding six (6) square feet.
  10. Temporary signs as permitted by this Article.
  11. Standards of political, religious, governmental, or other jurisdictional authority provided these do not contain any commercial speech. These are commonly referred to as "flags."

### SECTION 8.07 PROHIBITED SIGNS

#### SECTION 8.07.01 PROHIBITED SIGN TYPES

The following signs are expressly prohibited:

- A. Signs that are in violation of the Florida building or electrical code.
- B. Any sign declared by the City Manager or designee to be an immediate threat to the public health, safety, and welfare by reason of an unsafe condition.
- C. Signs that obstruct the vision of pedestrians, cyclists or motorists traveling on or entering public streets or signs within the clear visibility triangle per LDC Section 6.02.03.
- D. Signs tacked, nailed, posted, pasted, glued, or otherwise attached to trees, utility poles or fences.
- E. Signs in any public ROW not
  1. Authorized by governing municipality
  2. Required by any municipality or government agency
  3. Required for public safety or traffic control
- F. Signs that emit audible sound, odor, or visible matter such as smoke or steam.

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- G. Flashing lights or signs with lights or illumination that flash, move, rotate, scintillate, blink, flicker, or vary in intensity or color; provided that this paragraph shall not prohibit a sign with a fixed or changing display composed of a series of lights that may be changed through electronic means, provided further that said display may not change more than once every ten seconds.
- H. Strings of light bulbs regardless of how mounted when used on premises with a commercial land use classification other than traditional holiday decorations and strings of lights used to enhance landscaping.
- I. Wind signs.
  - 1. Standards, colors, or ensigns as exempted in Section 8.06.01 are not included in this prohibition.
- J. Signs that inflate or are inflatable.
- K. Signs that incorporate projected images,
- L. Signs that emit sound that is intended to attract attention,
- M. Signs that involve the use of live animals.
- N. Signs with visible moving, revolving, or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, or mechanical means, except for traditional barber poles.
- O. Signs with optical illusion of movement by means of a design that presents a pattern capable of giving the illusion of motion.
- P. Portable signs.
- Q. Abandoned or discontinued signs. In determining whether a sign is abandoned or discontinued, the following criteria shall be considered:
  - 1. Whether the sign identifies correct directions to, location of, or description of the goods or services available on the premises where the sign is located.
  - 2. The existence or absence of a current local business tax receipt for the premises where the sign is located.
  - 3. Whether utility service is being provided to the premises where the sign is located; the use of the premises where the sign is located.
  - 4. The condition of the sign.
  - 5. Whether ad valorem property taxes have been paid on the premises where the sign is located or on the sign itself.
  - 6. Any other facts or circumstances which would indicate whether the owner of the sign has intentionally or voluntarily relinquished further use of the sign.
- R. 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 the light or ventilation is reduced to a point below that required by any provision of this Code or other ordinances of the City.
- S. 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 confused with or construed as, or conceal, a traffic control device.
- T. 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.

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- U. Signs that are painted, pasted, or printed on any curbstone, flagstone, pavement, or any portion of any sidewalk or street, except house numbers and traffic control signs.
- V. Signs placed upon benches, bus shelters or waste receptacles, except as may be authorized in writing pursuant to F.S. § 337.407.
- W. Signs erected over or across any public street except as may otherwise be expressly authorized by this Code.
- X. Vehicle signs.
- Y. Obscene signs.
- Z. Roof signs.
- AA. Off-premises signs.

### SECTION 8.07.02 DIGITAL AND ELECTRONIC SIGNS

- A. Digital signage is prohibited and strictly not permitted within the city limits of Destin.
- B. Exception and Regulations
  - 1. Digital signs are allowed specifically for Institutional uses only in the Institutional zoning district.
  - 2. Restrictions:
    - a. Time: at all times
    - b. Place: allowed only in the Institutional District following Table 8.03-1 in Section 8.03.
    - c. Manner:
      - i. Square footage: All digital signs shall follow Table 8.03-1 for size allowance, however in no case shall a digital sign exceed sixty square feet (60 sq.ft.) in sign face.
      - ii. Height: no digital sign shall be higher than eight feet (8') in height.
      - iii. No digital sign shall display moving or perceived motion on the sign.
      - iv. No digital sign shall display flashing or blinking displays
      - v. Each message shall be displayed for no less than fifteen (15) seconds.
      - vi. Brightness: All digital signs shall comply with lighting standards established in LDC Section 6.05.
- C. Removal and Attrition
  - 1. All existing digital signage is considered nonconforming as of the adoption of this Code, except as provided for in paragraph B above.
  - 2. No permits shall be issued authorizing the replacement, relocation, or expansion of any existing digital sign.
  - 3. If a digital sign becomes dilapidated or requires replacement, it shall only be replaced by a sign in conformance with the Article.
  - 4. All existing digital signage will be granted ten (10) years to remain as of the adoption date of this code. After this period, if the digital sign has not been removed, it shall be removed at the owner's expense.
    - a. If the sign is not removed after an appropriate amount of time as determined by Code Compliance, further compliance action shall be taken to include daily fines until the removal of the sign is completed.

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## ARTICLE 8 – SIGN REGULATIONS

### SECTION 8.01 PURPOSE AND INTENT

#### SECTION 8.01.01 PURPOSE AND INTENT

The purpose of this Article is to provide the minimum control of signs necessary to promote the health, safety, general and economic welfare of the public. This Article intends to lessen hazards and conflicts to pedestrians and vehicular traffic, preserve property values and community character, and prevent unsightly and detrimental development that would detract from the tourist resort appeal of the community. Further, it is the intention of these regulations to prevent and mitigate economic decline and blight, by preventing signs from reaching such excessive size or numbers that they obscure one another to the detriment of all concerned, by using certain fundamentals of design that strengthen the community's economic base and preserve the right of free speech. This Article regulates signs in a content-neutral manner and is intended to regulate the time, place, and manner of signage, not the content of speech.

### SECTION 8.02 GENERAL PROVISIONS

#### SECTION 8.02.01 GENERAL REQUIREMENTS

- A. No sign, whether permanent or temporary, shall be allowed within any right-of-way (ROW), including but not limited to the foundation, sign supports, or any portion of the sign face or leading edge.
  1. Exceptions: Signs required for public safety, traffic control, construction activity, or other similar hazards, approved by the City, state, or other federal agency, meant to alert, direct, or warn drivers, cyclists, pedestrians, or other users of the ROW.
  2. Other explicit allowances per this Article.
- B. It shall be unlawful to erect or construct, or cause to be erected or constructed, maintain or cause to be maintained, any sign not expressly authorized and permitted by, or exempted from, these regulations.
- C. These sign regulations are intended to complement the requirements of the Florida building and electrical codes, and the requirements of the City. Wherever there is inconsistency between these regulations and the Florida Building Code (FBC), the FBC shall apply.
- D. Compliance with the requirements of these regulations shall not constitute a defense to an action brought to abate a nuisance under the common law.
- E. All signs, including their supports, braces, guys and anchors, electrical parts and lighting fixtures, and all painted and display areas, shall be maintained in accordance with this Article and the building and electrical codes of the City, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near the sign.
- F. All permanent signs, and the illumination thereof, shall be designed, constructed, and maintained in conformity with applicable provisions of the building code and electrical codes of the City.

#### SECTION 8.02.02 PERMITS REQUIRED

- A. No person shall erect, construct, alter, repair, or relocate any sign that requires a permit without first obtaining a building permit for such work from the City, unless exempt per Section 8.06 Exempt Signs or otherwise expressly exempted per this Article.

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- B. No permit shall be issued until the City determines that such work is in accordance with the requirements contained in this ordinance, and such work will not violate any building, electrical or other adopted codes of the City.
- C. All required building or sign permit applications shall be submitted to the Community Development Department for review.
- D. The application shall contain all the information **required for a proper review of the proposed sign, and includes but is not limited to** the documents required below and shall be accompanied by the required permit fee.
  - 1. **Agent Affidavit**
  - 2. **Site Plan**
  - 3. **Sign renderings**
  - 4. **Square footage calculations of signs and façade, if applicable**
  - 5. **Total number of signs**
  - 6. **Electrical plans if applicable**
  - 7. **Any previously approved and valid agreements for signage**
  - 8. **Other documents deemed necessary by the Community Development Director or designee.**

#### SECTION 8.02.03 ILLUMINATION STANDARDS

- A. Sign lighting may not be designed or located to cause confusion with traffic lights.
- B. Illumination by floodlights or spotlights ~~shall comply with the lighting regulations located within Article 6 of this Code. is permissible so long as none of the light emitted shines directly onto an adjoining property or into the eyes of motorists or pedestrians using or entering public streets.~~
- C. Illuminated signs shall not have lighting mechanisms that project more than 18 inches perpendicularly from any surface of the sign over public space.
- D. All sign lighting shall be continuous lighting and shall not have any lighting element that flashes, flickers, fades, or other similar non continuous lighting scheme.

#### SECTION 8.02.04 PLACEMENT AND CLEARANCE STANDARDS

- A. Near Street and Driveway Intersections
  - 1. Signs located within the clear visibility triangle near street and driveway intersections shall **meet all standards of the latest edition of the Florida Greenbook.** ~~not be erected or placed in such a manner as to impede vision between a height of two feet and ten feet above grade. The signs support structure shall not be wider than ten inches.~~
- B. In or ~~Over~~ Public or Private Right-of-Way
  - 1. Signs ~~support(s) or structure(s)~~ shall not be placed in, upon, or project over a public or private ROW or easement, except as allowed by this Article in specific situations.
- ~~C. Over Public or Private Right-of-Way~~
  - ~~1. No ground sign shall project over a public ROW, except as allowed by this Article in specific situations.~~
- ~~D.C.~~ Blocking Emergency Access
  - 1. No sign or sign structure shall be erected that impedes use of any fire escape, emergency exit or standpipe, or any other emergency ingress or egress.
- ~~E.D.~~ Relationship to Building Features
  - 1. A building sign shall not extend more than six inches (6") beyond any edge of the surface to which it is attached, nor disrupt a major architectural feature of the building.

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#### ~~F.E.~~ Maximum Projection

1. A projecting building sign that is oriented perpendicularly to the building façade may extend no more than four feet perpendicularly from the surface to which it is attached.

## SECTION 8.03 PERMITTED PERMANENT SIGNS

### SECTION 8.03.01 GENERAL PROVISIONS

- A. All permanent signs require a permit unless expressly exempted by this Article.
- B. The sign face area of any non-conforming sign located on the premises shall be included for purposes of determining the maximum allowable building or free-standing sign face area.
- C. All signage shall be constructed of material that is rigid or in a manner that it is permanently affixed to a rigid material, in the case of a vinyl wrap, and shall not require tie downs.
  1. The intent of this section is to prevent permanent signs that are made in a banner material or style or tied down or wrapped around a permanent sign structure.
- D. Free Standing or Ground Signs
  1. Multiple street frontages: Any premises with multiple street frontages may allocate its total allowable ground sign face area among its permitted ground signs on any street frontage, provided each street frontage is allowed only one ground sign which shall not exceed a maximum square foot allowed per the appropriate district as identified in Table 8.032-1.

~~E. The sign face area of any non-conforming sign located on the premises shall be included for purposes of determining the maximum allowable building sign face area.~~

~~F. All permanent signs shall be constructed of material that is rigid or in a manner that it is permanently affixed to a rigid material in the case of a vinyl wrap and shall not require it to be tied down.~~

- ~~1. The intent of this section is to prevent permanent signs that are made in a banner style or banner materials or similar setup that is tied down or wrapped around a permanent sign structure.~~

### SECTION 8.03.02 PERMANENT SIGN CLASSIFICATIONS AND TYPES

- A. The following permanent sign classifications are adopted by the City of Destin to regulate signage within the jurisdiction of the city limits.
  1. Permanent Commercial - a sign that is constructed or used for **ninety-one (91) days** or more, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes, advertises, or attracts attention to any type of commerce or non-ideological message.
  2. Permanent Non-Commercial - a sign that is constructed or used for **ninety-one (91) days** or more, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes an ideal, belief, or other thought.
- B. The following types of signs are allowed as designated in this Article.
  1. Attached, i.e., a "building sign" or a sign that is attached to a structure that is occupiable or useable.
  2. Free Standing, i.e., a "ground sign" that is independent of another structure.

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## SECTION 8.03.03. PERMANENT SIGN ALLOWANCES

Table 8.03-1 Sign Dimension Allowance				
	Permanent Commercial		Permanent Non-Commercial	
	Free Standing	Attached	Free Standing	Attached
<b>Residential Districts</b>				
Total sq. ft.		Permanent	3250 sq. ft.	
Max individual Sign sq. ft.	See Section 8.03.04.F	Commercial Signage is not allowed in any Residential District.	1625 sq. ft.	
Max Height			6'	Footnote 2 See 8.02-05
Front Setbacks			10'	N/A
<b>Mixed Use Districts</b>				
Total sq. ft.	See Table 8.032-2	Footnote 3 & 4 See Table 8.02-3.	60 sq. ft.	60 sq. ft. / Footnote 3 & 42
Max individual Sign sq. ft.	150 sq. ft.	100 sq. ft.	60 sq. ft.	
Max Height	8' / Footnote 1	Footnote 2	8'	Footnote 2
Front Setbacks	10'	N/A	10'	N/A
<b>SHMU &amp; NHMU District</b>				
Total sq. ft.	See Table 8.032-2	Footnote 3 & 42 & 3	60 sq. ft.	Footnote 3 & 4
Max individual Sign sq. ft.		100 sq. ft.	10 sq. ft.	15 sq. ft.
Max Height	8' / Footnote 1	Footnote 2	8'	Footnote 2
Front Setbacks	10' / Footnote 5	N/A	10'	N/A
Waterfront Sign	See Table 8.032-2	N/A	See Table 8.032-2	N/A
<b>CG, CTS, IN, INST, A Districts</b>				
Total sq. ft.		Footnote 3 & 4	150 sq. ft.	Footnote 3 & 4
Max individual Sign sq. ft.	See Table 8.032-2	100 sq. ft.	10 sq. ft.	15 sq. ft.
Max Height	265'	Footnote 2	265'	Footnote 24
Front Setbacks	10'	N/A	10'	N/A
<b>REC &amp; CON Districts</b>				
Total sq. ft.	60 sq. ft.		Permanent Non-commercial signage is not allowed in the Recreation or Conservation Districts.	
Max individual Sign sq. ft.	60 sq. ft.			
Max Height	8'	Footnote 23		
Front Setbacks	10'	N/A		

Note: Multiple individual signs (not exceeding the max. individual sign area) may be used to achieve the maximum sign area (square footage) outlined above.

1. Fifteen percent (15%) of the sign width, based on width of the sign face, may exceed the eight feet (8') limit to a maximum height of twelve feet (12').
2. In no case shall a sign protrude above the roofline, cornice line, parapet, or the highest point of a façade of any structure, whichever is lower.
3. Single-occupancy Building: Fifteen percent (15%) of the façade not to exceed 150 sq. ft.
4. Multi-occupancy Building: Fifteen percent (15%) of the lease space/unit façade, not to exceed 150 sq. ft. in the aggregate, whichever is less. All occupants or units shall have a right to a minimum of 25 sq. ft. of signage.
5. Signs shall be set back ten feet from all property lines. However, if the property is located along U.S. Highway 98 in the South Harbor Mixed Use or North Harbor Mixed Use districts, the sign support structure shall be set back ten feet from the front property line, and the sign face

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area may extend into the setback area by four feet. In no instance may a sign impede the sight vision triangle, clear vision triangle, pedestrian or vehicular movement/access.

All Districts	Face square footage	1 sq. ft. per linear foot of street frontage not to exceed 150'	
	Number of signs per street frontage	Less than 500' of street frontage	1 sign
		500' or more	2 signs
	Sign spacing	Minimum of 150' within the same property	
SHMU Waterfront signs	Number of signs	1 sign fronting the Destin Harbor per property	
	Sign face square footage	0.5 sq. ft. per linear foot of water frontage not to exceed 80 sq. ft.	

### SECTION 8.03.04 SPECIAL SIGNS

- A. Lifeguard Station Signs
  - 1. Each lifeguard station may display one sign of not more than nine (9) square feet.
    - a. These signs do not require a sign permit.
- B. Utility Signs:
  - 1. Signs placed by public utilities on or near the location of underground utility lines and facilities, high voltage lines and facilities, and other utility facilities and appurtenances shall be permitted not to exceed three (3) feet in height, and four (4) square feet in area.
    - a. These signs do not require a sign permit.
    - a-b. This section does not apply to buried utility line markers.
- C. Public Traffic Controls Signs
  - 1. These signs do not require a sign permit when placed by or required by the governing authority with jurisdictional authority.
- D. Signs placed on public/private right-of-ways or accessways shall meet the standards and minimums outlined in the MUTCD.
  - 1. These signs do not require a sign permit.
- E. Off-street Directional Signage
  - 1. For public safety purposes, a maximum of one (1), four (4) square foot sign may be placed per access point of a property with multiple accesses to enhance traffic flow and shall:
    - a. Not contain any branding, logos, or other commercially identifiable features.
    - b. Not count towards any square footage limitation of ground signs.
    - c. Be no closer than five feet (5') to the property boundary.
  - 2. The signs shall require a sign permit to review for compliance with setbacks and the criteria listed above.
- F. Residential Commercial Signs
  - 1. In residential districts a free-standing sign may be permitted if the following criteria are met.
    - a. Time: A permanent sign
    - b. Place:
      - i. Located on common property owned by the homeowners, property, or condominium, or other owners association or group at the entrance to a residential development.
      - ii. Setback a minimum ten feet (10') from the ROW/property line.

**Commented [DK1]:** @Robert Tomasek Check state laws on this

**Commented [DK2R1]:** Added (b.)

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- c. Manner: not to exceed sixty (60) square feet and no taller than eight feet (8') high as measured from grade.

### SECTION 8.04 PERMITTED TEMPORARY SIGNS

#### SECTION 8.04.01 GENERAL PROVISIONS

- A. Temporary signs may not require a permit from the City, if they satisfy the restrictions imposed by this section and other relevant parts of this Article.
  1. The City Manager or designee may require a temporary sign permit review and regulations that pertain to permanent signage based on potential or real community impact of the signage.
- B. A temporary sign may:
  1. ~~Be attached to a building or located in a manner similar to, or a light source as provided in Sections 16.05.04. E, and F.~~
  2. Be a light source, such as a search light or laser, if approved in conjunction with a special event permit and shall have a letter of approval from the Eglin Air Force Base commander or designee.
  3. A temporary sign other than a light source must be:
    - a. Constructed of rigid material; and
    - b. Secured at all corners or edges to prevent wave action or from moving due to wind forces.
  4. Not be an electric/digital sign.
- C. Any temporary sign not complying with the requirements of this section is illegal and subject to immediate removal.

#### SECTION 8.04.02 TEMPORARY SIGN CLASSIFICATION AND TYPES

- A. The following temporary sign classifications are adopted by the City of Destin to regulate signage within the jurisdiction of the city limits.
  1. Temporary Commercial - a sign that is not constructed in a manner as to be permanent and shall not be used for more than ninety (90) days, whether consecutively or not within a calendar year, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes, advertises, or attracts attention to any type of commerce.
  2. Temporary Non-Commercial - a sign that is not constructed in a manner as to be permanent and shall not be used for more than ninety (90) days, whether consecutively or not within a calendar year, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes an ideal, belief, or other thought.
- B. The following types of signs are allowed as designated in this Article.
  1. Attached, i.e., a "building sign" or a sign that is attached to a structure that is occupiable by or useable.
  2. Free Standing, i.e., a "ground sign" that is independent of another structure.

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## SECTION 8.04.03 TEMPORARY SIGN ALLOWANCES

Table 8.04-1 Temporary Sign Dimension Allowance				
	Temporary Commercial		Temporary Non-Commercial	
	Free Standing	Attached	Free Standing	Attached
<b>Residential Districts</b>				
Total sSq. ft.	12 sq. ft.	12 sq. ft.	32 <del>75</del> sq. ft.	32 <del>75</del> sq. ft.
Max. Individual Sign sSq. ft.	6 sq. ft.	6 sq. ft.	16 <del>5</del> sq. ft.	16 <del>5</del> sq. ft.
Max. Height	6'	Footnote 1	6'	Footnote 1
Front Setbacks	10'	N/A	10'	N/A
<b>Mixed Use Districts</b>				
Total sSq. ft.	12 sq. ft.	12 sq. ft.	32 sq. ft.	32 sq. ft.
Max. Individual Sign sSq. ft.	12 sq. ft.	12 sq. ft.	16 sq. ft.	16 sq. ft.
Max. Height	8'	Footnote 1	6'	Footnote 1
Front Setbacks	10'	N/A	10'	N/A
<b>SHMU &amp; NHMU District</b>				
Total sSq. ft.	32 sq. ft.	32 sq. ft.	32 sq. ft.	32 sq. ft.
Max. Individual Sign sSq. ft.	32 sq. ft.	32 sq. ft.	16 sq. ft.	16 sq. ft.
Max. Height	8'	Footnote 1	6'	Footnote 1
Front Setbacks	10'	N/A	10'	N/A
Waterfront Sign	Prohibited	Prohibited	Prohibited	Prohibited
<b>CG, CTS, IN, INST, A Districts</b>				
Total sSq. ft.	32 sq. ft.	32 sq. ft.	32 sq. ft.	32 sq. ft.
Max. Individual Sign sSq. ft.	32 sq. ft.	32 sq. ft.	16 sq. ft.	16 sq. ft.
Max. Height	8'	Footnote 1	6'	Footnote 1
Front Setbacks	10'	N/A	10'	N/A
<b>REC &amp; CON Districts</b>				
Total sSq. ft.	32 sq. ft.	32 sq. ft.	Temporary non-commercial signage is not allowed in the Recreation or Conservation Districts.	
Max. Individual Sign sSq. ft.	32 sq. ft.	32 sq. ft.		
Max. Height	8'	Footnote 1		
Front Setbacks	10'	N/A		

*Note: Multiple individual signs (not exceeding the max. individual sign area) may be used to achieve the maximum sign area (square footage) outlined above.*

1. In no case shall a sign protrude above the roofline, cornice line, parapet, or the highest point of a façade of any structure, whichever is lower.

### SECTION 8.04.04 TEMPORARY EVENT SIGNAGE

- A. During a special event, temporary signage, whether free-standing or attached, may be allowed according to the following regulations and Table 8.04-21.
- B. Commercial Special Event Signage
  1. All commercial special events proposing to utilize temporary signage shall apply for a special event sign permit.
  2. All commercial special event sign permits are valid for no more than 40 calendar days a year per event.

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3. No property may have more than two (2) special event sign permits issued within any calendar year.
4. Signage shall not go up earlier than ten (10) days prior to the event start.
5. Signage shall ~~come down~~ be removed no later than thirty (30) days after the first day of the event.

### C. Non-Commercial Special Event Signage

1. No non-commercial special event requires a special event sign permit.
2. Signages shall only be allowed forty-five (45) days prior to the event.
3. Signages shall be removed within ten (10) days after conclusion of the event.

	Temporary Commercial Event	Temporary Non-Commercial Event
Total sq. ft.	100 sq. ft.	100 sq. ft.
Max individual Sign sq. ft.	10sq. ft.	10 sq. ft.
Max Height	See Table 8.04-1	See Table 8.04-1
Front Setbacks		

Note: Multiple individual signs (not exceeding the max. individual sign area) may be used to achieve the maximum sign area (square footage) outlined above.

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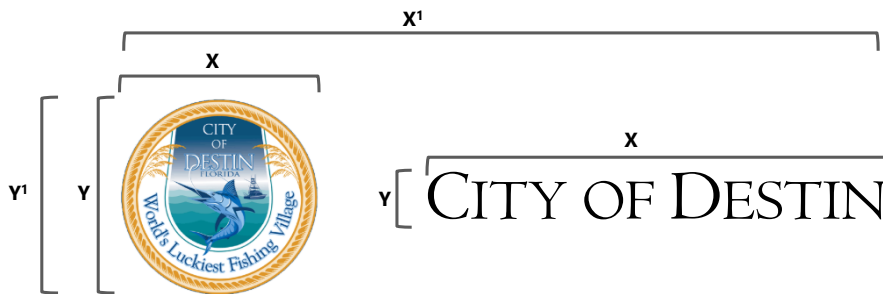
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### SECTION 8.05 MEASUREMENT DETERMINATIONS

#### SECTION 8.05.01 SIGN FACE AREA

- A. The sign face area of a sign shall be measured as the area enclosed by straight lines drawn to the extremities of the letters, numbers, recognizable symbols, trademarks, or brands. (See ~~Figure 8.04-31~~ Sign Measurements)
- B. Special Situations:
1. Where a sign is composed of letters, pictures, symbols, or logos attached directly to a facade, window, door or marquee, and the letters, pictures, symbols, or logos are not enclosed by a border or trimming, the sign face area shall be the area within the smallest square or rectangle, the sides of which touch the extreme points of any letters, pictures, symbols, or logos.
  2. Where two sign face areas are placed back-to-back on a single sign structure, and the faces are at no point more than four feet apart, the area of the sign shall be counted as the area of one of the faces.
  3. Where four sign face areas are arranged in a square, rectangle or diamond, the area of the sign shall be the area of the two largest faces. Where a sign is in the form of a three-dimensional object, the area shall be determined by drawing a square or rectangle, the sides of which touch the extreme point or edges of the projected image of the sign and multiplying that area by two. The "projected image" is that image created by tracing the largest possible two-dimensional outline of the sign. See ~~Figure 8.04-31~~ below.



**'X' x 'Y' = square footage of sign face**  
**(X' x Y') used if using both elements as one (1) sign per 8.054.012.A**

**Figure 8.04-~~31~~ - Sign Measurements**

#### SECTION 8.05.02 NUMBER OF SIGNS

- A. ~~In general, the number of signs shall be the number of noncontiguous sign face areas. Multiple noncontiguous sign face areas may be counted as a single sign if all the sign faces are included in the geometric figure used for determining the sign face area as described in Section 8.04.01 above.~~
- B. ~~Special Situations~~

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1. ~~Where two sign face areas are placed back-to-back and are a part of the same sign structure that is no wider/deeper than three feet (3'), it shall be counted as one sign.~~
2. ~~If a sign has four sign face areas arranged in a square, rectangle, or diamond, it shall be counted as two signs.~~

### SECTION 8.06 EXEMPT SIGNS

#### SECTION 8.06.01 EXEMPT SIGN TYPES

- A. The following signs are exempt from the permitting requirements of this Code provided they still meet all other applicable Code requirements and provided further they are not placed or constructed to create an immediate threat to the public health, safety, or welfare:
  1. Address numbering for properties or buildings provided they meet Fire and building codes.
  2. Signs of two square feet or less provided that such sign, or combination of signs, do not constitute a sign prohibited by this Article.
  3. Signs less than three square feet when required by any local state or federal law or regulation.
  4. Holiday lights and decorations.
  5. Signs authorized by statute or ordinance when erected on public property by governmental agencies that have jurisdiction.
  6. Legal notices or official instruments when required by law.
  7. One sign or tablet per building, of four-square feet or less when cut into any masonry surface or when constructed of bronze or other incombustible materials and attached to the surface of a building.
  8. Signs incorporated into machinery, material, or equipment by a manufacturer.
  9. Signs carried by a person not exceeding six (6) square feet.
  10. Temporary signs as permitted by this Article.
  11. Standards of political, religious, governmental, or other jurisdictional authority provided these do not contain any commercial speech. These types of signs are commonly referred to as "flags."

### SECTION 8.07 PROHIBITED SIGNS

#### SECTION 8.07.01 PROHIBITED SIGN TYPES

The following signs are expressly prohibited:

- A. Signs that are in violation of the Florida building or electrical code.
- B. Any sign declared by the City Manager or designee to be an immediate threat to the public health, safety, and welfare by reason of an unsafe condition.
- C. Signs that obstruct the vision of pedestrians, cyclists or motorists traveling on or entering public streets or signs within the clear visibility triangle per LDC Section 6.02.032. ~~No sign shall be erected or placed in such a manner as to impede the vision between a height of two feet and ten feet above grade. The signs support structure shall not be wider than ten inches.~~
- D. Signs tacked, nailed, posted, pasted, glued, or otherwise attached to trees, utility poles or fences.
- E. Signs in any public ROW not
  1. Authorized by governing municipality
  2. Required by any municipality or government agency
  3. Required for public safety or traffic control

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- F. Signs that emit audible sound, odor, or visible matter such as smoke or steam.
- G. Flashing lights or signs with lights or illumination that flash, move, rotate, scintillate, blink, flicker, or vary in intensity or color; provided that this paragraph shall not prohibit a sign with a fixed or changing display composed of a series of lights that may be changed through electronic means, provided further that said display may not change more than once every ten seconds.
- H. Strings of light bulbs regardless of how mounted when used on premises with a commercial land use classification other than traditional holiday decorations and strings of lights used to enhance landscaping.
- I. Wind signs.
  - 1. ~~Signs commonly referred to as wind signs, consisting of one or more signs made up of banners or banner like material, pennants, ribbons, spinners, streamers or captive balloons, or other objects or material, fastened in such a manner as to move upon being subjected to pressure by wind, Flags are explicitly not a wind device. Standards, colors, or ensigns as exempted in Section 8.06.01 are not included in this prohibition.~~
- J. Signs that inflate or are inflatable.
- K. Signs that incorporate projected images,
- L. Signs that emit sound that is intended to attract attention,
- M. Signs that involve the use of live animals.
- N. Signs with visible moving, revolving, or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, or mechanical means, except for traditional barber poles.
- O. Signs with optical illusion of movement by means of a design that presents a pattern capable of giving the illusion of motion.
- P. Portable signs.
- Q. Abandoned or discontinued signs. In determining whether a sign is abandoned or discontinued, the following criteria shall be considered:
  - 1. Whether the sign identifies correct directions to, location of, or description of the goods or services available on the premises where the sign is located.
  - 2. The existence or absence of a current local business tax receipt for the premises where the sign is located.
  - 3. Whether utility service is being provided to the premises where the sign is located; the use of the premises where the sign is located.
  - 4. The condition of the sign.
  - 5. Whether ad valorem property taxes have been paid on the premises where the sign is located or on the sign itself.
  - 6. Any other facts or circumstances which would indicate whether the owner of the sign has intentionally or voluntarily relinquished further use of the sign.
- R. 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 the light or ventilation is reduced to a point below that required by any provision of this Code or other ordinances of the City.
- S. 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

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- signal, or be of a size, location, movement, content, color, or illumination that may be confused with or construed as, or conceal, a traffic control device.
- T. 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.
  - U. Signs that are painted, pasted, or printed on any curbstone, flagstone, pavement, or any portion of any sidewalk or street, except house numbers and traffic control signs.
  - V. Signs placed upon benches, bus shelters or waste receptacles, except as may be authorized in writing pursuant to F.S. § 337.407.
  - W. Signs erected over or across any public street except as may otherwise be expressly authorized by this Code.
  - X. Vehicle signs: ~~any sign on a vehicle more than four (4) square feet that is not either painted or affixed and flush with the vehicle's body in wrap form. Any form of signage that protrudes from or in which the vehicle body, shell, bed, trunk, fascia, windows, doors, or other integral part of the vehicle is altered, by welding, bolting, or similar fastening is prohibited. Any sign that is attached to, placed in or on a vehicle is considered a portable sign.~~
  - Y. Obscene signs.
  - Z. Roof signs: ~~or a sign that is placed or located on a roof or roof structure, or any portion of the sign that is displayed above the cornice line of any building or structure.~~
  - AA. Off-premises signs. ~~No off-premises sign (other than those signs which have already received City and FDOT permits for construction) shall be constructed or erected after the date of enactment of this ordinance, nor shall any existing off-premises sign be permitted to increase in sign face area or height, or change configuration or structure, or improvements that would increase the overall height of the structure. Any such change or alteration is unlawful, constitutes a nuisance and shall be removed immediately at the expense of the owner thereof. In the event the owner fails to remove the off-premises sign within 30 days after being notified to do so by the City Manager or designee, the City may remove such sign at the owner's expense or may apply to any court having jurisdiction for such relief as may be appropriate to facilitate the removal of the sign and for such other and further relief as City may be entitled to.~~

### SECTION 8.07.02 DIGITAL AND ELECTRONIC SIGNS

- A. Digital signage is prohibited and strictly not permitted within the city limits of Destin.
- B. Exception and Regulations
  - 1. Digital signs are allowed specifically for Institutional uses only in the Institutional zoning district.
  - 2. Restrictions:
    - a. Time: at all times
    - b. Place: allowed only in the Institutional District following Table 8.032-1 in Section 8.032.
    - c. Manner:
      - i. Square footage: All digital signs shall follow Table 8.032-1 for size allowance, however in no case shall a digital sign exceed sixty square feet (60 sq.ft.) in sign face.
      - ii. Height: no digital sign shall be higher than eight feet (8') in height.
      - iii. No digital sign shall display moving or perceived motion on the sign.

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iv. No digital sign shall display flashing or blinking displays

v. Each message shall be displayed for no less than fifteen (15) seconds.

vi. Brightness: All digital signs shall comply with lighting standards established in LDC Section 6.05.

### C. Removal and Attrition

1. All existing digital signage is considered nonconforming as of the adoption of this Code, except as provided for in paragraph B above.
2. No permits shall be issued authorizing the replacement, relocation, or expansion of any existing digital sign.
3. If a digital sign becomes dilapidated or requires replacement, it shall only be replaced by a sign in conformance with the Article.
4. All existing digital signage will be granted ~~72 months (6 years)~~ ten (10) years to remain as of the adoption date of this code. After this period, if the digital sign has not been removed, it shall be removed at the owner's expense.
  - a. If the sign is not removed after an appropriate amount of time as determined by Code Compliance, further compliance action shall be taken to include daily fines until the removal of the sign is completed.

**MINUTES  
WORKSHOP  
DESTIN CITY COUNCIL  
DECEMBER 3, 2024  
ANNEX COUNCIL CHAMBERS  
5:30 PM**

The Council of the City of Destin met in special session with the following members and staff present:

**Destin City Council**

Mayor Pro Tem Dewey Destin  
Councilmember Kevin Schmidt  
Councilmember Sandy Trammell

Councilmember Jim Bagby  
Councilmember Terésa Hebert  
Councilmember Torey Geile

**City of Destin Staff**

Interim City Manager Larry Jones  
Deputy Comm Dev Director Steve O'Connor  
Principal Planner Daniel Butler  
Planner Jesse Hernandez  
City Attorney Kimberly Kopp

City Clerk Rey Bailey  
Deputy Public Works Director Joe Bodi  
Planner Sherry Burney  
Planner Ashley Dominguez

**WORKSHOP**

Steve O'Connor, Deputy Director of Community Development, delivered the following presentation:

**A. Draft Article 8 – Sign Regulations**

**Language**

- The current LDC is cumbersome to read
- Current language has allowed inconsistent interpretations and challenges in enforcement
- Written in a more readable manner (reduced “legalese”)
- Easier for users (residents, developers, Staff) to read and understand the regulations

**Format, organization, and Consolidation**

- Significant deviation from the current LDC format
- An easier to read and better flowing document
- Reduced multi-sentence run-on paragraphs
- The sections are bookmarked and hyperlinked
- Chart with graphic used rather than paragraphs for max. dock lengths

Supreme Court Case

- The Supreme Court Case *Reed v. Town of Gilbert, AZ (2015)* changed the way municipalities need to think about and develop their sign regulations. Since this ruling, the American Planning Association (APA) has provided guidance on how to be compliant post the Supreme court ruling. The guidance is as follows:
  - ❖ Focus on type not message (Permanent/Temporary or Attached/Detached)
  - ❖ Craft a compelling purpose statement
  - ❖ Review and update definitions of signs to remove any reference to content/message
  - ❖ Exemptions need to avoid content-based exemptions

The *Reed v. Gilbert* ruling does allow municipalities to identify signs as commercial or non-commercial speech to be able to distinguish and allow differing regulations for both types of speech. However, the regulations for non-commercial speech should be narrowed and focused. The regulations for commercial speech can be more stringent but still consistent.

DISCUSSION/SUMMARY:

The meeting revisited the implications of the *Reed v. Town of Gilbert (2015)* Supreme Court decision, which mandates that sign regulations must be content-neutral. Cities can differentiate between commercial and non-commercial speech but cannot regulate signs based on their content, except for identifying whether speech is commercial or non-commercial. This necessitated significant changes to ensure compliance with federal law.

The draft Article 8 introduces classifications for signs based on:

- Zoning districts (residential, mixed-use, commercial, etc.)
- Sign types (permanent, temporary, freestanding, attached)
- Distinctions between commercial and non-commercial speech.

.....

➤ **Permanent & Temporary Signs:**

- ❖ Establishing clear regulations for the differentiation of permanent and temporary regulations is critical. The current code does a good job of differentiating; however, the regulations are based on content and are not consistent throughout.
- ❖ Sign Classification & Type Charts:
  - The Charts are a "one-stop shop" to determine how much sign square footage is allowed, the allowed number of signs, and where they can be located broken out by the zoning district. This method was reviewed by several outside parties, which included sign companies. Staff received positive feedback on the chart's ease of use.
  - *The numbers provided within the Charts are generally what is currently allowed. However, due to the change in how the City must review signs, we created several sign types or classifications that don't have existing allowances. Therefore, Staff used existing allowances to propose a starting allowance to begin the discussion based on the closest existing sign type.*

- **Permanent Commercial Signage in Residential Zones:**
  - ❖ **Current regulations allow permanent signage whether attached or detached in residential districts.**
    - 50 square feet for any lot that has 50 linear feet of street frontage, or 1 square foot per 1 foot of linear street frontage, up to 150 square feet for properties with 50 to 350 linear feet of street frontage.
    - The LPA recommended not to allow any attached permanent commercial signage in residential districts. Specific regulations were developed in Section 8.03.04. Special Signs that allow permanent free-standing signs in specific instances.

DISCUSSION/SUMMARY:

Concerns were raised about existing commercial signs in residential districts, such as those advertising businesses operating from homes.

Clarifications were made regarding the prohibition of off-premises commercial signs and restrictions on home occupation signage.

The definition of flags as signs was debated, with a focus on whether flags should be regulated as commercial or non-commercial speech.

Wind devices, such as banners and feather flags, remained prohibited under the draft, but council members considered allowing temporary use during special events or grand openings.

The council discussed potential allowances for increased signage during special events, such as permitting 10–12 temporary signs. However, it was noted that the Reed v. Gilbert ruling restricts differentiating rules by event type.

String lights were discussed, particularly their use in commercial and residential settings. Current codes classify them as signage when visible from public rights-of-way. Suggestions were made to clarify these rules, exempting lighting being used for ambiance or safety.

The council discussed allowing subdivision signs while ensuring compliance with residential district regulations.

Issues of vegetation obstructing public signage were noted as an enforcement priority.

Setback allowances were reviewed. A prior regulation permitting signs to encroach into a 10-foot setback in certain corridors was removed for consistency with Reed v. Gilbert. Adjustments must now be tied to zoning districts, not specific corridors like the Harbor District.



❖ **Sign Height:**

- With the undergrounding effort, some discussions have centered around signage cluttering our roadways.
- Currently, all freestanding signs are allowed up to 25'.
- The examples provided in the charts show how we can limit sign height in mixed-use districts to 8' while allowing commercial and industrial zones to be 25'.
- Though the sign height in the mixed-use districts was placed by staff as an example to show how signage can be regulated differently by district, the LPA recommended keeping the sign height limitation in the mixed-use districts.

DISCUSSION/SUMMARY:

Current regulations allow for ground signs up to 26 feet in commercial zones. Mixed-use districts were limited to a recommended height of 8 feet in the draft. Suggestions were made to introduce variations in sign height for aesthetic appeal while maintaining enforcement simplicity.

Concerns were raised about the size of temporary signs, especially large signs such as 4x6 feet. Some felt these sizes were unnecessary for a small town. A consensus was reached that maximum sizes for signs should be reduced for practicality and aesthetics. There was a proposal to cap temporary signs at 15 square feet.

The current draft allows a total of 75 square feet of signage for a property, which many felt might contribute to visual clutter.

Freestanding signs were debated, particularly in mixed-use districts, with a proposed limit of 150 square feet and a maximum height of 8 feet. Some argued that vehicular perspectives might make larger signs acceptable, while others again raised concerns about visual clutter.



❖ **Vehicle Signs:**

- In the past, the City has had issues with enforcing the prohibition of Vehicle Signs. This is partly due to the way the current prohibition reads, where it has exceptions and lists what is not a vehicle sign, which leaves the door open to interpretation.
- Prohibition 16.03.02.T.:
- Vehicle signs with a total sign area on any vehicle in excess of ten square feet when the vehicle is not regularly used in the conduct of the business advertised on the vehicle. A vehicle used primarily for advertising, or for the purpose of providing transportation for owners or employees of the occupancy advertised on the vehicle, shall not be considered a vehicle used in the conduct of the business.

❖ **Current Definition:**

- Vehicle sign: Any sign affixed to a vehicle.

❖ **The proposed definition is:**

- Any sign on a vehicle more than four (4) square feet that is not either painted or affixed and flush with the vehicle's body in wrap form. Any form of signage that protrudes from or in which the vehicle body, shell, bed, trunk, fascia, windows, doors, or other integral part of the vehicle is altered by welding, bolting, or similar fastening is prohibited. Any sign that is attached to any vehicle in these manners is considered a portable sign.

DISCUSSION/SUMMARY:

Discussions focused on ensuring compliance with vehicle-mounted signs, emphasizing size limit (e.g., 4 square feet) and attachments methods (e.g. painted or flush-mounted signs). Portable signs and temporary mounts, like A-frames in truck beds, were prohibited.

.....

❖ Digital Signs:

- The LPA recommended making digital signage a prohibited sign type and medium.
- Their comments centered around beautifying the corridor of US 98/Harbor (Blvd. and Emerald Coast Parkway).
- Regulations were drafted on their recommendation to amortize existing digital signage and require all existing signs to be removed after 72 months (six years). These regulations have been updated and can be seen in Section 8.07.02 of the draft article.

DISCUSSION/SUMMARY:

Recommendations included prohibiting new digital signs, with existing ones becoming non-conforming and subject to removal within six years.

Concerns were raised about the impact on businesses, schools, and churches, suggesting possible exemptions for institutional uses or extended amortization periods.

Differentiations between digital billboards and business-specific digital signs were also discussed.

Anticipating public resistance to stricter digital sign regulations and prohibitions on wind devices, the council emphasized finding middle ground.

Staff underscored the challenges of balancing enforcement clarity with flexibility, especially for non-conforming uses during amortization periods.

It was noted that the LPA recommended banning digital signs with full-motion video due to their potential to distract drivers. For static digital signs, the council discussed maintaining a 10-second interval for message changes, exceeding the state's 6-second minimum.

The City Attorney stressed the importance of content neutrality, noting past litigation risks when attempting to regulate based on sign content.

A council member highlighted a local digital sign (American Legion) as an example of community interest and potential contention. While the member supported the public interest, he foresaw significant feedback

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## **B. Draft Article 11 – Glossary**

### **Changes**

Proposed Modified Definition → **Abutting/Adjacent property:** *Any property, land, or use that immediately borders, is contiguous to, or immediately across any road or public right-of-way from the lot in question.*

Current Definition (proposed to be removed) → *Any property that is immediately adjacent or contiguous to, or immediately across any road or public right-of-way from the lot in question.*

Proposed New Definition → **Access/Accessway:** *The means of vehicular, bicycle, and pedestrian ingress and egress to a parcel of land from a public or private right-of-way or to an adjoining parcel of land.*

Unmodified Definition → **Access aisle:** *An unobstructed stabilized area that provides access for vehicles and bicycles from an accessway to parking, loading, or maneuvering areas, dwellings, or other structures.*

Definition proposed to be removed → **Accessory:** *The principal or secondary means of vehicular or bicycle ingress and egress to a parcel of land from a public or private right-of-way or to an adjoining parcel of land.*

### **Beach**

- The zone of unconsolidated material that extends landward from the mean low water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves. "Beach," as used in the coastal management element requirements, is limited to Gulf of Mexico, East Pass, and estuarine shorelines.

### **Charter Fishing & Fare Carrying Vessel**

- Charter fishing boat: ~~See Fare carrying vessel. A vessel that charges a fixed fee for the entire boat, schedules around a small set of customers typically no more than six passengers but occasionally seven or more passengers and provides the customers the chance to experience either in-shore or off-shore fishing.~~
- Fare carrying vessels: Vessels used for the following activities that are available to the public for hire: charter for hire, party fishing, sightseeing (e.g., dolphin, sunset, dinner cruises, etc.), sailing, parasailing and diving/snorkeling. Fare

carrying vessels shall not include pontoon, runabout boats, or personal watercraft.

## **Open Space**

- **Open space: That portion of a site that is not occupied by any building coverage, vehicular-use area(s), or impervious surface(s). For the purposes of this definition paver systems or similar development is not considered open space.**
  - ❖ *A vegetative pervious surface at ground level that is unobstructed from ground level to the sky and is not occupied by any building coverage or impervious surfaces. Subterranean parking structures that have a minimum amount of soil to support the trees, shrubs, and groundcover planted on top of structure, as certified by a Florida-registered landscape architect, and are constructed in such a manner that the open/green space is level with the grade of the adjoining properties and the adjacent right-of-way (if applicable) may be counted as 100 percent open space. Above-grade parking structures that have a minimum amount of soil to support the trees, shrubs, and groundcover planted on top of structure, as certified by a Florida-registered landscape architect, may be counted as 75 percent open space. If however, the previously mentioned open space located on top of a subterranean or above-grade parking structure contains impervious surfaces, such as sidewalks or patios, then those areas will not be counted as open space.*

## **DISCUSSIONS/SUMMARY:**

*Abutting vs. Adjacent:* Definitions were clarified to ensure consistency. While these terms are used interchangeably, council members noted potential confusion, particularly in stormwater runoff scenarios.

*Beach Definition:* Minor modifications were proposed, including specifying "Gulf of Mexico" and "East Pass." Ultimately, the council decided to maintain alignment with Florida Statutes.

*Open Space Definition:* Updated to exclude impervious surfaces like pools and hardscaped areas. Pervious materials (e.g., pavers) were debated, with concerns about long-term maintenance reducing permeability.

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## **C. Draft Article 3 – Nonconformities**

Consolidated standards for non-conforming uses, structures, and site elements. Introduced clear requirements for site updates during use changes or development orders.

## **D. Draft Article 5 – Subdivision Regulations**

Unified subdivision regulations, including neighborhood-level stormwater solutions to prevent individual lot constraints.

The council revisited maintenance issues for stormwater systems. Responsibilities were clarified:

- Homeowners must manage runoff on their property and maintain adjacent swales or vegetation.
- The city handles stormwater maintenance, including roadside swales.
- A citywide initiative to address swale maintenance issues is underway.

**E. Draft Article 9 – Transportation Corridor Management**

Merged the pathways master plan, mobility plan, and transportation management plan into one article. The article emphasizes right-of-way protection and clarifies variance processes.

**F. Draft Article 10 – Impact Fees**

Streamlined redundant language, clarified criteria, and discussed transitioning to a mobility fee to replace the transportation impact fee.

**PUBLIC COMMENTS:**

**ADJOURNMENT**

Having no further business at this time, the meeting was adjourned at 8:07 PM.



**ATTEST:**

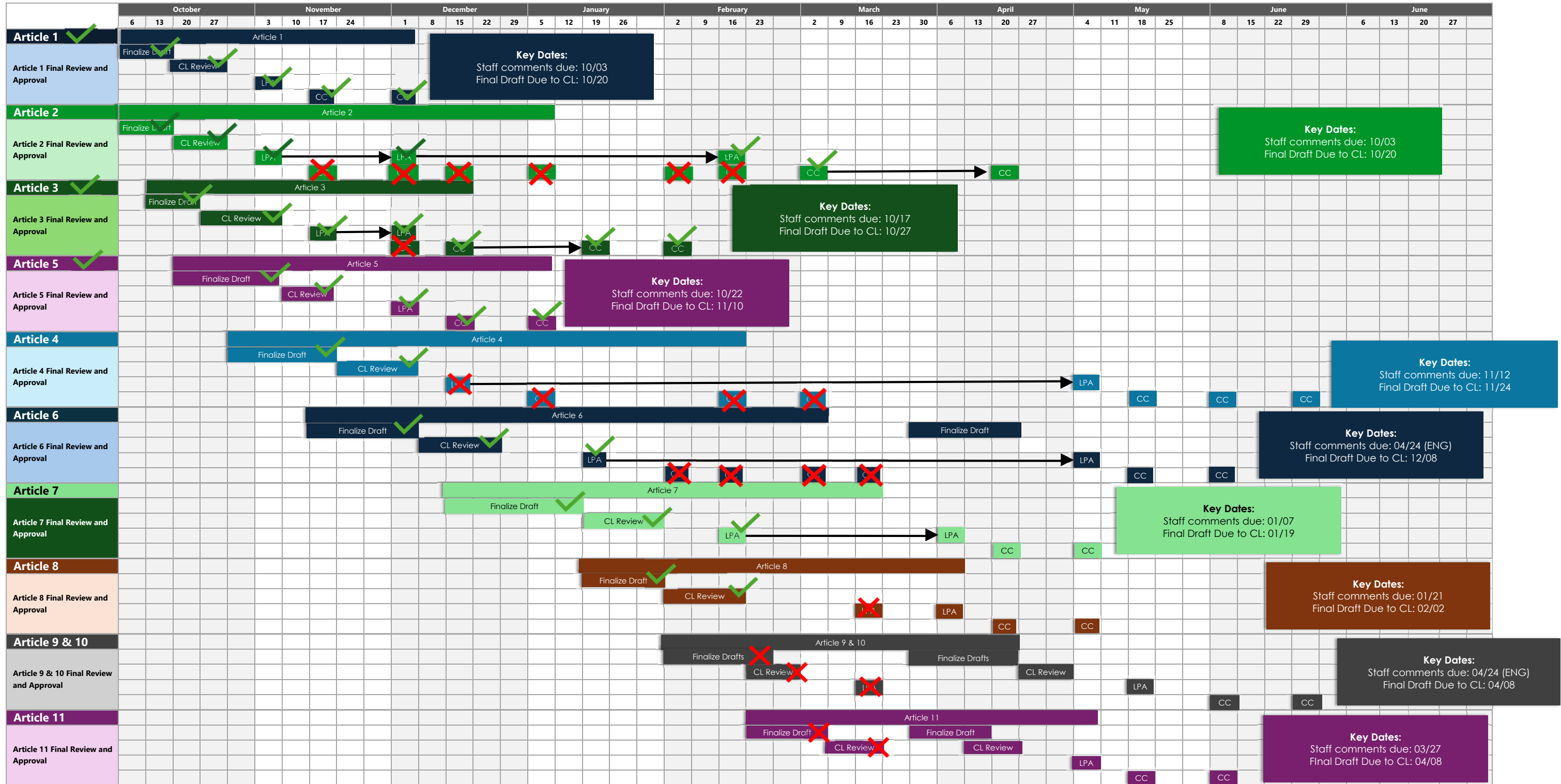
A blue ink signature of Rey Bailey, City Clerk, written over a horizontal line.

**Rey Bailey, City Clerk**

A black ink signature of Bobby Wagner, Mayor, written over a horizontal line.

**Bobby Wagner, Mayor**

# City of Destin LDC Rewrite Approval Timeline



*City of Destin Business Impact Statement – Ord 26-07-LC*

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance:

Ord. 26-07-LC repeals and replaces Article 16 - Signs of the current Land Development Code (LDC) for the City of Destin. It provides updates, clarification, and organization to the regulation of signage within the City of Destin.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City:

There is no expected direct economic impact of the proposed ordinance on private, for-profit businesses within the City of Destin as the City currently has an adopted LDC with signage provisions.

3. Estimate of direct compliance costs that businesses may reasonably incur:

There are no direct compliance costs related with the adoption of this proposed ordinance.

4. Any new charge or fee imposed by the proposed ordinance:

There are no new fees imposed by the adoption of this proposed ordinance

5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

There is no regulatory cost associated with the adoption of this proposed ordinance.

6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

Any business, existing or future will be regulated by the proposed ordinance as well as any amendments to the Land Development Code in the future.