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**TOWN OF HIGHLAND BEACH
ORDINANCE NO**

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AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AMENDING CHAPTER 23, "SIGNS AND ADVERTISING," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 23-5, "PERMITTED SIGNS," TO INCREASE THE MAXIMUM SQUARE FOOTAGE OF A PERMANENT SIGN FROM 10 SQUARE FEET TO 32 SQUARE FEET, TO INCREASE THE MAXIMUM SQUARE FOOTAGE OF AN INGRESS AND/OR EGRESS SIGN FROM THREE (3) SQUARE FEET TO 32 SQUARE FEET AND BY AMENDING SECTION 23-8, "APPEALS," TO PROVIDE AN APPEAL PROCESS FOR GRANTING AN INCREASE IN THE MAXIMUM SQUARE FOOTAGE OF A PERMANENT SIGN; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Highland Beach, Florida, is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, on December 2, 2025, the Town Commission agreed to have the Planning Board review the Town's permanent sign code regulations and to consider other municipal sign codes as well as appropriate standards for maximum sign size, sign colors, sign illumination, sign look, safety of pedestrians and roadways, and an appeal or variance process for granting an increase in the dimensional requirements of permanent signage; and

WHEREAS, on January 8, 2026, the Planning Board provided its recommendation to the Town Commission; and

WHEREAS, on March 3, 2026, the Town Commission approved a motion to have staff draft an Ordinance that allows an increase in the maximum square footage of a permanent sign from 10 square feet to 32 square feet, to increase the maximum square footage of an ingress and/or egress sign from three (3) square feet to 32 square feet, and to provide an appeal process for granting an increase in the maximum square footage of a permanent sign; and

WHEREAS, the Planning Board conducted a duly advertised public hearing on this Ordinance and provided its recommendation on the draft Ordinance to the Town Commission; and

WHEREAS, the Town Commission has determined that the amendments to the Town Code of Ordinances are in the best interest of the Town of Highland Beach.

1 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE**
2 **TOWN OF HIGHLAND BEACH, FLORIDA, AS FOLLOWS:**

3 **Section 1.** The foregoing facts and recitations contained in the preamble to this
4 Ordinance are hereby adopted and incorporated by reference as if fully set forth herein.

5 **Section 2.** Chapter 23, “Signs and Advertising,” of the Town of Highland Beach Code
6 of Ordinances is hereby amended by amending Section 23-5, “Permitted signs,” to read as follows
7 (deleting is ~~stricken through~~ and adding is underlined):

8 **Sec. 23-5. Permitted signs.**

9 (a) *Generally.* Signs are permitted only along the road frontage unless
10 otherwise indicated.

11 (b) *All zoning districts.*

12 (1) In all zoning districts, one entrance (ingress) and one exit (egress)
13 sign is permitted for directing traffic flow. Each sign may be single-
14 faced or double-faced and shall meet Department of Transportation
15 standards, and not exceed 32 ~~three (3)~~ square feet in size. Each sign
16 may be illuminated or non-illuminated as determined by the owner
17 and police department. A permit is required.

18 (c) *All zoning districts.*

19 (1) *Temporary signs.* Shall be as set forth in section 23-9.

20 (2) *Permanent signs:*

21 a. One permanent single-faced or double-faced sign not to
22 exceed 32 ~~ten (10)~~ square feet per face may be permitted.
23 Such sign must be illuminated, but not with intermittent or
24 colored lights or animation. The building official shall
25 review the sign application and a permit is then required. A
26 permit fee shall be charged and will be based upon the
27 construction cost of the sign. The sign may be erected on a
28 base not to exceed one foot six (6) inches in height. The base
29 shall not exceed the dimensions of the sign by more than one
30 foot in any direction. Any person seeking to place a sign in

1 the FDOT right-of-way must obtain written FDOT approval
2 prior to permit issuance by the town.

3 b. A street address sign readily visible from the street is
4 required. Installation of this street address sign is a condition
5 for issuing the certificate of occupancy. No permit is
6 required.

7 c. In the case of intracoastal property, one additional
8 permanent sign identifying the development may be
9 allowed. This additional sign may also be single-faced or
10 double-faced, not to exceed 32 ~~ten (10)~~ square feet per face.
11 It may be illuminated, but not with intermittent or colored
12 lights or animation. A permit is required.

13 d. Tow away signs conforming to state statutes are allowed on
14 private property.

15 e. Whenever a sign requires a permit and is allowed within a
16 setback area, easement, or right-of-way, the person erecting
17 the sign shall be required to execute an agreement with the
18 town.

19 f. *Garishness*: The overall effect of the lettering, configuration
20 or color of a sign shall not be garish. "Garish" signs are those
21 that are too bright or gaudy, showy, glaring, and/or cheaply
22 brilliant or involving excessive ornamentation. Garish signs
23 are not in harmony with and are not compatible with the
24 building or adjacent surroundings.

25 g. *Traffic safety*: No sign shall be located in such a manner that
26 it will become a hazard to automotive or pedestrian traffic
27 nor shall any sign or lighting of a sign be so placed as to
28 obstruct the vision of the driver of any motor vehicle where
29 vision is necessary for safety.

30 h. *Illumination*: Signs may be illuminated directly or indirectly
31 unless specifically prohibited elsewhere in this chapter. In

1 residential zoning districts, all illumination shall be shielded
2 so that the light is not directed toward adjacent residentially
3 zoned property.

4 **Section 3.** Chapter 23, “Signs and Advertising,” of the Town of Highland Beach Code
5 of Ordinances is hereby amended by amending Section 23-8, “Appeals” to read as follows
6 (deleting is ~~stricken through~~ and adding is underlined):

7 **Sec. 23-8. Appeals.**

8 (a) General. The board of adjustment and appeals shall hear and make
9 recommendations to the town commission on sign code appeals requesting an
10 increase in the maximum square footage of a permanent sign (not to exceed
11 72 square feet). Appeals requesting an increase in the maximum square
12 footage of an entrance (ingress) or exit (egress) sign are not authorized.

13 (b) Limitations on authority to grant appeals. As applicable, the board of
14 adjustment and appeals and the town commission shall base their
15 recommendations and decisions on the justifications submitted by the
16 applicant, the considerations for issuance in subsection (c) below, and the
17 conditions of issuance in subsection (d) below. The board of adjustment and
18 appeals and town commission have the right to attach such conditions as they
19 deem necessary to further the purposes and objectives of this chapter.

20 (c) Considerations for issuance of appeals. In reviewing requests to grant an
21 appeal, the board of adjustment and appeals and the town commission shall
22 consider the following:

23 (1) That there is something unique about the building or site configuration
24 that would result in the signage dimension permitted by this chapter
25 being ineffective or inadequate;

26 (2) That the granting of the appeal will not detract from the safety of
27 pedestrians or motorists on the site which it is located or on the
28 adjacent right-of-way; and

29 (3) That the proposed signage is compatible with the architecture of the
30 building and the materials are harmonious with the building design
31 and surrounding landscape materials.

1 (d) Conditions for issuance of appeals. Appeals shall be issued only upon a
2 determination:

3 (1) That the granting of the appeal will not deter the identification and
4 wayfinding for the building and site nor create a negative impact on
5 the aesthetic quality of the site and architecture; and

6 (2) That the granting of the appeal will be in harmony with the general
7 intent and purpose of this chapter, and that such appeal will not be
8 injurious, create nuisances or otherwise be detrimental to the public
9 welfare.

10 (e) Decision of the town commission. A vote of at least four (4) members of the
11 town commission shall be required to grant an appeal, and the town
12 commission's decision on any sign appeal shall be final. The town
13 commission's decision may only be challenged by the filing of a petition for
14 writ of certiorari in the circuit court within thirty (30) days of the town
15 commission's rendition of its written order.

16 (f) ~~If a sign permit application is denied~~ Denial of a sign permit by the building
17 official. With the exception of appeals requesting and increase maximum
18 square footage of a permanent sign as authorized by this section, the board
19 of adjustment and appeals shall hear and decide appeals where it is alleged
20 there is error in any order, interpretation, requirement, decision, or
21 determination made by the building official in the administration or
22 enforcement of this chapter. A request for appeal must be filed with the town
23 clerk within ten (10) business days of the date of the matter being appealed.

24 **Section 4. Severability.** The provisions of this Ordinance are declared to be severable and
25 if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid
26 or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences,
27 clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent
28 that this Ordinance shall stand notwithstanding the invalidity of any part.

29 **Section 5. Repeal of Laws in Conflict.** All ordinances or parts of ordinances in conflict
30 herewith are hereby repealed to the extent of such conflict.

