

ORDINANCE NO. 2025-XXX

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, REPEALING ARTICLE 90 “SIGNS,” OF PART III, “SUPPLEMENTAL REGULATIONS,” OF THE UNIFIED LAND DEVELOPMENT CODE; AMENDING PART III, “SUPPLEMENTAL REGULATIONS,” TO ESTABLISH ARTICLE 89, “SIGN REGULATIONS”; PROVIDING FOR CONFLICTS, SEVERABILITY, 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, provides 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WHEREAS, the Town’s existing regulations governing signs are outdated and require clarification to ensure consistency, effectiveness, and alignment with current standards, community needs, and the law; and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, after a duly noticed public hearing, and after considering input from staff and interested members of the public, has determined that the new sign regulation code as set forth herein is consistent with the Town’s Comprehensive Plan; and

WHEREAS, the Town Council finds that the adoption of this Ordinance serves a valid municipal purpose and is in the best interest of the Town and its residents.

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

Section 1. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and incorporated herein and represent the legislative findings of the Town Council, in addition and supplemental to those findings set forth in Section 89-005. 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 repeals Article 90, “Signs,” of Part III, “Supplemental Regulations,” of its Unified Land Development Code (“Code”) in its entirety.

Section 3. The Town of Loxahatchee Groves hereby establishes Article 89, “Sign Regulations,” of Part III, “Supplemental Regulations,” of its Code to read as follows:

PART III – SUPPLEMENTAL REGULATIONS

ARTICLE 89 – SIGN REGULATIONS

Section 89-005. - Scope, intent, purpose.

(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 within the Town. No signs shall be permitted on a plot or parcel within the Town except in accordance with the provisions of this Article.

(1) This Article is not intended to and does not regulate signs constructed, maintained, or otherwise posted, owned, or leased by the Town, Palm Beach County, the State of Florida, or the federal government, and does not regulate official traffic control devices.

(2) This Article does not regulate farm signs as that term is defined below.

(B) *Intent.* Increased quantity 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 and aesthetics 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 use 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 the 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 substantial 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's 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 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 government 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 the Town 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 F.S. § 163.3202(2)(f). Complying with state law is a compelling governmental interest.
- (3) *Town Code*. The Town's Code provides in Section 05-005(A), "Purpose and intent; division of Town into districts", that the purpose and intent of the Code is "to protect and preserve the high quality of living; the agricultural and rural residential character; and, the public health, safety and general welfare of the community through regulations that implement the Comprehensive Plan; and control the subdivision, use and development of land, including the use of land, buildings, structures, and other improvements thereon; protect the overall appearance of the community, and ensure the availability of public facilities and services concurrent with demand."

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 89-010. - Severability; substitution.

- (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 code be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Article or the adopting code 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 code, 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 code, 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 code, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article or the adopting code 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 code that pertains to prohibited signs.

(4) *Severability of prohibition on off-premises 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-premises 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 non-commercial 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 (1) 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 89-015. - Definitions.

In addition to the 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 herein, except where the context clearly indicates a different meaning.

Abandoned sign. Any on-premises sign which is located on a plot that has been vacant and unoccupied for a period of three (3) weeks or more, or any sign which pertains to a time, event, or purpose which no longer applies.

Accessory sign. A supplemental sign relating to products or services sold, affiliations, and/or uses of the premises on which the sign is located (e.g. credit card affiliations, brand symbols).

Address sign. Any on-premises sign which indicates the address of a building, and may be composed of one or more individual numerals. For the purposes of this definition, a nameplate shall be construed to be an address sign.

Anchor tenant. A principal tenant within a multi-tenant commercial development containing four or more tenants which occupies at least forty-five percent (45%) of the total leasable building space within a single structure or across the entire development.

Animated sign. A sign which uses motion of any part by any means, or displays flashing, oscillating, intermittent or moving lights, other than an electronic changeable copy sign or time, date and/or temperature sign.

Attention attracting signs. Pennants, streamers, spinners, tinsel, inflation, or other similar devices, and signs including or incorporating any such devices, with or without copy, that is not otherwise a banner flag.

Awning sign. A sign placed on an awning which is supported entirely from the exterior wall of a building except for the supporting framework.

Banner sign. Any sign (that cannot be considered a flag), intended to be suspended for display, either with or without frames, having characters, letters, illustrations, or ornamentations applied to cloth, paper, plastic, balloons, or fabric of any kind with such material acting as a backing.

Billboard sign. A large off-premises permanent sign structure that may be freestanding or affixed to a building.

Bulletin board sign. A free-standing sign constructed by or for a charitable, educational, governmental, or religious institution, or a public body, which is constructed on the same plot as the primary structure housing such institution.

Canopy. A roof-like structure generally self-supporting that may be freestanding or attached to a principal structure, providing shade and weather protection, typically utilized in locations such as over drive-thru lanes, walkways, entrances, and gasoline pumps.

Changeable copy sign (electronic). Any electrical or electronically controlled sign where different messages or copy changes are shown, but shall not include animated or flashing signs.

Changeable copy sign (manual). Signs displaying messages, which can be, or are intended to be, changed by use of removeable letters and numerals.

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

Clearance (of a sign). The smallest vertical distance between the established grade of the site upon which the sign is to be located and the lowest point of the sign, including framework and any ornamentation attached thereon, extending over that grade.

Copy. Written or graphic material that is placed, displayed, or depicted or otherwise indicated on a sign.

Copy area. The entire face of a sign including the advertising surface of any framing, trim or molding but not including the supporting structure.

Day(s). A “day” shall mean a calendar day, including weekends and holidays, unless otherwise expressly stated herein.

Emitting signs. Signs that emit audible sound, odor, or visible matter such as smoke or steam.

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.

Farm sign. A sign located on lands used for bona fide agricultural purposes that is erected, used, or maintained on a farm, as defined in Section 823.14, Florida Statutes, by the owner or lessee of such farm, and relates solely to farm produce, merchandise, or services sold, produced, manufactured, or furnished on such farm, in accordance with Section 604.50, Florida Statutes.

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

Flag. Any fabric, plastic, canvas, material or bunting containing distinctive color(s), pattern(s), symbol(s), emblem(s) or insignia(s) that represents a noncommercial idea or institution, or entity, such as a government or civic club.

Freestanding sign. A sign supported by a sign structure secured in the ground and which is wholly independent of any building, fence, or object other than the sign structure for support.

Identification sign. A sign that displays the name, logo, or other identifying information of plot that does not advertise a specific product, service, or event (that is not otherwise an address sign).

Illuminated Sign. A sign that is illuminated by artificial means, either internally or externally, provided that it is not an animated sign. Such signs shall not contain exposed tubes, bulbs, or other visible light-emitting components.

Inline tenant. A tenant within a multi-tenant commercial development that is not classified as an anchor tenant.

Master sign plan. A coordinated signage program required for multi-tenant developments, mixed-use projects, commercial centers, or other multi-occupancy properties within the Town's commercial districts to ensure uniformity in sign design, placement, size, and illumination. Such a plan shall establish consistent criteria for all on-site signage. It includes drawings and plans that illustrate the sign program for the overall development, including, but not limited to, size, location, type, architectural design, dimensions, and other design standards including materials, color, and sign illumination.

Memorial sign. A free-standing sign, tablet, or plaque memorializing a person, structure, site or event.

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 fifty percent (50%) of the sign face, inclusive of any box, cabinet, or frame.

Multi-tenant. A commercial facility consisting of four or more tenants within a single building, or multiple buildings.

Nonconforming sign. A sign which was lawfully permitted, 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.

Obstructing sign. A sign that obstructs the vision of pedestrians, cyclists, or motorists traveling on or entering streets.

On-premises signs. Any sign utilized for advertising an establishment, activity, product, service or entertainment which is sold, produced, manufactured, available or furnished on the plot on which said sign is located. For purposes of this Article noncommercial messages are always considered on-premises signs.

Off-premises sign. A sign utilized for advertising an establishment, activity, product, service or entertainment which is sold, produced, manufactured, available or furnished at a place other than on the plot on which said sign is located.

Parapet. A vertical false front or wall extension above the roof line.

Portable sign. A free-standing or off-premises sign which is not permanently affixed to the ground, building, or other structure, which may be mounted on wheels or affixed to a vehicle, and can easily be transported from place to place.

Post and panel sign. A sign made of wood, metal, similar rigid materials, or durable weatherproof fabric attached to one (1) or more ground mounted posts utilized as a panel to display copy.

Primary façade. The façade that has the principal entrance, often referred to as the principal façade or storefront.

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

Roof sign. A type of sign erected, painted, mounted, attached, or integrated on the roof or above the roofline or parapet, or any sign otherwise placed on the roof or rooftop structures.

Sign. Any 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 to announce the purpose of, or identify the purpose of a person or entity, or to communicate information to the public.

Sign area. The square foot area of a single rectangle enclosing the entire sign face (as distinguished from copy area), unless otherwise provided in this Article.

Sign face. The part of the sign that is or can be used to identify, advertise, or communicate information, or for visual representation, which attracts the attention of the public for any purpose. “Sign face” includes the extreme limits of the copy, together with any background material, panel, trim, color and internal or external illumination used that differentiates the sign from the building, structure, backdrop surface or object upon which or against which it is placed.

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, taped, glued or otherwise affixed to a pole, tree, stake, fence, structure, building, trailer, dumpster or other object, unless permitted by law.

Temporary sign. A sign that is not permanently affixed or installed, or is displayed for a limited period of time.

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.

Wall sign. A sign placed on, attached to, or parallel to a wall, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

Windblown sign. Any sign designed to be airborne or suspended in the air by means of wind, helium, or other gases, including without limitations, balloons, pennants, inflatables, or similar floating devices.

Window sign. Any sign which is located in a window or other transparent surface, or within a building, which is visible from the exterior through a window or other opening. Interior signs that are not visible from the exterior and merchandise located in a window are not window signs.

Section 89-020. - Applicability.

This Article shall apply to all plots and land within the jurisdiction of the Town. It is unlawful for any person, firm, or corporation that owns, occupies, or controls a plot in the Town to construct, maintain, display or alter, or cause to be constructed, maintained, displayed or altered, any sign within the Town except in compliance with this Article, the Town's building and electrical codes, and all other applicable Town regulations.

Section 89-025. - Mandatory signs.

The following mandatory signs do not require a permit:

(A)Address signs.

- (1) Address signs for Agricultural Residential (AR), Conservation (CN), Parks and Recreation (PR) zoning districts. An on-premises sign which indicates the address of the plot or primary building and is composed of one or more numerals. One (1) address sign is required for each plot or primary structure and shall comply with the following requirements:
 - (a) Must be attached to the primary building;
 - (b) Sign face area shall be a minimum of 0.5 sq. ft. and a maximum of 4 sq. ft.;
 - (c) Must be a minimum of three (3) and a maximum of twelve (12) inches in height;
 - (d) Address numerals must be on contrasting background; and
 - (e) Must be posted in a location so that it is reasonable viewable, readable, and unobstructed. In cases where the primary building is not located within view from the street, the address sign must also be located on the mailbox, wall or fence such that it is visible from the street.

(2) Address signs for Commercial Low (CL), Commercial Low Office (CLO), and Institutional and Public Facilities (IPF) zoning districts. An on-premises sign which indicates the address of a building or plot and is composed of one or more numerals. One (1) address sign is required for each building, business, tenant space, or dwelling unit, and shall comply with the following requirements:

- (a) Must be attached to the building or may be a canopy sign;
- (b) Sign face area shall be a minimum of 0.5 sq. ft. and a maximum of 4 sq. ft.;
- (c) Must be a minimum of three (3) and a maximum of twelve (12) inches in height;
- (d) Address numerals must be on contrasting background;
- (e) Where multiple address signs are provided in a development, they shall be of uniform size and color; and
- (f) Must be posted in a location so that it is viewable, readable, and unobstructed from the adjacent right-of-way. In cases where the building is not located within view from the street, the address sign must also be located on the mailbox, wall or fence such that it is visible from the street.

(B) *Required posting.* Where a federal, state, or local law requires an owner to post a sign on the owner's plot to warn of a danger, to prohibit access to, or to provide a legally required notice regarding the plot either generally or specifically, the owner must comply with the federal, state, or local law to exercise that authority by posting a sign on the plot. If the federal, state, or local regulation describes the form and dimensions of the sign, the plot owner must comply with those requirements; otherwise, when not defined, the sign shall be no larger than two (2) square feet and located in a place on the plot to provide access to the notice that is required to be made. All such signs shall remain in place until they have served their intended purpose and shall be removed by the plot owner no later than ten (10) days thereafter or as otherwise required by law.

(C) *Official notice.* Official notices posted or displayed by or under the direction of any public or court officer in the performance of official or directed duties. All such signs shall remain in place until they have served their intended purpose and shall be removed by the plot owner no later than ten (10) days thereafter or as otherwise required by law.

Section 89-030. - Prohibited signs.

It shall be a violation of this Article to construct, install, place, or maintain the following signs in the Town, unless otherwise approved by the Town:

- (A) *Not specifically permitted.* Any sign which is not specifically permitted under this Article or sign that exceeds the sign allowance for the designated zoning district or sign type.
- (B) *Traffic or pedestrian hazard.* Any sign which constitutes a traffic hazard or a detriment to traffic safety by reason of its size, location, movement, content, coloring, or method of illumination, or by obstructing the vision of drivers, or signs that obstruct or detract from the visibility of traffic-control devices or emergency vehicles. The use of animated signs, attention attracting signs, or flashing or revolving lights as part of any sign is prohibited as it constitutes a traffic hazard. Any sign which by glare or method of illumination constitutes a hazard to either vehicular or non-vehicular traffic is prohibited. Also prohibited is any sign which may be confused with or purports to be a governmental, traffic direction or safety sign, or any other sign or group of signs which create a traffic hazard as determined by the Town.
- (C) *Right-of-way sign.* Any sign constructed, installed or placed on a right-of-way, except as specifically permitted by this Article. This prohibition shall not apply to signs constructed by a governmental agency or required to be constructed by a governmental agency for a public purpose.
- (D) *Visibility triangle.* Any sign, except traffic-control signs, placed, constructed or maintained upon property in or in such a manner as to obstruct free and clear vision through any sight distance triangle as described in section 105-005.
- (E) *Public property sign.* Any sign constructed, installed, placed, or maintained on Town property or other governmental property; except signs constructed by any governmental entity for public purposes or as specifically authorized by this Article.
- (F) *Ingress and egress to buildings.* Any sign that obstructs any fire escape, required exit, window or door opening intended as a means of ingress or egress.
- (G) *Rear of a building.* Any sign which is constructed, installed or maintained upon the rear of a building, with the exception of signs to identify the business address on a rear exit door with no greater than six (6) inch non-illuminated letters with a minimum stroke width of one-half inch (1/2") located on or directly above the rear door, or as required by applicable fire safety regulations.
- (H) *Unshielded light source.* Any sign with an exposed unshielded light source which does not comply with the terms, conditions and provisions contained in this Article.
- (I) *Prohibited sign types.* The following types of signs are prohibited.
- (a) Banner signs;
 - (b) Billboards;

- (c) Pole signs;
- (d) Projecting signs;
- (e) Roof signs;
- (f) Snipe signs; and
- (g) Windblown signs.

Section 89-035. - Signs requiring sign permits.

All signs, except mandatory signs pursuant to Section 89-025, temporary signs pursuant to Section 89-065(A), bulletin board signs pursuant to Section 89-065(B), and window signs pursuant to Section 89-065(D), shall require sign permits and are subject to the allowances and other regulations hereunder. The following regulations apply to all signs requiring a sign permit:

- (A) Every sign for which a sign permit is required must be clearly marked with the corresponding permit number. This permit number should be displayed on a permanent material in a contrasting color, with numbers at least one inch in height.
- (B) Tags displaying the permit number must be positioned on the sign or at the base of the structure in a location that is clearly visible. For freestanding signs, tags must be placed on the structure between one (1) and three (3) feet above grade.
- (C) The absence of a required tag on a sign will be considered prima facie evidence of a violation of this Article, indicating non-compliance with the permit and tagging requirements.

Section 89-040. - Permit requirements.

- (A) *Permit application.* Sign permit applications shall be on a form provided by the Town and, at a minimum, contain and be accompanied by the following:
 - (1) A general description of the specific type of sign, materials, 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, size 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 façade of the building;
- (7) A description of the landscaping to surround the proposed sign. Landscaping must be consistent with the requirements of Article 85, including submission of a landscaping plan if required.
- (B) *Permit issuance.* If, upon review, it is determined that an application and proposed sign are 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. Fees for permits shall be in accordance with the schedule adopted by resolution of the Town Council.
- (C) *Permit revocation.* Permits for signs may be revoked by the Town if it is determined that the sign fails to comply with the terms of this Article and the owner of the sign or the plot on which such sign is located fails to bring the sign into conformity within thirty (30) days from receipt of any written notice of noncompliance. Revocation of a sign permit shall render the sign as erected without being lawfully permitted and in violation of this Article.
- (D) *Permit denial.* If, upon review, it is determined that an application or proposed sign is not in accordance with the provisions of this Article, the requested permit shall be denied.
- (E) *Appeal.* Appeals to the approval, approval with conditions or denial of a sign permit shall follow the administrative appeals process in Article 145 of this Code.
- (F) *Variances.* Variances from the requirements of this Article may be sought in accordance with Article 150 of this Code.

Section 89-045. - Maintenance.

Any sign constructed, installed, placed, or maintained under the provisions of this Article shall be maintained in a safe, functional, and structurally sound condition at all times. General maintenance of such signs shall include the replacement of nonfunctioning, broken, or defective parts; painting; cleaning; upkeep of the premises immediately surrounding the sign; and any other actions necessary for its proper maintenance. All signs shall be kept painted or treated in some manner to prevent rust, stains, mold, discoloration, decay or deterioration.

Section 89-050. – Violations, removal and enforcement.

- (A) Failure to comply with the provisions of this Article is a violation of this Article.
- (B) Signs constructed, installed, or placed without approved permits are in violation of this Article.

- (1) Signs that were not lawfully permitted and do not comply with this Article shall be removed.
- (2) Signs that were not lawfully permitted but which otherwise comply fully with this Article shall require a permit.
- (C) If any sign is identified by the Town Building Official or designee as being unsafe, insecure, abandoned, a menace to the public, or has been constructed, installed, placed or is being maintained in violation of the provisions of this Article, the Town is permitted to remove the sign and seek enforcement.
- (D) Any violation of this Article is subject to enforcement in accordance with Section 05-015 and Chapter 14.

Section 89-055. - Nonconforming signs.

- (A) *Generally.* Nonconforming signs are declared to be incompatible to and inconsistent with the intent and regulations of this Article. Nonconforming signs may remain in place until removed, abandoned, or structurally or substantially altered.
- (B) *Maintenance.* Nonconforming signs may be refurbished or repaired provided no structural or substantial alterations are involved. Substantial alterations are those that exceed fifty percent (50%) of the value of the sign within a three-year period. All alterations require a sign permit. Nonconforming signs shall not be expanded or relocated without being brought into compliance with the requirements of this Article.
- (C) *Unpermitted signs.* Signs which were not lawfully permitted, constructed or maintained in accordance with the code in existence at the time are not nonconforming signs and are in violation of this Article.

Section 89-060. - General design standards.

- (A) *Computation of sign perimeter area.* 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) *Computation of sign face area.* The methodology for computing sign face area for all sign types shall be as follows:

- (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. Supporting structures such as poles, frames, columns, and sign bases, decorative elements, details, columns are not included in the sign face area calculation.
 - (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 basis for calculating sign face area. Where the sign has identical faces mounted on opposite and parallel sides of the same sign, only one of the two identical faces shall be used to calculate sign area.
- (C) *Computation of the area of a building face.* The area of a building face shall be determined by multiplying the height of the building face by the width of the building face.
- (D) *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. Grades raised solely to increase sign height shall not be used to determine allowable height.
- (E) *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.
- (F) *Setbacks.* All signs shall be set back a minimum of five (5) feet from the plot line, unless otherwise specified in this section, and shall provide a clearance within three (3) feet from rights-of-way.
- (G) *Separation.* All signs not mounted to a building shall be separated from another sign on the same parcel by two hundred (200) feet.
- (H) *Screening.* All mechanical and electrical elements of a sign, including lighting elements, shall be fully screened or concealed.
- (I) *Lighting.* All sign lighting is restricted to the hours of operation of the entity or establishment with which the sign is associated.
- (1) All sign lighting shall be properly shielded to prevent glare on adjacent streets and properties.
 - (2) Illumination shall be constant and shall not consist of flashing or animated lights.

Section 89-065. - Sign types.

- (A) *Temporary signs.* The following standards apply to all temporary signs, unless otherwise specified in this Article:

- (1) Maximum sign area per temporary sign. Temporary signs shall not be larger than three (3) square feet in residential districts and sixteen (16) square feet in all other zoning districts.
- (2) Sign face. Temporary signs shall not have more than two (2) faces per sign.
- (3) Size. Temporary signs shall not be larger or higher than any permanent sign permitted on the premises where the sign is located.
- (4) Lighting. Lighting of temporary signs is prohibited.
- (5) Public property. Temporary signs shall not be placed on public property, in public rights-of-way or ingress/egress easements, or within the visibility triangle.
- (6) Number of signs. A plot owner may place one (1) temporary sign on the plot at any time for any amount of time.
- (7) Additional signs. Additional temporary signs, not to exceed a maximum of four (4) total temporary signs on any plot at any time, are permitted during certain times of the year subject to quantity, size, location, and state law requirements.
 - i. Duration and location. Additional signs are permitted between (1) mid-August and mid-November; and (2) mid-January through mid-March:
 - a. Number and location—Private plot. On a private plot: a maximum of one (1) sign.
 - b. Number and location—Public plot. On a public plot during early voting and on election day: a maximum of one (1) sign. The Town may, by resolution, designate specific areas for the display of temporary signs on a public plot.
 - ii. Size. All temporary signs posted or installed pursuant to this subsection must not be larger than three (3) square feet in residential districts. In commercial districts, temporary signs may be up to sixteen (16) square feet.
 - iii. Removal. All signs installed or posted under this subsection must be removed in accordance with Section 89-050 or Section 106.1435, Florida Statutes, if applicable. Failing to timely remove the signs is a violation of this Article.
 - iv. Compliance with applicable laws. Displaying or erecting signs pursuant to this section shall be subject to compliance with all applicable state and federal laws, including, but not limited to, Chapter 479, Florida Statutes, and Section 106.1435, Florida Statutes.
- (8) Removal—Generally. Temporary signs posted in connection with an event shall be removed within twenty-four (24) hours after the event/purpose has concluded. Temporary signs posted in connection with a specific event that remain in place after the applicable

deadline for their removal are subject to removal and disposal in accordance with Section 89-050.

- (9) Removal—Hurricane or Tornado watch. Any temporary sign installed within the Town shall be removed by the owner of the plot on which the sign is located when a hurricane or tornado watch is posted and shall not be re-installed until the threatened storm has passed. Failure to remove a temporary sign is a violation of this Article. In the event that the plot owner does not remove the sign, the Town is permitted to remove the sign and seek enforcement in accordance with Section 89-050. The Town shall not be responsible for the replacement of such signage after a hurricane or a tornado watch is discontinued.
- (B) *Bulletin board signs.* A maximum of one (1) bulletin board sign per plot, with a maximum of twelve (12) square feet of sign area, is permitted in all zoning districts. Bulletin board signs shall not exceed six (6) feet in height.
- (C) *Canopy signs.* Under canopy signs are allowed only in commercial zoning districts as a part of a master sign plan. One (1) under canopy sign with a maximum copy area of six (6) square feet is allowed per business premise. All signs must have a minimum vertical clearance of nine (9) feet.
- (D) *Window sign.* Window signs are allowed in ground floor windows only and must meet the following requirements:
 - (1) Window signs may be installed in each window or glass door area, so long as each sign area does not exceed a maximum sign face area of six (6) sq. ft. or twenty percent (20%) of any window or door area, whichever is less.
 - (2) A maximum of three (3) windows signs are permitted per business premise. If a business occupies multiple spaces within a single building, the sign limit applies separately to each space under the business' ownership or control.
 - (3) One (1) illuminated sign up to a maximum size of three (3) square feet and otherwise included in the overall window sign calculations may be permitted per occupied business premise. The sign may be illuminated only during the hours when the establishment is open for business. Illuminated signs used in windows that are not battery operated must have a permanent power source that has been professionally installed and permitted by the Town.
 - (4) Cloth, canvas, fabric, paper, plywood, or other like material which is not intended or designed for permanent display are prohibited.

(5) .Sunscreening material, such as tint or film, may be applied to windows and glass doors, subject to the following limitations:

- i. No sunscreening material may be applied to windows and glass doors at any business premises that has the effect of making said windows or glass doors nontransparent. Sunscreening material(s) shall be limited to the solar reflectance and light transmittance limitations provided in Section 316.2953, Florida Statutes, as amended such that the material has a total solar reflectance of visible light of not more than twenty-five percent (25%) as measured on the nonfilm side and a light transmittance of at least twenty-eight percent (28%) in the visible light range; and
- ii. Sunscreening material shall not count toward window sign coverage, unless said material is colored or the material displays lettering or images.

(E) *Wall signs for non-residential properties.* Plots in Commercial Low (CL), Commercial Low Office (CLO), Institutional and Public Facilities (IPF), and Parks and Recreation (PR) zoning districts shall be limited to one (1) wall sign with a maximum wall sign face area of two (2) sq. ft. per linear foot of building frontage, or 36 square feet, whichever is less. A minimum of 18 sq. ft. is permitted, however, in no case should the length of the sign exceed 75 percent of the building length.

(F) *Additional wall signs for commercial districts.* Additional wall signs for multi-tenant commercial developments in a commercial low (CL), or commercial low office (CLO) zoning districts are permitted as follows:

- (1) Anchor tenants shall be permitted one (1) wall sign that is one (1) sq. ft. of sign face area per one linear foot of anchor tenant footage, or 72 sq. ft. of sign face area, whichever is less.
- (2) Inline tenants shall be permitted one (1) wall sign that is one (1) sq. ft. of sign face area per one linear foot of tenant frontage, or 36 sq. ft. of sign face area, whichever is less.
- (3) No sign may exceed 75 percent of the building length or width of tenant frontage. A minimum of ten percent (10%) of the building must be maintained as clear wall area on either end of the sign.
- (4) The joint use or sharing of building wall signs among multiple tenants is prohibited.

(G) *Freestanding signs for traffic control.* Freestanding signs for traffic control purposes may be placed in accordance with the following requirements:

- (1) Traffic-control signs designating parking area entrances and exits are limited to two (2) signs not exceeding three (3) feet in height for each entrance and exit abutting a street, and each sign shall not exceed three (3) square feet of copy area and include the words “enter,” “exit,” “one-way,” or a directional arrow.
- (2) Traffic-control signs shall be reviewed for location placement by the Town and shall be in general conformance with the Manual on Uniform Traffic-control Devices for Streets and Highways.

Section 89-070. - Master sign plan required.

- (A) All commercial centers and plazas, multi-tenant buildings, and planned unit developments located within the commercial zoning districts of the Town are required to submit and obtain approval for a master sign plan. The master sign plan shall include all signs to be installed within the project or development, including any outparcels sharing common driveways and parking. The master sign plan shall be consistent with the submission requirements and approval process for site plans contained in Article 155. There shall be fees for application and review of master sign plans and modifications of master sign plans that are separate from the fees set forth in Article 155. The amount of such fees shall be adopted by Resolution of Town Council. In addition to the submission requirements contained in Section 155-010, the following requirements must be met:
 - (1) Documentation depicting all signage including without limitation, dimensions, square footage, location, design, setback, and style; and
 - (2) Type of sign, including, but not limited to, the type of lettering, color, materials, and changeable copy area, if any;
 - (3) Type and manner of illumination, if any;
 - (4) The required landscaping plan shall, at a minimum, include the area around each freestanding sign.
- (B) In addition to the substantive requirements contained in Section 155-020, the following requirements must be met:
 - (1) The signage throughout the master sign plan shall be in keeping with the overall architecture and character of the project or development;
 - (2) The signage throughout the master sign plan shall be legible, conspicuous, and easily readable;

- (3) The visibility and impact of the type of sign, number of signs, design, size, method of construction, illumination and location of the proposed signs shall be compliance with the minimum standards of this Article and do not adversely impact adjoining structures within the project or development;
- (4) The proposed signage shall be consistent and not in conflict with this Article.
- (C) The approval of a master sign plan by Town shall be required prior to the issuance of a sign permit to construct, install, place, or alter any sign in a commercial center, plaza, multi-tenant building, or planned unit development located within the commercial zoning districts of the Town.
- (D) Whenever the owner of a sign in an existing commercial center, plaza, multi-tenant building or planned unit development desires to replace, alter or relocate an existing sign, and/or perform sign repair and maintenance that is not in compliance with the regulations in this Article, a master sign plan shall be required. The Town shall notify the plot owner in writing within seven (7) days of receiving an application for a sign permit that requires a master sign plan. The plot owner shall submit to the Town a master sign plan application that complies with the requirements of this Article within sixty (60) days of the Town's notice.
- (E) *Waiver.* As part of the approval of a master sign plan, the Town may waive a specific regulation(s) contained in this Article, provided that the waiver is necessary to best meet the master sign plan requirements and objectives. The waiver and justification for the same must be in writing and included with the master sign plan approval records.
- (F) *Decision.* The master sign plan may be approved, approved with conditions, or denied in writing by Town Council. The master sign plan shall be governed in accordance with Sections 05-040 and 05-045.
- (G) *Modification.* An approved master sign plan may be modified in accordance with the approval process for site plan modification provided for in Section 155-025.

Section 4. Conflict. All Ordinances or parts of Ordinances, Codes or parts of Codes, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

Section 5. 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 6. 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 Development Land Code of the Town of Loxahatchee Groves, Florida, that the Sections of this Ordinance may be renumbered, re-lettered, and the word “Code” may be changed to “Section,” “Article” or such other word or phrase in order to accomplish such intention.

Section 7. 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"/>
Phillis Maniglia, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lisa El-Ramsey, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paul Coleman II, 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 _____, 2025.

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"/>
Phillis Maniglia, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lisa El-Ramey, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paul Coleman II, 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 _____, 2025.

TOWN OF LOXAHATCHEE GROVES, FLORIDA

ATTEST:

Valerie Oakes, Town Clerk

Mayor Anita Kane

Vice Mayor Margaret Herzog

APPROVED AS TO LEGAL FORM:

Office of the Town Attorney

Councilmember Phillis Maniglia

Councilmember Lisa El-Ramey

Councilmember Paul Coleman II