

1851 W. Indiantown Road Suite 100  
Jupiter, FL 33458  
Office: +1 (561) 401-9459



October 14, 2024

SENT VIA E-MAIL ([fdavila@juno-beach.fl.us](mailto:fdavila@juno-beach.fl.us))

Mr. Frank Davila, CFM  
Director of Planning and Zoning  
Town of Juno Beach  
340 Ocean Drive  
Juno Beach, FL 33408

**Subject: Proposal for the Town of Juno Beach  
Zoning Code Text Amendment/ Land Development Regulations (LDRs)  
CMA Proposal No. O24.0769 / 24-0000.P0101**

Dear Mr. Davila,

Chen Moore and Associates (CMA) is pleased to submit this Scope of Services and Fee to provide professional planning services to update the Zoning Code of the Town of Juno Beach.

### **PROJECT INTRODUCTION**

The Town's Planning and Zoning Department has requested a proposal to prepare a Zoning Code amendment including due diligence, code research, writing text and attending public workshops and hearings. The purpose is to provide language to address current zoning code challenges that have been identified by the Town Council and Town Staff.

We are a local planning company located in Jupiter, close to the Town and proficient in writing Zoning Code Amendments. We have an in-depth understanding of the urban character and natural environment of Juno Beach. In 2013, Nilsa Zacarias, Director of Planning for CMA, assisted the Town of Juno Beach with the EAR-Based Comprehensive Plan Amendment. Ms. Zacarias prepared three elements of the Comprehensive Plan: Capital Improvement, Future Land Use, and Intergovernmental Coordination elements.

The CMA planning team has established a strong professional reputation in Palm Beach County as a local company that is deeply rooted in the community. CMA has provided planning services to several coastal municipalities, including the Village of Tequesta (since 2010), Village of North Palm Beach (since 2016), City of Lake Worth Beach (since 2015), Town of Manalapan (since 2010), and Town of Palm Beach (since 2023).

*Additionally, the CMA planning team has a history of collaborating with the Treasure Coast Regional Planning Council (TCRPC) on charrettes, code revisions, and the implementation of land development regulations. As examples of our experience with TCRPC, we recently completed an extended project with Dr. Kim DeLaney; and, we worked with Mr. Dana Little at the charrette that he conducted in Tequesta, and then, we wrote a detail code to implement and reflect the resident's vision as a result of the charrette.*

The subject proposal is based on the information provided by the Town (see Exhibit C), and includes a detailed scope and fee related to each task necessary to amend the existing Land Development Regulations regarding massing of single-family residences, land excavation, temporary signage, and invasive exotic landscaping.

### **PROJECT STAFFING**

Chen Moore and Associates – Land Planners & Civil Engineering

### **SCOPE OF SERVICES**

The scope of services our firm shall provide under this agreement as per our recent discussions and correspondence includes the following tasks:

#### **Task 1. Coordination with Town Staff**

- Consultant will meet with Town Staff for the project kick-off meeting to coordinate scope, project schedule, and deliverables.
- Consultant will meet with Town Staff throughout the project as needed.

#### **Task 2. Due Diligence and Research**

- A. Consultant will research land development code regulations regarding size, scale, height, and building area regulations for single family residential. Due diligence will include code language from local governments such as Town of Palm Beach, City of Lake Worth Beach, Village of North Palm Beach, Village of Tequesta and any other municipality suggested by Town Staff.
- B. Consultant will review the existing excavation permit process and conduct research on excavation impacts on the Town and retaining walls.
- C. Consultant will research the sign code from similar municipalities for real estate signs, snipe signs, and other similar signs.
- D. Consultant will research the existing land development code to address the removal of invasive exotic plant species per the Palm Beach County Code.

#### **Task 3. Writing Text to Amend Zoning Code**

The Consultant will conduct the following Land Development Code Amendments:

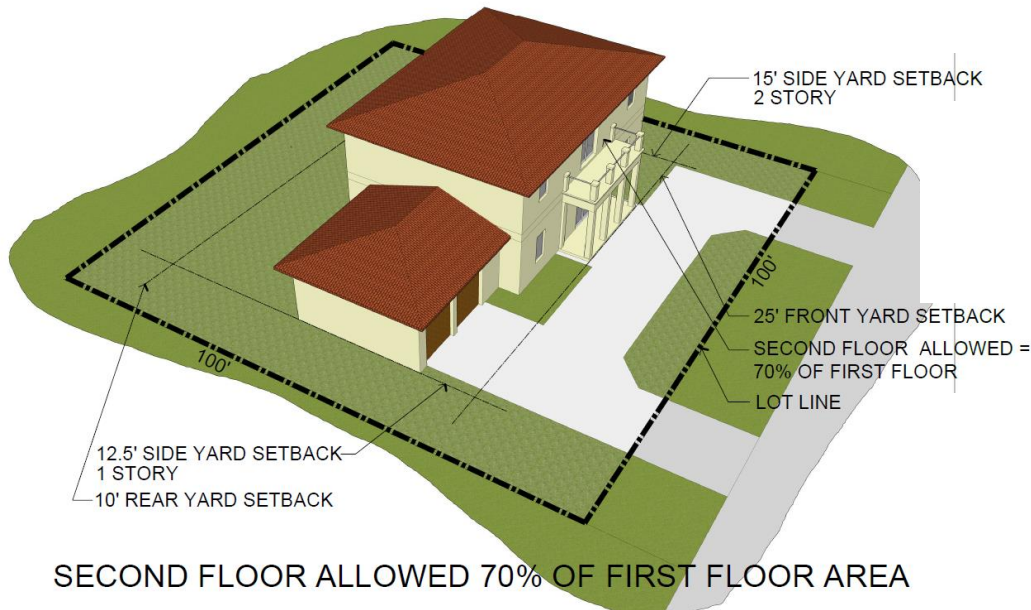
- A. **VOLUME & MASSING OF SINGLE-FAMILY RESIDENCES:** The Consultant will prepare amendments to the Land Development code that address massing, size, scale, and height. The subject amendment may include the preparation of graphics to demonstrate the proposed land development code regulations.

The CMA planning team is proficient in 3D CAD renderings to showcase graphically the different options in terms of volumes and massing for single family residences that will facilitate a visual understanding and build consensus.

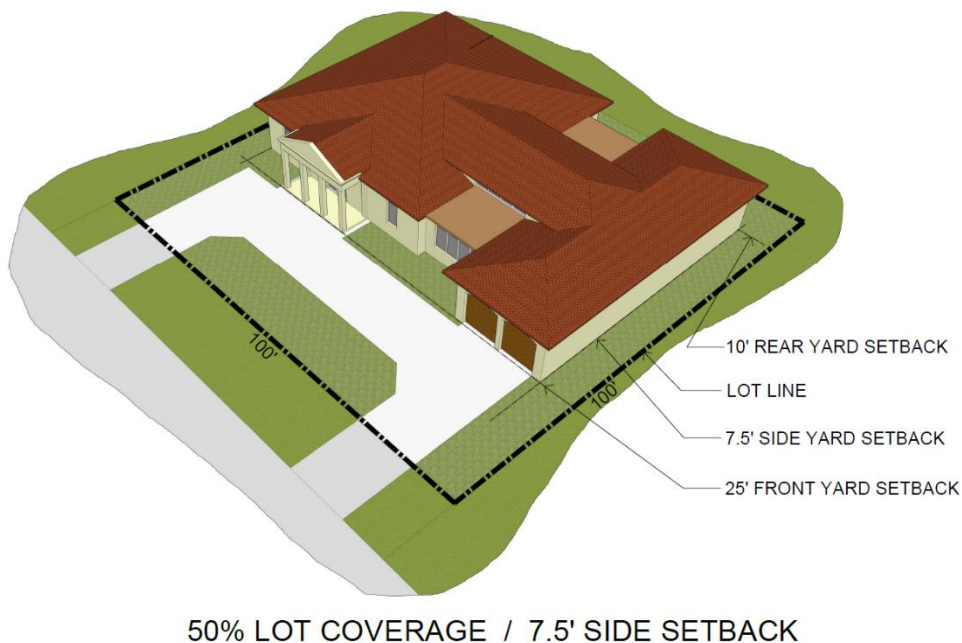
1851 W. Indiantown Road Suite 100  
Jupiter, FL 33458  
Office: +1 (561) 401-9459



The following graphics were prepared for the Town of Palm Beach to address volume, massing, FAR, cubic ratio, off street parking and setbacks for single residential homes in relationship to lot coverage and open space for 1 and 2-story homes.



### ONE STORY REGULATIONS INCENTIVE 50-7.5



1851 W. Indiantown Road Suite 100  
Jupiter, FL 33458  
Office: +1 (561) 401-9459



- B. **EXCAVATION:** The Consultant will prepare amendments to the Land Development code to address excavation, retaining walls, and fill requirements. The CMA team includes civil engineers that are experienced in permitting and related code language.
  
- C. **TEMPORARY SIGN REGULATIONS:** The Consultant will prepare amendments to the Land Development code that address temporary sign regulations. The subject amendment will include the preparation of graphics to demonstrate the proposed sign code regulations. Our planning team is proficient in code language regarding sign codes including temporary and permanent, *we prepared sign code amendments for a number of municipalities including Town of Manalapan, Village of Tequesta and others. Also, we wrote a new sign code for the City of Westlake, a new municipality in Palm Beach County. This subject sign code includes definitions and graphics to reflect the requirements and clarify the text. Please see exhibit D, complete sign chapter.*
  
- D. **INVASIVE EXOTIC REMOVAL:** The Consultant will prepare amendments to the Land Development code to remove invasive exotic plants and update the permitted tree list. The CMA team includes certified landscape architects and arborists with in-dept knowledge of invasive species, Palm Beach County code and Florida natives that will write a code based on best practices and in compliance with Florida Statutes.

#### **Task 4. Public Workshops**

- Consultant will conduct two (2) workshops to present proposed code, listen to comments, gather feedback from the Board and Council, and allow for public input: one (1) with the Town's Planning and Zoning Board and one (1) with the Town Council.

#### **Task 5. Final Approval**

- Consultant will attend the Local Planning Agency hearing for a recommendation of approval.
- Consultant will attend the Council hearing for the first and second reading of the proposed code amendment.

#### **DELIVERABLE AND TIMELINE**

Consultant will provide the Client with Final Text Amendment language within six (6) months of approval of this subject proposal, and receiving a P.O.

#### **FEE SUMMARY**

CMA will provide services for a lump sum amount not to exceed **\$69,550.00**.

Should you have any questions, please do not hesitate to contact me at my office at my cell phone at (561) 758-2252 or send me an electronic message at [nzacarias@chenmoore.com](mailto:nzacarias@chenmoore.com)

Respectfully submitted,

CHEN MOORE AND ASSOCIATES  
Nilsa Zacarias, AICP  
Director of Planning

**1851 W. Indiantown Road Suite 100**  
**Jupiter, FL 33458**  
Office: +1 (561) 401-9459



Attachment(s):      Exhibit A – Work Authorization  
                             Exhibit B – Rate Schedule  
                             Exhibit C – Juno Beach Status of To-Do List  
                             Exhibit D – Example of Sign Code – City of Westlake complete sign code  
                             Exhibit E- Nilsa Zacarias, AICP, Summary Resume  
                             Exhibit F- CMA General Services and Planning Services Flyer

1851 W. Indiantown Road Suite 100  
Jupiter, FL 33458  
Office: +1 (561) 401-9459



EXHIBIT "A"

**AGREEMENT FOR PROFESSIONAL SERVICES - WORK AUTHORIZATION**

Client Name: **Town of Juno Beach**  
Client Contact: **Mr. Frank Davila**  
Client Address: **340 Ocean Drive; Juno Beach, FL 33408**  
Client Phone/Fax: **(561) 586-1634**  
Client E-mail: [fdavila@juno-beach.fl.us](mailto:fdavila@juno-beach.fl.us)  
CMA Proposal No. O24.0769 / 24-0000.P0101

Agreement Date:            October xx, 2024

FEE:    Lump Sum for Professional Services is **not to exceed \$75,000.00.**

RETAINER:            N/A

**The undersigned agree to the attached General Conditions/Provisions which are incorporated and made a part of the current Continuing Services Contract. Any additional requested services will be addressed in a separate agreement.**

**CHEN MOORE AND ASSOCIATES, INC. (CONSULTANT)**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Print Name/Title

\_\_\_\_\_  
Date

**Town of Juno Beach (CLIENT)**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Print Name/Title

\_\_\_\_\_  
Date

1851 W. Indiantown Road Suite 100  
Jupiter, FL 33458  
Office: +1 (561) 401-9459



**EXHIBIT "B"**  
**(Rate Schedule)**

**2023/2024 Hourly Rate Schedule**

<b>Labor Category</b>	<b>Hourly Rate</b>
<b>President</b>	<b>\$550</b>
<b>Principal</b>	<b>\$400</b>
<b>Principal Engineer</b>	<b>\$300</b>
<b>Senior Engineer</b>	<b>\$210</b>
<b>Project Engineer</b>	<b>\$185</b>
<b>Associate Engineer</b>	<b>\$130</b>
<b>Engineer</b>	<b>\$120</b>
<b>Principal Landscape Architect</b>	<b>\$230</b>
<b>Senior Landscape Architect</b>	<b>\$165</b>
<b>Project Landscape Architect</b>	<b>\$125</b>
<b>Associate Landscape Architect</b>	<b>\$110</b>
<b>Senior Landscape Designer</b>	<b>\$110</b>
<b>Landscape Designer</b>	<b>\$95</b>
<b>Principal Planner</b>	<b>\$240</b>
<b>Senior Planner</b>	<b>\$140</b>
<b>Project Planner</b>	<b>\$110</b>
<b>Associate Planner</b>	<b>\$95</b>
<b>Senior Project Manager</b>	<b>\$260</b>
<b>Senior Environmental Scientist</b>	<b>\$160</b>
<b>Senior Designer</b>	<b>\$160</b>
<b>Designer</b>	<b>\$120</b>
<b>Senior Technician</b>	<b>\$110</b>
<b>Technician</b>	<b>\$100</b>
<b>Senior Construction Specialist</b>	<b>\$150</b>
<b>Construction Specialist</b>	<b>\$100</b>
<b>Administrative Staff</b>	<b>\$100</b>
<b>Intern</b>	<b>\$70</b>

**EXHIBIT "C"**  
**Juno Beach Status of To-Do List**

*Provided by Councilmember  
Davis*

**Items Addressed From Current Events and P&Z Board Meeting**

1. Address impacts to neighbors in an "excavation permit" and add similar language to the demolition permit. Retaining Wall permits and set backs required; suggest 4 foot wall with five foot from property line for first and additional 5 feet second wall.
  - a. Address excavation definition – if I run over a sprinkler head with my lawn mower, I want to be able to dig it up without an excavation permit. Replacing annual flowers in a flower bed- I do not want an excavation permit – language is too restrictive to be meaningful with its 6 inches of soil removal being defined as excavation.
2. Address invasive exotic removal as per Palm Beach County Code – outage of 47 residents, code enforcement for property owners to maintain electric power easement – or to have Asplundh (contractor to FPL) perform vegetation clearances.
3. Add a checklist of items to be submitted for Harmony for the comparison of the preponderance of homes within 300 feet – develop a guide for reference for this comparison [example average sizes and allow for percentage increase]. Include 3D GIS scene for comparison of properties.
4. Add code language for evaluation of combined lots for size, mass, etc... of homes; appropriate set backs, open space, and berms with landscaping to prevent the look of massing from the street view
5. Redundancy in systems for recording meetings

**Items Listed to be Scheduled / Agenda items from June meeting:**

1. Subterranean or Underground Parking
2. Tower Height – July agenda – write up agenda item
3. Zoning Inspection Process (?)
4. Amount of Commercial vs. Residential on developable and re-developable sites
5. Return Site Plan Review to Planning and Zoning Board
6. Policy Additional Training Town Council members – League of Cities new council member training vs. League of Cities annual meeting

**Items to be addressed from previous Town Council meetings:**

1. Vegetation – Landscape requirements looking to Palm Beach Gardens, Jupiter and Palm Beach County for comparison

**Pending Items that remain unaddressed:**

1. Horticultural Student from Palm Beach State College to join our staff as an intern



2. Carretta Project Landscape Plan – add Royal Palm Trees to the West side of the driveway on Donald Ross Road to match the East side of the driveway; add approximately 9 Royal Palm Trees on 30-foot centers. Ask for a consensus of Council to have Town Staff address the Developer to correct this landscape need.
3. Agree that the priority is addressing zoning code to Keep Juno Beach, Juno Beach.
4. Agree that the priority is implementing zoning code measures to “Slow Growth.”

**Potential Items to Address in Sustainability Report**

1. Level of Service for Storm water facilities – Is one in five year storm event enough capacity. We need the information regarding how often the one in five year storm event levels are exceeded and consider updating our Level of Service for Stormwater.

Updated on 9/30/24

Green – Completed

Red- Need to do

Purple – Consultant

- **Artificial turf** – discuss the topic regarding lot coverage, drainage, and landscape requirements, and include pervious surfaces.  
  
Discussed at the February PZ meeting. Council gave direction to move forward on this item. To come up at the June P&Z board meeting. Passed 1<sup>st</sup> reading on June TC meeting, passed second reading on July 2024. **COMPLETE**.
- **Discussion on LEED/ Green Buildings Designs.**  
  
At the March PZ meeting, the Board decided not to move forward with this item. **COMPLETE**
- **Demolition notification and standards.**  
  
Continuation from Ord. 764 (previously modified due to S.B. 250). This item will be discussed by the Town Council on first reading at their December 2023 meeting. ORD 781 - This item has been adopted on second reading at the January 2024 TC meeting. **COMPLETE**
- **Harmony Criteria.** Add language about comparison of buildings within 300 ft. radius (previously removed due to S.B. 250).  
  
This item was discussed by the Planning and Zoning Board at their December 2023 meeting. TC discussed it on first reading at their December 2023 meeting. ORD 780 - This item has been adopted on second reading at the January 2024 TC meeting. **COMPLETE**
- **Building Setback criteria for Commercial General Zoning District.**  
  
Discussed at the July 2023, Town Council meeting. Council gave unanimous consensus to proceed with the Planning & Zoning Board's recommendation on applying the additional 5-foot setback for buildings higher than two stories in the Commercial General Zoning District to all commercial buildings no matter what zoning district they are adjacent to and have staff prepare a memo that clearly states the intent of the code to the Department's file for reference. **COMPLETE**
- **Construction Site standards (create new language).**  
  
At the July 2023 Town Council meeting, Council gave unanimous consensus to have staff review the establishment of construction site standards provided by Vice Mayor Wheeler, and to notify council if any information in the form should be implemented.  
  
This item was heard on first reading at the February TC meeting. ORD 783 - This item has been adopted on second reading at the April 2024 TC meeting. **COMPLETE**
- **Parking** – Discussed at the February PZ meeting, recommendation to have Engineer review “the need for on-street parking and emphasizing on multi-family, hotels/motels, and commercial mixed-use designations” .  
  
Discussed at the Feb. TC meeting, Council gave direction to get a quote for the proposed work. At the May 1<sup>st</sup> TC meeting, Council decided not to have the Engineer work on this but have staff work on multi-family parking. Approved by PZ board at the May meeting. At June TC meeting, parking for multi-family passed with an amendment for grandfathered structures. **COMPLETE**
  - Discussion on parking - **NEW 2024 PZ Topic** - focused specifically on single family homes. Redevelopment is coming quickly in our old residential areas and 5–6-bedroom homes

Updated on 9/30/24

Green – Completed

Red- Need to do

Purple – Consultant

are replacing older 2–3-bedroom homes. Think we should move quickly to upgrade our code to help attain our goal of “Keeping Juno Beach Juno Beach” **Discussed at the September 16th PZ meeting, The Board decided to not move forward with any proposed changes. (summary will be provided to Council at a future meeting). COMPLETE**

- Tower Structures adjacent to flat roofs. Discussion on “Would like the possibility of giving more guidelines to the construction of allowable 225 sq. ft. towers in districts where there are currently permitted, especially those going in on flat roofs.” The Board gave consensus to recommend that the Town Council have staff draft language on amending the code to restrict only having enclosed tower features on adjacent flat roofs. At the February 2024 TC meeting, Council gave direction to move forward with staff drafting language on this item. The Board recommended approval of draft language at the June P&Z Board meeting. At the June TC meeting, Council denied the amendment on first reading. **COMPLETE**
- Discussion of Tower Structure Height. **Discussed at the July 2024 TC meeting, Council directed staff to bring “Tower Height standards for each district so that it can be proportional with the neighboring homes specific to each community/district” At the August TC meeting Council request another discussion item to modify their previous request to only include the RH, RM-1, and RM2 zoning districts. Wait for Council’s ranking.**
- Temporary sign regulations (real estate signs, snipe signs, etc.) Discussed at the May P&Z meeting, the Board gave consensus to recommend that the Town Council direct them to review all of the regulations governing temporary signs. (Requires legal review, wait for Consultant).
- Exterior lighting on residential housing and addressing spillover to neighboring properties. Discussed at the June P&Z meeting. The majority of the Board gave consensus to have staff clarify the language for spillage; review the permitted uses for sconces, remove the term “incandescent” in (d); and include a reference chart. This item will require the assistance of an Engineer to create a reference chart.  
  
At January 2024 TC meeting, Council directed staff to move forward with the drafting of the code without the reference chart. Reference chart may be added later.  
  
At the March P&Z meeting Ferguson/Stern made a motion to table Ordinance No. 766, and request that the Town Council provide funding for staff to work with the engineer on creating lighting criteria/measurements to address residential spillover with a view towards eliminating nuisances.  
  
**NEW 2024 PZ Topic – to bring this item back to P&Z for further discussion “limiting intrusive, spillover lighting from family residences” Wait for Council’s ranking.**
- Discussion on Floor Area Ratio. Discussed at the October P&Z Board meeting. Staff received consensus to have staff look into Floor Area Ratio (FAR) in regard to the residential districts in Town. **Wait for discussion on “Regulating the Volume and Massing of Single-Family Dwellings” and Council direction (July TC Meeting).**
  - Discussion on Regulating the Volume and Massing of Single-Family Dwellings. At the July 2024 TC meeting, council gave consensus to “Benchmark other communities for mass, size, scale, height, building area regulations, wall treatment, 2<sup>nd</sup> floor area, floor area

Updated on 9/30/24

Green – Completed

Red- Need to do

Purple – Consultant

ratio, cubic ratio, off street parking for single family homes. Look at the City of Lake Worth, North Palm Beach, and Palm Beach.” staff to verify F.S. 163.3202 Land development regulations. **(stated at TC meeting that this item will be reviewed by the consultant)**

- Discussion of Code Section 34-1084(b) – Landscape Requirements. **Discussed at the December 2022 P&Z meeting. The Board gave consensus to recommend that the entirety of Section 34-1084 Landscape Requirements be reviewed by an expert in code writing who knows landscape planning to propose language to Town Council. In 2024, Council gave staff new direction to benchmark the landscape code with Palm Beach Gardens and other communities. **To be discussed in the OCT PZ meeting, discussion item first to narrow down benchmark criteria.****
- Discussion on wall and fence code. **Discussed at the July 2023, Town Council meeting. Council gave unanimous consensus to obtain a professional to review Chapter 34, which shall include a review of Town Code Section 34-905, Walls and Fences. In 2024, Council gave staff a new direction to review the code and to come back to P&Z without the review of a Geotechnical Engineer. **Wait for Council's ranking.****
- Discussion on Topographical features (fill on properties). **Discussed at the July 2023, Town Council meeting. Council gave unanimous consensus to obtain a professional to review Chapter 34, which shall include a review of the Town's regulations regarding topographical features. **(This item will be reviewed by the consultant).****
- Site Plan Review back to PZ Board. **Discussed at July TC meeting. Create a new Code Section (combine existing Site Plan Criteria and Appearance Criteria) for new Appearance Review Criteria for Single Family homes. "Council gave consensus to send staff their individual recommendations on the site plan and appearance review criteria for single and two-family dwellings by the Planning & Zoning Board and have staff prepare a draft to review at a future meeting." **To be discussed at OCT PZ and TC meeting – proposed draft ordinance.****
- 5-techniques for sound and slow growth in Juno Beach. **(Parking, landscape requirements, setback/lot coverage requirements, incentives for specific type of structure, Eliminating Combination of Arch. Style in Code)**
  - **Limiting Density - NEW 2024 PZ Topic – Discussion on tools to limit density in commercial/residential development projects (parking, setbacks, etc.)**
- Discussion on subterranean parking. **Future Town Council meeting. **(Wait for Council's ranking.)****
- Discussion on Zoning In-progress inspections. **Future Town Council meeting. **(Wait for Council's ranking.)****
- Discussion on non-conforming mechanical equipment and propose language for grandfathered units. **Future Discussion on PZ first meeting. **(Wait for Council's ranking.)****
- Discussion on traffic concerns DRR and US Highway 1.
- Vacation Rental Discussion. **Wait for Council's ranking.**
- Excavation Permit. **Wait for Council's ranking.**

**“Exhibit D”  
Example of Sign Code City of Westlake complete sign code**

1<sup>st</sup> Reading August 26, 2019  
2<sup>nd</sup> Reading September 9, 2019

**ORDINANCE NO 2019-6**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING MANDATORY SIGNAGE DESIGN WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES, ENTITLED “SIGNS”, PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

---

**WHEREAS**, on or about May 3, 2018, the Florida Department of Economic Opportunity provided the City with notice of intent to find the City’s initial comprehensive plan in compliance and the same is now the effective and controlling Comprehensive Plan for the City of Westlake (“Comprehensive Plan”); and

**WHEREAS**, this ordinance is intended to preserve the residential character of the City of Westlake by controlling size, location and use of signs in all zoning districts within the City. It is further intended to protect and promote the general health, safety and welfare of the public, to protect property values and to assist in the safe, economic, and aesthetic development of business within the corporate limits of the City of Westlake, and

**WHEREAS**, the regulations of this chapter shall apply to all signs within the City except vehicular use signage, which will be governed by the Manual on Uniform Traffic Control Devices (MUTCD) issued by the Federal Highway Administration; and

**WHEREAS**, all permanent signs shall be designed and constructed in compliance with applicable building codes; and

**WHEREAS**, it shall be unlawful for any person to erect, repair, alter, relocate, or maintain any permanent sign defined in this division without obtaining a building permit and paying the required fee; and

**WHEREAS**, all signs for which a permit is required, together with all supports, braces, guys, anchors, sign faces, and other structural and nonstructural members, shall be maintained in good condition and appearance and in compliance with applicable building codes.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY FOR THE CITY OF WESTLAKE, FLORIDA, as follows:**

**Section 1. Incorporation:** The above recitals are confirmed, adopted and are incorporated herein and made a part hereof by this reference.

**Section 2. Signs.** The Code of ordinances for the City of Westlake shall contain a chapter entitled “Signs” which code shall contain the provisions as specifically set forth herein.

**CHAPTER 6 SIGNS**

**Section 1: General Provisions**

**Section 6.1 Application.** The regulations of this chapter shall apply to all signs within the city, except vehicular use signage, which will be governed by the Manual on Uniform Traffic Control Devices (MUTCD) issued by the Federal Highway Administration.

**Section 6.2 Purpose and Intent.** The purpose of this division is to create the legal framework for a comprehensive and balanced system of signage to facilitate the effective use of signs as a means of communication in the city and to avoid the visual clutter that reduces traffic and pedestrian safety, property values, business opportunities, and community appearance. With these purposes in mind, it is the intent of this division to enable the fair and consistent enforcement of these sign regulations and to promote the implementation of the city's comprehensive future land use plan. Additionally, it is the intent of this division to provide regulations which achieve the following:

- A. Property value protection.** Signs should not create a nuisance to the occupancy or use of other properties as a result of their size, height, brightness, or movement. Signs shall be in harmony and compatible with the buildings, uses, and other conforming signs in the zoning district.
- B. Communication.** Signs shall not deny other persons the use of sight lines on public rights-of-way, shall not obscure important public messages, and shall not overwhelm or distract the traveling public.
- C. Preservation of community's beauty.** The City of Westlake shall include numerous planned developments with large landscaping buffers consisting of small and large office, retail, residential, and industrial uses, and relies heavily on its natural surroundings and beautification efforts to retain the city's economic viability. This concern is reflected by the active and objective regulation of the appearance and design of signs.
- D. Protection of the public health, safety, and welfare.** It is the specific intent of this division to provide objective, content-neutral regulations of time, place, and manner for signage in the City of Westlake in order to preserve and protect the public health, safety, and welfare.
- E. Regulations Strictly Enforced.** It shall be unlawful for any persons to post, display, change, or erect a sign or sign structure that requires a permit without first having obtained a permit in accordance with city's regulations. Signs or sign structures erected without a valid permit shall be deemed in violation of this chapter, and it shall be mandatory to obtain the applicable permit or remove the sign or sign structure immediately.
- F. Severability where less speech results.** The city council specifically intends that severability shall be applied to these sign regulations even if the result would be to allow less speech in the city, whether by subjecting currently exempt signs to permitting or by some other means. Severability shall apply to Prohibited Signs and Prohibited Sign Locations so that each of the prohibited signs types listed in that section shall continue to apply to be prohibited irrespective of whether another sign prohibition is declared unconstitutional or invalid. Severability shall also apply to Off-Premises signs should a court of competent jurisdiction declare any provision of the unconstitutional or invalid.

**Section 6.3 Definitions** For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**A-Frame Sign.** A sign that is self-supporting and portable with steeply angled sides that meet and are adjoined at the top to form the shape of the letter "A." Two individual signs attached at the

**Section 6.1 Application.** The regulations of this chapter shall apply to all signs within the city, except vehicular use signage, which will be governed by the Manual on Uniform Traffic Control Devices (MUTCD) issued by the Federal Highway Administration.

**Section 6.2 Purpose and Intent.** The purpose of this division is to create the legal framework for a comprehensive and balanced system of signage to facilitate the effective use of signs as a means of communication in the city and to avoid the visual clutter that reduces traffic and pedestrian safety, property values, business opportunities, and community appearance. With these purposes in mind, it is the intent of this division to enable the fair and consistent enforcement of these sign regulations and to promote the implementation of the city's comprehensive future land use plan. Additionally, it is the intent of this division to provide regulations which achieve the following:

- A. Property value protection.** Signs should not create a nuisance to the occupancy or use of other properties as a result of their size, height, brightness, or movement. Signs shall be in harmony and compatible with the buildings, uses, and other conforming signs in the zoning district.
- B. Communication.** Signs shall not deny other persons the use of sight lines on public rights-of-way, shall not obscure important public messages, and shall not overwhelm or distract the traveling public.
- C. Preservation of community's beauty.** The City of Westlake shall include numerous planned developments with large landscaping buffers consisting of small and large office, retail, residential, and industrial uses, and relies heavily on its natural surroundings and beautification efforts to retain the city's economic viability. This concern is reflected by the active and objective regulation of the appearance and design of signs.
- D. Protection of the public health, safety, and welfare.** It is the specific intent of this division to provide objective, content-neutral regulations of time, place, and manner for signage in the City of Westlake in order to preserve and protect the public health, safety, and welfare.
- E. Regulations Strictly Enforced.** It shall be unlawful for any persons to post, display, change, or erect a sign or sign structure that requires a permit without first having obtained a permit in accordance with city's regulations. Signs or sign structures erected without a valid permit shall be deemed in violation of this chapter, and it shall be mandatory to obtain the applicable permit or remove the sign or sign structure immediately.
- F. Severability where less speech results.** The city council specifically intends that severability shall be applied to these sign regulations even if the result would be to allow less speech in the city, whether by subjecting currently exempt signs to permitting or by some other means. Severability shall apply to Prohibited Signs and Prohibited Sign Locations so that each of the prohibited signs types listed in that section shall continue to apply to be prohibited irrespective of whether another sign prohibition is declared unconstitutional or invalid. Severability shall also apply to Off-Premises signs should a court of competent jurisdiction declare any provision of the unconstitutional or invalid.

**Section 6.3 Definitions** For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**A-Frame Sign.** A sign that is self-supporting and portable with steeply angled sides that meet and are adjoined at the top to form the shape of the letter "A." Two individual signs attached at the

top that were not manufactured to be an A-Frame sign shall not be considered to meet this definition.

**Abandoned Sign.** A sign advertising a business, service, or activity that is no longer licensed, no longer has a certificate of occupancy, or is no longer active at that location.

**Accessory sign.** A permanent ground or building wall sign that is permitted under this Code as incidental to an existing or proposed use of land.

**Advertising.** Sign copy intended to directly or indirectly promote the sale or use of a product, service, commodity, entertainment, or real or personal property.

**Animated Sign.** A sign with action or motion using electrical energy, electronic, or manufactured sources of supply or wind-actuated elements, including rotating, revolving, or flashing signs.

**Awning.** An awning is comprised of a lightweight, rigid or retractable skeleton over which an approved cover is attached.

**Awning Sign, Canopy Sign, Roller Curtain Sign or Umbrella Sign.** Any sign painted, stamped, perforated, or stitched on the surface area of an awning, canopy, roller curtain or umbrella.

**Awning Sign** A sign painted on, printed on or attached flat against the surface of the awning. An architectural projection that provides weather protection, identity and/or decoration and is wholly supported by the building to which it is attached.

**Banner Sign.** Any permanent or temporary sign made or constructed of fabric, plastic, or similar materials that contain distinctive colors, symbols, or patterns, and normally is freely waving, temporary in nature, displayed outdoors, and containing commercial or noncommercial advertising, information, or lettering.

**Bench/Shelter Sign.** Any sign painted on or attached to a bus bench or to a bus waiting or phone booth shelter.

**Cabinet Sign.** The structure, usually made of wood, plastic, metal, or some combination thereof, which contains one or more sign faces.

**Changeable Copy Sign.** A sign which is visible from outside a building and which is characterized by changeable copy, regardless of method of attachment of the copy.

**Commercial Sign** means a sign that directly or indirectly, names or calls attention to a business, product, service, or other commercial activity. For purposes of this article, terms such as sale, special, clearance, or other words which relate to commercial activity shall be deemed to be commercial messages. The identification by name of an apartment or condominium development on a residential sign at the apartment or condominium development site shall not be considered a commercial message.

**Construction Sign.** A sign on any building site. This includes signs advertising the builder, contractor, developer, architect, engineer, planner, landscape architect, subcontractors, or other persons or artisans associated with construction.

**Copy.** The linguistic or graphic content of a sign.

**Development Sign.** A temporary sign advertising the sale or rental of structures under construction and located on the site of the project or development.



**Directional Sign.** An on premises sign designed to guide or direct pedestrians or vehicular traffic.

**Directional Signage (in right-of-way).** Any sign permanently or temporarily located within a right-of-way and erected by or with approval of the city or any authorized government agency to denote the following:

1. Signs of routes to any city, town, village, historic place or hospital;
2. Signs directing and regulating traffic;
3. Notices of any railroad, bridge, ferry, or other transportation;
4. Direction of safety of aviators as to locations, direction and landings and conditions affecting safety in aviation; or
5. Signs, notices, or symbols as to the time and place of civic meetings.

**Directional Signage (on private property).** A sign conveying instructions, with respect to the premises on which it is located, including such information as "exit" and "entrance", "drive-in" teller for banks; gasoline pump island direction; or any other improvement required by land development regulations.

**Electric Sign.** Any sign containing electric wiring.

**Flashing Sign.** Any sign used for identification, directional, advertising, or promotional purposes that includes approved lighting fixtures which flash, blink, cut on and off intermittently, and are used as exterior or other signs visible from the public right-of-way.

**Ground Sign.** Any sign that is erected on the ground, when no part of the sign is attached to any part of a building or structure. A ground sign shall be supported by a base no greater than three (3) feet in height or two (2) feet minimum. A sign supported by and affixed to a base comprised of materials of a permanent nature permanently located on or in the ground with such base not to be in excess of two feet of height of surrounding ground level and wholly independent of any building for support.

**Harmful to Minors.** With regard to sign content, any description or representation, any non-erotic word or picture, in whatever form, of nudity, sexual conduct, or sexual excitement, when it:

1. Predominately appeals to the prurient, shameful, or morbid interest of minors in sex, and
2. Is patently offensive to contemporary standards in the adult community as a whole with respect to what is suitable sexual material for minors, and
3. Taken as a whole, lacks serious literary, artistic, political, or scientific value.

**Height of a sign.** The height of a sign shall be measured as the vertical distance from the grade, excluding berms, at the base of the supporting structure to the top of the sign, or its frame or supporting structure, whichever is higher.

**Human Sign.** Any sign or any form of commercial message held by, worn or attached to a human or character (animated, costumed, or otherwise) for the purpose of advertising or otherwise drawing attention to an individual, business, commodity, service, or product. This can also include a person or a live or animated character dressed in costume or wearing a commercial message for the purpose of advertising or drawing attention to an individual, business, commodity, service, or product.

**Identification Monument(s)** have a solid base that the location identification is installed upon. These monument(s) should be designed so that the style of the monument and its base are consistent with the architecture of the buildings on the site. This definition shall include residential pod entry monuments, non-residential pod entry monuments and City entry monuments, these entry monuments are not signs.

**Illuminated Sign.** A sign which contains a source of light or which is designed or arranged to reflect light from an artificial source including indirect lighting, neon, incandescent lights, back-lighting, and shall also include signs with reflectors that depend upon automobile headlights for an image.

**Interior Sign.** A sign inside a building that is not attached to a window or door and that is not visible from the exterior of the building.

**Logo.** Emblem, character, pictograph, trademark, or symbol used to represent a firm, organization, entity, product, or service.

**Marquee.** A structure projecting from and completely supported by a building and which extends beyond the building line or property line and fully or partially covers a sidewalk, public entrance or other pedestrian way.

**Memorial Sign.** A permanent commemorative or historical sign, plaque, inscription, or similar group of symbols that is engraved on a building or a cemetery or that is located at a memorial erected by, or with the approval of, a governmental entity. For purposes of this definition, a memorial includes any particular building, structure, or location intended to honor persons, places, or events.

**Menu Board Sign.** An outdoor sign, including a speaker, associated with a drive-through window or facility, which provides the list of available foods and food prices.

**Menu Sign.** An outdoor display of a restaurant's menu or offerings attached to a wall or façade.

**Mural.** Any figures, designs, pictures, characters, etc. which are painted or adhesively applied directly onto the window or wall of a building or other structure. For purposes of this article, Murals are not signs, so long as they contain no logo, words, or letters, either foreign or domestic. In the event a figure, design, picture, or character, that contains words or letters either foreign or domestic, is painted or otherwise applied directly onto the window or wall of a building, the entire such figure, design, picture, or character is not a mural, but instead is a SIGN, the area of which shall encompass the entire figure, design, picture, and/or character that is applied directly onto the window or wall and not merely the portion containing the logo(s), word(s), or letter(s). For purposes of this article, figures, designs, pictures, characters, etc. which are nailed, bolted, or otherwise attached to a building wall or window are not "applied directly" onto the wall or window of a building and, therefore, are not murals.

**Neon Signs.** Electric signs lighted by long luminous gas-discharge tubes that contain rarefied neon, inert gas or other gases and is visible from outside of a building.

**Non-commercial Sign.** Any sign which does not meet the definition of a commercial sign.

**Non-conforming Sign.** A sign existing at the effective date of the adopting of this chapter which could not be built under the terms of this chapter.

**Non-conforming Sign.** A sign which does not conform to the height, type, setback, size, location, use, operating characteristics, or structural support established as of the effective date of this chapter.

**Off-site Sign.** A sign which advertises or announces merchandise, products, business, goods, entertainment, or services which are not available on the site on which the sign is located. A sign containing a non-commercial message shall not be considered to be an off-site sign.

**On-site Sign.** A sign which advertises only goods, services, facilities, events, or attractions on the premises where the sign is located.

**Obscene Sign.** A sign whose contents meet the judicially established definition of obscenity or that is otherwise considered obscene under Florida Statutes.

**Off-site or Off-premise Sign.** A sign advertising an establishment, merchandise, service or entertainment, which is not sold, produced, manufactured or furnished at the property on which said sign is located.

**Parasite Sign.** Any sign which is hung from, attached to, or is added onto an existing sign.

**Painted Wall Sign.** A sign painted on a wall or on any other surface or part of a building or structure.

**Permit Board.** A temporary freestanding device erected on a construction site for the sole purpose of providing a conspicuous display of and shelter for the permits required for construction service(s) being performed on such construction site. A permit board may also display a contractor name or logo.

**Pole Mounted Banner.** A freestanding sign made of cloth, fabric, paper, non-rigid plastic or similar type of material which is supported by one (1) or more poles, posts, columns, pyramids, street poles, light poles or other extensions from ground level.

**Pole Sign.** A freestanding sign attached to a pole or poles erected directly into the ground.

**Political Sign.** A sign designed and used for the purpose of soliciting support for or opposition to a candidate, proposition, or referendum at a public election.

**Portable Sign.** A moveable sign not secured or attached to the ground, which is manifestly designed to be transported by trailer or on its own wheels, including such signs even though the wheels may be removed and the remaining chassis or support structure converted to an A or T frame sign and attached temporarily or permanently to the ground.

**Principal Tenant.** An occupant of either the entire building or a portion of a building, identified specifically at time of sign construction by the developer to the principal tenant.

**Real Estate Sign.** Any sign installed by a property owner or agent on a temporary basis, advertising the real property upon which the sign is located to be for rent, lease, or sale.

**Right-of-way Banner Sign.** Signage that has letters, illustrations, or drawings that are applied to fabric or vinyl and are attached to a street pole or light pole in the public right-of-way, the placement of which has been properly permitted by the government agency that owns the right-of-way.

**Roof Sign.** A sign placed above the roof line of a building or on or against a roof slope of less than forty-five (45) degrees.

**Sign.** Any exterior identification, description, illustration or device which directs attention to a product, service, place, activity, person, establishment, institution or business; or any emblem, painting, banner, pennant or placard designed to advertise, identify or convey information. Use of merchandise, products, vehicles, equipment, inflated balloons, or the like for directing attention, with or without a printed or written message or advertisement, shall be considered a sign.

**Sign Area.** The background area upon which the sign or advertising is placed.

**Sign Face.** The part of a sign that is or may be used for copy.

**Snipe Sign.** An off-premise sign made of any material, including but not limited to wood, paper, cardboard, plastic, and metal, which is tacked, nail, posted, pasted, glued, or otherwise attached to trees, poles, fences, or other similar objects.

**Special Event(s) Signs.** A temporary sign used to notify the public that a special occasion, a civic, patriotic, or special event of public interest is taking place.

**Sign structure.** Any construction used or designed to support a sign.

**Sign, time and temperature sign.** A display containing numerals alternately showing the time or temperature.

**Temporary Sign.** A sign installed for a limited amount of time, intended to advertise community events, civic projects, political candidacy, political issues, real estate for sale or lease or other special events, and may include banners, flags, streamers, and pennants as approved by the city, or is attached to a wooden, plastic, or similar pole that is stuck into the ground.

**Tiara Sign** 3-D letter sign(s) attached to an awning.

**Traffic Control Signs.** A sign or signal for the control of vehicular, railroad, pedestrian, boat, or bicycle traffic, as authorized by the state or the city.

**Unit.** That part of a multiple occupancy complex housing one occupant.

**Vehicle Signs.** Any sign that is attached or painted or wrapped on a vehicle and/or trailer, parked so as to be visible from and so as to clearly provide advertising visible from the public right-of-way or parked on public property so as to clearly provide a commercial message close to the public right-of-way, unless said vehicle is used by a proprietor or employee of the business for the purpose of commuting between the business location and home or is used in the usual course or operation of a business. Factors to be considered in determining whether a vehicle is used in the usual course or operation of a business shall include, but not limited to, whether the vehicle is operable, whether the vehicle has a current registration in the State of Florida, the vehicle plays in the business, and the frequency with which the vehicle is used in the course or the operation of the business. In addition, any sign that is composed of fabric, paper, or other lightweight material, or wood (unless the wood is an integral part of the vehicle itself), or that is physically supported by a motor vehicle, but not applied directly to the surface of the motor vehicle, or that is attached to the vehicle in such a manner as to constitute a safety hazard if the vehicle were to be driven with the sign in place, such as signs located so as to impair the vision of the driver of the

vehicle or insecurely mounted so as to present a danger of falling off the vehicles while it is being driven, shall be presumed to be a vehicle sign. Further, any sign bearing a commercial message that is attached to or painted on a vehicle and/or trailer which is routinely parked or otherwise located on a site or sites other than that at which the firm, product, or services advertised on such sign is offered shall be presumed to be a vehicle sign.

**Wall Sign (flat wall sign).** A sign installed, attached, or otherwise affixed parallel to the wall or façade of a building.

**Window Sign.** A sign painted, etched, or wrapped on a window. Includes inside signs adjacent to a window and intended to be viewed from the outside.

## Section 2: NONCONFORMING SIGNS

**Section 6.5 (1) Retention of Existing Signs.** Every legal sign existing and lawful as of July 31, 2019, and which is a type of sign not permitted in this chapter or is not consistent with the requirements of this chapter shall conform to the requirements of this chapter within two years.

(2) **Annexation.** Signs on property annexed into the City are subject to the following requirements. Any permanent sign existing on property annexed into the city, that does not conform to the requirements of this chapter, but were lawful at the time of annexation, shall be removed, or otherwise brought into compliance, no later than two (2) years from the date the property is annexed into the city.

(3) **Temporary Non-Conforming Signs.** Temporary signs which are not permitted by this chapter shall be removed within sixty (60) days from the date of adoption of the comprehensive land use plan amendment which pertains to such property.

**Section 6.6 Removal of Nonconforming Signs.** All nonconforming signs shall be removed immediately by the property owner, except:

(1) **Existing Residential Signs.** All existing residential pod entry signs approved by the city council are exempt from these provisions.

(2) **Certain Nonconforming Signs.** Signs made nonconforming by sign regulation revisions are subject to the nonconforming structure provisions of chapter 6, Section 6.7.

**Section 6.7. Amortization.** The time period provided in this chapter is three years for the purpose of amortizing the costs of a sign created or existing on or prior to adoption of the ordinance from which this section originally derived by virtue of lease of location or sign space, or through annexation into the city.

### Section 6.8. Permits Required, Fees, and Revocation

**A. Building Permit Required:** It shall be unlawful for any person to erect, repair, alter, relocate, or maintain any permanent sign defined in this division without obtaining a building permit and paying the required fee where a building permit is required.

**B. Revocation:** The building official is authorized to revoke any building permit if a sign is erected or installed that does not comply with the requirements of this section.

**C. Maintenance and Inspection:**

(1) **Maintenance.** All signs for which a permit is required, together with all supports, braces, guys, anchors, sign faces, and other structural and nonstructural members, shall be maintained in good condition and appearance and in compliance with applicable building codes. The city may order the removal of any sign that is not maintained in accordance with this section. The removal shall be at the expense of the owner or lessee. Examples of unacceptable maintenance and repair include the following:

- a. Cracked, ripped, or peeling paint present on more than ten (10) percent of the surface area of a sign;
- b. Bent, broken, loose, or otherwise insufficiently attached supports, struts, or other appendages;
- c. Partial illumination for more than fourteen (14) days;
- d. Obstruction of sign face by weeds, vines, tree branches, or other vegetative matter; and
- e. Maintaining a position that is more than fifteen degrees (15°) from vertical for more than ten (10) successive days.

(2) **Inspection.** The building official and/or code enforcement officers shall re-inspect all signs erected within the city as often as deemed necessary.

**D. Design Requirements:** All permanent signs shall be designed and constructed in compliance with applicable building codes. All electric wiring shall be installed underground, within building walls, or otherwise located so as not to be visible.

**Section 6.9. Master Sign Plan**

**Section 6.9 Master Sign Plan.** The City Council, at the time of development order or site plan approval or amendment, may waive one or more of the requirements of this chapter as part of a master sign plan. A master sign plan may be considered for two or more signs.

- (A) The City Council may vary the size, setback requirements, number, and type of signs as part of a master sign plan application, provided the city council determines an application complies with the general intent and purpose of this chapter.
- (B) The Planning and Zoning Director may require any development order application for a PD, Civic, or conditional use application to include an overall Master Sign Plan. It shall not be a requirement to know all tenants at the time of submittal of the Master Sign Plan.
- (C) The master sign plan shall indicate location, number, size, font, color, type of sign, landscaping, and illumination of proposed sign(s). The Master Sign Plan shall be guided by the purpose and intent section of this chapter. Application for a master sign plan shall include the following:
  - (1) An overall plan identifying location of all proposed signs on the parcel, except window signs.  
The location of window signs may be included, but it is not mandatory.
  - (2) The layout of all proposed signs including:
    - (a) Elevations plans drawn to scale and depicting all permanent signs placed or to be placed on the building on the parcel.

- (b) A plan, drawn to scale, indicating the location of all permanent freestanding signs erected or to be erected on the parcel, including setbacks; depicting the sign type, dimensions, color, style, material, and copy area; and the method of supporting the signs;
  - (c) For signs providing for more than one (1) occupant, the amount of sign area allocated for each occupant shall be indicated.
  - (d) The types of illumination to be used for each type of sign.
  - (e) Method of attachment for all signs placed or to be placed on the building or the parcel.
- (3) A calculation of copy area for each individual sign.
  - (4) The placement of signs on the building(s).
  - (5) A deviation table on drawing identifying deviations from the requirements of this Chapter.
- (D) Once the Master Sign Plan has been approved for a parcel, the criteria shall apply to the entire parcel shown on the master sign plan, as well as to each individual owner or occupant, and shall remain as long as the building(s) exist, regardless of change of ownership, management, or occupancy. No permanent sign permit shall be issued contrary to the master sign plan, unless a new master sign plan has been submitted and approved by the Planning and Zoning department and/or city council as applicable. When renovations to existing buildings include changes to an existing master site plan, all signage must meet the requirements of the amended master plan within one (1) year after the issuance of the first certificate of occupancy for the renovations.

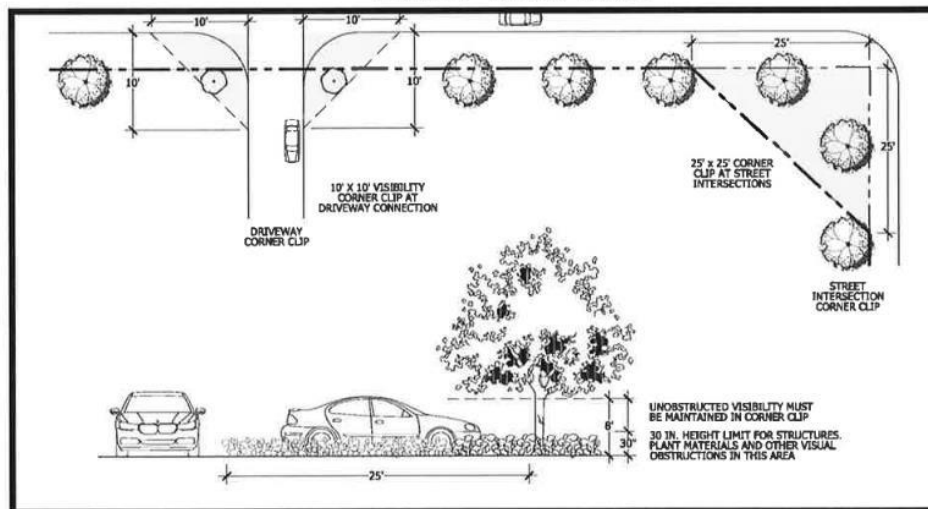
#### **Section 6.10. Removal of Signs**

- A. Removal of Abandoned Signs.** Any sign which no longer is used to advertise a licensed business or a product sold on premises shall be removed by the owner of the property, building, or structure upon which the sign is located within ten (10) days after written notification from the building official. Upon failure to comply with the notice within the time specified in the order, the building official is authorized to cause removal of the sign.
- B. Removal of Unsafe Signs.** If the building official determines any sign regulated in this division is unsafe, insecure, a menace to the public health, or constructed, erected, or maintained in violation of this division, a written notice of such determination shall be provided to the property owner. The owner of the property has ten (10) days following receipt of the written notice to remove, repair, or otherwise alter the sign to comply with this chapter. If the sign is not removed, repaired, or otherwise altered to comply, the building official is authorized to cause the necessary removal or improvements at the expense of the owner of the property. The building division shall cause any sign that is an immediate peril to persons or property to be removed summarily and without notice.
- C. Owner to be charged for cost of removal by city.** When the city has caused or paid for the removal of a sign, any expense associated with the sign removal shall be paid by the owner of property on which the sign is located. The cost of removal shall include accrued interest at the rate of ten percent (10%) per annum from the date of the completion of the work.

**Section 6.11. Obstructions** Signs shall not be erected, installed, constructed, attached, or maintained so as to serve as an obstruction as noted below.

- A. **Ingress and Egress.** A sign shall not block any fire escape, or any window, door, or opening used as a means of ingress or egress.
- B. **Fire Escapes and Ventilation.** A sign shall not be attached to a fire escape or be placed in such manner as to interfere with any opening required by the building code for ventilation.
- C. **City Property.** Permanent signs shall not be allowed on city property or rights of way within the City unless specifically authorized by the City Council. Temporary signs may be placed on City property or rights of way with permission from the Planning and Zoning Director or designee. Any signs not authorized on city property or rights of way shall be immediately removed by the city, and the cost of such removal shall be borne by the parties responsible for the installation.
- D. **Other Governmental Agencies.** Other governmental entities which have jurisdiction and control of public rights of way may install signs within such rights of way. Any signs that are not authorized on such rights of way shall be immediately removed by the city or governing agency, and the costs of such removal shall be borne by the parties responsible for the installation.
- E. **Visibility Triangles (Corner Clips).** A sign shall not be placed in such a manner as to obscure sight lines within a visibility triangle at the intersection of two (2) roads or a road and a private driveway in accordance with the City's intersection regulations. No sign located within a visibility triangle shall exceed thirty (30) inches in height as measured from the surface of the nearest vehicular traffic area. The visibility triangle at the intersection of a road and a private driveway shall extend 10 feet by 10 feet, as illustrated in Figure 6-1. The visibility triangle at the intersection of two roads shall be 25 feet, as illustrated in Figure 6-1.

Figure 6-1 Visibility Triangle





**Section 6.12 PROHIBITED SIGNS AND PROHIBITED SIGN LOCATIONS**

**Section 6.12. General.** The signs described below, unless otherwise provided in this section, are prohibited and shall not be installed or constructed within the city.

**Section 6.13. Off-Premise Signs.** Off-site or off-premises signs are prohibited, unless approved for a Master Sign Program which shall be approved by the City Council or unless placement of the sign is authorized by the owner of the property on which the sign will be placed, and the sign is reasonably intended to inform as to the location or existence of a residential community, commercial business, commodity, service, product, or activity not otherwise visible from the road adjacent to the proposed sign. Off-site or off-premises signs are signs that direct attention to a residential community, commercial business, commodity, service, product, or activity not conducted, sold, offered, or available on the premises where such sign is located, the copy of which may be intended to be changed periodically.

**Section 6.14. Traffic Regulation Signs.** Any sign which resembles, is similar to, or may be confused with any sign or device to control vehicular, bicycle, or pedestrian traffic is prohibited.

**Section 6.15. Obstruction of Vision.** Any sign installed or erected in a location, or at a street intersection, or in any street right of way so as to obstruct free and clear vision is prohibited.

**Section 6.16. Prohibited Sign Characteristics.** Only passive-type signage shall be permitted. Unless otherwise permitted, signs which incorporate animation or flashing lights, movement or motions caused by the wind, electrical, or mechanical means, flashing messages, or other real or apparent forms of motion are prohibited.

**Section 6.17. Prohibited Illumination.** Illumination of signs utilizing flashing, intermittent, rotation, revolving, oscillating techniques is prohibited.

**Section 6.18 Other Prohibited Signs.** In addition to the prohibited signs listed hereinabove, the following signs are also prohibited in the City:

- (1) Awning signs, unless otherwise provided herein;
- (2) Bunting, pennants, streamers, and other similar signs or devices normally but not always installed in a series, designed to move with the wind, and usually attached to buildings, trees, ropes, poles, and similar structures; provided, however, the use of pole-mounted banners may be permitted in accordance with Section 14, Pole-Mounted Banner Criteria;
- (3) Murals;
- (4) Painted wall signs;
- (5) Signs created by illumination or shadow casting;
- (6) Changeable copy signs, with the exception of the following, which may be displayed as set forth in this division:
  - a. Gasoline price signs located on pump islands or on monument signs;
  - b. Menu pricing signs;
  - c. Building directory signs; and
  - d. Ground signs for government uses, public/private schools, and colleges/universities located in public/institutional zoning districts;

- e. Performing Arts and Movie Theater Marquee signs.
- (7) Portable signs;
- (8) Balloons, balloon signs, or inflatable shapes or figures with or without copy;
- (9) Copies or imitations of official signs;
- (10) Beacons or searchlights;
- (11) Signs attached to an accessory structure;
- (12) Signs which emit sounds;
- (13) Exposed neon tubing, neon signs, and LED signs that emulate the general appearance of traditional neon signs, except as provided in Section 6.30, Illumination.
- (14) Signs which emit visible smoke, vapor particles, or odor;
- (15) Sandwich board, "A"-frame, and pole signs, except as otherwise provided herein;
- (16) Signs which express obscene, pornographic, or illegal messages or material, or signs harmful to minors;
- (17) Snipe signs attached, posted, located on or to or posted on, any tree, light pole, utility pole, light, sidewalk, curb, fire hydrant, bridge, on public property, except for public utility, convenience, and warning signs;
- (18) Signs placed upon benches, bus or transit shelters, or waste receptacles, unless specifically approved by the city council;
- (19) Signs and sign structures which are not properly maintained or have been abandoned;
- (20) Parasite signs;
- (21) Roof signs with the exception of parapet signs on permanent ground floor canopies.
- (22) Box Signs
- (23) Cabinet Signs; and
- (24) Any other sign, device, or equipment not specifically permitted by this division.

**Section 6.20 Permitted Signs**

Permanent signs shall be permitted as indicated in Table 6-1.

**Table 6-1 Permitted Signs**

Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions <sup>1</sup>	Additional Requirements
City Entry Identification Monument	60 sq. ft.	1	2 per access point	See Figure 6-2	Permitted only within 500 feet of the City boundaries at access points.

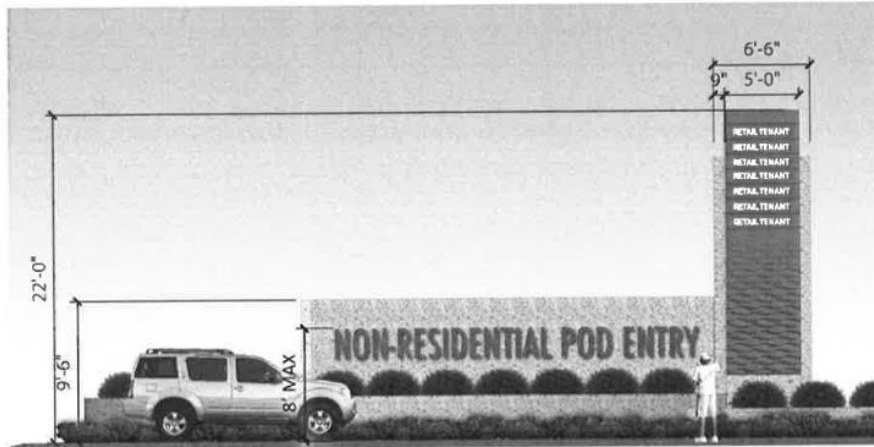
Figure 6-2: City Entry Monument



Table 6-1 Continued

Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions <sup>1</sup>	Additional Requirements
Non-Residential Pod Entry Monument	60 sq. ft.	1	2 per access-way	See Figure 6-3	Two 60-sq. ft. copy areas permitted per sign: 1. one for pod identification on horizontal structure, and 2. one for tenant names on the vertical totem. Graphics and logos are prohibited on the vertical totem.

Figure 6-3: Non-Residential Pod Entry Monument



Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions <sup>1</sup>	Additional Requirements
Residential Pod Entry Monument	60 sq. ft.	1	2 per access-way	See Figure 6-4	For pod name only.  Logos and graphics may not be larger than 30% of copy area occupied by text.

Figure 6-4: Residential Pod Entry Monument



Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions <sup>1</sup>	Additional Requirements
<b>Alternate Residential Pod Entry Monument</b>	60 sq. ft.	1	1 per Pod	See Figure 6-5	By master sign plan application only. Permitted only in lieu of 2 Pod Entry Monuments Minimum 80 ft. setback from nearest property line. May include Pod Name only. Logos and graphics may not be larger than 30% of copy area occupied by text.

Figure 6-5: Alternate Residential Pod Entry Monument Measurements

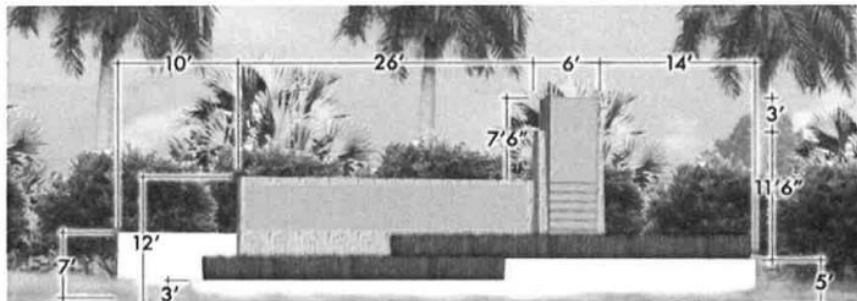
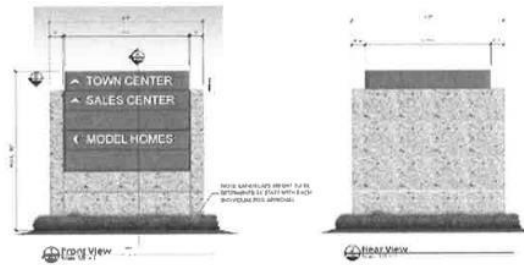


Figure 6-5: Alternate Residential Pod Entry Monument View



Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions <sup>1</sup>	Additional Requirements
<b>Directional Sign in Public ROW</b>	24 sq. ft.	2	As approved by Master Sign Plan	See Figure 6-6	Text shall be uniform color. Graphics and Logos are limited to 20% of the copy area. Maximum 1 for 500 feet of lineal of right-of-way.

Figure 6-6: Directions Sign in Public ROW



Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Additional Requirements
<b>Directional Sign on Private Property</b>	16 sq. ft.	2	Two (2) per access entry	Min. 4-inch letter height, including lowercase letters. Min. 10 feet setback from property line. Graphics and Logos permitted.

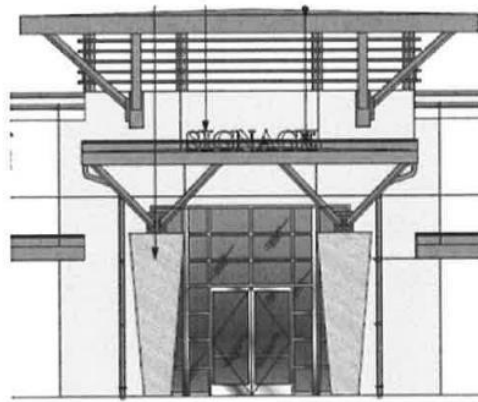
Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions <sup>1</sup>	Additional Requirements
<b>Ground Sign for Commercial Buildings within Pod<sup>2</sup></b>	60 square feet	2	1 per access entry for lots with a minimum of 200 lineal feet of ROW. Plus 1 for each additional 700 lineal feet of ROW.	Height: 8 feet Width: 15 ft. (Dimensions include base) Min. sign width must equal 50% of sign height. Maximum area 120 sq. ft. including decorative elements.	Requires solid base with a height equal to at least 30% of overall sign height or 2 ft. whichever is greater. Sign copy is prohibited on the base except for information as regulated by Temporary Signs Section. [See Sec. 12.B(9) c.] Sign copy not to exceed building identification and/or six (6) tenants (not including leasing information) per sign face. Min. 4-inch letter height, including lowercase letters. Min. 10 feet setback from ROW. Min. distance of 60 feet required between ground signs. Address numbers must be a min. of 6 inches in height located above copy area.
<b>Tenant-Specific Directional Sign</b>	4 sq. ft.	2	Per approval as needed	Max. height: 4 ft.	Exempt from sign-base requirements. No advertising copy. Logos not more than 50% of copy area permitted by master sign plan only.

Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions <sup>1</sup>	Additional Requirements
<b>Gas Station Price Signs</b>	20 square feet	2	1	Maximum height: 8 ft. Maximum area: 80 sq. ft. including decorative elements	May be integrated into another ground sign. May include changeable copy. Electronic changeable copy for fuel pricing information permitted up to 50% of the sign copy area.
<b>Menu Board for Drive-Through Facilities</b>	20 square feet per board	2	2 per establishment	Height: 6 feet Width: None	For menu/price information only. Internal illumination only. May include manual or electronic changeable copy. May have remote or electronic communication service. Exempt from landscaping and irrigation requirements.
<b>Canopy Directional signs for drive-through facilities</b>	3 square feet	1	1 sign per drive-through lane plus 1 "clearance height sign"		Must be located on drive-through canopy. Max. letter height: 8 inches. Uniform type, style, color, material, and shape, etc. Must be compatible with building style.



Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions <sup>1</sup>	Additional Requirements
<b>Ground Floor Permanent Canopy Sign</b>	Max. 80% of width of façade of canopy.  Max. letter height: 24 in.  Max. 24 square feet	1	1	24 sq. ft.	

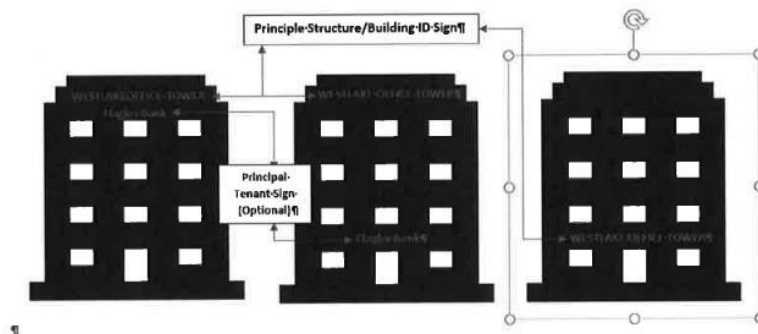
Figure 6-7: Ground Floor Permanent Canopy Sign



Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions <sup>1</sup>	Additional Requirements
<b>Enter and Exit Signs</b>	4 square feet	2	1 per approved entry or exit.	Height: 3 feet	<p>Max. 3 feet above crown of paving or road.</p> <p>Signs located within a visibility triangle shall not exceed 30 inches in height measured from the surface of the nearest vehicular traffic area.</p> <p>Min. 2 feet from property line.</p> <p>Copy limited to EXIT, ENTRANCE, EXIT ONLY, etc.</p> <p>Internal illumination only.</p> <p>Shall be located in landscaped area [including grass or mulch].</p>
<b>Projecting ID Signs</b>	6 square feet	2	1 per tenant	N/A	<p>May be suspended from soffit or eave.</p> <p>Must be perpendicular to the building facade.</p> <p>Shall not project more than 36 inches from building façade or into a vehicular use area.</p> <p>Min. clearance of 8 feet from bottom of sign to top of walkway.</p> <p>Located at main or secondary entrance.</p> <p>May be externally illuminated.</p>

Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions <sup>1</sup>	Additional Requirements
Wall Sign for Principal Structure or Building Identification or Principal Tenant	90 square feet	1	One set of 2 signs [Principal Structure or Building name and Principal Tenant name] on façade(s) fronting ROW	N/A	<p>Sign(s) must be located at top of building, and/or below second floor line.</p> <p>Sign letters shall not exceed 36 inches in height including lowercase letters.</p> <p>Sign for building and tenant identification purposes.</p> <p>Each building is allowed a principal tenant wall sign.</p> <p>Maximum 1 name or message per sign.</p> <p>Sign(s) shall not exceed 80 percent of the width of the building, with a minimum of 10 percent clear area on each outer edge of the building.</p>
Wall Signs for Multi-Tenant Office Buildings with Common Entrance	—	—	—	—	<p>Signage limited to Principal Structure or Building Identification and/or Principal Tenant only.</p> <p><b>Individual tenant signs prohibited.</b></p>

Figure 6.8



Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions <sup>1</sup>	Additional Requirements
<b>Wall Sign for Residential Building Identification</b>	16 square feet	1	1 front façade 1 rear façade	N/A	
<b>Wall Sign for Ground Floor Uses with Separate Entrances at Ground Level</b>	Max. 80% of width of façade of the tenant space or bay.  Max. 70 square feet.	1	1 per tenant space or bay.  Except a tenant space or bay with double frontage shall be permitted 1 additional wall sign.	None	Sign must face ROW or be over the primary entrance.  Maximum letter height 24 inches.  Maximum 2 lines of copy.  Signs shall not be located above second floor line or above building parapet.
<b>Window Signs</b>	Maximum 20% of each glass window or glass door area.	1	None	None	Signs allowed in ground floor windows/doors only.  All sign materials must be permanent: paper, cardboard, cling film, etc., are prohibited except as provided in Section 12, temporary signs.  Any interior sign either hung within two feet of a window/door or attached to a display or other structure within two feet of a window/door shall be considered a window sign.  Nonresidential multi-tenant uses shall submit a master sign plan application that includes all window signs and non-advertising window markings.

Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions <sup>1</sup>	Additional Requirements
<b>Menu Sign (Wall-Mounted)</b>	4 square feet	1	1 per restaurant	None	<p>Must be attached to wall.</p> <p>Must be framed or matted.</p> <p>Not included in area for window signs.</p> <p>Enclosed in frame or casing compatible with building design and color.</p> <p>Casing shall not project more than 2 inches from wall.</p>
<b>Building Directory Sign</b>	18 square feet	1	1 per building	Height: 6 feet Width: None	<p>2 or more buildings on same parcel or development.</p> <p>Internal illumination only.</p> <p>Located within a 25-foot radius of main entry to building.</p> <p>May be a changeable copy sign.</p> <p>Shall be placed in landscaped area.</p> <p>Vehicle pull-off may be required.</p>
<b>Changeable Copy/Digital Display Ground Sign<sup>2</sup></b>	60 square feet	2	1	Height: 10 feet Width: 15 feet (Dimensions include base) Min. sign width must equal 50% of sign height.	<p>Only allowed for government uses, public/private schools, and colleges/universities in public/institutional zoning districts, and places of worship in permitted districts.</p> <p>Requires solid base not less than three feet high w/out sign copy.</p> <p>Min. 15 feet setback from ROW.</p> <p>Min. 50 feet setback from non-ROW property lines.</p>

Sign Type	Max. Size of Copy Area	Max. Sign Faces	Max. Number of Signs	Max. Sign Structure Dimensions <sup>1</sup>	Additional Requirements
<b>Pole-mounted Banner</b>	21 square feet	2	1 per light pole and/or pedestrian pole.	3 feet width by 7 feet length	Meet all requirements in Section 14.
<b>Wrap Signs</b>	Same as sign type to be wrapped	Same as sign type to be wrapped	Same as sign type to be wrapped	Same as sign type to be wrapped	Permitted only on permitted sign types. Wrapping prohibited on ATMs, Gas Pumps, Poles, etc.

<sup>1</sup>Height measured from average grade unless otherwise noted.

<sup>2</sup>Ground sign must be landscaped as provided below.

- a. Front: minimum width shall be not less than 1/2 the height of the sign.
- b. Side: minimum width shall be not less than 1/2 the height of the sign.
- c. Rear: minimum width shall be two feet.

**Abbreviations**

SPW = Seminole Pratt Whitney Road

ROW = Public road right-of-way

**Section 6.30. Illumination**

**Section 6.31. Permitted Illumination**

(A) **General.** Permanent ground signs shall be illuminated and wall signs may be illuminated utilizing the following: backlighting, internal lighting, or permanently fixed and encased lighting from below, and external to, the sign surface. Lighting shall be properly shielded to prevent glare upon adjacent public rights of way or adjacent property. The

Planning and Zoning Director may require photometric or other studies to ensure sign lighting will not adversely affect the public health, safety, and welfare.

(B) **Illumination of temporary signs prohibited.** Illuminated signs located within five hundred (500) feet of a residential zone, and which are visible from such residential zone, shall be turned off not later than 10:00 pm each night.

(C) **Neon Signs.** Neon signs with exposed tubes are permitted within a building, provided such signage is not visible from a public right of way.

(D) **Permitted Neon Signs.** Any exposed neon sign or LED design which emulates the appearance of a neon sign may be displayed and be visible from a public right of way so long as the total sign areas is three (3) square feet or less.

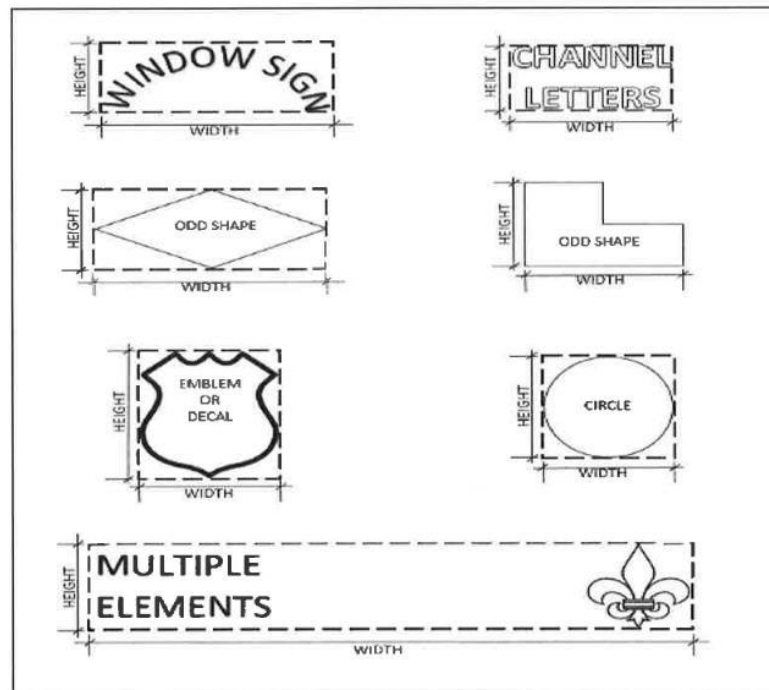
(E) **Wall Signs:** Only backlighting with opaque lettering and permanently fixed and encased face lighting from below the sign surface shall be permitted in residential zoning districts.

(F) **Flags. Flags.** Not more than two (2) flags and two (2) flag poles shall be located on any single property. Flag poles shall not exceed twenty-five (25) feet in height. One (1) flag per pole is permitted. The area of a flag shall conform to the requirements listed below. The setback for a flag pole shall be equal to the height of the flag pole as installed. The number, size, and height of flags and flag poles may be increased with city council approval.

Height of Flag Pole	Maximum Flag Area	Maximum Dimensions	Minimum Setback
Less than 20 feet	24 square feet	4 feet by 6 feet	Equal to 15' or the height of pole, whichever is less
20 to 25 feet	40 square feet	5 feet by 8 feet	Equal to height of pole

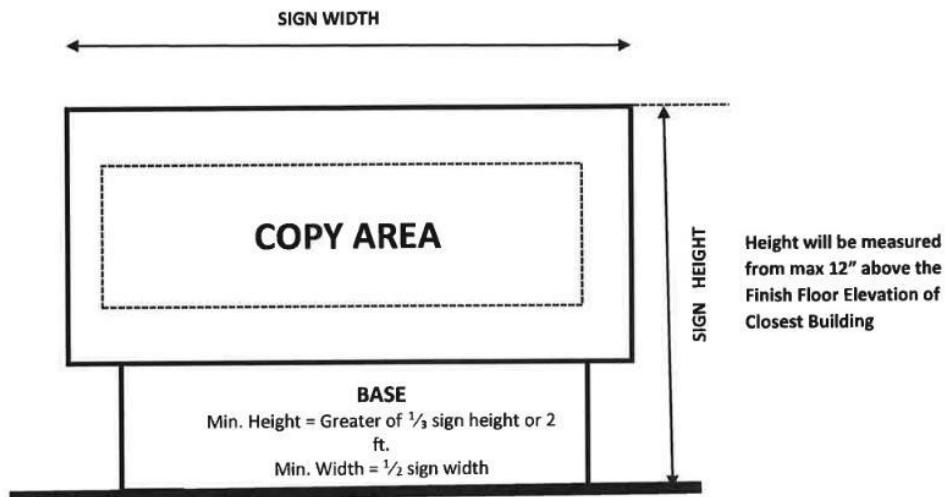
**Section 6.33 Calculation of Sign Copy Area**

(1) **Sign Copy area.** Sign copy area shall be calculated as illustrated in Figure 6-9. The copy area of a sign face shall be calculated by means of the smallest rectangle that will encompass all letters, numbers, characters, logos, emblems, information, or other display. The sign copy area shall include any materials or colors utilized to differentiate the sign from the backdrop or structure on which it is placed. Sign copy area shall not include any supporting framework or bracing.



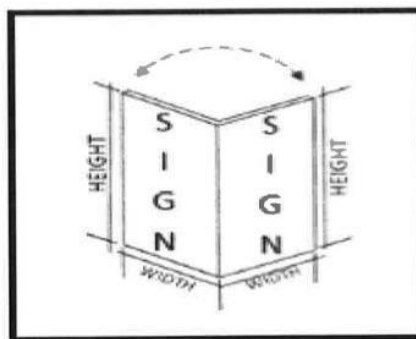
- (2) **Ground Sign Measurement.** Ground signs shall be measured as illustrated in Figure 6-10.

Figure 6-10



- (3) A multi-faced sign having an angle greater than zero degrees (See figure 6-6) shall be treated as one double-faced sign. The maximum number of sign faces shall be limited to two-faces.
- (4) **Height and Width Measurements for Multi-Faced Signs.** The sign area shall be calculated as the combined total of the product of the height x width of each face.  $A = 2(h \times w)$  (See Figure 6-11).

Figure 6-11





**Section 6.34 Exempt Signs**

- A. The signs listed below are permitted signs and are exempt from the requirements of this chapter.
- A. **Mailboxes.** Roadside mailboxes.
  - B. **Residential identification signs.** Residential building identification, displaying the name or property occupant or street address, provided such sign is less than four (4) square feet.
  - C. **Warning signs.** Signs prohibiting peddlers or solicitors, indicating security such as burglar alarms, "no trespassing" or "beware of animal" signs. Signs of this nature shall be located at the entrance of the building or residence, or adjacent to fenced areas.
  - D. **Traffic control/traffic information.** Traffic control, directional, and public information/warning signs placed in public rights-of-way by federal, state, county, city, and other public agencies or at the direction of or as required by same.
  - E. **Interior signs.** Signs located within a building and not visible from a public right-of-way.
  - F. **Courtyard signs.** Signs located on the exterior elevation of an interior courtyard, provided such signs are not visible from a public right-of-way or abutting Residential zoning district.
  - G. **Vehicle advertising.** Motor vehicles with business names, business addresses, telephone numbers, contractor certification numbers, logos, and similar information painted, embossed, or wrapped on vehicle surfaces, when otherwise permitted or required by law. Parking of such vehicles shall be limited as provided below.
    - 1. Motor vehicles, including, but not limited to, trucks, vans, and automobiles, and any trailer towed by such vehicles, with business signage shall not be parked in any location for the primary purpose of advertising a business or service.
    - 2. The owners of commercial or industrial properties, or their legal tenants, whose vehicles are registered, licensed, and fully operational for company use are exempt from the above Subsection (a). for the purpose of parking such vehicles on site in the normal course of business.

**Section 6.35 Permitted Temporary Signs.** Temporary signs allowed within the city are listed in Table 6-2.

**Table 6-2 Permitted Temporary Signs**

Type of Sign	Maximum Size (Square Feet)	Earliest Installation Date	Final Removal Date	Notes and Remarks
Free Speech Sign*	Residential—6 square feet Nonresidential—As specified in Table 5-1	None	None	Residential—1 sign per Residential parcel. Nonresidential—1 sign per Nonresidential parcel. Sign may be installed in lieu of any permitted Nonresidential sign.

				<p>Signs may not be placed on public property.</p> <p>Signs may not be placed in public rights-of-way.</p> <p>Signs may not obstruct vision at corners, intersections, etc.</p>
--	--	--	--	---

Type of Sign	Maximum Size (Square Feet)	Earliest Installation Date	Final Removal Date	Notes and Remarks
<b>Political*</b>	<p><i>Residential:</i> 6 square feet</p> <p><i>Nonresidential:</i> 32 square feet</p>	<p><i>Residential</i>—Not more than 30 days prior to the election to which it relates.</p> <p><i>Nonresidential</i>—Same as <i>Residential</i>.</p>	<p><i>Residential</i>—7 days after the election</p> <p><i>Nonresidential</i>—7 days after the election</p>	<p><i>Residential</i>—1 sign per candidate or issue per <i>Residential</i> parcel.</p> <p><i>Nonresidential</i>—1 sign per candidate or issue.</p> <p><i>Nonresidential</i>—1 sign per 200 linear feet of street frontage.</p> <p>A minimum of 1 sign per property allowed.</p> <p>Signs may not be placed on public property.</p> <p>Signs may not be placed in public rights-of-way.</p> <p>Signs may not obstruct vision at corners, intersections, etc.</p> <p>Applicable to federal, state, county, and local elections.</p>
<b>Sale: Residential Open House*</b>	6	Day open house begins	Day open house closes	
<b>Sale: Nonresidential Open House</b>	16	Day open house begins	Day open house closes	
<b>Nonresidential Sale, Rental or Lease of Building or Portion of Building</b>	16	Upon issuance of Building Permit	Until one hundred percent (100%) of the building is sold, rented, or leased	<p><i>Sign post.</i> Post shall be a four (4) by four (4) treated-wood post or other functional material. The minimum number of posts shall be two (2). The posts shall be directly buried into the ground at a minimum</p>

Type of Sign	Maximum Size (Square Feet)	Earliest Installation Date	Final Removal Date	Notes and Remarks
				of two (2) feet. Use of concrete is prohibited.  <i>Backing.</i> Sign shall be installed on one-half-inch plywood. Plywood shall be attached with weather-resistant screws.  <i>Color.</i> The entire sign must be painted or wrapped.
<b>Development Sign</b>	32'	When complete development order application filed with city	On receipt of first certificate of occupancy	
<b>Project Suppliers/Trades</b>	32	On receipt of building permit	On receipt of final certificate of occupancy	No more than 2 signs shall be permitted at one time.
<b>Signage on Construction Barrier Fence</b>	10% of total barrier area	On receipt of construction fence permit	On receipt of final certificate of occupancy	Limited to signage identifying the nature of the development, contractor's information, leasing information, corporate logos and renditions of development
<b>Murals and Other Decorative Elements on Construction Barrier Fence</b>	15% of total barrier area	On receipt of construction fence permit	On receipt of Final Certificate of Occupancy	May not contain any rendition of development or element of development
<b>Grand Opening/Project Opening/New Businesses</b>	32	7 days before event	10 days after opening or event	May be permitted as a banner.
<b>Outparcel/Phase Opening</b>	32	7 days before opening	10 days after opening	

<b>Special Event Signage</b>	32	7 days prior to event	1 day after event	One on-site sign may be permitted for each side of the property that fronts a public right-of-way, up to 4 signs. 1 per property allowed. May be permitted as a banner.
<b>Special Event Directional Signage</b>	4	Day before event	1 day after event	May be located off-site. May be located on private property w/ owner's written permission
<b>Special Sale for Profit</b>	16	7 days prior to event	1 day after event	Maximum 4 per calendar year per project.
<b>Type of Sign</b>	<b>Maximum Size (Square Feet)</b>	<b>Earliest Installation Date</b>	<b>Final Removal Date</b>	<b>Notes and Remarks</b>
<b>Right-of-way Banner</b>	24	30 days prior to event	2 days after event	For regional, national, city, or city co-sponsored special event. Must have authorization from applicable agency.
<b>Name-Change Ground Sign Covering</b>	60 square feet of copy	Issuance of permit	60 days from issuance of permanent sign permit application**	Only canvas coverings of ground signs allowed. Office and retail uses only. May be submitted when sign permit for new permanent sign is submitted.
<b>School/Day Care/Nursery</b>	32	30 days before registration	14 days after registration	Max. 3 per calendar year. May be permitted as a banner.
<b>Garage Sale*</b>	12	1 day before sale	Close of the day of sale	1 on-site sign
<b>Construction Entrance</b>	16	Issuance of land clearing, land alteration, or building permit.	On receipt of final certificate of occupancy	
<b>Menu Sign (Free-Standing)</b>	15 square feet	At opening	At closing	1 per restaurant.

				<p>Additional signs permitted if outdoor seating areas are either separated by 6 feet high wall or not visible to each other.</p> <p>Constructed of durable materials.</p> <p>May be pole-mounted, "A"-frame, or sandwich board.</p> <p>May include name, hours, credit card, menu, and price information.</p> <p>Must be stored inside when restaurant closed.</p>
<b>Valet Parking Signs</b>	<p>6 square feet</p> <p>Height: 4 feet</p> <p>Width: None</p>	<p>2 hours prior to business opening each day.</p>	<p>2 hours after business closing each day.</p>	<p>1 sign per establishment.</p> <p>May be 2-sided.</p> <p>May not be visible from a public right-of-way.</p> <p>Notwithstanding Subsection (b)(4) above, such signs may be affixed to a valet kiosk.</p> <p>Valet sign permits shall not be transferrable.</p>
<b>Human Signs (or Living Signs)</b>	<p>3 square feet</p>	<p>Date indicated on the permit</p>	<p>Maximum 2 days</p>	<p>Maximum of 6 times per calendar year</p>

\*Exempt from fees and permit registration provided the sign complies with the requirements set forth in Table 5-2 and the Florida Building Code, as applicable.

\*\*A written request for a 30-day extension may be granted administratively provided the permanent sign is not completed but is in the process of completion.

**Section 6.37 Permit.** A City temporary sign permit is required for all temporary signs except those exempt as shown in Table 6-2. Applicable application fees shall be paid with each application. Signs not approved by the city are subject to immediate removal by the city, at the expense of the owner.

**Section 6.38** Temporary signs shall comply with the standards listed below.

- (1) **Illumination and/or Animation.** Temporary signs shall not be illuminated nor shall they incorporate any of the characteristics set forth in Section 6.36
- (2) **Setbacks.** Temporary signs shall be setback at least two (2) feet from the right-of-way line and side property lines, and must comply with Section 6.36, Prohibited Signs and Prohibited Sign Locations.
- (3) **Maximum Height.** A temporary sign shall not be higher than five (5) feet above the average grade at the property line nearest the sign, except for "human signs," which shall not exceed eight (8) feet in height above the grade upon which any such sign is located.

- (4) **Permitted Sign Types.** Only pole, sandwich-board or A-frame type signage, or human signs shall be used for temporary signs.
- (5) **Human Signs (living signs).** Upon the issuance of a permit, a living or human sign may be allowed on the premises of the property that is being advertised or within eight (8) feet of the right-of-way immediately adjacent to the property that is being advertised for a maximum of six (6) times per calendar year for no more than two (2) consecutive days. The sign area shall not exceed three (3) square feet in size, and the living or human sign shall not be permitted off site, within the right-of-way, or closer than eight (8) feet from the right-of-way immediately adjacent to the property being advertised. Any failure to comply with these regulations will result in the administrative suspension or revocation of the sign permit and/or enforcement proceedings pursuant to Chapter 162, Florida Statutes. Notwithstanding the foregoing, the city may also pursue any remedy available under the law.
- (6) **Maximum Sign Faces.** A maximum of two (2) faces will be allowed for each temporary sign. Maximum size as set forth in Table 6-2 applies to each sign face individually.
- (7) **Maintenance.** All signs shall be kept in good condition, present a neat appearance, and be maintained free of debris, stains, mold, discoloration, or deterioration.
- (8) **Hazard.** A sign shall not directly or indirectly create a traffic or fire hazard or interfere with the free and unobstructed use of streets or sidewalks.
- (9) **Number.** Each side of a property facing a right-of-way is allowed one (1) temporary sign as permitted in Table 5-2. Notwithstanding the foregoing Table 5-2, only one (1) human sign (or living sign) shall be permitted per property.
- (10) **Prohibited materials.** Paper, cardboard, or other such material subject to rapid deterioration shall not be used for any sign that is to be displayed for more than thirty (30) consecutive days.
- (11) **Non-residential sale sign.** For a temporary sign displaying information concerning nonresidential sale of portion of building, rental, or lease permit:
  1. If approved, a permit will be issued for a period of no longer than one (1) year, or until one hundred (100) percent of the building is sold, rented, or leased.
  2. A renewal permit may be submitted annually if the applicant is in compliance with the City's standards.
  3. **Standards.** Signage must be in compliance with all temporary signage standards and meet the following criteria:
    - i. **Size.** Maximum square footage of the sign face is sixteen (16) square feet, for parcels 2 acres or less. Parcels greater than 2 acres, the maximum square footage is (24) square feet.
    - ii. **Sign post.** Post shall be a four (4) by four (4) treated-wood post or other acceptable material. The minimum number of posts shall be two (2). The posts shall be directly buried into the ground at a minimum of two (2) feet. Use of concrete is prohibited.
    - iii. **Backing.** Sign shall be installed on one-half-inch plywood backing. Plywood shall be attached with weather-resistant screws.

- iv. **Color.** The entire sign must be painted or wrapped.
  - v. **Number.** One shall be permitted for each road frontage and every 600 lineal feet.
3. **Additional Leasing Sign.** An additional leasing sign not exceeding twelve (12) square feet may be incorporated into the project's monument sign within the two-foot required base, if provided. Letter size shall be no less than six (6) inches for ground signs and must be compatible with the general design of the monument sign. A sign permit must be submitted and approved by the city. A leasing sign on a monument sign does not require annual renewal and may remain even if one hundred (100) percent of the property is leased.

**Section 6.40 Removal.**

- A. **Hurricane Watch.** Any temporary sign installed within the city shall be removed by the owner or city if a hurricane watch is posted. The city shall not be responsible for the replacement of such signage after a hurricane watch is discontinued.
- B. **Violations.** The city shall have the right to remove any temporary signage in violation of this section. Any failure to comply with these regulations will result in the administrative suspension or revocation of the sign permit and/or enforcement proceedings pursuant to Chapter 162, Florida Statutes. Notwithstanding the foregoing, the city may also pursue any remedy available under the law.

**Section 6.41 Noncommercial Messages**

1. **Noncommercial Messages.** Notwithstanding anything in this article to the contrary, any sign erected pursuant to the provisions of this article may, at the option of the applicant, contain either a noncommercial message unrelated to the business located on the premises where the sign is erected or a commercial message related to the business and located on the business premises pursuant to the following regulations:
- a) **Message Size.** The noncommercial message may occupy the entire sign face or portion thereof.
  - b) **Change in Messages.** The sign face may be changed from commercial to noncommercial messages as frequently as desired by the owner of the sign, provided that the following is true:
    - i. The size and design criteria conform to the applicable portions of this article;
    - ii. The sign is allowed by this article;
    - iii. The sign conforms to the requirements of the applicable zoning designation; and
    - iv. The appropriate permits are obtained.
  - c) **Location.** For the purpose of this sign code, noncommercial messages shall never be deemed off-premises signs.

**Section 6.42 Pole-Mounted Banner Criteria**

**Section 6.43 Criteria to Permit.** Pole-mounted banners shall only be permitted in civic, commercial, or mixed-use zoned areas for the limited purpose of brand identification or as a holiday decoration, provided the following conditions are met:

- (1) **Master Sign Plan Required.** A master sign plan approved by city council is required for all pole-mounted banner programs, except those installed on city property by the city. Any additional pole-mounted banners, graphics, locations, or increase of sign square footage other than what has been previously approved by city council requires a new miscellaneous plan review approval. As part of the application process, the applicant must complete a detailed sign program to include:
  - (a) A copy of a current site plan showing all the proposed locations where the pole-mounted banners are to be placed;
  - (b) The light pole detail upon which the pole-mounted banner is to be located;
  - (c) The pole-mounted banner's copy shall be limited to the name of the development, the development's logo, and the development's branding, which does not include any individual business name, tenant, or individual business' logo.
  - (d) All graphic designs, variations, and/or seasonal sets of the banners must be provided for city council review and approval in accordance with the criteria set forth herein. City council may prescribe specific time periods during which a particular seasonal set of banners may be displayed if approval of more than one (1) set of banners is sought by the applicant.
- (2) **Requirements.** The program must satisfy the following requirements:
  - 1). Pole-mounted banners must be located on an existing light pole;
  - 2). One (1) pole-mounted banner per light pole may be permitted;
  - 3). Pole-mounted banners on light poles shall be two-sided with the identical design on each side;
  - 4). Trees, palms, or shrubs shall not be pruned beyond the limits of the city codes or accepted maintenance standards in order to facilitate the placement of any banners;
  - 5). Banners shall not interfere or block any existing or future traffic or pedestrian controls or signage;
  - 6). Within twenty-four (24) hours of announcement of a tropical storm or hurricane watch by the National Hurricane Center, which places the city within the "3-day cone of probability" all pole-mounted banners shall be removed;
  - 7). The city may require the removal of any pole-mounted banner should the city find that the pole-mounted banner is in a state of disrepair or is not being maintained appropriately with respect to accepted maintenance standards (e.g., not faded, free from rips and tears, properly attached, un-tattered, and generally in a state of good repair). The applicant shall either remove or replace the banner within ten (10) calendar days of being noticed;
  - 8). All poles holding or supporting pole-mounted banners shall require a building permit in order to verify the safety and wind loads of the banners;
  - 9). Pole-mounted banners shall only be interior to a particular site or development and shall not be placed in an area immediately adjacent to a public right-of-way;
  - 10). Light poles with pole-mounted banners shall be a minimum of fifteen (15) feet from the property line.



- 11). The minimum clearance of banners above the finished grade shall be eight (8) feet;
- 12). Non-rectangular pole-mounted banners shall conform only to the maximum banner area criteria providing that a minimum clearance of eight (8) feet above the finished grade is maintained;
- 13). Height limitation. A banner's highest point shall not exceed the highest point of the pole upon which it is mounted;
- 14). Banner size:

Height of Light Pole	Maximum Banner Area	Maximum Dimensions
20 to 25 feet	21 square feet	3 feet width by 7 feet length
Less than 20 feet	4.5 square feet	1.5 feet width by 3 feet length

**Section 4. Waivers:** The application of this part may be waived by the City Manager or designee where such waiver would be in the best interests of the City of Westlake.

**Section 5. Revocation:** The building official is authorized to revoke any building permit if a sign is erected or installed that does not comply with the requirements of this section.

**Section 6. Codification:** It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances for the City of Westlake, Florida, and the sections of this ordinance may be re-numbered or re-lettered to accomplish such intentions, and the word "ordinance" shall be changed to "section" or other appropriate word.

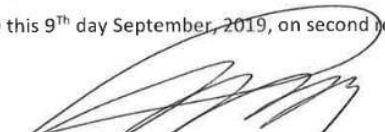
**Section 7. Effective Date:** This ordinance shall be effective upon adoption on second reading.

PASSED this 26<sup>th</sup> day August, 2019, on first reading.

PASSED AND ADOPTED this 9<sup>th</sup> day September, 2019, on second reading.

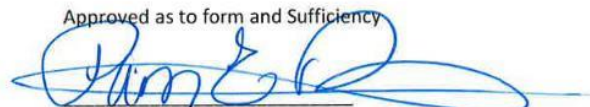


Sandra Demarco, City Clerk



City of Westlake  
 Roger Manning, Mayor

Approved as to form and Sufficiency



Pam E. Booker, City Attorney

**1851 W. Indiantown Road Suite 100**  
**Jupiter, FL 33458**  
Office: +1 (561) 401-9459



**“Exhibit E”**  
**Nilsa Zacarias, AICP, Summary Resume**

***Nilsa Zacarias, AICP***  
***Director of Planning***

**Hire Date**

07/27/2009

Years with other firms: N/A

**Education**

Master of Community and  
Regional Planning Minor in  
Housing, Iowa State  
University, Fulbright Scholar,  
Bachelor of Architecture,  
Catholic University Asuncion,  
Paraguay

**Professional Affiliations**

Fulbright Alumni Association  
Palm Beach County Planning  
Congress  
Planning & Zoning  
Commission, Town of  
Jupiter

**Certifications**

Certified Planner by the  
American Institute of  
Certified Planners (AICP)

**Presentations at  
Conferences**

*Protecting Community  
Character: Lessons Learned*  
American Planning  
Association Florida  
Chapter Conference (FAPA),  
Tampa, Florida –  
September 2024 (upcoming)

*Chair of Affordable Housing  
Symposium: Solutions and  
Strategies.* Palm Beach  
County Planning Congress-  
West Palm Beach, Florida-  
April 2024

*Inclusive and Equitable Public  
Open Spaces.* American  
Planning Association Florida  
Chapter Conference (FAPA),  
Jacksonville, Florida –  
September 2023

Nilsa Zacarias, AICP is CMA's Principal Planner. She is a nationally and internationally recognized professional and Fulbright Scholar with over 25 years of experience working on challenging and complex planning initiatives including Comprehensive Planning, Public Engagement, Land Development Regulations, Annexations, Master Plans, Neighborhood Plans, Design Guidelines, Development Review & Processing, and others. She has an in-depth knowledge of Florida Statutes requirements.

**Project Experience**

**General Planning Services, Visioning, Comprehensive Plan, LDRs, and Development Processing. City of Westlake.** Palm Beach County's new 39th City was incorporated on June 20, 2016. The 38,000 acres of mostly vacant, previously agricultural land in western Palm Beach County will be the site of 4,500 homes and 2.2 million square feet of commercial space. Since its incorporation in 2016, CMA professionals serve as the planning department of the City responsible for preparing the first comprehensive plan adopted in 2018, and writing the Land Development Regulations to be consistent with the City's Comprehensive Plan Vision. CMA is also in charge of site plan reviews and processing development applications including staff reports, presentations to the Boards and City Council.

**General Planning Services, Land Development Regulations, Comprehensive Plan Amendments, Village of Tequesta-** Since 2010 provided planning services including EAR-based Comprehensive Plan Amendments, LDR amendments (writing code language to create overlays, Parking regulations, updating definitions, and others); Site Plan Reviews (DRC Meetings, Staff Reports, meetings with developers); presentations at workshops, hearings at P&Z Board and Village Council meetings; Annexations studies and analysis with public outreach; community outreach and vision for a Parks Master Plan and Design Guidelines.

**Comprehensive Plan based on the Evaluation and Appraisal Review (EAR) - Village of North Palm Beach -** CMA updated the Village of North Palm Beach Comprehensive Plan based on the Evaluation and Appraisal Review (EAR). The proposed scope includes a detail review of all the elements including Policy (Goals, Objectives and Policies) and Data and Analysis ensuring compliance with current Florida Statutes (F.S.) and updates to reflect changes in the Village's trends, vision and demographics.

**Urban Design, LDRs, EAR- based Comprehensive Plan Text Amendments, and Neighborhood Plans, City of Lake Worth Beach .** Since 2015 CMA is providing ongoing planning services to the City including 3D Renderings for specific sites illustrating the vision of the City and the compliance with Zoning Code as part of a City's marketing effort to attract quality development. Over the years, CMA has prepared Land Development Regulations (LDRs) and EAR-based Comprehensive Plan text amendments in compliance with Florida Statutes. Also, the CMA team developed 18 Neighborhood Plans for the City including utilities, transportation, signage, public safety, planning efforts and neighborhood public engagement.

**EAR based Comprehensive Plan Update, City of Dania Beach.** CMA was contracted by the City of Dania Beach to update the Comprehensive Plan based on the Evaluation and Appraisal Review (EAR) according to Chapter 163 Florida Statutes (F.S.). The proposed scope includes a detail review of the elements including Policy (Goals, Objectives and Policies) and Data and Analysis ensuring compliance with current Florida Statutes (F.S.); and, updates to reflect changes in the City's trends, vision and demographics.

Urban Design, Community Outreach, CRA Master Plan Update, City of Belle Glade. CMA was contracted to prepare the Finding of Necessity and CRA Plan Update for the City of Belle Glade, including a boundary extension, existing conditions analysis, compliance with Florida Statutes, list of priority projects, 3D Renderings of main street, community gardens and other public spaces, community engagement and presentations to the CRA Board and City Commission.

Design Guidelines, Public Participation and Zoning Code Amendment, Village of Tequesta. The Beach Road corridor was facing challenges because of aging condominium buildings, and active redevelopment initiatives. prepared Design Guidelines CMA and Zoning Code Text Amendments based on the Community input to protect the small village charm, natural resources, and provide clear direction to developers. The Design Guidelines included building aesthetics, site planning, landscaping, public streetscape, and a detail checklist. The Design Guidelines is a rich graphic driven document with 3D renderings showcasing the vision for the Beach Road corridors, and photographic display of examples of massing, articulations and architectural elevations.

#### Public Participation Program, Parks Master Plan “Our Parks Our Values” – Village of Tequesta

CMA was responsible for land planning, community participation, branding, site analysis, site design and landscaping in compliance with local code and comprehensive plan, landscaping, parking lay outs, and permitting for the preparation of Village of Tequesta Parks Master Plan. The CMA team utilized a proactive public participation program (4Ps) to obtain community input and ensure maximum outreach. “Our Parks Our Values” main goal was to prepare a robust document based on the community vision to serve as a long-term strategic road map to guide improvements to the Village’s parks.

The Master Plan was approved by the Village Council in August 2022, and it is currently being implemented. Nilsa was the lead and project manager including the proactive public participation; conceptual designs and final document that was approved by the Village Council. This Master Plan was selected by the Florida Chapter of the American Planning Association to be presented at the State Conference held in Jacksonville in September 2023.

Town of Mangonia Park Visioning, Comprehensive Plan, & Land Development Regulations. Town of Mangonia Park. CMA was contracted by the Town of Mangonia Park to update their comprehensive plan. Florida Statutes require that each local government within the state must prepare, adopt, and submit an Evaluation and Appraisal Review of its comprehensive plan at least every seven years. This EAR based amendment should address changes in the state requirements and changes to local conditions since the last update of the comprehensive plan. In 2020, the Mangonia Park comprehensive plan prepared by the CMA planning team was adopted.

#### GIS Mapping, 2050 Long Range Transportation Planning (LRTP), Treasure Coast Regional Planning Council

This project involved policy analysis and considerations for 107 TOD stations located in Palm Beach County including land uses, demographics and market studies. The CMA planning team prepared GIS maps and data tables based on ARC GIS Business Analyst to be used in the transit and roadway modeling of the 2050 Long Range Transportation Planning (LRTP) prepared by the Palm Beach Transportation Planning Agency’s (TPA), and Treasure Coast Regional Planning Council. The purpose of this work order was to analyze the development capacity surrounding the potential transit stations along the 561 corridors countywide in Palm Beach County. The analysis identified the existing and potential residential units and non-residential square footage of each station, factoring in desired station typology and land use regulations and entitlements. CMA was contracted by the Treasure Coast Regional Planning Council to conduct this study. The existing conditions analysis and mapping for the 107 TOD station included 1,926 GIS maps (Age of Structures, Assessed Value of Improvements, Taxable Value, Density, FAR, NAICS, MAZ, property acreage and others). Once the key sites for redevelopment were identified, CMA prepared 107 GIS maps showcasing the potential capacity of the subject sites.

1851 W. Indiantown Road Suite 100  
Jupiter, FL 33458  
Office: +1 (561) 401-9459



**“Exhibit F”  
CMA General Services and Planning Flyers**



**CIVIL ENGINEERING**



**TRANSPORTATION ENGINEERING**



**ELECTRICAL ENGINEERING**



**LANDSCAPE ARCHITECTURE & PLANNING**



**ENVIRONMENTAL**



**CONSTRUCTION MANAGEMENT**

**OUR SERVICES**

Founded in 1986, Chen Moore and Associates, Inc. (CMA) specializes in civil engineering, water resources, water and sewer, landscape architecture, irrigation, planning, electrical engineering, transportation, environmental and construction engineering services. The firm commits to providing responsive quality services while meeting the schedules and specific project needs of our clients.



[www.chenmoore.com](http://www.chenmoore.com)

1851 W. Indiantown Road Suite 100  
Jupiter, FL 33458  
Office: +1 (561) 401-9459



**cma**  
chen moore and associates

**THIS IS A PEOPLE BUSINESS.**

Atlanta

Jacksonville

Gainesville

Orlando (Maitland)

Tampa

Sarasota

Port St. Lucie

Jupiter

West Palm Beach

Fort Lauderdale

Miami

OUR SERVICES		OUR MARKETS	
CIVIL ENGINEERING		WATER & WASTEWATER ENGINEERING	
TRANSPORTATION ENGINEERING		WATER RESOURCES	
ELECTRICAL ENGINEERING		TRANSPORTATION	
LANDSCAPE ARCHITECTURE & PLANNING		ENERGY	
ENVIRONMENTAL		PARKS & RECREATION	
CONSTRUCTION MANAGEMENT		LAND DEVELOPMENT	
<b>CORPORATE</b>	<b>REGIONAL OFFICES</b>	<b>ADDITIONAL OFFICES</b>	
500 West Cypress Creek Road Suite 600 Fort Lauderdale, FL 33309 +1 (954) 730-0707	Miami West Palm Beach Orlando (Maitland) Jacksonville	Jupiter Port St. Lucie Sarasota (Nokomis)	Tampa Gainesville Atlanta
			<b>PEOPLE THAT CARE</b> <a href="http://www.chenmoore.com">www.chenmoore.com</a>

1851 W. Indiantown Road Suite 100  
Jupiter, FL 33458  
Office: +1 (561) 401-9459



Euclid Road Streetscape Master Plan, Miami Beach, FL



3D Visioning Rendering Phase 1, City of Lake Worth Beach, FL



Community Participation, Parks Master Plan, Village of Tequesta, FL

# PLANNING

Founded in 1986, Chen Moore and Associates, Inc. (CMA) specializes in planning, civil engineering, water resources, water and sewer, landscape architecture, irrigation, electrical engineering, transportation, environmental and construction engineering services. The firm commits to providing responsive quality services while meeting the schedules and specific project needs of our clients.



Land use planning is about community building, it is integral to the sustainable development of cities and towns. It involves looking at how land should be used, ranging from green space to residential areas, commercial and industrial sites. Land-use planning takes place within the framework of local zoning laws, state and federal regulations; and careful planning aims to preserve the environment, promote social gatherings, enhance communities, and support transportation, industry, and economic development. CMA provides long range and current planning services by focusing on sustainable principles with unparalleled graphic skills and superior analytical capabilities to local governments, communities, and private sector clients throughout Florida.

[www.chenmoore.com](http://www.chenmoore.com)

[chenmoore.com](http://chenmoore.com)

1851 W. Indiantown Road Suite 100  
 Jupiter, FL 33458  
 Office: +1 (561) 401-9459



**OUR PLANNING SERVICES INCLUDE:**

**Long Range Planning**

- Sustainable Comprehensive Plan & Text Amendments
- Neighborhood Plans
- Land Development Regulations & Zoning Codes
- Evaluation and Appraisal Reviews
- Annexation Plans & Processing

**Current Planning**

- Development Applications & Approvals
- Site Plan Designs & Reviews
- Technical Reports

**Community & Neighborhood Involvement**

- 24/7 Open Community Forums
- Vision & Master Plans
- Design Charrettes
- Neighborhood Participation & Plans

**Graphics and Geographic Information System (GIS)**

- GIS Maps
- 3D Computer Rendering/ Conceptual Design/CAD

**WE PLAN AND DESIGN MEMORABLE PLACES**



Mixed-Use District, 3D Visioning Rendering Phase 2, City of Lake Worth Beach, FL



Currie Park Phase I - Visioning, Public Participation, West Palm Beach, FL



Beach Road Corridor, Design Guidelines, Village of Tequesta, FL

<p><b>CORPORATE</b>          500 West Cypress Creek Road          Suite 600          Fort Lauderdale, FL 33309          +1 (954) 730-0707</p>	<p><b>REGIONAL OFFICES</b>          Miami      West Palm Beach          Jacksonville      Orlando (Maitland)</p>	<p><b>ADDITIONAL OFFICES</b>          Jupiter      Tampa          Port St. Lucie      Gainesville          Sarasota (Nokomis)      Atlanta</p>	<p><b>PEOPLE THAT CARE</b>  <a href="http://www.chenmoore.com">www.chenmoore.com</a></p>
---	--	--	--