

From: [Marshall Labadie](#)
To: [Ingrid Allen](#)
Subject: FW: Temporary Signage Ordinance - Highland Beach needs revision (Strategic Priorities)
Date: Tuesday, February 18, 2025 3:29:46 PM
Attachments: [Signage HB.pdf](#)
[image001.png](#)

FYI



Marshall Labadie, ICMA-CM
Town Manager

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[Working to protect our 3 Miles of Paradise](#)

From: Natasha Moore <nmoore@highlandbeach.us>
Sent: Thursday, February 13, 2025 9:39 AM
To: Marshall Labadie <mlabadie@highlandbeach.us>
Subject: Fw: Temporary Signage Ordinance - Highland Beach needs revision (Strategic Priorities)

Hi Marshall, please include this as an agenda item for the March 4 meeting. I would like you and/or Ingrid to present the item.

Thank you,
Natasha

From: margarita chappelear <maggiechappelear@gmail.com>
Sent: Wednesday, February 12, 2025 9:19 PM
To: Natasha Moore <nmoore@highlandbeach.us>; Marshall Labadie <mlabadie@highlandbeach.us>; Jason Chudnofsky <jason@jasonchudnofsky.com>; Evalyn David <edavid@highlandbeach.us>; Judith Goldberg <jgoldberg@highlandbeach.us>; Don Peters <dpeters@highlandbeach.us>; Lanelda Gaskins <lgaskins@highlandbeach.us>
Cc: margarita chappelear <maggiechappelear@gmail.com>
Subject: Temporary Signage Ordinance - Highland Beach needs revision (Strategic Priorities)

February 12, 2025

I wanted to send the entire commission a presentation that I will hopefully be making at the next Commission Meeting March 4, 2025.

This presentation will be made by a group of residents who are affected by sign pollution on side streets (condo high rises do not have this problem) by temporary signs that are much larger than most municipalities similar and degrade the aesthetic attractiveness of streets where they are prevalent. (side streets/A-1-A). Temporary signs have become permanent in many instances and steps should be taken to minimize the visual clutter they create due to their excessive size and the fact they don't appear to be regulated. Brokers use the max size and do add-on's to maximize their advertisement to the detriment of neighbors.

I have given examples of why we need to address this issue by the commissioners of HB. In today's world, signage is not the most effective way to sell a property. Condo high rises sell without the visual clutter of signage.

Maggie Chappellear
maggiechappellear@gmail.com

Highland Beach, Florida – Code of Ordinances

Chapter 23- Signs & Advertising

Strategic Priority Topic - 2025



INTRODUCTION

I represent a group of residents that would like to ask the Town of Highland Beach to revisit the Ordinance Sec. 23-9-Temporary Signs (b) (c) & (d) that allow for a maximum sign area of **4 Square Feet in size (24" x24")**. Other municipalities similar to Highland Beach (Manalapan, Coral Gables, Palm Beach etc.) have limited their signs to **8" x 5"**, a more discrete and unobtrusive sign size.

Presentation by: Maggie Chappelear





EXAMPLE: Typical realtor temporary sign on the streets of Highland Beach with 24"x24" sign and two added signs with large white post

Sec. 23-9. - Temporary signs.



- (a) *Scope.* Notwithstanding anything to the contrary in the Town's code of ordinances, the provisions of this section shall govern the regulation of temporary signs, and take precedence over any other provisions that pertain to temporary signs unless specifically exempted or excepted herein.
- (b) *Findings of fact.* The town commission finds that the location and maintenance of temporary signs affects the public health, safety, and general welfare of the people of this community, and that in order to preserve and enhance the Town as a desirable community in which to live and do business, a pleasing, visually attractive environment is of foremost importance. The town commission further finds that the regulation of temporary signs within the Town is a highly contributive means by which to achieve this desired end, and that uncontrolled and unlimited temporary signs would degrade the aesthetic attractiveness of the natural and manmade attributes of the community and thereby undermine the economic value of tourism, visitation and permanent economic growth.
- (c) *Purpose and intent.* It is the purpose of this section to promote the public health, safety and general welfare through reasonable, consistent and non-discriminatory standards for temporary signs. The temporary sign regulations in this section are not intended to censor speech or to regulate viewpoints, but instead are intended to regulate the secondary effects of speech, and especially insofar as those secondary effects may adversely affect aesthetics and traffic and pedestrian safety. It is the intent of the town commission that the temporary sign regulations shall provide uniform sign criteria which regulate the size, height, number and placement of signs in a manner that is compatible to the residential, coastal and character of the Town, and which place the fewest possible restrictions on personal liberties, property rights, commerce, and the free exercise of constitutional rights while achieving the Town's goal of creating a healthy, safe and attractive environment that does not contain excessive clutter and visual distraction in rights-of-way and adjacent properties, the surrounding natural coastal environment, historic district and residential neighborhoods. These sign regulations have been prepared with the intent of enhancing the visual environment of the Town and promoting its continued well-being, consistent with the most recent pronouncements by the United States Supreme Court regarding the regulation of temporary signage, and are further intended to:

Source: Municode Website for Highland Beach



Two signs by Elysee Homes sat in front of a multi-family unit for 3 years plus. When the Elysee phone was called on the owner said there were no units for sale and it was for marketing. They since removed one of the signs after various complaints were made by neighbors.

Sec. 23-9. - Temporary signs. (c) *Purpose and intent.* Continued

- (1) Encourage the effective use of signs as a means of communication in the Town;
 - (2) Maintain and enhance the aesthetic environment and the town's ability to attract sources of economic development and growth;
 - (3) Improve pedestrian and traffic safety;
 - (4) Minimize the possible adverse impact of temporary signs on nearby public and private property;
 - (5) Lessen the visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height, and excessive size (area) of temporary signs which compete for the attention of pedestrian and vehicular traffic;
 - (6) Allow temporary signs that are compatible with their surroundings, while precluding the placement of temporary signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs;
 - (7) Encourage and allow temporary signs that are appropriate to the zoning district in which they are located;
 - (8) Regulate temporary signs in a manner so as to not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians;
 - (9) Preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all zoning districts of the town;
 - (10) Protect property values by precluding to the maximum extent possible temporary signs that create a nuisance to the occupancy or use of other properties as a result of their size, height, illumination, brightness, or movement; and
 - (11) Enable the fair and consistent enforcement of these temporary sign regulations.
- (d) *Criteria required for temporary signs.* The criteria for temporary signs are set forth in the table below. A temporary sign is unlawful if it does not meet the criteria established for the zoning district in which the sign is located.

Source: Municode Website for Highland Beach

- Elysee and other Realtors found a loop hole with our town ordinance to place (2) signs on the multi-family property
- The maximums stated on the ordinance exceed what is allowed in other municipalities like ours **(24" x 24")-Highland Beach vs. (8" x 5")-others**
- Ordinance says there is “no limit” to the number of separate messages that appear on the sign.



Town of Highland Beach Summary of Temporary Signs Code of Ordinances Chapter 23-9 (d)

Temporary Signs Design Standards and Limitations

EXPAND

ZONING DISTRICTS	RE,RS, RML,RMM,RMH
Maximum Number of Signs Per Parcel ¹	4
Maximum Sign Area ²	4 sf.
Sign Height Maximum for a Freestanding Sign ³	5 ft.
Sign Height Maximum for a Wall Sign (inclusive of a Window Sign)	15 ft.
Minimum Spacing from any Other Sign (Temporary Sign or a Permanent Sign ⁴)	10 ft.
Aggregate Maximum of Surface Area Allocated for All Sign Messages ⁵	32 sf.

¹ The number of temporary commercial signs per parcel shall be no more than two (2).

² The square footage limitation is per side for a back-to-back sign. For example, a six (6) square foot limitation means that there is a limit of six (6) square feet of surface area per side of a back-to-back sign, and an aggregate limit of twelve (12) square feet is allowed if the sign is a back-to-back temporary sign.

³ Not applicable to signs displayed on flagpoles.

⁴ Not applicable to signs displayed on flagpoles.

⁵ There is no limit to the number of separate messages that may appear on the allowable surface(s) of any temporary sign. The aggregate maximum of surface area allowed is subject to the other limitations or circumstances that may reduce the aggregate maximum of surface area that can be allocated.

Source: Municode Website for Highland Beach

Temporary Sign Code Ordinance (continued) Chapter 23-(e)

FACTS:

- **Condo-Hi Rises do not allow signage**
- **Side streets/A-1-A are impacted visually by signage**
- **Realtor signs have remained on overpriced units for years – no provision for this**
- **Clutter of signs during slow markets**
- **Coral Gables, Manalapan, Palm Beach use smaller signs (8" x 5") for same results**
- **In multi-family buildings on side streets there can be 4-For Sale signs allowed**



There can be as many as 4 signs in a Quad-multifamily building as this with a 24" x 24" size (I've seen 3 at once)

- (e) *Prohibition of temporary signs on public property.* Other than government signs displaying government speech, temporary signs on public property and public rights of way are prohibited unless otherwise allowed within the code of ordinances.
 - (f) *Duration for display of temporary sign.* If a temporary sign pertains to an event, the temporary sign shall be removed within and by no later than three (3) days after the event is concluded.
 - (g) *Display of temporary sign requires permission of real property owner.* A temporary sign on any parcel shall not be maintained if the placement of the same does not have the permission of the owner of the real property.
 - (h) *A temporary sign may not display any lighting and must remain static.* A temporary sign may not display any lighting or illuminations that flash, move, rotate, scintillate, blink, flicker, or vary in intensity or color.
 - (i) *A temporary sign may not incorporate fluorescent color or exhibit fluorescence.* A temporary sign may not incorporate fluorescent color or exhibit fluorescence.
 - (j) *A temporary sign may not obstruct a permanent sign or the vision between pedestrians and vehicles.* A temporary sign may not obstruct the view of a permanent sign as viewed from any public road, street or highway or any public sidewalk, and may not obstruct the vision between pedestrians and vehicles using
 - (j) *A temporary sign may not obstruct a permanent sign or the vision between pedestrians and vehicles.* A temporary sign may not obstruct the view of a permanent sign as viewed from any public road, street or highway or any public sidewalk, and may not obstruct the vision between pedestrians and vehicles using the public right-of-way, including but not restricted to, those meeting intersection visibility requirements.
 - (l) *A temporary sign may display multiple messages.* A temporary sign may display multiple independent messages on any portion of the sign surface of a temporary sign.
 - (m) *A temporary sign is not subject to permitting.* A temporary sign does not require a permit from the town.
- (Ord. No. 14-006, § 2, 7-1-14; [Ord. No. 16-011, § 2, 11-1-16](#))

Source: Municode Website for Highland Beach

Many comparable municipalities in South Florida limit signage maximum to 40 SQ INCHES (8" x 5" as an example) and do not allow massive white poles and add-ons to signs



real estate signage rules for coral gables, florida

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Coral Gables

In Coral Gables, FL, real estate signs **must be a maximum of 5 inches by 8 inches**. They do not require a permit for installation. They may identify the property, owner or agent, and address and telephone number of the owner or agent regarding the premises where the sign is located.

Mar 17, 2017

Palm Beach

permitted yard signs, one sign for each street frontage may be installed flat against the main wall or the building, each such sign not exceeding 20 square feet in area.

(Ord. No. [31-2015](#), § 2(Exh. A), 2-10-16)

Sec. 134-2403. - Sale or rental signs in R-AA, R-A And R-B districts.

Signs pertaining to the sale, lease or rental of property or buildings shall be permitted in single-family dwelling R-AA, R-A and R-B residential districts, subject to the following conditions and restrictions:

- (1) The sign shall read either "open," "for rent," or "for sale," and may include the name of the persons affecting the sale or rental and the telephone number of the owner or agent relative to the premises upon which the sign is located.
- (2) The face surface of such sign shall not be larger than 40 square inches.



- **Chapter 158-Town of Manalapan “Signs” Ordinance is most similar to Highland Beach with very little commercial property**
- **Found on *library.municode.com* website section Chapt 158.01-158.99 an excellent framework to refer to when revising our existing Temporary Sign Ordinance.**

§ 158.33 SIGNS ON RESIDENTIAL LOTS AND LOTS OF RECORD.

- (1) Temporary commercial signs include residential "for sale" signs, "for rent / lease" signs, "open house" signs and related signs. The face surface area of such sign shall not be larger than forty (40) square inches.
- (2) The face surface area of such sign shall not be larger than forty (40) square inches. The supporting member of such sign shall be of a thickness not exceeding one inch by one inch (1" x 1"), shall be installed into the ground to provide that no portion of the sign or any portion of the sign's frame, support or mount shall exceed four (4) feet above the finished elevation of the surrounding ground, and where such sign is suspended from an arm of the support, the thickness of the arm shall similarly not exceed one inch by one inch (1" x 1") and such arm shall not exceed a length of sixteen (16) inches. The entirety of the sign frame, support or mount shall be painted black and shall not be made of, or adorned with, any reflective material.

RECOMMENDATION TO THE BOARD OF COMMISSIONERS BY THE RESIDENTS AFFECTED BY THE CURRENT TEMPORARY SIGN ORDINANCE

- Review and perhaps adopt the Manalapan, Palm Beach, or Coral Gables Temporary Sign Ordinance to help the town rid itself of the visual pollution caused by temporary signs. (Outlined in our Town's Ordinance)
- Adhere to a smaller size sign (40 SQ INCHES) that are found in the ordinances of these similar municipalities and prohibit the current sign standard of 4 SQ FEET (24" x 24")
- High Rise Condos do not allow Realtor signage and units sell by appointment and market units for sale on the internet and direct mail.
- Single Family and Multi-Family units and townhouses do not need large signage and sell by appointment only as well and also market units for sale on the internet and direct mail.
- Too much attention is drawn to our street with large signs that may signal to the public that many units are empty. (Safety/Crime)

Please help us get rid of this mess and
visual pollution!

