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## MEMORANDUM

**TO:** Howey-in-the-Hills Planning Board  
**CC:** J. Brock, Town Clerk  
**FROM:** Thomas Harowski, AICP, Planning consultant  
**SUBJECT:** Sign Code Amendments  
**DATE:** March 18, 2024

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As we have been reviewing code changes to the land development code, The Town Attorney has identified the need to modify the sign code section of chapter five in the LDR to address issues generated by a recent Supreme Court decision on sign regulations. Essentially the court ruled that signs cannot be regulated based on sign content. This concept has been in effect for some time, but the most recent decision on signs has been broadened to impact on temporary signs like political signs, real estate signs, yard sale signs and similar signage. Now the sign may not be regulated separately from other temporary signs if one needs to read the sign to classify it.

The Town can regulate such items as the number, size and location of temporary signs, but we cannot set a different time period for a type of temporary sign since the sign content would have to be analyzed to determine how to classify the sign. Most of the changes offered by the Town Attorney are removing the specifics of different types of temporary signs and replacing them with a generic regulation that sticks to the items that Town can regulate.

The planning board is being asked to review the proposed revisions and make a recommendation on the proposal to the Town Council.