

TOWN OF LOXAHATCHEE GROVES

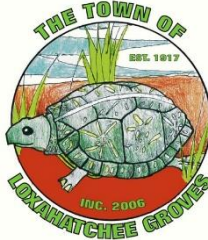
TOWN HALL COUNCIL CHAMBERS

155 F. ROAD, LOXAHATCHEE GROVES, FL 33470

UNIFIED LAND DEVELOPMENT CODE REVIEW COMMITTEE

AGENDA

APRIL 14, 2025 – 6:00 PM



Jo Siciliano (Seat 1)

Brian Zdunowski (Seat 3) – Karen Plante (Seat 2)

Robert Austin (Seat 4) - Sarah Palmer (Seat 5)

Administration

Town Manager Francine L. Ramaglia

Town Clerk Valerie E. Oakes

Committee Staff Liaison: Jeff Kurtz, Project Coordinator

Civility: Being "civil" is not a restraint on the First Amendment right to speak out, but it is more than just being polite. Civility is stating your opinions and beliefs, without degrading someone else in the process. Civility requires a person to respect other people's opinions and beliefs even if he or she strongly disagrees. It is finding a common ground for dialogue with others. It is being patient, graceful, and having a strong character. That is why we say "Character Counts" in Town of Loxahatchee. Civility is practiced at all Town meetings.

Special Needs: In accordance with the provisions of the American with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall within three business days prior to any proceeding, contact the Town Clerk's Office, 155 F Road, Loxahatchee Groves, Florida, (561) 793-2418.

Quasi-Judicial Hearings: Some of the matters on the agenda may be "quasi-judicial" in nature. Town Council Members are required to disclose all ex-parte communications regarding these items and are subject to voir dire (a preliminary examination of a witness or a juror by a judge or council) by any affected party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment, without being sworn. Unsworn comment will be given its appropriate weight by the Town Council.

Appeal of Decision: If a person decides to appeal any decision made by the Town Council with respect to any matter considered at this meeting, he or she will need a record of the proceeding, and for that purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes any testimony and evidence upon which the appeal will be based.

Consent Calendar: Those matters included under the Consent Calendar are typically self-explanatory, non controversial, and are not expected to require review or discussion. All items will be enacted by a single motion. If discussion on an item is desired, any Town Council Member, without a motion, may "pull" or remove the item to be considered separately. If any item is quasi-judicial, it may be removed from the Consent Calendar to be heard separately, by a Town Council Member, or by any member of the public desiring it to be heard, without a motion.

OPENING

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF THE AGENDA

APPROVAL OF THE MINUTES

PUBLIC COMMENTS

A limited public audience can be accommodated in our Town Council chambers with mandatory facemasks and socially spaced seating. Public Comments for all meetings may be received by email, or in writing to the Town Clerk's Office until 12:00 p.m. (noon) day of the meeting. Comments received will be "received and filed" to be acknowledged as part of the official public record for the meeting. The meeting will be live-streamed and close-captioned for the general public via our website, instructions are posted there.

REGULAR AGENDA

- 1.** Swearing-In of Newly Appointed Unified Land Development Code Review Committee Members
- 2.** Selection of the Unified Land Development Code Review Committee Chairperson
- 3.** Selection of the Unified Land Development Code Review Committee Vice Chairperson
- 4.** Discussion and Review of Sign Code
- 5.** Discussion of Future Meeting Schedule

COMMITTEE MEMBER COMMENTS

CONFIRM NEXT MEETING DATE

ADJOURNMENT

TOWN OF LOXAHATCHEE GROVES

155 F Road Loxahatchee Groves, FL 33470



AGENDA MEMO

TO: Unified Land Development Code Review Committee

FROM: Office of the Town Clerk

DATE: April 14, 2025

SUBJECT: Swearing-In of Newly Appointed Unified Land Development Code Review Committee Members

Background:

At the April 1, 2025 the Town Council approved the appointment of five members to serve on the Unified Land Development Code (ULDC) Review Committee. These members were selected based on their qualifications, interest in community planning, and commitment to the improvement and modernization of the Town’s ULDC. The appointed members are:

- Jo Siciliano
- Karen Plante
- Robert Austin
- Brian Zdunowski
- Sarah Palmer

The swearing-in ceremony is a formal and public acknowledgment of their appointment and commitment to serving the Town in this advisory capacity.

Recommendation:

Staff recommends that the Town Clerk or designated official proceed with administering the Oath of Office to the newly appointed members of the ULDC Review Committee. This action formally installs them into their respective roles, enabling them to begin participating in committee proceedings.

TOWN OF LOXAHATCHEE GROVES

155 F Road Loxahatchee Groves, FL 33470



AGENDA MEMO

TO: Town Council of Town of Loxahatchee Groves

FROM: Francine Ramaglia, CPA, AICP, ICMA-CM, TOWN MANAGER

DATE: March 18, 2025

SUBJECT: Approval of *Resolution No. 2025-20* to Appointment Members to the Unified Land Development Review Committee

Background:

Each year, the Town Council appoints members of the community to represent them by serving on advisory committees for the Town.

The following individuals have been nominated by members of the Loxahatchee Groves Town Council and have been verified by town staff to have met the required criteria to be appointed to the Unified Land Development Code Review Committee.

Phillis Maniglia, Councilmember	Jo Siciliano
Lisa El-Ramey, Councilmember	Karen Plante
Anita Kane, Councilmember	Brian Zdunowski
Paul Coleman, Councilmember	Robert Austin
Margaret Herzog, Councilmember	Sarah Palmer

Recommendation:

Move to approve *Resolution No. 2025-20* appointing members to the Unified Land Development Review Committee.

RESOLUTION NO. 2025-20

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPOINTING MEMBERS OF THE UNIFIED LAND DEVELOPMENT CODE REVIEW COMMITTEE; PROVIDING FOR SEVERABILITY, CONFLICT, AND AN EFFECTIVE DATE.

WHEREAS, Town Council adopted Resolution No. 2024-39 re-creating the “Unified Land Development Code Review Committee” (Committee) for the purposes stated therein; and

WHEREAS, it is the desire of the Town Council to appoint members of the Committee for the term stated herein, all of whom have met the minimum eligibility requirements of Section 2-182 of the Town’s Code of Ordinances.

NOW, THEREFORE, be it resolved by the Town Council of the Town of Loxahatchee Groves, Florida, as follows:

Section 1. That the foregoing “WHEREAS” clauses are confirmed and ratified as being true and correct and are hereby made a specific part of this Resolution.

Section 2. The Town Council hereby appoints the following persons to serve as members of the Town’s Unified Land Development Code Review Committee for an unspecified term concurrent with the appointing Councilmember’s term but no longer than the term of the appointing Councilmember:

- | | |
|---------------------------------|-----------------|
| Anita Kane, Mayor | Brian Zdunowski |
| Margaret Herzog, Vice Mayor | Sarah Palmer |
| Phillis Maniglia, Councilmember | Jo Siciliano |
| Lisa El-Ramey, Councilmember | Karen Plante |
| Paul Coleman II, Councilmember | Robert Austin |

Section 3. Severability. If any clause, section, or other part or application of this Resolution 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 4. Conflicts. All Resolutions or parts of Resolutions in conflict herewith are to the extent of such conflicts hereby repealed.

Section 5. Effective Date. This Resolution shall take effective immediately upon its adoption.

Councilmember _____ offered the foregoing resolution. Councilmember _____ seconded the motion, and upon being put to a vote, the Resolution is hereby:

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS 1ST DAY OF APRIL 2025.

ATTEST:

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

Valerie Oakes, Town Clerk

Voted:
Mayor Anita Kane, Seat 3

APPROVED AS TO LEGAL FORM:

Voted:
Vice Mayor Margaret Herzog, Seat 5

Office of the Town Attorney

Voted:
Councilmember Phillis Maniglia, Seat 1

Voted:
Councilmember Lisa El-Ramey, Seat 2

Voted:
Councilmember Paul Coleman II, Seat 4

TOWN OF LOXAHATCHEE GROVES
155 F Road Loxahatchee Groves, FL 33470



AGENDA MEMO

TO: Unified Land Development Code Review Committee

FROM: Office of the Town Clerk

DATE: April 14, 2025

SUBJECT: Selection of the Unified Land Development Code Review Committee Chairperson

Background:

With the establishment of the ULDC Review Committee and the swearing-in of its members, the next procedural step is the selection of a Chairperson. The Chairperson will serve as the presiding officer during meetings, responsible for maintaining order, setting meeting tone, and working closely with Town staff to ensure agenda planning and procedural flow.

Recommendation:

Staff recommends that the ULDC Review Committee nominate and vote to select one of its members to serve as Chairperson. Staff will assist in facilitating the nomination and selection process and will document the vote and results accordingly.

TOWN OF LOXAHATCHEE GROVES
155 F Road Loxahatchee Groves, FL 33470



AGENDA MEMO

TO: Unified Land Development Code Review Committee

FROM: Office of the Town Clerk

DATE: April 14, 2025

SUBJECT: Selection of the Unified Land Development Code Review Committee Vice Chairperson

Background:

Following the selection of a Chairperson, it is customary and in alignment with committee protocols to also select a Vice Chairperson. The Vice Chairperson supports the Chair and presides over meetings in their absence. This role is crucial to maintaining continuity in leadership and ensuring that all meetings proceed in an orderly and effective manner.

Recommendation:

Staff recommends that the ULDC Review Committee proceed with nominations and a vote to select a Vice Chairperson from among the committee's membership. This will ensure proper leadership structure and readiness for any future meetings where the Chair may be unavailable.



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Agenda Item

TO: ULDCR Committee
FROM: Jeff Kurtz, Project Coordinator
DATE: April 14, 2025
SUBJECT: Sign Code Draft

Background:

Attached please find correspondence and a draft of the sign code prepared by the Town Attorney's Office. The draft was received by the staff late on the afternoon of April 4, 2025. While it is similar to a draft previously prepared by the attorney's office last year, it remains a working draft that the staff is in the process of reviewing. The draft fails to address a number of types of signs including monument signs and therefore this draft will need to be amended. It is also in need of work to develop a matrix of what signs will be permitted within the Town's various zoning districts based on the structure and dimensions of the signs and give further definition to what would be permitted within the context of a master sign plan. The staff will be working with the attorney's office to present the proposed sign ordinance to the committee. Among the issues we will be seeking input and direction from the committee on are the following:

- a. Definition of commercial center
- b. Master sign plans
- c. Monument signs
- d. Review of what signs would become non-conforming if this version of the sign code was adopted and the status existing non-conforming signs
- e. Development of a matrix showing design criteria for signs within various zoning districts
- f. Off-premise, attraction, way finder and or directional signs for agritourism sites and businesses
- g. Town's use of right of way signage for announcements and events
- h. Designation of Town property along rights of way for temporary signage
- i. Consideration of snipe signs
- j. Whether the size and number of signs permitted on a property within the AR district should vary depending on the size of the property
- k. Clarification of type, placement, and duration of temporary signs



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- l. Consideration of handling of bench signs, murals, and flags
- m. Review criteria for anchor tenant determination
- n. Review of type, size and location of signs in context of scale and conformity with surroundings
- o. Agricultural and farm sign exemptions from sign code
- p. Exemptions and waivers

It is anticipated that supplemental information will be provided to the committee later this week as the staff completes its analysis and works with the attorney's office to refine the draft.

Recommendation:

Committee review, discussion, and direction.

**TORCIVIA, DONLON,
GODDEAU & RUBIN, P.A.**

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*FLORIDA BAR BOARD CERTIFIED
CITY COUNTY AND LOCAL GOVERNMENT ATTORNEY

April 4, 2025

VIA ELECTRONIC MAIL ONLY – framaglia@loxahatcheegrovesfl.gov

Francine Ramaglia, Town Manager
Town of Loxahatchee Groves
155 F Road
Loxahatchee Groves, FL 33470

RE: Draft Sign Code

Dear Ms. Ramaglia:

At your direction, our Firm prepared a draft ordinance establishing a new sign code, which is enclosed with this letter. Please note this draft was prepared without assistance or input from the Town’s planning consultant or Town staff. In accordance with the Town Council’s direction, please share a copy of this draft ordinance, along with a copy of the previous draft ordinance and memorandum our Firm prepared that was shared with the Town Council in June of 2024. For your convenience, a copy of the 2024 draft and memorandum is also enclosed with this letter.

As you are aware, the regulation of signs is complex. The law on this issue is not perfectly black and white on what is constitutionally permissible and what is not; indeed, there is much gray. At a basic level, it is important to understand that the Town’s standard for developing regulations concerning other parts of its Code is rational basis. This means the Town simply needs to have a legitimate government interest or purpose for its actions. Under this standard, there is a presumption that the government—the Town—has a rational basis and a challenger must rebut that presumption. The regulation of signs, however, has a much higher standard whereby the presumption of government interest is not present, and the Town must justify its regulations meet the higher standard of either intermediate scrutiny or strict scrutiny. Without delving too much into the legality of those standards, you should understand the following:

Francine Ramaglia, Town Manager
 Town of Loxahatchee Groves
 April 4, 2025
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1. Intermediate scrutiny typically applies to the regulation of content-neutral and commercial signs and requires a substantial (not just legitimate) government purpose that is narrowly tailored to achieve that purpose without excessive restriction.
2. Strict scrutiny applies to signs that on their face are content-based and require the highest burden demanding a compelling government interest (not legitimate or substantial) that is narrowly tailored to achieve those interests with the least restrictive means available. In other words, the law must have a compelling government interest and must not be over-inclusive or under-inclusive.

Because the regulations of signs are subject to intermediate and strict scrutiny, the first five pages of the ordinance establish the Town's appropriate government purposes to place the Town in the best possible position to withstand a legal challenge and mitigate risk. The pages that follow that section provide for severability in the event one portion of the ordinance is later deemed unconstitutional, the other portions of the ordinance can still be enforced. Following severability is a definition section, which is lengthy because these high legal standards demand specificity and clarity. Accordingly, it is important the Town include specific and clear definitions of relevant terms. The remaining portions of the ordinance address the various regulations for signs within the Town.

As your team and the Unified Land Development Code Review Committee review, analyze and revise the draft ordinance, be sure to focus on length, height, width, building materials, lighting, moving parts, portability, time, and location. Moreover, it is important to determine whether the criteria for each type of sign are appropriate within a particular zoning district and whether such criteria are consistent with the Town's Comprehensive Plan. Most importantly, is that the proposed regulations not focus on or otherwise attempt to regulate the content of signs.

In addition to your general review and revision of the draft ordinance, we recommend your team, and the Unified Land Development Code Review Committee, consider the following issues and provide guidance on how those areas should be developed, if at all:

1. Design standards. Review Section 89-060 and provide direction on whether specific regulations relating to foundations or footing for monument signs, or mounting for wall signs are necessary and on the style, size, and material of letters and numerals contained within the sign area, and separation of signs on a building.
2. Additional signs. Review Section 89-065 and provide direction on whether the number and type of signs permitted is adequate.
3. Amortization. Review Section 89-055 and provide direction on how the Town would like to handle nonconforming signs, which may include an amortization schedule.
4. Master Site Plan Waiver. Review Section 89-070(E) and provide direction on what regulations may be waived.

Francine Ramaglia, Town Manager
Town of Loxahatchee Groves
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5. Additional definitions. Review Section 89-015 and provide direction on whether to include regulations relating to the following types of signs and/or design criteria or to delete these definitions:
- a. *Accessory sign.*
 - b. *Awning sign.*
 - c. *Emitting signs.*
 - d. *Changeable copy sign (electronic).*
 - e. *Changeable copy sign (manual).*
 - f. *Channel style letters.*
 - g. *Fascia.*
 - h. *Identification sign.*
 - i. *Memorial sign.*
 - j. *Monument sign.*
 - k. *Portable sign.*
 - l. *Post and panel sign.*
 - m. *Primary façade.*

Please let me know if you want one of our attorneys to be present at the meeting when the Unified Land Development Code Review Committee reviews the draft ordinance. I look forward to our collaboration on this important project. Our Firm is committed to assisting you to bring this project to a successful completion.

In the meantime, do not hesitate to contact me if you have any questions.

Sincerely,



Glen Torcivia
Enclosure

cc: Jeffrey Kurtz
Kaitlyn Forbes

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

APPROVED AS TO LEGAL FORM:

Office of the Town Attorney

Mayor Anita Kane

Vice Mayor Margaret Herzog

Councilmember Phillis Maniglia

Councilmember Lisa El-Ramey

Councilmember Paul Coleman II



155 F Road Loxahatchee Groves, FL 33470

TO: Town Council of Town of Loxahatchee Groves

FROM: Town Attorney's Office

VIA: Francine Ramaglia, Town Manager

SUBJECT: Discussion on Sign Code

Background:

The Town has an adopted sign code in Article 90 of the Unified Land Development Code (ULDC). Following changes in the law, some updates to the sign code are necessary. Town Council requested an opportunity to review and discuss the current sign code and potential changes, in addition to those required by law.

Changes in Florida law require that all sign regulations be content-neutral. Sign regulations should not include categories that are content based, such as “political signs”. More appropriately, sign regulations may address size, height, building materials, lighting, moving parts, portability, time, and location (setbacks, on-premises or off-premises). The substantive message of the sign must be irrelevant to the application of the regulations. Sign regulations must be narrowly tailored to serve a significant governmental interest, and must not foreclose an entire medium of expression. For example, a general prohibition against carrying of portable signs would be struck down while a prohibition against commercial portable signs may be upheld.

Town Council previously gave direction for the Town Attorney to work with the existing sign code to remove any outdated and illegal language and to bring it back for review and discussion by Council. The direction from Council also included that the revised draft should incorporate changes previously recommended by the ULDC Committee.

In preparing the revised draft for review and discussion by Council, the following changes were generally made:

1. Revised the scope, purpose and intent to be more legally defensible.
2. Deleted unused definitions.
3. Deleted content-based regulations.
4. Consolidated sign type regulations that were consistent regardless of zoning district, including relocation of temporary sign regulations from Section 90-045 and promotional sign regulations from Section 90-050 all to Section 90-040.
5. Clarified distinctions by sign type and zoning district.



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6. Revised language regarding farm signs to be consistent with Florida Statutes.
7. Added language regarding denial and appeal of and variance to a sign permit.
8. Added language regarding enforcement and severability of the sign code.
9. Made, marked, and noted proposed changes recommended by the ULDC and when the recommended language was altered or not recommended by the Town Attorney.

The Town Manager and Planning Consultant also reviewed the revised draft and the following recommendations are made for Council consideration in its review and discussion of the sign code:

1. Consider moving definitions to Section 10-015, Definitions (includes all definitions for ULDC).
2. Minimum occupancy requirement for “anchor tenant”.
3. How to calculate and define sign area, perimeter, face (including when double-faced), height, structure. Which of these measurements should be followed or are they all needed?
4. Whether to include awning, canopy, mansard signs. These are currently treated the same, consider separating and modifying, if retaining.
5. Modify the definition for billboard sign.
6. Clarify regulation of flags.
7. Adding regulations related to the definition of “identification signs”.
8. Modifying definitions; particularly “internal illumination”, “mobile signs”, “monument sign”, “permanent sign”, “public service sign”, “snipe sign”, “strip lighting”, “tethered/inflatable sign”, “traffic control sign”.
9. Create definition for “secondary sign”.
10. Delete murals; unless desire murals to include commercial messaging. Consider adding a public art component to the ULDC that may include murals.
11. Prohibit all off-premises signage.
12. Section 90-015 should stay a complete list of all prohibited signs, not just permanent signs; consider modifying the list to remove sign types allowed as temporary and to add other types. If permitting mansard roof signs, clarify prohibition on roof signs. Code currently includes provisions for temporary use of inflatable/tethered (balloon), banner or pennant, and mobile signs.
13. Discuss definition and whether to prohibit or allow strip lighting.
14. Consider adding detail regarding sign materials and lighting. Consider whether string lights should be included.
15. Modify mandatory building identification (address) signs to reference building code and only include any additional regulations, such as uniformity of size and color within a single development.
16. Consider modifying time frame references from “for any period of time” to “at any time”.



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17. Consider time frame for temporary signs. Code originally set at 6 months, ULDC Committee recommended 30 days unless extended by Town Manager. Time frame may be best considered and established by sign type and location.
18. Consider allowance and regulation of digital changeable copy signs. Where may be located (zoning district, type of facility), dwell time, visual elements, transition time, messages per cycle, prohibition of flash and zoom elements, stop/danger messaging, and red/green/amber colors.
19. Consider separate regulations for drive-through signs.
20. Prohibit monument signs for accessory structures.
21. Consider regulations for directional and safety signage proposed by ULDC. Should this be revised as part of requirement for master signage plan for developments, including process for approval and sign types for directional, regulatory, street, monument, and wall, at a minimum? Should it be standard for all zoning districts? Consider adding regulation for height.
22. Consider appropriate sign sizing by sign type, zoning district, and sign location.
23. Consider reducing maximum sign size in Conservation (CN) zoning district.
24. Consider eliminating use of temporary signs in Conservation (CN) zoning district.
25. Consider reducing flag pole height limit for commercial flags.
26. Revise permit section to include time limitations.
27. Consider whether to delete Section 90-070(D)(1) and (2). Review new enforcement provision in Section 90-080.
28. Clarify exemption for flag does not include exemption for the flag pole.
29. Consider performing inventory and enforcement of nonconforming signs prior to adoption of revisions to sign code or consider revising amortization provision in Section 90-075(A).
30. Consider re-structuring, re-ordering, and re-formatting sign code. Should permit requirements be at the top and prohibited signs be at the bottom? Should the regulations by type or type and zoning district be in-line text or table format? Should both permanent and temporary sign type standards by zoning district be in the same section or separated?

Recommendation:

Discuss potential changes to the sign code and provide direction to staff.

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.

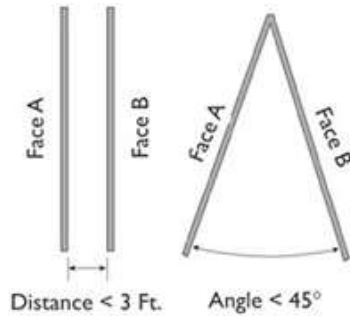
Channel style letters. Unlit three-dimensional letters that are applied to sign panels or monuments.

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, eolumns 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	0.5 sq. ft. (min) — 2 sq. ft. (max)
Lettering	3 in. (min) — 8 in. (max)
Number of signs (maximum)	1 per dwelling unit
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)
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Number of signs (maximum)	1 per street frontage
Height	6 feet (max)
Other restrictions	Sign(s) shall be removed within six weeks after election or final decision on issue (if applicable)
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	0.5 sq. ft. (min) — 4 sq. ft. (max)
Lettering	3 in. (min) — 12 in. (max)
Number of signs (maximum)	1 per structure or business
Other	May be an awning sign
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, however, in no case should the length of the sign exceed 75 percent of the building length
Number of signs (maximum)	1 per building. Buildings located on a corner are permitted a <u>Two (2)</u> 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.
Sign design and dimension	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
Other restrictions	A minimum of ten percent of the building must be maintained as clear wall area on either end of the sign.
Attached/freestanding or both	Attached

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

Sign face area (maximum)	Regular <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 60 <u>72</u> square feet, whichever is less
	All tenants: In no case should the length of the sign exceed 75 percent of the building length or width of tenant frontage

Number of signs (maximum)	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; <u>or, in the alternative, the total allowable signage for a corner lot may be divided equally between the two wall signs.</u>
Sign design and dimension	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
Other restrictions	A minimum of ten percent of the building must be maintained as clear wall area on either end of the sign.
Attached/freestanding or both	Attached

(43) *Canopy sign:*

Sign face area	1 sq. ft. per one linear foot of canopy or 24 feet, whichever is less. A minimum of 16 square feet is permitted
Number of signs (maximum)	1 per canopy or 2 per building, whichever is less
Sign design and dimension	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
Attached/freestanding or both	Attached

(54) *Monument or panel sign:*

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

Sign face perimeter area (maximum)	60 75 square feet
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Number (maximum)	1 per building
Sign design	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
Sign dimensions	Maximum height of six feet and maximum length of 12 feet
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 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
Attached/freestanding or both	Freestanding

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

Sign face perimeter area (maximum)	72 95 square feet
Number (maximum)	1 per driveway accessing a public street
Sign design	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
Sign dimensions	Maximum height of eight feet and maximum length of 12 feet
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 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
Attached/freestanding or both	Freestanding

~~(6) — Menu sign or Menu Board:~~

Secondary signs	Drive thru, 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
Attached/freestanding or both	Freestanding

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

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

~~(75) Window sign:~~

Sign face area	6 sq. ft. or 20 percent of any window or door area, whichever is less
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Number of signs (maximum)	3 per tenant
Other Sign design	Window signs include neon signs and pasted letters, symbols, and logos
Attached/freestanding or both	Attached

(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:

Sign face area	Not applicable
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>
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

(9) *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	

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

(2) *Awning sign:*

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

Attached/freestanding or both	Attached
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(3) Monument or panel sign:

Sign face area (maximum)	60 square feet
Number (maximum)	1 per driveway
Sign design	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
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	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
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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
<u>Sign design</u> Other restrictions	<u>Pasted letters, symbols and logos only.</u> Neon and other illuminated window signs shall not be permitted
Attached/freestanding or both	Attached

~~(7) *Opinion sign:*~~ (5) 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	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	0.5 sq. ft. (min) — 8 sq. ft. (max)
Lettering	3 in. (min) — 8 in. (max)
Number of signs (maximum)	1 per structure or business
Other	May be an awning sign
Attached/freestanding or both	Attached

(2) *Awning sign:*

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

(3) *Monument or panel sign:*

Sign face area (maximum)	60 square feet
Number (maximum)	1 per driveway
Sign design	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
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) — 8 sq. ft. (max)
Lettering	3 in. (min) — 8 in. (max)
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	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
Sign dimensions	Maximum height of six feet and maximum length of 12 feet

Attached/freestanding or both	Freestanding
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(3) ~~Opinion 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>
<u>Sign face area</u>	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)
<u>Number of signs (maximum)</u>	
<u>Other restrictions</u>	
<u>Attached/freestanding or both</u>	

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:*

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

(2) *Banner or pennant sign:*

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

(3) *Mobile sign:*

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

- ~~(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



155 F Road Loxahatchee Groves, FL 33470

Agenda Item #

TO: ULDCR Committee
FROM: Jeff Kurtz, Project Coordinator
DATE: April 14, 2025
SUBJECT: Matrix Supplementing Sign Code Draft

Background:

Attached please find a matrix that provides information on what the Town's current code allows in the various zoning districts with respect to signage. At the committee meeting staff will be presenting a pictorial review of signs that exist throughout Town. The review will not focus on which of the signs are in compliance with the current code, but rather they will be the basis for the committee to give guidance on what size, location and type of signs should be permitted by the new sign code. Sign codes should be tailored to the individual community and the committee is in a better position than staff or the Town Attorney's office to determine what the community standards are or should be. We look forward to working with the committee to produce an effective sign code for the Town.

Recommendation:

Committee review, discussion, and direction.

	Agricultural Residential (AR)	Commercial Low (CL)	Commercial Low Office (CLO)	Institutional Public Facilities (IPF)	Parks and Recreation (PR)	Conservation (CN)	Southern Corridor
WALL MOUNTED SIGNS							
Building Wall	PROHIBITED			PROHIBITED	PROHIBITED	PROHIBITED	
Number		1 but 2 nd sign permitted at 50% of the primary sign's square footage if a corner site	1 but 2 nd sign permitted at 50% of the primary sign's square footage if a corner site				
Sign Area		Max one (1) sq. ft. per linear foot of building frontage, or 36 square feet, whichever is less but the length of the sign cannot exceed 75 percent of the building length. Anchor tenant max one (1) sq. ft. per linear foot of building frontage, or 60 square feet, whichever is less but the length of the sign cannot exceed 75 percent of the tenant building length or width	Max one (1) sq. ft. per linear foot of building frontage, or 36 square feet, whichever is less but the length of the sign cannot exceed 75 percent of the building length. Anchor tenant max one (1) sq. ft. per linear foot of building frontage, or 60 square feet, whichever is less but the length of the sign cannot exceed 75 percent of the tenant building length or width				
Miscellaneous		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	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 area.				
		A minimum of ten percent (10%) of the building must be maintained as clear wall area on either end of the sign	A minimum of ten percent (10%) of the building must be maintained as clear wall area on either end of the sign				

	Agricultural Residential (AR)	Commercial Low (CL)	Commercial Low Office (CLO)	Institutional Public Facilities (IPF)	Parks and Recreation (PR)	Conservation (CN)	Southern Corridor
CANOPY SIGNS	PROHIBITED			PROHIBITED	PROHIBITED	PROHIBITED	
Number		1 per canopy or 2 per building, whichever is less	1 per canopy or 2 per building, whichever is less				
Sign Area		1 sq foot per one linear foot of canopy or 24 feet, whichever is less.	1 sq foot per one linear foot of canopy or 24 feet, whichever is less.				
Vertical Clearance		9'	9'				
WINDOW	PROHIBITED				PROHIBITED	PROHIBITED	
Number		Max 3 per business	Max 3 per business	1 per building			
SIGN AREA		Max six (6) sq. ft. or twenty percent (20%) of any window or door area, whichever is less	Max six (6) sq. ft. or twenty percent (20%) of any window or door area, whichever is less	Max six (6) sq. ft. or twenty percent (20%) of any window or door area, whichever is less			
ILLUMINATION		One (1) illuminated sign up to a max of three (3) sq ft and otherwise included in the overall window sign calculations may be permitted per occupied business	One (1) illuminated sign up to a max of three (3) sq ft and otherwise included in the overall window sign calculations may be permitted per occupied business.	One (1) illuminated sign up to a max of three (3) sq ft and otherwise included in the overall window sign calculations may be permitted per occupied business			
MISCELLANEOUS		Include neon signs and pasted letters, symbols and logos		Neon and other illuminations are not permitted			
		Cloth, canvas, fabric, paper, plywood, or other like material which is not intended or designed for permanent display are prohibited	Cloth, canvas, fabric, paper, plywood, or other like material which is not intended or designed for permanent display are prohibited				

	Agricultural Residential (AR)	Commercial Low (CL)	Commercial Low Office (CLO)	Institutional Public Facilities (IPF)	Parks and Recreation (PR)	Conservation (CN)	Southern Corridor
		The sign may be illuminated only during hours of operations. Must have a permanent power source that has been professionally installed and permitted by the Town. No batteries.	The sign may be illuminated only during hours of operations. Must have a permanent power source that has been professionally installed and permitted by the Town. No batteries.				
		If a business occupies multiple spaces within a single building, the sign limit applies separately to each space under the business' ownership or control	If a business occupies multiple spaces within a single building, the sign limit applies separately to each space under the business' ownership or control				
Awning	PROHIBITED						
						PROHIBITED	
Number		1 per structure or business	1 per structure or business	1 per structure or tenant	1 per structure or tenant		
Sign Area		Max. 4 sq feet but cannot total more than 20% of awning	Max. 4 sq feet but cannot total more than 20% of awning	Max. 2 sq ft but cannot total more than 20% of awning	Max. 2 sq ft but cannot total more than 20% of awning		
Location		On awning	On awning	On awning	On awning		
Lettering		Max. 12 inches	Max. 12 inches	Max. 8 inches	Max. 8 inches		
Identification							
Number	1 per dwelling unit	1 per structure or business	1 per structure or business	1 per structure	1 per structure or business	1 per structure or business	
Sign Area	Max. 2 sq ft	Max. 4 sq. ft.	Max. 4 sq. ft.	Max. 2 sq ft	Max. 8 sq ft	Max. 8 sq ft	
Location	On building	On building or awning	On building or awning	On building or awning	On building or awning	On building or awning	
Lettering	Max. 8 inches	Max. 12 inches	Max. 12 inches	Max. 8 inches	Max. 8 inches	Max. 8 inches	

	Agricultural Residential (AR)	Commercial Low (CL)	Commercial Low Office (CLO)	Institutional Public Facilities (IPF)	Parks and Recreation (PR)	Conservation (CN)	Southern Corridor
FREE STANDING							
TRAFFIC CONTROL	PROHIBITED						
NUMBER		2	2	2	2	2	
HEIGHT		3'	3'	3'	3'	3'	
SIGN AREA		3 SQ FT	3 SQ FT	3 SQ FT	3 SQ FT	3 SQ FT	
LOCATION		TOWN DETERMINES	TOWN DETERMINES	TOWN DETERMINES	TOWN DETERMINES	TOWN DETERMINES	
Changeable Copy (Manual or electronic)							
Number		Per monument regulations	Per monument regulations	Per monument regulations	Per monument regulations	Per monument regulations	
Sign Area		Max. 25% of sign copy area	Max. 25% of sign copy area	Max. 80% of sign copy area	Max. 80% of sign copy	Max. 80% of sign copy	
Height		Per monument regulations	Per monument regulations	Per monument regulations	Per monument regulations	Per monument regulations	
Location		Per monument regulations	Per monument regulations	Per monument regulations	Per monument regulations	Per monument regulations	
Setback		Per monument regulations	Per monument regulations	Per monument regulations	Per monument regulations	Per monument regulations	
Monument	PROHIBITED						
Number		1 per building unless multi-tenant or shopping center than 1 per driveway	1 per building unless multi-tenant or shopping center than 1 per driveway	1 per driveway	1 per driveway	1 per driveway	
Sign Area		Max. 60 sq feet unless multi-tenant or shopping center than max. 72 sq feet	Max. 60 sq feet unless multi-tenant or shopping center than max. 72 sq feet	Max. 60 sq feet	Max. 60 sq feet	Max. 60 sq feet	
Height		Max. 6 feet unless multi-tenant or shopping center than max. 8 feet	Max. 6 feet unless multi-tenant or shopping center than max. 8 feet	Max. 6 feet	Max. 6 feet	Max. 6 feet	
Length		Max. 12 feet	Max. 12 feet	Max. 12 inches	Max. 12 inches	Max. 12 inches	

	Agricultural Residential (AR)	Commercial Low (CL)	Commercial Low Office (CLO)	Institutional Public Facilities (IPF)	Parks and Recreation (PR)	Conservation (CN)	Southern Corridor
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 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	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	None	None	None	
Setback		5' from property line	5' from property line	5' from property line	5' from property line	5' from property line	
Miscellaneous		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".	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".	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".	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".	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".	

	Agricultural Residential (AR)	Commercial Low (CL)	Commercial Low Office (CLO)	Institutional Public Facilities (IPF)	Parks and Recreation (PR)	Conservation (CN)	Southern Corridor
INTERIOR SIGNS							
Business Identification (Directory)	PROHIBITED						
Number		1 per plot	1 per plot	1 per plot	1 per plot	1 per plot	
Sign Area		Max. 16 sq feet but multi-tenant or shopping centers have 32 sq. feet	Max. 16 sq feet but multi-tenant or shopping centers have 32 sq. feet	Max. 16 sq feet	Max. 16 sq feet	Max. 16 sq feet	
Height		Max. 6 feet	Max. 6 feet	Max. 6 feet	Max. 6 feet	Max. 6 feet	
Location		Cannot be seen from ROW	Cannot be seen from ROW	Cannot be seen from ROW	Cannot be seen from ROW	Cannot be seen from ROW	
Setback		Min 10 feet from property line	Min 10 feet from property line	Min 10 feet from property line	Min 10 feet from property line	Min 10 feet from property line	
Drive Thru Changeable Copy	PROHIBITED			PROHIBITED	PROHIBITED	PROHIBITED	
Number		1 per building	1 per building				
Sign Area		Max. 36 sq ft	Max. 36 sq ft				
Height		Max 6 feet	Max 6 feet				
Location		Drive through	Drive through				
Setback		5' from property line	5' from property line				
Miscellaneous		Shall only be internally backlit	Shall only be internally backlit				
		Shall not contain more than one (1) sq foot of copy area of corporate or company identification	Shall not contain more than one (1) sq foot of copy area of corporate or company identification				
		No additional add-ons permitted	No additional add-ons permitted				
		An additional 6 sq feet of copy area may be permitted for use on an LCD screen	An additional 6 sq feet of copy area may be permitted for use on an LCD screen				

	Agricultural Residential (AR)	Commercial Low (CL)	Commercial Low Office (CLO)	Institutional Public Facilities (IPF)	Parks and Recreation (PR)	Conservation (CN)	Southern Corridor
TEMPORARY ANNOUCEMENT							
Events that last less than 7 days (Special Events/ Open House/Garage Sale)							
Number	1 per event	1 per street front	1 per street front	1 per street front	1 per street front		
Sign Area	Max. 6 sq ft	Max 12 sq ft	Max 12 sq ft	Max 12 sq ft	Max 12 sq ft		
Height	Max. 6 feet	Max 6 feet	Max 6 feet	Max 6 feet	Max 6 feet		
Setback	5 feet from property line	5 feet from property line	5 feet from property line	5 feet from property line	5 feet from property line		
Miscellaneous	Shall be removed within 24 hours after the end of event	Shall be removed within 24 hours after the end of event	Shall be removed within 24 hours after the end of event	Shall be removed within 24 hours after the end of event	Shall be removed within 24 hours after the end of event		
Events that last more than 7 days but less than 30 days						PROHIBITED	
Number	1 per event	1 per street front	1 per street front	1 per street front	1 per street front		
Sign Area	Max. 6 sq ft	Max 12 sq ft	Max 12 sq ft	Max 12 sq ft	Max 12 sq ft		
Height	Max. 6 feet	Max 6 feet	Max 6 feet	Max 6 feet	Max 6 feet		
Setback	5 feet from property line	5 feet from property line	5 feet from property line	5 feet from property line	5 feet from property line		
Miscellaneous	Shall be removed within 24 hours after the end of event	Shall be removed within 24 hours after the end of event	Shall be removed within 24 hours after the end of event	Shall be removed within 24 hours after the end of event	Shall be removed within 24 hours after the end of event		
Events that last more than 30 days (real estate signs)						PROHIBITED	
Number	1 per street front	1 per street front	1 per street front	1 per street front	1 per street front		
Sign Area	Max. 6 sq ft	Max 12 sq ft	Max 12 sq ft	Max 12 sq ft	Max 12 sq ft		

	Agricultural Residential (AR)	Commercial Low (CL)	Commercial Low Office (CLO)	Institutional Public Facilities (IPF)	Parks and Recreation (PR)	Conservation (CN)	Southern Corridor
Height	Max. 6 feet	Max 6 feet	Max 6 feet	Max 6 feet	Max 6 feet		
Setback	5 feet from property line	5 feet from property line	5 feet from property line	5 feet from property line	5 feet from property line		
Miscellaneous	Shall be removed within 24 hours after the end of event	Shall be removed within 24 hours after the end of event	Shall be removed within 24 hours after the end of event				