

**ORDINANCE NO. 2024-\_\_**

**AN ORDINANCE ADOPTED BY THE TOWN COUNCIL OF  
THE TOWN OF LOXAHATCHEE GROVES, FLORIDA,  
AMENDING ARTICLE 90 “SIGNS” OF PART III  
“SUPPLEMENTAL REGULATIONS” OF THE UNIFIED  
LAND DEVELOPMENT CODE; PROVIDING FOR  
SEVERABILITY, CONFLICTS, CODIFICATION AND AN  
EFFECTIVE DATE.**

**WHEREAS**, the Town of Loxahatchee Groves, Florida, (“Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, Article VIII of the State Constitution and Chapter 166, Florida Statutes, provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

**WHEREAS**, the Town Council, as the governing body of the Town, pursuant to the authority vested in it by Chapters 163 and 166, Florida Statutes, is authorized and empowered to consider changes to its land development regulations; and

**WHEREAS** the Town desires to modify and update its regulation of signs in a manner consistent with the United States Supreme Court’s decision in *Reed v. Town of Gilbert*, 576 U.S. 155 (2015), holding that the regulation of signage based on content is subject to strict scrutiny in determining whether such regulation is constitutional; and

**WHEREAS**, the *Reed* decision does not prevent cities from regulating signs in a way that fully protects public safety and serves legitimate aesthetic objectives, including rules that distinguish between on-premises and off-premises signs; and

**WHEREAS**, the Town does not wish to censor speech or regulate the content thereof, but rather to provide for the public welfare by regulating the physical characteristics and placement of signage in a manner that enhances the aesthetics of the community, reduces visual pollution, provides clear information, and minimizes distractions to drivers in the interests of traffic safety; and

**WHEREAS**, the Town Council finds and determines that these sign regulations are intended to protect the public from the dangers of unsafe signs, including signs that create

hazardous conditions, confusion, and visual clutter through excess proliferation, improper placement, illumination, animation, and excessive size; and

**WHEREAS**, the Town Council finds and determines that these sign regulations are intended to permit signs that are compatible with their surroundings, aid orientation, and do not obstruct the vision of or distract motorists, bicyclists, or pedestrians; and

**WHEREAS**, the Town Council of the Town of Loxahatchee Groves legislatively determines and declares that adoption of a new, updated sign regulation code as set forth herein is in the public interest of the health, safety and general welfare of the residents and business community of the Town; and

**WHEREAS**, the Town Council deems approval of this Ordinance to be in the best interest of the residents and citizens of the Town of Loxahatchee Groves.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THAT:**

**SECTION 1. Legislative Findings, Intent and Purpose.** The WHEREAS clauses contained herein are legislatively determined to be true and correct and are incorporated herein and represent the legislative findings of the Town Council, in addition and supplemental to those findings set forth in Section 90-005 of this ordinance. It is the purpose and intent of this ordinance to promote the health, safety, and general welfare of the residents of the Town, and to ensure the proper regulatory requirements for signage within the Town's corporate limits.

**SECTION 2.** The Town of Loxahatchee Groves hereby amends Article 90 "Signs" of Part III "Supplemental Regulations" of its Unified Land Development Code to read as follows:

#### **Article 90 - SIGNS**

##### **Section 90-005. - ~~Purpose and intent.~~ Scope, Intent, Purpose.**

~~The purpose of this section is to establish standards for the placement and use of signs and other advertising consistent with State of Florida and Federal law. These standards are designed to protect the health and safety of the Town of Loxahatchee Groves and to assist in the promotion of local businesses and industries. Specifically, this section is intended to:~~

- ~~(A) — *Identification.* Promote and aid in the identification, location, and advertisement of goods and services, and the use of signs for free speech;~~
- ~~(B) — *Aesthetics.* Preserve the unique character of the Town and protect the Town from visual blight;~~
- ~~(C) — *Compatibility.* Make signs compatible with the overall objectives of the Plan and protect property values by ensuring compatibility with surrounding land uses;~~

~~(D) — *Safety.* Promote general safety and protect the general public from damage or injury caused by, or partially attributed to, the distractions, hazards, and obstructions that result from improperly designed or located signs.~~

(A) *Scope.* The provisions of this article shall regulate the location, number, size, use, appearance, construction and maintenance of all signs permitted in each zoning district. This chapter is not intended to and does not apply to signs constructed, maintained, or otherwise posted, owned, or leased by the Town of Loxahatchee Groves, Palm Beach County, the State of Florida, or the federal government, and does not regulate official traffic control devices.

(B) *Intent.* Increased numbers and size of signs, as well as certain types of lighting, distract the attention of motorists and interfere with traffic safety. In addition, the indiscriminate construction and maintenance of signs detract from the appearance of the Town. It is therefore the intent of these regulations to promote and protect the public health, safety, general welfare, convenience and enjoyment of the citizens of the Town. More specifically, the sign regulations are intended to:

(1) Classify and categorize signs by type and zoning district;

(2) Permit, regulate and encourage the use of signs with a scale, graphic character, and type of lighting compatible with buildings and uses in the area, so as to support and complement the goals, objectives and policies set forth in the Town's comprehensive plan;

(3) Allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs;

(4) Encourage and allow signs that are appropriate to the zoning district in which they are located consistent with and serving the needs of the land uses, activities and functions to which they pertain;

(5) Establish regulations affecting the design, construction, and maintenance of signs for the purpose of ensuring equitable means of graphic communication, while maintaining a harmonious and aesthetically pleasing visual environment within the Town. It is recognized that signs form an integral part of architectural building and site design and require equal attention in their design, placement and construction;

(6) Regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the Town and that complements the natural surroundings in recognition of this Town's reliance on its natural surroundings and

beautification efforts as a source of economic advantage as an attractive place to live and work;

- (7) Preclude signs from conflicting with the principal permitted use of the lot and adjoining lots;
- (8) Establish dimensional limits and placement criteria for signs that are legible and proportional to the size of the lot and structure on which the sign is to be placed, or to which it pertains;
- (9) Preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all zoning districts in the Town;
- (10) Encourage the effective use of signs as a means of communication in the Town;
- (11) Ensure pedestrian safety and traffic safety;
- (12) Regulate signs so as to not interfere with, obstruct the vision of, or distract motorists, bicyclists or pedestrians;
- (13) Regulate signs so that they are effective in performing the function of identifying and safely directing pedestrian and vehicular traffic to a destination;
- (14) Curtail the size and number of signs to the minimum reasonably necessary to identify a residential or business location, and the nature of such use, and to allow smooth navigation to these locations;
- (15) Lessen the visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height, and excessive area of signs which compete for the attention of pedestrian and vehicular traffic and are not necessary to aid in wayfinding;
- (16) Allow for traffic control devices without Town regulation consistent with national standards because they promote highway safety and efficiency by providing for the orderly movement of road users on streets and highways, and by notifying road users of regulations and providing nationally consistent warnings and guidance needed for the safe, uniform and efficient operation of all elements of the traffic stream and modes of travel, while regulating private signs to ensure that their size, location and other attributes do not impair the effectiveness of such traffic control devices;
- (17) Minimize the possible adverse effect of signs on nearby public and private property;

- (18) Protect property values by precluding, to the maximum extent possible, signs that create a nuisance to the occupancy or use of other properties as a result of their size, height, illumination, brightness, or movement;
- (19) Protect property values by ensuring that the size, number, and appearance of signs are in harmony with buildings, neighborhoods, structures, and conforming signs in the area;
- (20) Except to the extent expressly preempted by Palm Beach County, state, or federal law, ensure that signs are constructed, installed and maintained in a safe and satisfactory manner, and protect the public from unsafe signs;
- (21) Foster the integration of signage with architectural and landscape designs;
- (22) Not regulate signs more than necessary to accomplish the compelling and important governmental objectives described herein;
- (23) Enable the fair and consistent enforcement of these sign regulations; and
- (24) Be considered the maximum standards allowed for signage.

(C) Purpose: The regulations in this article are not intended to regulate or censor speech based on its content or viewpoint, but rather to regulate the secondary effects of speech that may adversely affect the Town of Loxahatchee Groves' substantial and compelling governmental interests in preserving scenic beauty and community aesthetics, and in vehicular and pedestrian safety in conformance with the First Amendment. It is therefore the purpose of this article to promote aesthetics and the public health, safety, and general welfare, and assure the adequate provision of light and air within the Town of Loxahatchee Groves through reasonable, consistent, and nondiscriminatory standards for the posting, displaying, construction, use, and maintenance of signs and sign structures that are no more restrictive than necessary to achieve these governmental interests.

(D) Findings. In addition and supplemental to the findings and determinations contained in the "Whereas" provisions, which are incorporated by reference into this section, the Town Council acting in its legislative capacity for the purpose of regulating signage, hereby makes the following findings of fact:

The reasonable regulation of the location, number, size, use, appearance, construction and maintenance of signs within the Town serves a compelling governmental interest, for the following reasons:

- (1) Florida Constitution. Article II, Section 7 of the Florida Constitution provides that "[i]t shall be the policy of the state to conserve and protect its natural resources and

scenic beauty.” A beautiful environment preserves and enhances the desirability of Loxahatchee Groves as a place to live and to do business. Implementing the Florida Constitution is a compelling governmental interest.

(2) Florida Statutes. Florida law specifically requires that municipalities adopt sign regulations. See Section 163.3202(2)(f), Florida Statutes. Complying with state law is a compelling governmental interest.

The Town Council specifically finds that these sign regulations are narrowly tailored to achieve the compelling and substantial governmental interests of traffic safety and aesthetics, and that there is no less restrictive way for the Town to further these interests.

## **Section 90-010. - Definitions.**

In addition to terms defined in Article 10, "Definitions, Abbreviations, and Construction of Terms," the following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

*Abandoned sign.* Any sign, except a billboard sign, which no longer pertains to any person, organization, product, service, activity or business located on or available at the premises where such sign is displayed; any sign, except a billboard sign, which no longer contains a message; and/or any sign in a state of disrepair.

~~*Aggregate frontage.*~~

~~a. — *Interior plots:* The actual lineal street frontage;~~

~~b. — *Through plots:* The total actual lineal street frontage on both streets;~~

~~c. — *Corner plots:* The sum of the straight line lineal distances along both streets extended beyond corner chords, radius and turn lanes to the point of intersection;~~

~~d. — *Interrupted corner plots:* The sum of the actual street frontages exclusive of outparcels.~~

*Anchor tenant.* The leading tenant(s) in a multiple-tenant shopping center of four or more tenants. An anchor tenant(s) shall occupy a minimum of forty-five percent (45%) of the total shopping center space.

*Animated sign.* A sign designed to utilize motion of any part by any means, including wind power, or designed to display changing colors, flashing, oscillating or intermittent lighting, electronic messages or moving images, or which emits visible smoke, vapor, particles, noise or sounds. The definition of animated sign shall not include changeable copy signs, as defined herein.

~~*Area of sign.* The total area of each sign face which may be used to display copy, including background, but not including the frame and structural supporting elements. Where a sign is composed of individual letters, characters or symbols applied directly to a building, canopy, marquee, mansard, fascia, facade, parapet, awning, wall or fence, the area of the sign shall be the smallest rectangle, triangle or circle which will enclose all of the letters, characters or symbols. The area of a double-faced sign shall be the total area of each sign face.~~

*Awning or umbrella.* A shelter made of fabric, plastic, vinyl or other non-rigid material supported by a metal frame.

*Awning sign.* A type of sign that is painted, stitched, stamped, perforated or otherwise affixed to an awning or umbrella.

*Balloon sign.* A type of sign that is temporary, three-dimensional, and usually made of non-rigid material, inflated by air or other means to a point of semi-rigidity and used for advertising purposes, with or without copy.

*Banner or pennant sign.* A type of sign, with or without a frame and with or without characters, letters, symbols or illustrations, made of cloth, fabric, paper, vinyl, plastic or other non-rigid material for the purpose of gaining the attention of persons.

~~*Bench sign.* Any sign painted on or affixed to a bench or to a shelter for persons awaiting public transportation.~~

*Billboard sign.* A type of sign which directs attention to a business, commodity, service, product, activity or ideology not conducted, sold, offered, available or propounded on the premises where such sign is located and the copy of which is intended to be changed periodically.

*Building frontage.* The wall extending the length of the building or lease lines of any building, the legal use of which is one of commercial or industrial enterprise and including the location of public entrance(s) to the establishment.

*Building identification sign.* A mandatory sign providing the address of the structure, dwelling unit, or business to which it is attached. All building identification signs must be attached to the structure and easily identifiable. Building identification signs for non-residential structures may be in the form of an awning sign.

*Building wall sign.* A type of sign where its entire area is displayed upon or attached to any part of the exterior of a building wall, facade or parapet, approximately parallel to and not more than 12 inches from the face of the wall upon which it is displayed or attached.

*Cabinet sign.* Any sign, other than a banner or pennant sign, which is designed so that the sign face is enclosed, bordered or contained within a boxlike structure or cabinet, frame or other similar device. This definition shall not include individual channel letters.

~~*Campaign sign.* See "opinion sign."~~

*Canopy.* A permanent, unenclosed shelter attached to and extending from a building or a free-standing permanent shelter.

*Canopy sign.* A type of sign that is painted on or otherwise affixed to the fascia of a canopy, marquee or mansard roof.

*Changeable copy sign.* A sign designed in a manner that allows the copy to be changed either manually, electronically or by any other method through the use of attachable letters, numbers, symbols or changeable pictorial panels, and other similar characters, or through internal rotating or moveable parts which can change the visual message without altering the sign face.

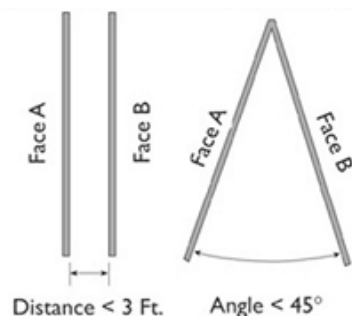
*Channel style letters.* Unlit three-dimensional letters that are applied to sign panels or monuments.

*Copy.* The linguistic or graphic content of a sign, either in permanent or removable form.

~~*Directional sign.* A sign, with or without a directional arrow, designed to direct the public to a facility or service or to direct and control traffic, such as entrance and exit signs, and which does not contain any other commercial advertising.~~

~~*Directory sign.* A sign, which may consist of an index, designed to provide the names of tenants in an office building, shopping center or other multi tenant complex.~~

*Double-faced sign.* A sign with two sign faces which are parallel and less than three feet of each other or are not parallel but are connected and within 45 degrees of each other. See diagram.



*Façade.* That portion of any exterior building elevation extending from grade to the top of the parapet wall or eaves along the entire width of the business establishment building frontage.

*Fascia.* The flat, outside horizontal member of a cornice, roof, soffit, canopy or marquee.

~~*Fence or wall sign.* A type of sign attached to and erected parallel to the face of or painted on a fence or free-standing wall and supported solely by such fence or free-standing wall.~~

*Flag.* A piece of fabric, often attached to a staff, containing distinctive colors, patterns or symbols; identifying a government or political subdivision.

~~*Frontage.* The total distance along any street line.~~

~~*Garage sale sign.* A sign designed to advertise the sale of personal property by the person or family conducting the sale in, at or upon residentially zoned or residentially used property. Garage sale signs shall include lawn sales, yard sales or any similar designation.~~

~~*General information sign.* A sign designed to provide information on the location of facilities or a warning to the public regarding the premises where the sign is located, such as entrance or exit signs, caution, no trespassing, no parking, tow-away zone, parking in rear, disabled parking, restrooms, etc., and containing no commercial advertising.~~

~~*Grand opening sign.* A temporary sign designed to announce the opening of a newly licensed business not previously conducted at the location by the same person(s).~~

~~*Hanging wood frame sign.* A type of sign hung or suspended from a free-standing wood frame, such frame being not higher than five feet, nor wider than four feet.~~

~~*Holiday or seasonal signage.* The temporary lighting, garlands, wreaths or other decorations relating to a particular regional or nationally recognized holiday and containing no advertising.~~

~~*Identification sign.* A sign designed to provide the name, owner, address, use, and/or service of a particular activity located on the premises where such sign is displayed.~~



*Illuminated sign.* Any sign having characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes designed for that purpose, whether or not said lights or tubes are physically attached to the sign.

*Inline or local tenants.* All tenants in a multiple-tenant shopping center not classified as an anchor tenant.

~~*Interior sign.* Any type of sign located inside a building which is not clearly visible from and not intended to be seen from the exterior of the building.~~

*Internal illumination.* A light source concealed or contained within the sign which becomes visible by shining through a translucent surface.

~~*Menu sign.* A sign designed to indicate the food items, products, services or activities provided on the premises. Such signs are commonly, but not necessarily, associated with fast food restaurants at the entrance to drive-through facilities.~~

*Mobile sign.* Any type of sign not permanently attached to a wall or the ground or any other approved supporting structure, or a sign designed to be transported, such as signs transported by wheels, mobile billboards, sandwich signs, sidewalk signs, curb signs, and unanchored signs.

*Monument sign.* A type of freestanding sign supported by an internal structural framework or integrated into a solid structural feature other than support poles. In order to qualify as a monument sign, the supporting structure shall not be less in width than 50 percent of the sign face, inclusive of any box, cabinet, or frame.

*Mural.* A graphic, artistic representation painted on a wall, not including graffiti, which contains no advertisement or relationship to any product, service or activity provided, offered or available on the premises.

*Neon sign.* A type of sign formed by luminous or gaseous tubes in any configuration.

*Nonconforming sign.* A sign or advertising structure which was lawfully erected and maintained prior to the current provisions of this Code regulating signs, which by its height, type, design, square foot area, location, use or structural support does not conform to the requirements of this article.

*Off-premises sign.* A sign, other than a billboard, designed to direct attention to a business, commodity, service, product or activity not conducted, sold, offered or available on the premises where such sign is located.

~~*Opinion sign.* A sign designed to containing language, wording or an expression not related to the economic interests of the speaker and its audience, such speech generally considered to be ideological, political or of a public interest nature; or a sign indicating belief concerning an issue, name, cause or affiliation, including signs advertising political parties or any political information.~~

~~*Outdoor event sign.* A temporary sign designed to identify an outdoor event which is of general interest to the community.~~

*Panel sign.* A type of sign having the sign face or faces supported between two columns or poles, with no open area between such columns or poles.

*Parapet.* A false front or wall extension above the roof line of a building.

*Permanent sign.* Any sign which, when installed, is intended for permanent use. For the purposes of this article, any sign with an intended use in excess of six months from the date of installation shall be deemed a permanent sign.

*Pole sign.* A type of free-standing sign erected upon a pole or poles which are visible and wholly independent of any building or other structure for support.

*Projecting sign.* A type of sign attached to and supported by a building or other structure and which extends at any angle therefrom.

*Public service sign.* A type of sign erected by a governmental authority, within or immediately adjacent to a right-of-way, indicating the location of public or governmentally owned facilities, such as airports, public transportation, hospitals, schools, parks or indicating street names or other messages of public concern.

~~*Real estate sign.* A temporary sign designed to indicate a property which is for rent, sale or lease, including signs pointing to a property which is open for inspection by a potential purchaser (open house sign) or a sign indicating "shown by appointment only" or "sold."~~

*Roof sign.* A type of sign erected above the roofline or parapet, or any sign placed on rooftop structures.

*Shopping center or other multi-tenant center.* A commercial facility consisting of four or more tenants within a single building, or multiple buildings.

*Sign.* Every device, frame, letter, figure, graphic, character, mark, permanently fixed object, ornamentation, plane, point, design, picture, logo, stroke, stripe, symbol, trademark, reading matter or other representation for visual communication that is used for the purpose of bringing the subject thereof to the attention of others.

*Sign face.* The part of a sign, visible from one direction, that is or can be used for communication purposes, including any background material, panel, trim, color or direct or self-illumination used that differentiates the sign from the building, structure, backdrop surface or object upon which or against which it is placed.

*Sign width.* The horizontal distance, in lineal feet, measured along the lower edge of a sign cabinet, box, frame or other surface containing a sign face.

*Sign structure.* Any structure erected for the purpose of supporting a sign, including decorative cover and/or frame.

*Snipe sign.* A sign of any material, including paper, cardboard, wood or metal, which is tacked, nailed, pasted, glued or otherwise affixed to a pole, tree, stake, fence, structure, building, trailer, dumpster or other object, with the message thereon not applicable to the present use of the premises upon which the sign is located.

*Strip lighting.* Strip lighting is lighting consisting of long tubes, instead of bulbs that provide illumination.

~~*Subdivision sign.* A sign designed to indicate the name of a subdivision or neighborhood or other residential development.~~

*Temporary sign.* Any sign, other than a snipe sign, with an intended use for a limited period of time of six months or less. of thirty days or less, unless extended

~~*Tethered/Inflatable sign.* A tethered/inflatable sign is a temporary, three-dimensional sign, inflated by air or other means to a point of semi-rigidity and anchored to the ground which is used for advertising purposes, with or without copy.~~

*Traffic control sign.* Any sign designed to control traffic on public streets or private property, such as speed limit, stop, caution, one-way, do not enter, tow-away zone or no parking signs.

*Window sign.* A sign designed to be located in a window or other transparent surface, or within a building or other enclosed structure which is visible from the exterior through a window or other opening intended to attract the attention of the public. This term shall not include merchandise located in a window or interior signs.

#### **Section 90-015. – Prohibited permanent signs.**

The following types of permanent signs are prohibited in the Town of Loxahatchee Groves unless specifically permitted by Section 90-050, "Promotional signs."

- (A) Animated signs;
- (B) Balloon signs;
- (C) Banner or pennant signs;
- (D) Bench signs;
- (E) Billboards;
- (F) Mobile signs;
- (G) Pole signs;
- (H) Projecting signs;
- (I) Roof signs;
- (J) Snipe signs;
- (K) ~~Strip lighting.~~

#### **Section 90-020. – Temporary signs. Reserved.**

The following types of signs are permitted in the Town of Loxahatchee Groves on a temporary basis:

- (A) ~~Garage sale sign;~~
- (B) ~~Project sign;~~
- (C) ~~Real estate sign;~~
- (D) ~~Seasonal or holiday signage.~~
- (E) ~~Other signs, including opinion signs, to be used on a temporary basis.~~

#### **Section 90-025. - General provisions for all signs.**

This section establishes the physical standards and requirements applicable to all signs including flags and the districts in which they are located. More detailed standards applicable to specific types of signs follow this section.

- (A) *Setbacks.* All signs shall be setback a minimum of five feet from the property line.
- (B) *Materials.* All permanent signs shall be made of durable materials not subject to rapid deterioration.
- (C) *Lighting.*
  - (1) All sign lighting is restricted to the hours of operation of the entity or establishment with which the sign is associated.
  - (2) All sign lighting shall be properly shielded to prevent glare on adjacent streets or properties.
  - (3) Illumination shall be constant and shall not consist of flashing or animated lights.
  - ~~(4) Exception. Holiday signage shall be exempt from the lighting requirements above.~~
- (D) *Maintenance.* Every sign, together with its framework, braces, angles, or other supports, shall be well maintained in appearance and in a good and safe condition. The sign shall be properly secured, supported, and braced, and able to withstand wind pressures as required by the applicable building code or any other regulatory code or ordinance in effect within the Town limits. In the event that an attached sign is removed, all anchor holes shall be filled and covered, by the owner of the property, in a manner that renders the anchor holes non-discernable with the wall.
- (E) *Design and placement.*
  - (1) All permanent signs shall be limited to a maximum of two faces (double-faced).
  - (2) No All signs shall not be placed in such a position or manner as to obstruct or interfere, either physically or visually, with any fire escape, fire alarm or police alarm, or in a manner that interferes with any opening required for legal ventilation or as a means of ingress and egress. and
  - (3) No sign shall not project over a public street, trail, or other public right-of-way unless approved by the Town Council.
  - (4) No sign shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision through the site distance triangle as defined in Section 105-055, ULDC, or at any location, where, by reason of position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device.
  - (5) No sign shall be erected which makes use of the words "stop," "look," "danger," or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic.
- (F) *Sign message.* Any sign authorized by this article may contain a non-commercial message unrelated to the business located on the premises where the sign is erected provided that sign language or graphics do not contain obscenities.

**Section 90-030. – Computing sign perimeter area and sign face area.**

(A) The methodology for computing sign perimeter area shall be as follows: Sign perimeter area shall be measured to include the entire area within a single continuous perimeter composed of squares or rectangles that enclose the extreme limits of all sign elements including, but not limited to, sign structures or borders, written copy, logos, symbols, illustrations, and contrasting colored background. Supporting structures such as frames are included in the sign perimeter area calculation.

(B) The methodology for computing sign face area ~~for all sign types~~ shall be as follows:

~~(A)~~(1) *Single-faced signs.* Single-faced signs shall measure the sign face area to include the entire area within a single continuous perimeter composed of squares or rectangles that enclose the extreme limits of all sign face elements including, but not limited to, sign ~~structures or~~ borders, written copy, logos, symbols, illustrations, and contrasting colored background and materials, ~~unless stated otherwise herein.~~ Supporting structures such as poles, frames, columns, and sign bases, ~~decorative elements, details, columns~~ are not included in the sign face area calculation.

~~(B)~~(2) *Double-faced signs.* Double-faced signs shall be counted as a single-faced sign. Where the sign faces are not equal in size, the larger sign face shall be used as the bases for calculating sign face area.

#### **Section 90-035. - Computing sign height.**

Sign height shall be measured from the lowest height of the adjacent ground. The height of the nearest adjacent roadway crown shall be used if the sign is placed on a mound or berm.

#### **Section 90-040. - Standards by sign type ~~and zoning district.~~**

(A) The following types of signs shall be constructed or erected in accordance with the following specific regulations in addition to all other applicable regulations set forth in this article.

(1) Mandatory building identification (address) signs. One (1) address sign, between eight (8) and twelve (12) inches in height, is required for each structure, business or dwelling unit, and comply with the following requirements:

- a. Must be attached to the building or may be an awning or canopy sign;
- b. Sign face area shall be a minimum of 0.5 sq. ft. and a maximum of 2 sq. ft.; and
- c. Where multiple address signs are provided in a development, they shall be of uniform size and color.

(2) Wall signs. Sign attached to the wall of a structure that complies with the following requirements:

- a. A minimum of ten percent (10%) of the structure must be maintained as clear wall area on either end of the sign;

b. The length of the sign shall not exceed seventy-five percent (75%) of the building length or width of tenant's building frontage;

c. Shall use carved or channel-styled letters, symbols, and logos only. Depth of lettering shall be eight (8) inches maximum;

d. Cabinet signs and changeable copy signs are prohibited; and

e. May not be used jointly with canopy sign for single tenant.

(3) Monument or panel signs. Freestanding sign a maximum height of six (6) feet and maximum length of twelve (12) feet, except in a shopping center or other multi-tenant center where the maximum height shall be eight (8) feet. Such signs must also comply with the following requirements:

a. Design may include carved or channel-styled letters, symbols, and logos; cabinet signs, provided that letters, symbols, and logos intrude or extrude from sign face at a minimum of 3/8 inches; or changeable copy, which is limited by zoning district.

b. To be used as a primary sign type except in Commercial Low (CL) and Commercial Low Office (CLO) zoning districts, where may also be used as secondary sign type.

(4) Awning or canopy sign are attached to the structure and have a maximum sign face area of one (1) sq. ft. per one (1) linear foot of canopy or twenty-four (24) feet, whichever is less, and a minimum sign face area of sixteen (16) sq. ft. Such signs must also comply with the following requirements:

a. Maximum one (1) per canopy or two (2) per building, whichever is less;

b. Shall use carved or channel-styled letters, symbols, and logos only. Depth of lettering shall be eight (8) inches maximum;

.c Does not include cabinet signs and changeable copy signs, which are prohibited; and

d. May not be used jointly with wall sign for single tenant.

(5) Window signs are attached to the window or glass door of the structure and have a maximum sign face area of six (6) sq. ft. or twenty percent (20%) of any window or door area, whichever is less.

(6) Temporary signs may be freestanding or attached to the structure and must comply with the following requirements:

a. Inflatable/tethered: maximum height of fifteen (15) feet and maximum length (and width) of ten (10) feet;

b. Banner or pennant: maximum height of six (6) feet and maximum sign face area varies by zoning district;

c. Mobile: varies by zoning district;

d. A permit must be obtained under Section 90-\_\_\_\_\_ for any such sign over six (6) square feet;

e. No more than four (4) may be erected per plot for any period of time except for inflatable/tethered signs which are limited to one (1) per plot for any period of time;

f. Shall not be larger or higher than any permanent sign located on the premises in accordance with this article.

g. Shall not be lit or illuminated in any way;

h. Shall be placed no closer than three (3) feet from any property line and five (5) feet to the nearest public right-of-way;

i. Shall not be attached to any utility pole, fence, tree, shrub or other plant; and

j. Shall be removed after \_\_\_\_\_

#### **Section 90-041. - Standards by zoning district.**

(A) The following signs are permitted in the Agricultural Residential (AR) zoning district subject to the requirements below. All signs in residentially zoned districts shall not be illuminated ~~unless it is holiday signage~~.

(1) *Mandatory building identification sign:*

Sign face area	<del>0.5 sq. ft. (min) — 2 sq. ft. (max)</del>
Lettering	<del>3 in. (min) — 8 in. (max)</del>
Number of signs (maximum)	<del>1 per dwelling unit</del>
Attached/freestanding or both	Attached

(2) *Garage sale Temporary signs:*

Sign face area	6 sq. ft. (max)
<u>Sign design</u>	<u>Banner signs</u> <u>Mobile signs</u>
Number of signs (maximum)	4 per garage sale
Height	6 feet (max)
Other restrictions	Signs shall be removed after sale
Attached/freestanding or both	Freestanding

~~(3) — Real estate sign:~~

Sign face area	6 sq. ft. (max)
Number of signs (maximum)	1 per street frontage
Height	6 feet (max)
Other restrictions	Sign(s) shall be removed after sale
Attached/freestanding or both	Freestanding

~~(4) — Seasonal or holiday signage:~~

Sign face area	Not applicable
Other restrictions	Signage shall not be erected more than four weeks before the holiday and shall be removed within two weeks after the holiday
Attached/freestanding or both	Both

~~(5) — Opinion sign:~~

Sign face area	6 sq. ft. (max)
----------------	-----------------



Number of signs (maximum)	<del>1</del> per street frontage
Height	6 feet (max)
Other restrictions	<del>Sign(s) shall be removed within six weeks after election or final decision on issue (if applicable)</del>
Attached/freestanding or both	Freestanding

(B) The following signs are permitted in the Commercial Low (CL) and the Commercial Low Office (CLO) zoning districts. All signs, ~~other than holiday signage~~, shall be illuminated by back lighting (halo or silhouette) or external lighting only.

(1) *Mandatory building identification sign:*

Sign face area	<del>0.5 sq. ft. (min) — 4 sq. ft. (max)</del>
Lettering	<del>3 in. (min) — 12 in. (max)</del>
Number of signs (maximum)	<del>1</del> per structure or business
Other	<del>May be an awning sign</del>
Attached/freestanding or both	Attached

(2) ~~*Awning sign:*~~

Sign face area	4 sq. ft. (max); sign face area may not occupy more than 20 percent of awning
Lettering	3 in. (min) — 12 in. (max)
Number of signs (maximum)	1 per structure or business
Attached/freestanding or both	Attached

(32) *Building wall sign:*

a. *Individual building as outparcel or stand-alone building:*

Sign face area (maximum)	1 sq. ft. <u>of sign face area</u> per one (1) linear foot of building frontage, or 36 square feet <u>of sign face area</u> , whichever is less. A minimum of 18 square feet <u>of sign face area</u> is permitted; <del>however, in no case should the length of the sign exceed 75 percent of the building length</del>
Number of signs (maximum)	<del>1 per building. Buildings located on a corner are permitted a</del> <u>Two (2)</u> <del>where the second wall sign is no greater than at 50 percent of the square footage of the primary sign; or, in the alternative, the total allowable signage may be divided equally between the two wall signs.</del>
Sign design and dimension	<del>Carved or channel-styled letters, symbols, and logos only. Depth of lettering shall be eight inches maximum. Cabinet signs and changeable copy signs shall not be permitted</del>
Other restrictions	<del>A minimum of ten percent of the building must be maintained as clear wall area on either end of the sign.</del>
Attached/freestanding or both	<del>Attached</del>

b. *Shopping center or other multi-tenant center:*

Sign face area (maximum)	<del>Regular</del> <u>Inline</u> tenants: 1 sq. ft. <u>of sign face area</u> per one (1) linear foot of tenant's <u>building</u> frontage, or 36 square feet <u>of sign face area</u> , whichever is less. A minimum of 18 square feet <u>of sign face area</u> is permitted.
	Anchor tenants: 1 sq. ft. <u>of sign face area</u> per one (1) linear foot of anchor tenant's <u>building</u> frontage, or <del>60</del> <u>72</u> square feet, whichever is less
	<del>All tenants: In no case should the length of the sign exceed 75 percent of the building length or width of tenant frontage</del>

Number of signs (maximum)	<u>One (1) per tenant with an individual exterior standard entrance and one (1) per anchor tenant. Corner tenants are permitted a second wall sign at 50 percent of the square footage of the primary sign; or, in the alternative, the total allowable signage for a corner lot may be divided equally between the two wall signs.</u>
<del>Sign design and dimension</del>	<del>Carved or channel styled letters, symbols, and logos only. Depth of lettering shall be eight inches maximum. Cabinet signs and changeable copy signs shall not be permitted</del>
<del>Other restrictions</del>	<del>A minimum of ten percent of the building must be maintained as clear wall area on either end of the sign.</del>
<del>Attached/freestanding or both</del>	<del>Attached</del>

(43) *Canopy sign:*

Sign face area	<del>1 sq. ft. per one linear foot of canopy or 24 feet, whichever is less. A minimum of 16 square feet is permitted</del>
Number of signs (maximum)	<del>1 per canopy or 2 per building, whichever is less</del>
<del>Sign design and dimension</del>	<del>Carved or channel styled letters, symbols, and logos only. Depth of lettering shall be eight inches maximum. Cabinet signs and changeable copy signs shall not be permitted</del>
<del>Attached/freestanding or both</del>	<del>Attached</del>

(54) *Monument or panel sign:*

a. *Individual building as outparcel or stand-alone building:*

Sign <del>face</del> <u>perimeter</u> area (maximum)	<u>60 75</u> square feet
--	--------------------------

Number (maximum)	1 per building
Sign design	<del>Carved or channel styled letters, symbols, and logos permitted. Cabinet signs are permitted provided that letters, symbols, and logos intrude or extrude from sign face at a minimum of 3/8 ". Changeable copy is limited to 25 percent of sign face</del>
<del>Sign dimensions</del>	<del>Maximum height of six feet and maximum length of 12 feet</del>
Secondary signs	Drive-thrus, multi-tenant buildings, and accessory structures of 1,000 square feet or greater are permitted one secondary monument or panel sign with a maximum face area of no greater than 12 square feet. The sign <b>structure</b> shall be no higher or wider than five feet. All secondary signs, <b>unless a menu sign or directory sign</b> , shall be consistent in design with the primary sign on site. All secondary signage shall be located within 40 feet from the accessory structure and setback at least 20 feet from all property lines
<del>Attached/freestanding or both</del>	Freestanding

b. *Shopping center or other multi-tenant center:*

Sign <b>face perimeter</b> area (maximum)	<b>72 95</b> square feet
Number (maximum)	1 per driveway <b>accessing a public street</b>
Sign design	<del>Carved or channel styled letters, symbols, and logos permitted. Cabinet signs are permitted provided that letters, symbols, and logos intrude or extrude from sign face at a minimum of 3/8 ". Changeable copy is limited to 25 percent of sign face</del>
<del>Sign dimensions</del>	<del>Maximum height of eight feet and maximum length of 12 feet</del>
Secondary signs	Drive-thrus, multi-tenant buildings, and accessory structures of 1,000 square feet or greater are permitted one secondary monument or panel sign with a maximum face area of no greater than 12 square feet. The sign <b>structure</b> shall be no higher or wider than five feet. All

	secondary signs, <b>unless a menu sign or directory sign,</b> shall be consistent in design with the primary sign on site. All secondary signage shall be located within 40 feet from the accessory structure and setback at least 20 feet from all property lines
Attached/freestanding or both	Freestanding

~~(6) — Menu sign or Menu Board:~~

Secondary signs	<del>Drive-thrus, multi-tenant buildings, and accessory structures of 1,000 square feet or greater are permitted one secondary monument or panel sign with a maximum face area of no greater than 12 square feet. The sign structure shall be no higher or wider than five feet. All secondary signs, unless a menu sign or directory sign, shall be consistent in design with the primary sign on site. All secondary signage shall be located within 40 feet from the accessory structure and setback at least 20 feet from all property lines</del>
Attached/freestanding or both	Freestanding

~~(6) — Real estate or project sign:~~

Sign face area	<del>12 sq. ft. (max)</del>
Number of signs (maximum)	<del>1 per street frontage</del>
Height	<del>6 feet (max)</del>
Other restrictions	<del>Sign(s) must be removed after sale or project completion</del>
Attached/freestanding or both	Freestanding

(75) Window sign:

Sign face area	<del>6 sq. ft. or 20 percent of any window or door area, whichever is less</del>
----------------	--

Number of signs (maximum)	3 per tenant
<del>Other</del> <u>Sign design</u>	Window signs include neon signs and pasted letters, symbols, and logos
<del>Attached/freestanding or both</del>	<del>Attached</del>

(6) Directional or Safety Sign within the Interior of a Commercial Development:

<u>Sign face area</u>	<u>A maximum of four square feet of sign face area</u>
<u>Number of signs</u>	<u>To be determined at time of site plan approval</u>
<u>Sign design and dimension</u>	<u>Carved or channel-style letters, symbols, and logos only. Depth of lettering shall be eight inches maximum. Alternatively, signs may be printed. Cabinet signs and changeable copy signs shall not be permitted.</u>
<u>Attached/freestanding or both</u>	<u>Both</u>

~~(8) Holiday signage:~~ (7) Temporary sign:

<del>Sign face area</del>	<del>Not applicable</del>
<del>Sign design</del>	<del>Tethered/Inflatable</del> <del>Banner or pennant: maximum sign face of _____ sq. ft.</del> <del>Mobile: maximum height of eight (8) feet and sign face of thirty-six (36) sq. ft.</del>
<del>Other restrictions</del>	<del>Signage shall not be erected more than four weeks before the holiday and shall be removed within two weeks after the holiday</del>
<del>Attached/freestanding or both</del>	<del>Both</del>

~~(9) —Opinion sign:~~

Sign face area	<del>Any sign that can be permitted within the regulations of this subsection may contain a noncommercial message, however, sign(s) must be removed within one week after election or final decision on issue (if applicable)</del>
Number of signs (maximum)	
Other restrictions	
Attached/freestanding or both	

(C) The following signs are permitted in the Institutional and Public Facilities (IPF) zoning district. All signs, ~~other than holiday signage~~, shall be illuminated by back lighting (halo or silhouette) or external lighting only.

(1) *Mandatory building identification sign:*

Sign face area	<del>0.5 sq. ft. (min) — 2 sq. ft. (max)</del>
Lettering	<del>3 in. (min) — 8 in. (max)</del>
Number of signs (maximum)	<del>1 per structure</del>
Other	<del>May be an awning sign</del>
Attached/freestanding or both	<del>Attached</del>

(2) *Awning sign:*

Sign face area	<del>2 sq. ft. (max); sign face area may not occupy more than 20 percent of awning</del>
Lettering	<del>3 in. (min) — 8 in. (max)</del>
Number of signs (maximum)	<del>1 per structure or tenant</del>

Attached/freestanding or both	Attached
-------------------------------	----------

(3) *Monument or panel sign:*

Sign face area (maximum)	60 square feet
Number (maximum)	1 per driveway
Sign design	<del>Carved or channel styled letters, symbols, and logos permitted. Cabinet signs are permitted provided that letters, symbols, and logos intrude or extrude from sign face at a minimum of 3/8 ". Changeable copy is limited to 80 percent of sign face</del>
Sign dimensions	Maximum height of six feet and maximum length of 12 feet
Attached/freestanding or both	Freestanding

(4) ~~— Real estate or project sign:~~

Sign face area	<del>12 sq. ft. (max)</del>
Number of signs (maximum)	<del>1 per street frontage</del>
Height	<del>6 feet (max)</del>
Other restrictions	<del>Sign(s) must be removed after sale or project completion</del>
Attached/freestanding or both	Freestanding

(5) ~~— Seasonal or holiday signage:~~

Sign face area	Not applicable
----------------	----------------



Other restrictions	Signage must not be present before or after six weeks of season or holiday
Attached/freestanding or both	Both

(64) *Window sign:*

Sign face area	6 sq. ft. or 20 percent of any window or door area, whichever is less
Number of signs (maximum)	1 per building
Sign design-Other restrictions	Pasted letters, symbols and logos only. Neon and other illuminated window signs shall not be permitted
Attached/freestanding or both	Attached

(7) ~~Opinion sign:~~ (5) Temporary sign:

Sign design	<u>Tethered/Inflatable</u> <u>Banner or pennant: maximum sign face of        sq. ft.</u> <u>Mobile: maximum height of eight (8) feet and sign face of thirty-six (36) sq. ft.</u>
Sign face area	Any sign that can be permitted within the regulations of this subsection may contain a noncommercial message, however, sign(s) must be removed within one week after election or final decision on issue (if applicable)
Number of signs (maximum)	
Other restrictions	
Attached/freestanding or both	

- (D) The following signs are permitted in the Parks and Recreation (PR) zoning district. All signs, ~~other than holiday signage~~, shall be illuminated by back lighting (halo or silhouette) or external lighting only.

(1) *Mandatory building identification sign:*

Sign face area	<del>0.5 sq. ft. (min) — 8 sq. ft. (max)</del>
Lettering	<del>3 in. (min) — 8 in. (max)</del>
Number of signs (maximum)	<del>1 per structure or business</del>
Other	<del>May be an awning sign</del>
Attached/freestanding or both	<del>Attached</del>

(2) *Awning sign:*

Sign face area	<del>2 sq. ft. (max); sign face area may not occupy more than 20 percent of awning</del>
Lettering	<del>3 in. (min) — 8 in. (max)</del>
Number of signs (maximum)	<del>1 per structure or tenant.</del>
Attached/freestanding or both	<del>Attached</del>

(3) *Monument or panel sign:*

Sign face area (maximum)	60 square feet
Number (maximum)	1 per driveway
Sign design	<del>Carved or channel-styled letters, symbols, and logos permitted. Cabinet signs are permitted provided that letters, symbols, and logos</del>

	<del>intrude or extrude from sign face at a minimum of 3/8". Changeable copy is limited to 80 percent of sign face</del>
Sign dimensions	Maximum height of six feet and maximum length of 12 feet
Attached/freestanding or both	Freestanding

(4) ~~Real estate or project sign:~~ Temporary sign:

<u>Sign design</u>	<u>Tethered/Inflatable</u> <u>Banner or pennant: maximum sign face of ____ sq. ft.</u> <u>Mobile: maximum height of eight (8) feet and sign face of thirty-six (36) sq. ft.</u>
Sign face area	12 sq. ft. (max)
Number of signs (maximum)	1 per street frontage
Height	6 feet (max)
Other restrictions	Sign(s) must be removed after sale or project completion
Attached/freestanding or both	Freestanding

(5) ~~Seasonal or holiday signage:~~

Sign face area	Not applicable
Other restrictions	Signage must not be present before or after six weeks of season or holiday
Attached/freestanding or both	Both

(6) ~~Opinion sign:~~

Sign face area	Any sign that can be permitted within the regulations of this subsection may contain a noncommercial message, however, sign(s) must be removed within one week after election or final decision on issue (if applicable)
Number of signs (maximum)	
Other restrictions	
Attached/freestanding or both	

(E) The following signs are permitted in the Conservation (CN) zoning district. All signs, ~~other than holiday signage~~, shall be illuminated by back lighting (halo or silhouette) or external lighting only.

(1) *Mandatory building identification sign:*

Sign face area	0.5 sq. ft. (min) <del>8 sq. ft. (max)</del>
Lettering	3 in. (min) <del>8 in. (max)</del>
Number of signs (maximum)	1 per structure or business
Attached/freestanding or both	Attached

(2) *Monument or panel sign:*

Sign face area (maximum)	60 square feet
Number (maximum)	1 per driveway
Sign design	<del>Carved or channel styled letters, symbols, and logos permitted. Cabinet signs are permitted provided that letters, symbols, and logos intrude or extrude from sign face at a minimum of 3/8 ". Changeable copy is limited to 80 percent of sign face</del>
Sign dimensions	Maximum height of six feet and maximum length of 12 feet

Attached/freestanding or both	Freestanding
----------------------------------	--------------

(3) ~~Opinion sign.~~ Temporary sign:

<u>Sign design</u>	<u>Tethered/Inflatable</u> Banner or pennant: maximum sign face of _____ sq. ft. <u>Mobile: maximum height of eight (8) feet and sign face of thirty-six (36) sq. ft.</u>
Sign face area	Any sign that can be permitted within the regulations of this subsection may contain a noncommercial message, however, sign(s) must be removed within one week after election or final decision on issue (if applicable)
Number of signs (maximum)	
Other restrictions	
Attached/freestanding or both	

**Section 90-045. - ~~Temporary signs.~~ Reserved.**

- (A) ~~A permit as required in Section 05-040 shall be obtained for any temporary sign six square feet or larger in size.~~
- (B) ~~No more than four temporary signs shall be erected per plot for any period of time.~~
- (C) ~~Temporary signs shall not be larger or higher than any permanent sign permitted on the premises where the sign will be located.~~
- (D) ~~No temporary sign shall be placed on public property or in a public ingress/egress easement. Signs placed in violation of this provision shall be considered abandoned and shall be subject to removal without notice by the Town.~~
- (E) ~~Lighting of temporary signs is prohibited.~~
- (F) ~~Unless otherwise stated, temporary signs shall be removed within six months from the date that the sign was erected.~~

**Section 90-050. - ~~Promotional signs.~~ Reserved.**

(A) ~~The following promotional signs are permitted in the Commercial Low (CL), Commercial Low Office (CLO), Institutional and Public Facilities (IPF), Parks and Recreation (PR) zoning districts subject to the following standards.~~

~~(1) *Balloon sign:*~~

<del>Sign face area (maximum)</del>	<del>No maximum</del>
<del>Number (maximum)</del>	<del>1 per establishment</del>
<del>Sign dimensions</del>	<del>Maximum height of 25 feet and maximum length (and width) of 24 feet</del>
<del>Attached/freestanding or both</del>	<del>Freestanding</del>

~~(2) *Banner or pennant sign:*~~

<del>Sign face area (maximum)</del>	<del>144 square feet</del>
<del>Number (maximum)</del>	<del>4 per establishment</del>
<del>Sign dimensions</del>	<del>Maximum height of 12 feet and maximum length of 48 feet</del>
<del>Attached/freestanding or both</del>	<del>Both</del>

~~(3) *Mobile sign:*~~

<del>Sign face area (maximum)</del>	<del>36 square feet</del>
<del>Number (maximum)</del>	<del>2 per establishment</del>
<del>Sign dimensions</del>	<del>Maximum height and length of eight feet</del>
<del>Other restrictions</del>	<del>Signs shall not block or interfere with any pedestrian or vehicular use areas</del>
<del>Attached/freestanding or both</del>	<del>Freestanding</del>

- ~~(B) A permit as required in Section 05-040 shall be obtained for any promotional sign.~~
- ~~(C) No permit shall be issued for a period exceeding 14 consecutive days.~~
- ~~(D) No more than four such permits shall be issued to any one establishment in any one calendar year.~~
- ~~(E) No permit shall be issued for promotional signs within 28 consecutive days of the issuance of any previous promotional sign permit for the same establishment on the same plot.~~
- ~~(F) All promotion signs shall be illuminated by external lighting only.~~
- ~~(G) All promotional signs shall be setback a minimum of 50 feet from any adjacent residential zoning district.~~

#### **Section 90-055. - Billboards.**

- (A) The Town shall uphold and continue the prohibition on billboards and similar off-site signs instituted by Palm Beach County, however, this prohibition shall not restrict the repair, maintenance, relocation, or replacement of billboards constructed consistent with applicable codes and permit procedures prior to November 15, 1988, and included within the Palm Beach County billboard stipulated settlement agreement and billboard survey (approved February 6, 1996). The stipulated settlement agreement referred to herein shall be the primary source of information for implementing the intent and purpose of the regulations governing billboards and similar off-site signs.
- (B) All further rights, responsibilities, exceptions, requirements, and rules concerning the permitting and amortization of billboards and similar off-site signs shall be outlined in Chapter H of Article 8 of the Palm Beach County Code, as amended, and hereby adopted by the Town of Loxahatchee Groves.

#### **Section 90-060. - Flags.**

Flags in residential zoning districts are permitted up to six feet in area and may be mounted on a flag pole not exceeding 15 feet in height. Flags in non-residential zoning districts are permitted up to 144 feet in area and may be mounted on a flag pole not exceeding 50 feet in height. A maximum of four flags are permitted per each plot of land.

#### **Section 90-065. - Landscaping around signage.**

All signage shall be surrounded by landscaping which meets the requirements of Section 85-045, "Landscape requirements for interior open space."

#### **Section 90-070. - Sign permit requirements.**

- (A) ~~No permanent sign, promotional sign, billboard, or temporary sign~~ larger than six square feet in area or height, shall be placed or altered on any plot until a permit has been issued by the Town ~~consistent with Section 05-040.~~
- (B) Sign permit applications shall, at a minimum, contain and be accompanied by the following:
  - (1) An indication of the specific type of sign and design;
  - (2) The address and legal description of the plot where the sign will be located;

- (3) A sign plan, drawn to scale, showing the dimensions, square foot area, sign face, copy, height of letters, height of sign, colors, lighting, and the sign structure;
  - (4) The location and type of all other signs on the same plot;
  - (5) A copy of the master signage plan for the development, if applicable;
  - (6) For building wall signs, the building frontage and height of the building wall, parapet, or facade of the building;
  - (7) For window signs, the area of such windows to be used for signs;
  - (8) An indication of the landscaping to surround the proposed sign.
- (C) Permit issuance. If, upon review, it is determined that an application and proposed sign are ~~is~~ in accordance with the provisions of this article, a permit shall be issued. The permit may include conditions. The permit shall be governed in accordance with Sections 05-040 and 05-045 of this Code. Fees for permits shall be in accordance with the schedule established by the Town.
- (D) Signs erected without permits. Signs erected without permits are in violation of this article.
- (1) Signs that were not lawfully permitted and do not comply with this article shall be removed ~~immediately upon receipt of notice from Town Code compliance personnel.~~
  - (2) Signs that were not lawfully permitted but which otherwise comply fully with this article shall require a permit ~~within 30 days from receipt of notice from Town Code compliance personnel.~~
- (E) Permit revocation. Permits for signs may be revoked by the Town Code compliance personnel if it is determined that any sign fails to comply with the terms of this article and the owner of such sign fails to bring the sign into conformity within 30 days from receipt of any written notice of noncompliance. Revocation of a sign permit shall ~~require removal of~~ render the sign as erected without being lawfully permitted and in violation of this article.
- (F) Permit exemptions. Permits shall not be required for the following signs:
- (1) Temporary signs six square feet in area or height or less;
  - (2) ~~Holiday signage;~~
  - (3) Murals;
  - (4) Flags;
  - (5) Public service signs;
  - (6) Traffic control signs;
  - (7) Any sign pertaining to farm produce, merchandise, or services which are sold, produced, manufactured, or furnished on a plot, or portion of a plot, used as a farm ~~and pertaining to farm activities.~~
- (G) Permit denial. If, upon review, it is determined that an application is not in accordance with the provisions of this article, the requested permit shall be denied.
- (H) Appeals. Appeals to the approval with conditions or denial of a sign permit shall follow the administrative appeals process in article 145 of this Code.



(I) Variances. Variances from the requirements of this article may be sought in accordance with article 150 of this Code.

**Section 90-075. - Nonconforming signs.**

- (A) Any ~~permanent~~ sign, excluding billboards and similar signs which are governed by Section 90-055, that was legally erected but does not conform to all provisions of this article shall come into compliance within five years of the effective date of these regulations, except that permanent signs must immediately comply should any of the following events transpire:
- (1) A change of copy is required on a sign pertaining to a single entity;
  - (2) A change of copy is required for 50 percent or more of a sign pertaining to multiple entities.
  - (3) The sign is abandoned as defined in Section 90-010, "Definitions."
  - (4) The sign must be relocated for any reason.
  - (5) The permit for the sign expires.
- (B) Nonconforming signs may be refurbished or repaired provided no structural alterations are involved.
- (C) Signs or sign structures which were never lawfully permitted shall not be determined as legally nonconforming signs and shall be subject to immediate removal without the benefit of any amortization period.

**Section 90-080. - Enforcement.** Failure to comply with provisions of this article is a violation of this article and the ULDC which will be enforced in accordance with section 05-015 and chapter 14 of the Code. Violations involving activities conducted without a permit or outside the scope or conditions of a permit shall also be subject to quadruple the permit or permit modification fee, in accordance with the adopted fee schedule.

**Section 90-085. - Severability.**

- (A) Severability: If any provision of this article is found by a court of competent jurisdiction to be invalid, such finding must not affect the validity of the other provisions of this article that can be given effect without the invalid provision.
- (1) Generally: If any part, section, subsection, paragraph, sentence, phrase, clause, term, or word of this article is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, graph, subparagraph, sentence, phrase, clause, term, or word of this article. Should any section, paragraph, sentence, clause, phrase, or other part of this article or the adopting ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this article or the

adopting ordinance as a whole or any portion or part thereof, other than the part so declared to be invalid.

- (2) Severability where less speech results: Without diminishing or limiting in any way the declaration of severability set forth in subsection (a)(1) above, or elsewhere in this article or the adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article or the adopting ordinance, even if such severability would result in a situation in which there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.
  - (3) Severability of provisions pertaining to prohibited signs: Without diminishing or limiting in any way the declaration of severability set forth in subsection(a)(1), or elsewhere in this article or the adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article or the adopting ordinance or any other law is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article or the adopting ordinance that pertains to prohibited signs.
  - (4) Severability of prohibition on off-premise signs: If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article or any other code provisions or laws are declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the prohibition of off-premise signs as contained herein.
- (B) Substitution: Notwithstanding any provisions of this article to the contrary, to the extent that this article permits a sign containing commercial content, it shall permit a noncommercial sign to the same extent. The noncommercial message may occupy the entire sign area or any portion thereof, and may substitute for or be combined with the commercial message. The sign message may be changed from commercial to noncommercial, or from one noncommercial message to another, as frequently as desired by the sign's owner, provided that the sign is not prohibited and the sign continues to comply with all requirements of this article.

**Section 3. Conflict.** All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

**Section 4. Severability.** If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

**Section 5. Codification.** It is the intention of the Town Council of the Town of Loxahatchee Groves that the provisions of this Ordinance shall become and be made a part of the Unified Land Development Code of the Town of Loxahatchee Groves, Florida, that the Sections of this ordinance may be renumbered, re-lettered, and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

**Section 6. Effective Date.** This Ordinance shall become effective immediately upon its passage and adoption.

Councilmember \_\_\_\_\_ offered the foregoing ordinance. Councilmember \_\_\_\_\_ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
ANITA KANE, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGARET HERZOG, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERT SHORR, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAURA DANOWSKI, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS \_\_ DAY OF \_\_\_\_, 20\_\_.**

Councilmember \_\_\_\_\_ offered the foregoing ordinance. Councilmember \_\_\_\_\_ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
ANITA KANE, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGARET HERZOG, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERT SHORR, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAURA DANOWSKI, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.**

**TOWN OF LOXAHATCHEE GROVES, FLORIDA**

ATTEST:

---

Mayor Anita Kane

---

Town Clerk

---

Vice Mayor Margaret Herzog

APPROVED AS TO LEGAL FORM:

---

Councilmember Robert Shorr

---

Office of the Town Attorney

---

Councilmember Phillis Maniglia

---

Councilmember Laura Danowski