



TOWN OF HIGHLAND BEACH

AGENDA MEMORANDUM

MEETING TYPE: Town Commission Meeting

MEETING DATE June 16, 2026

SUBMITTED BY: Ingrid Allen, Town Planner, Building Department

SUBJECT: 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

SUMMARY:

At the March 3, 2026 Town Commission meeting, the Commission considered a discussion on increasing the maximum square footage requirements, etc. for permanent signs. Consensus from the Commission was to have staff draft an ordinance to increase the maximum sign area size to 32 square feet for each of the "three (3) existing sign scenarios" in the Town Code of Ordinances ("Town Code"), and to add a process for appeal which would include a recommendation by the Planning Board with a final decision by the Town Commission. Additional discussion by the Commission included consensus on the following item:

- An appeal for an increase in the maximum square footage of a permanent sign shall not exceed 72 square feet.

Table 1 below, provides the Town Code's current maximum sign size for permanent and ingress/egress signs (referenced above as the "three (3) existing sign scenarios"). Also included in Table 1, are the proposed sign dimensions provided by Villa Magna (see below, Additional Item History).

TABLE 1		
TYPE OF SIGN	CURRENT TOWN CODE MAXIMUM SIGN SIZE	VILLA MAGNA'S PROPOSED SIGN DIMENSIONS
Ingress (entrance)/egress (exit)	3 square feet	11 square feet
Permanent ¹	10 square feet	24 square feet (monument sign)
Permanent Intracoastal sign	10 square feet	10.67 square feet

¹ *Permanent sign* means a sign used to identify or name a residence, apartment or condominium building, motel or hotel (Section 23-1 Town Code).

The proposed Ordinance states that the Town's Board of Adjustment and Appeals (BOAA), rather than the Planning Board, provides an advisory review for a sign appeal. Although the latter is contrary to the Commission's direction provided on March 3, 2026, note that Section 30-40(p) of the Town Code states that for appeals of a decision, order, requirement, determination, or interpretation of a Town Official regarding the Zoning Code (Chapter 30), such appeal shall be considered by the BOAA. In addition, the BOAA currently hears and decides requests for zoning appeals and variances (for new and existing single-family homes and existing multi-family units), and makes recommendations to the Town Commission on certain variance requests to the Zoning Code (Chapter 30) and Floodplain Management requirements (Chapter 20, Article VI). Given these established appeal and variance provisions provided in the Town Code, staff suggests that the BOAA provide an advisory review for sign appeals.

Given the direction from the Town Commission (as noted above), the proposed draft ordinance provides the following sign code changes (deleting is ~~stricken through~~ and adding is underlined):

Sec. 23-5. Permitted signs.

* * *

(b) *All zoning districts.*

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

(c) *All zoning districts.*

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

(2) *Permanent signs:*

a. One permanent single-faced or double-faced sign not to exceed 32 ~~ten (10)~~ square feet per face may be permitted. Such sign must be illuminated, but not with

intermittent or colored lights or animation. The building official shall review the sign application and a permit is then required. A permit fee shall be charged and will be based upon the construction cost of the sign. The sign may be erected on a base not to exceed one foot six (6) inches in height. The base shall not exceed the dimensions of the sign by more than one foot in any direction. Any person seeking to place a sign in the FDOT right-of-way must obtain written FDOT approval prior to permit issuance by the town.

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

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

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

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

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

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

h. *Illumination*: Signs may be illuminated directly or indirectly unless specifically prohibited elsewhere in this chapter. In residential zoning districts, all illumination shall be shielded so that the light is not directed toward adjacent residentially zoned property.

Sec. 23-8. Appeals.

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

(b)Limitations on authority to grant appeals. As applicable, the board of adjustment and appeals and the town commission shall base their recommendations and decisions on the justifications submitted by the applicant, the considerations for issuance in subsection (c) below, and the conditions of issuance in subsection (d) below. The board of adjustment

and appeals and town commission have the right to attach such conditions as they deem necessary to further the purposes and objectives of this chapter.

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

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

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

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

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

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

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

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

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

ADDITIONAL ITEM HISTORY:

At the May 14, 2026 Planning Board meeting, a motion to recommend the approval of the proposed ordinance to the Town Commission regarding an amendment to Chapter 23 (motion carried 5-0).

At the January 8, 2026 Planning Board meeting, the Board moved to recommend the following amendments to the Town's Sign Regulations to the Town Commission:

- Increasing the sign size using Boca Raton's sign code as reference.
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- Allowing for a variance procedure for dimensional requirements; and
- Adding in universal rules across all condos subject to the criteria that the sign should fit in with the overall property and the building, and use similar materials.

At the December 2, 2025 Town Commission meeting, Commission consensus was to have the Planning Board review the Town's permanent sign code regulations keeping in mind Villa Magna's request as a real-world example. The Commission's direction to the Board included consideration of the following:

- Appropriate standard for maximum sign size. How large is too large? Should larger condominiums have larger signs?
- Colors and illumination of signs.
- What is the "right" signage look and size for Highland Beach and does it fit the Town's aesthetic.
- Safety of pedestrians and roadway including visibility and site lines.
- Appeal or variance process for signage.
- Review other municipality sign codes.

At the November 4, 2025 Town Commission meeting, a public comment was made by Edward Atamian, President of the Board of Trustees for Villa Magna Condominium, regarding the proposed replacement of permanent signage near the Condo's three (3) driveway entrances located along State Road A1A (see Attachment No. 1). The proposed size of this new signage exceeds the maximum square footage requirements for signage found in Chapter 23 of the Town Code of Ordinances (see Table No.1 above). Consensus from the Town Commission was to add a discussion item on this topic on the December 2, 2025 Commission agenda.

Staff prepared a comparison table whereby permanent sign regulations, as they pertain to multiple-family residential uses, are provided for Boca Raton, Deerfield Beach and Delray Beach (see Attachment No. 2). In addition, the Town's Code Compliance Officer prepared a spreadsheet with the approximate height and width of all current condominium signage (frontage) as well as corresponding photographs of such signs (see Attachment No. 3).

Current Town Code Sign Regulations:

Section 23-5 of the Town Code provides the following size, color, illumination, aesthetic, and traffic safety regulations for permanent as well as ingress/egress signage (see Attachment No. 4 for entire sign code):

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

*- One permanent single-faced or double-faced sign **not to exceed ten (10) square feet per face** may be permitted. Such sign **must be illuminated, but not with intermittent or colored lights or animation**. The sign may be erected on a base not to exceed one foot six (6) inches in height. The base shall not exceed the dimensions of the sign by more than one foot in any direction.*

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

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

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

- Illumination: Signs may be illuminated directly or indirectly unless specifically prohibited elsewhere in this chapter. **In residential zoning districts, all illumination shall be shielded so that the light is not directed toward adjacent residentially zoned property.**

Visibility Triangles:

The Town's Zoning Code (Chapter 30) provides for the following restrictions that apply to signage located within any visibility triangle:

Sec. 30-68(o) Visibility triangles:

(5)Obstructions. Obstructions within visibility triangles are prohibited. The restrictions listed below shall apply to landscaping, bus shelters, benches, newspaper racks, **signs**, and other structures or appurtenances within any visibility triangle.

a.As indicated in Figure 30-4A and Figure 30-4B, **signs**, walls, or landscaping, excluding ground cover, **shall not be located within three (3) feet of either side of an access driveway located within twenty (20) feet of the edge of a pavement of the public street.**

b.Within a visibility triangle, structures, plantings, or foliage shall not be permitted within the clear zone established between the heights of two (2) feet and eight (8) feet above ground level. The clear zone shall be measured from the crown of the abutting roadway, or in the case of an intersection, from the crown of the roadway with the lower elevation. However, clear tree trunks and **supports for street signs**, traffic control signs and traffic signals which meet state and county standards **shall be permitted.** Limbs and foliage of trees and shrubs planted outside the area of a visibility triangle shall not extend into said triangle or clear zone.

c.Parking or vehicular use areas shall not be permitted within a visibility triangle.

Appeals:

According to Section 30-40(a) of the Town Code, a variance only applies to a reduction in dimensional requirements found in Chapter 30 (Zoning Code). As noted above, the sign code is provided in Chapter 23 of the Town Code and therefore a variance is not applicable for permanent signage. Section 23-8 of the sign code does allow for an appeal for a denied sign permit as follows:

Sec. 23-8. Appeals.

*If a sign permit application is denied by the building official. The board of adjustment and appeals shall hear and decide appeals where it is **alleged there is error in any order, interpretation, requirement, decision, or determination** made by the building official in the administration or enforcement of this chapter. A request for appeal must be filed with the town clerk within ten (10) business days of the date of the matter being appealed.*

FISCAL IMPACT:

N/A

ATTACHMENTS:

Ordinance

Villa Magna proposed signage (Attachment No. 1)

Other municipality sign regulations: comparison table (Attachment No. 2)

Height and width of all current condominium signage & photos (Attachment No. 3)

Town sign code (Attachment No. 4)

Town Attorney memorandum: Amendments to the Town's Sign Regulations (SB 180)

Town Commission minutes – March 3, 2026

Business Impact Estimate (BIE)

Ordinance Process flowchart

RECOMMENDATION:

At the discretion of the Town Commission.