



Billboards and Signs

BCC Workshop June 15, 2021



CHARLOTTE COUNTY
FLORIDA

Billboard Code History

- Previous code had “Class B” signage, which was offsite advertising
- Intent of revisions was to allow for safer more modern signage and relocation due to development
- Numerous discussions with BCC and stakeholders
- Created via Ord. No. 2016-017 on March 22, 2016

What is a “Billboard”

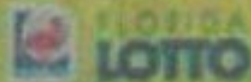
- Sec. 3-9-85.1. - Billboards
 - (b) A billboard is defined as a sign over one hundred fifty (150) square feet in size, or a sign for which a special exception was approved for a class B sign before August 16, 2011, or a sign for which a state permit or license has been issued as an outdoor advertising device pursuant to F.S. ch. 479.

What is a “Billboard”

- Sec. 3-9-85.1. - Billboards
 - (c) All billboards existing as of January 1, 2016, are considered legal non-conforming signs. Said signs can be repaired, refurbished and replaced with a sign of the same dimension in the same location on the same parcel;

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Sec. 3-9-85. - Signs

- *Sign* means any outdoor display comprehensible from a right-of-way using letters, words, figures, symbols, pictures, designs or a combination thereof to advertise, attract attention, indicate direction, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

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Sign Code History

- Major changes to original sign code in 2011, adopted via Ord. No. 2011-033 on August 16, 2011
- Further changes done in 2014 and 2016 to address minor issues
- Major changes done in 2018, adopted via Ord. No. 2018-003 on January 23, 2018

2018 Changes

- Changes to address content neutrality
 - Code was made truly content neutral
- Reed v. Town of Gilbert, Ariz., 576 U.S. 155, 163 (2015)
 - Governments may not "restrict expression because of its message, its ideas, its subject matter, or its content".

2018 Changes

- Cohen v. California, 403 U.S. 15, 26 (1971)
 - Relating to vulgar language, United States Supreme Court affirmed protection
 - “absent a more particularized and compelling reason for its actions, the State may not, consistently with the First and Fourteenth Amendments, make the simple public display here involved of this single four-letter expletive a criminal offense”
- Other communities have used our code language as a model

What we Regulate

- Size
- Location
- Height
- Setbacks
- Time-frames

Additional Signage Standards

- *Additional signs or signage* (as defined herein) means signs that are not permanently attached to the ground, a building or other structure. Such signs are temporary in nature and may be removed easily in the event of an approaching tropical storm or hurricane. Generally, these signs include, but are not limited to, banners, pennants, streamers, wind powered signs, window signs, wind socks, flags and yard signs.

Additional Signage Standards

- No private sign shall be erected, altered or maintained over or upon any publicly owned property or right-of-way.
- *Time.* After March 31, 2018, no more than two (2) display periods in a calendar year shall be permitted. Each display period shall not exceed a maximum of forty-five (45) days.

Additional Signage Standards

- *Size.* The maximum size of the total display shall be thirty-two (32) square feet.

Digital Message Center Standards

- Signs may have either digital or mechanical changeable copy, provided the message is not animated and that the message remains static for a minimum of fifteen (15) seconds between cycles.

Digital Message Center Standards

- No illuminated sign may exceed ten (10) candlepower per square foot, as measured ten (10) feet from the sign, and must shield lights from direct view.

Prohibited Signage

- Any sign that is obscene, such as a sign depicting nudity or sexual conduct.
- Any sign that emits a sound, smell, smoke, or contains flashing lights.
- Any sign where any information flashes, fades, dissolves, or scrolls or signs that move or create the illusion of movement, or signs that are or appear to be animated or projected.

Questions and Discussion