



**TOWN OF HIGHLAND BEACH  
ORDINANCE NO. 2026-002**

**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 AND TO INCREASE THE MAXIMUM SQUARE FOOTAGE OF AN INGRESS AND/OR EGRESS SIGN FROM THREE (3) SQUARE FEET TO 12 SQUARE FEET AND 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 directed staff to draft an Ordinance increasing the maximum square footage of a permanent sign from 10 square feet to 32 square feet, increasing the maximum square footage of an ingress and/or egress sign from three (3) square feet to 32 square feet, and providing 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 set forth herein are in the best interest of the Town of Highland Beach.

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

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

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

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

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

(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 12 ~~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.

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

**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) Whether 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) Whether 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) Whether 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.

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

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

**Section 6. Codification.** Section 2 and 3 of the Ordinance may be made a part of the Town Code of Ordinances and may be re-numbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section,” “division,” or any other appropriate word.

**Section 7. Effective Date.** This Ordinance shall be effective immediately upon adoption at second reading.

The foregoing Ordinance was moved by Commissioner Goldberg seconded by Commissioner Peters and upon being put to the vote, the vote was as follows:

| <b>VOTES:</b>                   | <b>YES</b> | <b>NO</b> |
|---------------------------------|------------|-----------|
| Mayor Natasha Moore             | X          |           |
| Vice Mayor David Stern          | X          |           |
| Commissioner Judith M. Goldberg | X          |           |
| Commissioner Donald Peters      | X          |           |
| Commissioner Jason Chudnofsky   | X          |           |

PASSED on first reading at the Regular Commission meeting held on this 16<sup>th</sup> day of June 2026.

The foregoing Ordinance was moved by \_\_\_\_\_, seconded by \_\_\_\_\_ and upon being put to the vote, the vote was as follows:

| <b>VOTES:</b>                   | <b>YES</b> | <b>NO</b> |
|---------------------------------|------------|-----------|
| Mayor Natasha Moore             |            |           |
| Vice Mayor David Stern          |            |           |
| Commissioner Judith M. Goldberg |            |           |
| Commissioner Donald Peters      |            |           |
| Commissioner Jason Chudnofsky   |            |           |

PASSED AND ADOPTED on second and final reading at the Regular Commission meeting held on this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Natasha Moore, Mayor

ATTEST:

**REVIEWED FOR LEGAL SUFFICIENCY**

\_\_\_\_\_  
Lanelda Gaskins, MMC  
Town Clerk

\_\_\_\_\_  
Leonard G. Rubin, Town Attorney  
Town of Highland Beach